REGULAR MEETING OF THE BOARD JANUARY 6, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Engineer, Ramon Gavarrete. The Pledge of Allegiance was led by John Nettles of the Veterans Advisory Council.

3. Call for "citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending January 6, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended January 2, 2004 and a Monthly Report of Business Services for December* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 54.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval of minutes of the December 2,9, and 16, 2003 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits January 6, 2004

General	**1,428,204.22**
County Transportation Trust	**36,483.75**
E911 Operations Fund	**57.28**
Local Govt Infra Surtax	**91,325.65**
Affordable Housing	**6,849.93**
HCISSRB Construction Fund	**286,503.76**
Solid Waste	**78,567.56**
Placid Utilities	**559.28**

Highway Park Utility 9.80

C. Request approval of transfer or sale of Tax Certificate for George McGee. See SMB 45 Page 55.
D. Request approval of a contract with Central Locating Service, LTD., for "Underground Facilities Locating and Marking Services". See file for copy.
E. Request approval to reduce EMS bill. See SMB 45 Page 56.
F. Request approval of amended Notice of Nuisance on CE 03030137 - 3709 CR 17 South. See Subdivision file.
G. Request approval of Notice of Nuisance on CE 03080187 - 4811 Royal Palm. See Subdivision file.
H. Request approval of Notice of Nuisance on CE 03080182 - 1310 Garwood Avenue. See Subdivision file.
I. Request approval to disband the GASB34 Work Group. See SMB 45 Page 57.
J. Request approval of Satisfaction of Mortgage - Batz. See Satisfaction file.
K. Request approval of Satisfaction of Mortgage - Thrift. See Satisfaction file.
L. Request approval of Budget Amendment 03-04-78
M. Request approval of Resolutions & Budget Amendments 03-04-79 & 80. See Res. Book 17 Page 1.
N. Request approval of Acts of Caring Program application for submission to the National Association of Counties. See Library file.

Payment of bills and employee benefits was authorized on December 30, 2003 in the amount of $461,645.09.

6. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

9:05 a.m. A. EXECUTIVE SESSION: Regarding Case No.03-14378 CIV Graham- Gulfstream v. Highlands County Board of County Commissioners

The executive session was called to order at 9:12 A.M. Proof of Publication for this session was entered into the record. See SMB 45 Page 58.

The Chair called the regular meeting back to order at 9:45 A.M.

B. County Engineer

1. Request to accept and award the contract to construct the water line to the Sebring Eye Clinic per contract specifications to KDL Underground and Development, Inc.

County Engineer, Ramon Gavarette, presented the request, adding that a Resolution and budget amendment also need to be approved, contingent upon the receipt of surety delivered by The Eye Surgery Properties of Sebring, LLC, to be held and distributed by the County. Motion by Commissioner Bullard, seconded by

Commissioner Stokes to accept and award the construction contract for the Sebring Eye Clinic to KDL Underground and Development Inc, contingent upon the receipt of surety, including the resolution and budget amendment #03-04-85. Upon roll call, all Commissioners voted aye. Motion carried. See file and Res. Book 17 Page 2.

2. Request approval of recordation of Hawk's Landing subdivision, and to accept Improvement Agreement with description of escrowed surety

County Engineer, Ramon Gavarette, presented the request to approve the recordation of Hawk's Landing subdivision, with acceptance of the Improvement Agreement. Board Attorney, Ross Macbeth, stated the Board's approval needs to be contingent upon receipt of an Irrevocable Letter of Credit and a Memorandum of Understanding from the bank in a form satisfactory to the Board Attorney. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated, contingent upon receipt of the Irrevocable Letter of Credit and Memorandum of Understanding, and authorization for the Chairman to sign the Plat and forward to the Clerk's office for recording, once these documents are received. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

C. Board Attorney

1. Resolution documenting the need for Emergency Management Equipment

Board Attorney, Ross Macbeth, presented a resolution for approval, giving Bill Nichols, Emergency Management Director, the authority to execute Emergency Management grant applications, to purchase emergency generators. Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve the resolution as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 3.

2. Gulfstream Natural Gas litigation

Ross Macbeth requested approval from the Board to allow him to file an answer in the litigation with Gulfstream Natural Gas, and to associate with the law firm of Peterson Myers for the purpose of defending the Board in the lawsuit. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

D. County Administrator

1. Request approval of Budget Amendments 03-04-81 & 82 decreasing Fund 401 Reserve

2. Request approval of Budget Amendment 03-04-83 decreasing Fund 151 Reserve

3. Request approval of Budget Amendment 03-04-84 decreasing General Fund Reserve for Heartland Water Alliance

County Administrator, Carl Cool, presented the request to approve the budget amendments as listed. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve Budget Amendments 03-04-81, 03-04-82, 03-04-83, and 03-04-84 as stated. Upon roll call, all Commissioners voted aye. Motion carried.

4. Proposed schedule for Public Transit Action Committee

Carl Cool informed the Board that the Committee has scheduled their next meeting for January 26, 2004 to further discuss the issue of funding the transportation system. He suggested that the Board schedule a

workshop for February 10, 2004 to consider all of the facts and issues involved in having a county transportation system, and receive public input, then make a decision the following week, February 17, on whether or not to go ahead with creating a transit system in Highlands County. The Board reached a consensus to schedule the workshop for February 10, 2004. Chairman Flowers requested that the meeting be closed to any other workshop items. Commissioner Maxcy asked the members of the press to inform the public of this workshop, and encourage the public to attend and voice their opinions about a transit system.

5. Recycling Department

Carl Cool stated that the Recycling department had decided to cancel the Christmas Tree Recycling program this year. Residents can put their trees at the curb for pick up on normal yard trash days, the first and third Wednesdays of each month.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

Commissioner Bullard reported on a meeting he had yesterday with Governor Bush.

9. ADJOURN

The meeting adjourned at 10:08 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD JANUARY 13, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**Mike Disler**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Commissioner C. Guy Maxcy.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending January 13, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended January 9, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 59. Commissioner Bullard requested a report of the year end totals from the monthly court services and business services reports.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve agenda as amended. Addition of Item 4-G. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits January 13, 2004

General	**1,640,232.24**
County Transportation Trust	**11,685.12**
E911 Operations Fund	**16,552.95**
Legal Aid	**2,992.11**
Local Govt Infra Surtax	**107,959.08**
Affordable Housing	**86.04**
HCISSRB Construction Fund	**44,641.09**
Solid Waste	**21,191.81**
Placid Utilities	**13,734.21**

Highway Park Utility 1,786.34
Risk Retention Fund 15.26
Employee Benefit Fund 156.01

B. Request approval of county maintained road maps for 2004. See SMB 45 Page 60.
C. Request approval of a temporary Construction Easement for Dal Hall Boulevard Widening Project #97053
D. Request approval of a Satisfaction of Mortgage for Wayne & Tiffany Gunn. See Satisfaction file.
E. Request approval and execution of resolution & application for EMS County Grant. See Res. Book 17 Page 5 and Grant file.
F. Request approval of Resolution & Budget Amendment #03-04-86. See Res. Book 17 Page 6.
G. Request approval of transfer or sale of Tax Certificate for George McKee. See SMB 45 Page 61.

5. PUBLIC HEARING: Public Hearing to consider the purchase of softball complex property

Proof of Publications for this hearing were entered into the record. See SMB 45 Page 62. County Administrator, Carl Cool, introduced Mike Disler, an attorney who will be sitting in for Board Attorney, Ross Macbeth, during this hearing, due to one of the properties in question belonging to the Macbeth family. Mr. Cool stated this hearing is being held to consider the purchase of one of two pieces of property for the construction of a softball complex in Highlands County. He introduced the following documents into the record for this hearing: appraisals for both pieces of property, land purchase agreements, an environmental site assessment report for the Hutchinson property, and numerous letters and petitions in support and opposition to the purchase of the Hutchinson site. All of the Commissioners turned in letters they have received from the public concerning the hearing. Mike Disler informed the Board that if they decide on purchasing the Macbeth property, they will have to obtain another appraisal, due to the purchase price exceeding $500,000. If the agreed purchase price exceeds the average of the two appraisals, there would have to be a super-majority vote (4-1) in order to purchase the property. Mr. Cool gave a powerpoint presentation on the two pieces of property. The Recreation and Parks Advisory Committee is recommending the Board consider and move forward with the purchase of the Hutchinson property. The Chair opened the floor to the public.

The following people spoke in opposition to the complex on either site: Rufino Salinas, representing the Crystal Lake Club, Nancy Geer, Hank Kowalski, Kevin Brown, and Ruth Curry. John Grille, Dee McDonald and John Shoop, representing RPAC, Louise England, and Mike Swain, representing the Hutchinson family, spoke in support of RPAC's recommendation. Rob Livingston, representing James W. Kelly, Sebring Shores Inc., and the Sherwood family, spoke in opposition to the purchase of the Hutchinson site. Jack Ritchie, Lowell Ballas, and Anita Helbig spoke in support of having a softball complex, but made no preference as to location. Ray Napper spoke in support of purchasing the Macbeth property for the complex. Chris Miller informed the Board of an alternate location for the complex, but requested additional time to look at the property.

Break 10:55 - 11:10 A.M.

Commissioner Bullard made a motion to pass on the purchase of the Hutchinson property, stating that the location is not an appropriate site for a softball complex, with the cemetery located just south of the property. Commissioner Maxcy seconded the motion. Upon roll call, all Commissioners voted aye. Motion carried to deny the request.

Carl Cool advised the Board that a public hearing is scheduled for this afternoon's Planning and Zoning Commission meeting to consider the re-zoning of both pieces of property. He stated that the Board should also take a position on the Macbeth property. If the Board passes on the Macbeth property also, he will instruct Staff to withdraw the proposed re-zoning applications from this afternoon's meeting. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to pass on the purchase of the Macbeth property. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

6. WORKSHOP: Workshop on proposed marina at H.L. Bishop Park

Michael Wiggins updated the Board on the progress he has made concerning the proposed marina at H.L. Bishop Park, adding that he has met with and received endorsements for the project from numerous organizations and agencies, including the County Fire Department, Building Department, Lakes Manager, Highlands County Lakes Association, and the Town of Lake Placid. He is requesting that County Staff be allowed to proceed with drafting an RFP (Request for Proposal) for the project. Commissioner Bullard commended Mr. Wiggins for the research and work he has done so far. County Engineer, Ramon Gavarrete, stated he did not see any engineering or traffic issues with the project. The Board reached a consensus to instruct Staff to proceed with drafting an RFP for the project.

7. COMMISSIONERS

Commissioner Maxcy stated he will be attending a joint meeting with the Florida League of Cities, Florida School Board Association and the Florida Association of Counties this Friday to discuss issues for the upcoming session.

Commissioner Bullard advised that he met with the Southwest Florida Water Management District yesterday to discuss the new drafted SWUCA rules. He has also sent a list of questions to SWFWMD relating to SWUCA issues, and will share the final answers with the Board when they are received.

8. ADJOURN

The meeting adjourned at 11:33 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD JANUARY 20, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Deputy Clerk, Bob Jamison.

2. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending January 20, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended January 16, 2004 and a report of Jury Trial Week for the month of January* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 63.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

D. Other meetings

5. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve agenda as amended. Remove Item 5-I, to be placed on action agenda under the County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the December 23, 2003 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits January 20, 2004

General	**204,165.03**
County Transportation Trust	**17,109.99**
E911 Operations Fund	**17.26**
Local Govt Infra Surtax	**87,487.13**

Community Development Block 6,105.00
Affordable Housing 3,900.00
HCISSRB Construction Fund 4,522.41
Solid Waste 43,440.18
Placid Utilities 983.23
Highway Park Utility 302.93
Risk Retention Fund 11.14
Employee Benefit Fund 999.50

C. Request approval to write off an EMS bill. See SMB 45 Page 64.
D. Request approval of Satisfaction of Mortgage for Juan & Mabel Ramos. See Satisfaction file.
E. Request approval of Satisfaction of Mortgage for Cynthia Ross. See Satisfaction file.
F. Request approval of deed of conservation easement/revised mitigation plan - County Marl Pit
G. Accept into the record Dori Slosberg Driver Education Safety Act, Receipts and Expenditures as of December 31, 2003. See file for copy.
H. Request approval of Resolution and Budget Amendment 03-04-90. See Res. Book 17 Page 7.
~~**I. Request approval of Budget Amendment 03-04-88**~~

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Chairman Flowers: Request approval of a Resolution in support of establishing Veteran's Appreciation Day & Week in Highlands County

Chairman Flowers read the Resolution into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to adopt the Resolution, recognizing the week of February 9-13, 2004 as *Veterans Appreciation Week*, and February 13, 2004 as *Veterans Appreciation Day*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 8.

B. Recycling Program Manager and General Services Director: Request approval of a new program using Quicksilver Recycling Services for both collection and recycling of electronic waste (e-waste)

Recycling Program Manager, Christy Reed, presented the request to implement an electronic waste (e-waste) program in Highlands County, and use Quicksilver Recycling Services for both the collection and recycling of the e-waste. Commissioner Bullard commended Ms. Reed and the Recycling Program for the great job that they are doing. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 65.

C. Pamela B. Cross, Finance Officer, Clerk of Courts: Interim Financial Report of Key

Operating Performance Measures as of December 31, 2003

Senior Director of Business Services, Bob Jamison, and Finance Officer, Pam Cross, presented an Interim Financial Report of Key Operating Performance Measures as of December 31, 2003 for the Board of County Commissioners. See Clerk's Financial Reporting file.

County Administrator, Carl Cool, presented an EMS billing status update with ADP for the period ending September 30, 2003.

D. Board Attorney

No report.

E. County Administrator

1. Request approval of Budget Amendment 03-04-88

County Administrator, Carl Cool, presented the request. OMB Director, Rick Helms, stated that this budget amendment has been revised, and requires a resolution to accompany it. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the revised budget amendments, including the resolution as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 9.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

Commissioner Maxcy reported on the meeting he attended last week with the Florida Association of Counties, Florida League of Cities, and the Florida School Board Association. He requested that the Board draft a letter of support for a grant that the Florida Heartland Heritage Foundation is applying for, and authorize the Chairman to sign. The Commissioners reached a consensus to authorize the Chairman to sign the letter of support.

Commissioner Bullard handed out a letter from the Southwest Florida Water Management District addressing the questions posed to them.

9. ADJOURN

The meeting adjourned at 10:05 A.M.

_____

Chairperson

Attest: _____

Clerk

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REGULAR MEETING OF THE BOARD JANUARY 27, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Andrew Jackson. The Pledge of Allegiance was led by Commissioner C Guy Maxcy.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending January 27, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended January 23, 2004 and a Year End Totals report for Business Services and Court Services for FY 2003* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 66.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits January 27, 2004

General	**209,458.84**
County Transportation Trust	**17,561.53**
E911 Operations Fund	**2,100.29**
Local Govt Infra Surtax	**230,460.64**
Community Development Block	**9,442.01**
Affordable Housing	**25,166.67**
HCISSRB Construction Fund	**70,632.06**
Solid Waste	**5,274.20**

Placid Utilities 2,191.88
Highway Park Utility 28.10
Risk Retention Fund 42
Employee Benefit Fund 1.98

B. Request approval of Utility Easements between Board of County Commissioners and Lionel LaGrow and Jeffrey Strange for the Highway Park Water Main Extension into the South Huntley Drive/Huntley Court area. See file for copy.

C. Request approval to amend the lease between the Board of County Commissioners and Central Florida Glass and Mirror. See lease file.

D. Request approval to appoint Thomas Wohl and Robert Puzey to the Board of Adjustment, Planning and Zoning Commission, and the Local Planning Agency. See SMB 45 Page 67.

D. Request to approve assignment of Avon Park Youth Academy contract in accordance with the Sebring Parkway Phase I Maintenance Agreement that has already been approved by the board of county commissioners. See Parkway file.

E. Request approval of three recreation Interlocal Agreements as noted in attachment. See files for copies.

F. Request approval of a revision to previously approved CIP issue regarding computer servers. See SMB 45 Page 68.

G. Request approval of a Change Order to DEP Contract for helicopter and Resolution and Budget Amendment #03-04-102. See Res. Book 17 Page 10.

H. Request approval of Budget Amendment 03-04-97

I. Request approval of Resolutions and Budget Amendment #03-04-89. See Res. Book 17 Page 11.

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Missie Barletto, Lead Governmental/Outreach Specialist, South Florida Water Management District: Presentation of a check to the Highlands County Board of County Commissioners for a water quality monitoring project on Lake Istokpoga

Bob Brown, Director of Okeechobee Service Center for South Florida Water Management District, presented a check to the Board of County Commissioners, in the amount of $109,000, for a water quality monitoring project on Lake Istokpoga. State Representative, Joe Spratt, thanked the water management district for their help in funding water quality projects.

7. PUBLIC HEARING: First Public Hearing and Fair Housing for Community Development Block Grant (CDBG) - Economic Development 2004

Housing Coordinator, Penny Phillipi, presented the Proof of Publication for this hearing. See SMB 45 Page 69.

Corbett Alday, representing Meridian Community Services Group, explained what the Community Development Block Grant (CDBG) funds are used for, the objectives of the grant, and to receive public input for suggested projects for CDBG funding. Staff is requesting that the Board consider a motion to move forward with applying for funds in the FY 2004 CDBG category of Economic Development. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Housing file.

8. PUBLIC HEARING: Public Hearing to consider two zoning changes, one county-initiated zoning change and one county-initiated Large Scale Plan Amendment

Development Services Director, Jim Polatty, presented Proof of Publications for the following hearings. See Proof of Pub Ord. Book 3 Page 53.

NEW BUSINESS: HEARING #1675 - PATRICIA BAYNE PANDOLF TRUST - C/O LESTER AND ARACELIS SERVICE

Located on the East side of Acre Road, and South of Hickory Ridge Drive East, Sebring, Florida, and legally described as follows: Lot 1 - LESS the South 50 feet of the North 51 feet thereof, Zodiac Subdivision, as recorded in Plat Book 12, page 41 of the Public Records of Highlands County, Florida. Containing approximately 4.16 acres.
Requesting a zoning change from B-2 (Limited Business district) to B-3 (Business district). Applicant desires an cabinet and furniture manufacturing.

Development Services Director, Jim Polatty, presented the request. Staff is recommending approval of the re-zone. P& Z recommended denial. Irene Knutson, realtor for the property owner, spoke in support of the re-zone. Neil Ruonavar, Robert Coto, Patricia Coto, John Smith, Stanley Fouts, Carol Hudson, Grace Kellow, and Ray Mitchell, spoke in opposition. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, move to deny P&Z Case No. 1675, a zoning change from B-2 (Limited Business district) to B-3 (Business district), including changing the Mandatory Findings in the staff report to reflect the denial. Upon roll call, all Commissioners voted aye. Motion carried.

HEARING #1676 - WILLIAM K. BRANTLEY II - COUNTY INITIATED ZONING CHANGE - CONTACT: JAMES POLATTY

Located North of Huntley Drive and East of Pendarvis Road, Lake Placid, Florida, and located in Sec. 6, Twp. 37S, Rge. 30E, Highlands County, Florida. Containing approximately 5.8 acres.
Requesting a zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Bill Brantley, petitioner, presented a proposed site plan to the Board. Robert Cloud spoke in support of the request, but expressed concerns for increase traffic and speeding. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission, move to adopt by Resolution, P&Z Case No. 1676, a zoning change from AU (Agricultural) to R-1A (Residential district), including the Mandatory Findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 12.

HEARING #CPA-04-240LS - CONTACT: JAMES POLATTY - (COUNTY INITIATED)

HEARING #1677 - CONTACT: JAMES POLATTY - (COUNTY INITIATED)

Requesting a County-initiated consistency to change either the Zoning or Comprehensive Plan designation to achieve consistency.

A. Requesting a zoning change from AU (Agricultural) to -3 (Business district)

A 3 acre tract in the Southwest corner of Section 11, Township 34 South, Range 28 East, Highlands County, Florida, or a portion of Tract C, LAKE SEBRING TRACTS

B. Requesting a zoning change from I-1 (Industrial district) to B-3 (Business district) The East 132 feet of the West 834 feet and the West 411.27 feet Block 62, SUN 'N LAKE OF SEBRING, Unit 6

C. Requesting a zoning change from AU (Agricultural) to M-1-S (Mobile Home and Residential Subdivisions district)

Lots 43 thru 72 and that portion of Lot 73 that lying in Section 35, Township 33 South, Range 28 East, GLENADA HILLS SUBDIVISION

D. Requesting a zoning change from M-1 (Mobile Home Subdivisions district) to B-3 (Business district)

The North 375.57 feet of the South 844.62 feet of Northwest 1/4, Section 3, Township 34 South, Range 28 East, Highlands County, Florida, East of Maxcy Parkway Subdivision and West of Snively Road, containing 5 acres and the North 1956.83 feet of the Northwest 1/4, of Section 3, Township 34 South, Range 28 East, Highlands County East of Maxcy Parkway Subdivision of Mobile home Park, less the East 20 feet road, less the North 300 feet containing 11.45 acres.

E. Requesting a zoning change from I-2 (Industrial district) to R-2 (Two-Family Dwelling district)

All Block 62, less the East 1443.58 feet and less the East 290.4 feet of Block 62, SUN 'N LAKE OF SEBRING, Unit 5, and Block 62 less the West 834 feet SUN 'N LAKE OF SEBRING, Unit 6

F. Requesting a zoning change from I-2 (Industrial district) to P (Public and Quasi-Public Lands district)

The East 288.73 feet of the West 700 feet of Block 62, SUN 'N LAKE OF SEBRING, Unit 6

Development Services Director, Jim Polatty, presented the request to adopt the county initiated zoning changes as listed. Frank Celentano requested that Site # 3 be pulled from Area 120. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, (1) in accordance with the P&Z motion, move to approve CPA-04-240LS amending the Future Land Use Map for transmittal to the Florida Department of Community Affairs for their compliance determination, and (2) in accordance with the P&Z motion, to adopt by Resolution P&Z 1677, upon the Comprehensive Plan amendments becoming effective as provided by law and approving the mandatory findings, including the removal of Site # 3 from Area 120. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 13.

9. ACTION: (con't)

A. Board Attorney:

No report.

B. County Administrator: Presentation of a request from Florida Recycling Services to approve the sale of Florida Recycling Services to Capital Environmental Resource, Inc., in order to comply with the contract provision in the Solid Waste Collection Franchise Contract.

County Administrator, Carl Cool, presented the request. Joe Briarton, General Manager of Florida Recycling Services, Inc., briefly explained the purchase, stating that the purchase is scheduled to be completed by January 31, 2004 or shortly thereafter. Mr. Cool questioned if the audit for Florida Recycling Services would be submitted to the County on time. Assessment Coordinator, Treasa Handley, stated that the audit was sent by overnight mail on Monday. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 70.

10. CITIZENS NOT ON THE AGENDA

No participants.

11. COMMISSIONERS

Commissioner Bullard reported on the meetings he had last week in Tallahassee with the local delegation and legislators.

Commissioner Flowers presented a letter from Supervisor of Elections, Joe Campbell, requesting the Chairman's signature on the letter, giving him permission to use some of the Highland County polling offices for the Presidential preference primary on March 9, 2004, the first primary on August 31, 2004, and the general election on November 2, 2004. The Board reached a consensus to authorize the Chairman to sign the letter, giving Joe Campbell permission to use the polling offices. He also reported on a citizen request he received to consider placing streetlights and signs on the Sebring Parkway in the area of Scenic Highway.

12. ADJOURN

The meeting adjourned at 10:34 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD FEBRUARY 3, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Commander Charles Krueger, Highlands County Veterans Council.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Sgt. Paula Weeks presented the daily jail log of inmate count for the period ending February 3, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended January 30, 2004 and a Monthly Report of Business Services for January* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. He also announced the recent implementation of the Highlands County Users Group (HUG), a forum provided by the Computer Services organization for the computer system users. See SMB 45 Page 72.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. Chairman Flowers presented County Administrator, Carl Cool, with a *Character First* award, honoring him for the character quality of *Dependability* and 29 years of service to Highlands County.

5. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the January 6, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits February 3, 2004

General	**664,125.45**
County Transportation Trust	**13,584.06**
E911 Operations Fund	**2,503.78**

Local Govt Infra Surtax 52,173.44
Affordable Housing 20,680.07
HCISSRB Construction Fund 995.00
Solid Waste 85,289.96
Placid Utilities 4,136.59
Highway Park Utility 1,967.28
Employee Benefit Fund 47.45
Highlands Hosp Pass Thru 9,727.66

C. Request approval of transfer or sale of Tax Certificates per attached list - Highland Enterprises, Inc. See SMB 45 Page 73.
D. Request approval of livestock dumpster fee waiver for the Highlands County Fair. See SMB 45 Page 74.
E. Request approval to purchase used mower/bush hog & budget amendment 03-04-99
F. Request to approve expenditure of forfeiture funds. See SMB 45 Page 75.
G. Request approval of Resolutions & budget amendments 03-04-100; 103; 104 & 105. See Res. Book 17 Page 15.

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Renee' LaDue and Avon Park Police Chief Frank Mercurio, Highlands County Community Traffic Safety Team: Annual update for 2003 on the activities of the Highlands County Community Traffic Safety Team

Renee LaDue, Coordinator of the Highlands County Community Traffic Safety Team (CTST), presented an annual update of the CTST 2003 activities. Chairman Flowers expressed his appreciation for the work that all of the members of the team put into their projects. See SMB 45 Page 76.

B. Human Resources Director: Request approval of a reclassification of the weed control position

Parks and Recreation Director, Vicki Pontius, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the reclassification of the position. Upon roll call, all Commissioners voted aye. Motion carried.

Commissioner Bullard inquired about an update on the recent hog hunt held at The Preserve. Ms. Pontius provided a status update.

C. General Services Director: Request approval to declare attached list of indicated county property as surplus, dispose of items indicated as "No Good L/F" and grant permission for the General Services Director to start the two-step disposal process as described above and pursuant to Florida Statutes 274.05 & 274.06

General Services Director, Jed Secory, presented the request for approval to proceed with the two-step

disposal process for Highlands County surplus property. An auction date is scheduled for February 28, 2004, and a separate auction date of March 6, 2004 has been scheduled for computer items. Motion by Commissioner Stokes, seconded by Commissioner Bullard, approval to declare the list of indicated county property as surplus, dispose of items indicated as "No Good L/F" and grant permission for the General Services Director to start the two-step disposal process. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 77.

D. Board Attorney

No report.

E. County Administrator: Request to appoint Kenneth Carlisle as a regular member, and to appoint Suzanne S. Hunnicutt and Ted Puckorius as alternate members of the Fire Safety Board of Appeals.

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to appoint Kenneth Carlisle as a regular member, and appoint Suzanne S. Hunnicutt and Ted Puckorius as alternate members to the Fire Safety Board of Appeals. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 78.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

- Commissioner Stokes reported on a meeting that he, Tom Portz, and Dave Simpson, attended last week of the National Cemetery Advisory Committee. Mr. Simpson made a short presentation on behalf of Highlands County. See SMB 45 Page 79.
- Commissioner Maxcy reported on a group that has formed in Tallahassee that have put together a petition to increase homestead exemption an additional $25,000.
- Commissioner Bullard encouraged the Board and the Public to read the new brochure put out by the Housing Department.
- Commissioner Flowers reminded the Board to turn in their committee assignment forms as soon as possible, and also passed out a budget priority sheet for the Commissioners to fill out.

9. ADJOURN

The meeting adjourned at 9:42 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD FEBRUARY 10, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Commissioner Bob Bullard.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending February 10, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended February 6, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 80.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits February 10, 2004

General	**162,434.38**
County Transportation Trust	**11,672.90**
E911 Operations Fund	**14,086.06**
Conservation Trust Fund	**662.62**
Local Govt Infra Surtax	**87,351.66**
Affordable Housing	**9,185.00**
HCISSRB Construction Fund	**274,282.89**
Solid Waste	**48,525.48**
Placid Utilities	**626.92**
Highway Park Utility	**71.09**
Risk Retention Fund	**5.02**

Employee Benefit Fund 3,027.58

B. Request approval of the transfer or sale of Tax Certificates per attached list for Sebert E. Reese, bidder #1281. See SMB 45 Page 81.

C. Request approval of a Satisfaction of Mortgage for Charlee Bridge. See Satisfaction file.

D. Request approval of a Satisfaction of Mortgage for Joann E. Bateman. See Satisfaction file.

E. Request approval of Industrial Development Authority reappointment of Ronnie Carter, Jeff Mechlin and John Shoop. See SMB 45 Page 82.

F. Request approval of the YMCA's request for work to be done on the BMX track. See SMB 45 Page 83.

G. Request approval of execution of Interlocal Agreement for the Avon Park Municipal Airport and approval of Resolution & Budget Amendment #03-04-111. See file and Res. Book 17 Page 17.

H. Request approval of Budget Amendment 03-04-109

I. Request approval of the request for Highlands County Animal Control to supply rabies tags for vaccination. See SMB 45 Page 84.

J. Request approval of Resolution & Budget Amendment #03-04-115. See Res. Book 17 Page 18.

5. WORKSHOP: Public Transit Committee recommendation on bus purchase & system

Chairman Flowers stated the purpose of this workshop is to present and discuss all of the facts and issues associated with the purchase and implementation of a proposed public transportation system. He added that the Board will make a decision next week on whether to move forward with the plan. Public Information Officer, Lisa Burley, gave a brief presentation on the anticipated revenues and expenses associated with the system. County Engineer, Ramon Gavarette, also gave a presentation summarizing the possible cuts in personnel and services that could be expected should the County have to fund a portion of the transportation system. Marcia Stasko, Senior Program Manager for the Central Florida Regional Planning Council, stated that there may be additional dollars available in the Transportation Disadvantaged program to help fund the transportation system. The Chair opened the floor to the public.

Von Whitesides, Bob Martin, and Donna Doubleday spoke in support of having a public transportation system. Hank Kowalski, Jean Nichols, Clayton Womer, Jack Ritchie, and Ray Royce spoke in opposition. Commissioner Stokes suggested turning the issue over to the Long Range Transportation Committee for further study. Commissioner Bullard stated a decision needs to be made next week to either go forward with or vote down the plan. Commissioner Jackson expressed his opposition to the plan. Commissioner Maxcy stated that the timing is not right to have the system, but the need will have to be met in the future. Commissioner Flowers submitted two letters into the record from the public in support of the bus system. He encouraged the public to express their opinions and attend the public hearing next week. This item will be placed on next week's agenda as a public hearing, and will be voted on by the Board. See tape for further details. See file for copy.

6. COMMISSIONERS

No reports.

7. ADJOURN

The meeting adjourned at 10:46 A.M.

_____

Chairperson

Attest: _____

Clerk

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REGULAR MEETING OF THE BOARD FEBRUARY 17, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Tom Portz**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Clerk of Courts, Luke Brooker. The Pledge of Allegiance was led by County Engineer, Ramon Gavarette.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending February 17, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended February 13, 2004 and a report of Jury Trial Week for February* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 85.

C. Upcoming County meetings were presented into the record by Assistant County Administrator, Tom Portz. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the January 13, and 20, 2004, and February 3, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits February 17, 2004

General	**1,617,692.96**
County Transportation Trust	**11,047.10**
E911 Operations Fund	**1,783.63**
Local Govt Infra Surtax	**181,248.82**
Affordable Housing	**63,820.52**
HCISSRB Construction Fund	**27,489.82**

Solid Waste 17,588.34
Placid Utilities 1,772.66
Highway Park Utility 340.13
Risk Retention Fund 10.17
Employee Benefit Fund 1,036.50

C. Request to approve the lease of mulch parking lot at 561 South Commerce Avenue, also know as: NW ¼ of Lot 5, Block 83, Town of Sebring, 4th Addition, Transcript Book, Page 7 of the Public Records of Highlands County, Florida. See Lease file.

D. Request to accept into the record the audited Financial Statements from franchised haulers: Reliable Sanitation and Florida Recycling. See file for copies.

E. Request to appoint Ted Puckorius to replace Val Seifert on the Professional Services Acquisition Committee. See SMB 45 Page 86.

F. Notification of three vacancies on the Natural Resources Advisory Commission (NRAC), one Environmental and two Development vacancies. See SMB 45 Page 87.

G. Request approval of an evening hog hunt on Friday, February 27, 2004, and additional hunts of the same type as necessary in accordance with the Preserve management plan. See SMB 45 Page 88.

H. Request approval of Resolutions and Budget Amendments 03-04-108 & 118. See Res. Book 17 Page 19.

I. Request approval to appoint Colonel Bill Jones as project manager on various grant projects per attached list. See SMB 45 Page 89.

J. Request approval to increase the scope of Project #0302 to include the Traffic Operations Department. See SMB 45 Page 90.

6. ACTION AGENDA:

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Dave Moore, Southwest Florida Water Management District: Presentation on the Southern Water Use Caution Area (SWUCA) proposed rules

Dave Moore, Executive Director of the Southwest Florida Water Management District (SWFWMD), gave a presentation on the SWUCA proposed rules and the issues concerning Highlands County. Questions and concerns were voiced by the Commissioners. See file for copy of presentation.

B. Charles Thompson, Executive Director, Florida Heartland Rural Economic Development Initiative

Charles Thompson introduced himself to the Board as the new Executive Director of the Florida Heartland Rural Economic Development Initiative (FHREDI), and thanked Highlands County for their continued support. Commissioner Maxcy suggested that FHREDI provide the Board with a quarterly report on their projects.

G. Development Services Director & E-911 Coordinator: Presentation of a Resolution from the Historic Preservation Commission and staff recommendation on the road renaming process

Development Services Director, Jim Polatty, presented a resolution from the Historic Preservation Commission, requesting the Board adopt a policy providing guidance for the consideration of road names with historical significance during the process of re-naming roads. The issue discussed at their most recent meeting was changing the name of a portion of Schlosser Road to Lake Drive Blvd. E-911 Coordinator, Ben Henley, stated that a portion of the road lies within the city limits of Sebring, and the City of Sebring is wanting to retain the name of Lake Drive Blvd for that part of the road. The County has no authorization to override the decision of a municipality.

Public input was received in support of keeping the name of Schlosser Road from: Keith Hunicutt, chairman of the Historic Preservation Commission, Gene Sauls, Howard Crawford, Audrey Vickers, and Bill Schlosser. Commissioner Maxcy suggested turning the current two-way stop sign that separates the two roads into a four-way stop. County Engineer, Ramon Gavarette, stated Staff will evaluate the issue. Having a four-way stop would allow both of the road names to remain the same. Commissioner Bullard suggested that Staff meet with the Historic Preservation Commission to draft a policy, establishing standards for determining what makes a name historically significant. Assistant County Administrator, Tom Portz, stated the issue will be tabled till a report is received back from the County Engineer's office. Chairman Flowers assured the members of the public that everything possible will be done to keep the name of Schlosser Road. See SMB 45 Page 91.

C. OMB Director: Presentation of the Government Finance Officers Association's Distinguished Budget Presentation Award for Highlands County

OMB Director, Rick Helms, introduced Linda Flynn, a state representative for the Government Finance Officers Association. Ms. Flynn presented the Board with a Distinguished Budget Presentation Award for Highlands County. This is the 7th consecutive year Highlands County has received this budget award. Rick Helms accepted the award on behalf of the Board. Ms. Flynn awarded Terry Gott, Budget Analyst, with a Certificate of Recognition for Budget Preparation.

D. Bob Jamison, Senior Director, Business Services Division, Clerk of Courts: Presentation of the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting for Highlands County

Linda Flynn presented Luke Brooker with a Certificate of Achievement for Excellence in Financial Reporting for Highlands County. This is the 11th consecutive award to be given to the Highlands County Clerk's office.

Break 10:45 - 11:00 A.M.

E. Mike Carter, CPA, The NCT Group, CPA's L.L.P.: Presentation of Highlands County's Audited Financial Statements for the Fiscal Year Ended September 30, 2003

Mike Carter, partner with The NCT Group, CPA, presented a report on Highlands County's Audited Financial Statements for the fiscal year ended September 30, 2003. He commended the Board for building up the unreserved fund balance, which now has approximately 47 days of operating budget, up from 30 days last year. All of the findings from the prior year have been corrected, and management is addressing the four findings from the current year. He closed by saying the County's financial standing is looking good, and commended the Board and Clerk's staff for their assistance in preparing the audit. Deputy Clerk, Bob Jamison, commended the Board and Staff for their leadership and pro-active approach to improving the financial condition of the County. See file for copy.

F. Public Information Officer: Board decision on bus purchase

Public Information Officer, Lisa Burley, presented a request for the Board to make a final decision on whether or not to purchase buses and implement a bus system in Highlands County. If the Board decides not to purchase the buses, she is requesting that they make a motion to not purchase the buses and release all unspent funds back to FDOT for reallocation. Chairman Flowers stated that it was the general consensus to not move forward with the system. Elmira Hearns, Ray Napper, Richard Conover, and Gabriel Reed spoke in support of having a bus system in the County.

Motion by Commissioner Stokes, seconded by Commissioner Jackson to not purchase buses for a public transportation system and all funding allocated for this project shall be released to FDOT for reallocation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 92.

H. County Engineer: Executive Summary update for Courthouse Restore/Repair Project #01099 and Corrections Facility Expansion Project #01100

County Engineer, Ramon Gavarette, gave a monthly update on the Courthouse Restore/Repair and Corrections Facility Expansion projects. The original contract has been reduced by approximately $1.67 million. The estimated completion date for the project is September 11, 2004. The contractor has indicated that they are aiming to have the new courthouse building operational by April or May, and the new jail pod will be operational within the next 40 to 45 days. See file for copy.

I. Development Services Director:

1. Request approval of the amendment to the KDL Construction Contract

Development Services Director, Jim Polatty, presented the request to approve the amendment to the contract with KDL, eliminating the Direct Material Purchase requirement. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

2. Request approval to re-open Home Depot CDBG Grant and to submit Request for Funds to the DCA for CDBG expenditures associated with the Home Depot contract

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to re-open the Home Depot CDBG Grant and to submit a Request for Funds to the DCA for expenditures associated with the Home Depot contract. Upon roll call, all

Commissioners voted aye. Motion carried. See Grant file.

3. CDBG Second Public Hearing and Enabling Resolution

Development Services Director, Jim Polatty, presented the request to approve the Enabling Resolution for the execution and submittal of the FY 2004 Community Development Block Grant (CDBG) grant application for the development of water facilities to the Sebring East Industrial Park. Corbett Alday, representing Meridian Community Services Group, stated this second public hearing is being held to obtain additional public input on the grant application. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 20.

D. General Services/Purchasing Director: Request approval of (1) final lists of County surplus going to February 28, and March 6, 2004 auctions, and (2) lateral transfer of County surplus to "other governmental agencies or Non-Profit agencies

General Services/Purchasing Director, Jed Secory, presented a request to approve the final lists of County Surplus property to be sold at auction on February 28 and March 6, and for surplus property to be transferred to other agencies. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 93.

K. Assistant County Administrator

1. Request approval of Budget Amendment 03-04-113 decreasing fund 005 Reserve for Contingency

Assistant County Administrator, Tom Portz, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the budget amendment to provide funding for grant proposals. Upon roll call, all Commissioners voted aye. Motion carried.

2. Approval of Insurance Rates reductions

Assistant County Administrator, Tom Portz, presented the request to approve the reduction of insurance rates for county employees, as proposed by staff. The request has been recommended by the Insurance Committee. The revised rates are for the High Plan (927), and will be in effect for the remainder of the year. Human Resources Director, Freddie Carino, stated that those employees with dependent coverage will be credited back any overpayments made. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 94.

L. Board Attorney

No report.

7. CITIZENS NOT ON AGENDA

Debra Worley informed the Board that she has applied to be appointed to the Southwest Florida Water Management District Governing Board.

Ray Napper commended all County Staff members and the staff of all of the other constitutional officers for their fast and efficient responses to public records requests.

8. COMMISSIONERS

Commissioner Maxcy stated he will traveling to Tallahassee later this week to discuss some issues.

9. ADJOURN

The meeting adjourned at 12:19 P.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD FEBRUARY 24, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

Commissioner Maxcy was absent from the meeting.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending February 24, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended February 20, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 95.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. He presented a ribbon to the Board for first place in the commercial exhibit category at the Highlands County Fair.

4. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve agenda as amended. Remove Item 4-E from agenda. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits February 24, 2004

General	**275,608.55**
County Transportation Trust	**36,590.16**
E911 Operations Fund	**331.00**
Intergovt Radio Communication	**18,183.80**
Local Govt Infra Surtax	**64,890.24**
Affordable Housing	**7,762.60**
Special Law Enforcement	**1,065.97**
Government Center	**9,089.36**

HCISSRB Construction Fund 19,032.16
Solid Waste 8,276.38
Placid Utilities 17.24
Highway Park Utility 5.75

B. Request approval of the transfer or sale of a tax certificates per attached list-McKee. See SMB 45 Page 96.
C. Request approval of the transfer or sale of a tax certificates per attached list -Jackson. See SMB 45 Page 97.
D. Request approval of the transfer or sale of a tax certificate per attached list -Delaney. See SMB 45 Page 98.
E. ~~Request approval of a Resolution to accept, along Sun 'n Lakes Boulevard of Sebring, a drainage easement necessary for drainage reconstruction and maintenance, accept an ingress and egress easement for construction and maintenance of transportation facilities (sidewalk), and accept a Joiner in Consent Agreement~~
F. Request approval of the Health Department Dental Addition Construction Contract. See file for copy.
G. Request approval of Network Security Agreement and Computer User Policy. See file for copy.
H. Request approval of Resolutions and Budget Amendments 03-04-120 & 121. See Res. Book 17 Page 21.

5. PUBLIC HEARING: Public Hearing to adopt an Ordinance to repeal the Unit 6 Orange Blossom Special Benefit District

Proof of Publication for this hearing was presented into the record. See Proof of Pub Ord. Book 3 Page 54. Assessment Coordinator, Treasa Handley, presented a request to adopt an Ordinance to repeal the Unit 6 Orange Blossom Special Benefit District. The district was created in order to borrow money for road improvements. All improvements have been completed and the loan has been repaid. Board Attorney, Ross Macbeth, read a caption of the ordinance into the record. Motion by Commissioner Bullard, seconded by Commissioner Stokes to adopt the ordinance repealing the district. Upon roll call, all Commissioners voted aye. Motion carried.

~~6. PUBLIC HEARING: Public Hearing to consider placement of a Lien, Case #CE0302-0069 - Shuler~~

This public hearing has been pulled from the agenda.

Proof of Publication for hearings #7 - #13 was entered into the record. See SMB 45 Page 99.

7. PUBLIC HEARING: To request Notice of Lien on 3709 County Road 17 South, Sebring - Lewis

Code Enforcement Officer, April Hartseil, presented a request to place a lien on the property located at 3709 County Road 17 South, Rushlo Unrecorded Subdivision, in the amount of $539.00. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

8. PUBLIC HEARING: To request Notice of Lien on CE 03080187, 4811 Royal Palm Ave., Sebring - Lewis

Code Enforcement Officer, April Hartseil, presented a request to place a lien on the property located at 4811 Royal Palm Avenue, Sebring Manor Subdivision, in the amount of $646.00. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

9. PUBLIC HEARING: To request Notice of Lien on CE 02100035, 6016 Mike Kahn Road, Sebring - Villone

Code Enforcement Officer, April Hartseil, presented a request to place a lien on the property located at 6016 Mike Kahn Road, SunView Acres, in the amount of $435.00. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

10. PUBLIC HEARING: To request Notice of Lien on CE 02120179, 6037 4th East, Sebring - Blazer Financial Services, Inc. of Florida/Washington Mutual

Code Enforcement Officer, April Hartseil, presented a request to place a lien on the property located at 6037 4th Ave East, Desoto City 2nd Subdivision, in the amount of $3,110.00. Motion by Commissioner Jackson, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

11. PUBLIC HEARING: To request Notice of Lien on CE03080182, 1310 Garwood Ave., Sebring - Venning

Code Enforcement Officer, April Hartseil, presented a request to place a lien on the property located at 1310 Garwood Avenue, Lucas Lakes Estates, in the amount of $3,435.00. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

12. PUBLIC HEARING: To request Release of Notice of Nuisance on CE 0308-0278 - Registration Systems, Inc. C/O Household Mortgage Service

Code Enforcement Officer, Eddie Conklin, presented a request to release a notice of nuisance for the property located at 44 Leahy Avenue, Highlands Park Estates. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

13. PUBLIC HEARING: To request for a Notice of Nuisance, CE 03040033, 3800 Rushlo Street - Villone

Code Enforcement Officer, April Hartseil, presented a request to declare a nuisance on the property located at 3800 Rushlo Street, Rushlo Unrecorded Subdivision. Commissioner Jackson cited a conflict of interest due to the property owner being a client. A Memorandum of Voting Conflict was entered into the record. See SMB 45 Page 100. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained. Motion carried. See Subdivision file.

14. PUBLIC HEARING: Two zoning changes and one county-initiated zoning changes:
Development Services Director, Jim Polatty, presented Proof of Publications for the following hearings into the record. See Proof of Pub Book 3 Page 55.

HEARING #1680 - MICHAEL W. AND GARNET M. WHITE

An approximate 14.1 acre Parcel located South of U.S. Highway 98, and North of Ranchero Drive, Sebring, Florida, located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to I-2 (Industrial district).

Development Services Director, Jim Polatty, briefly explained the request, stating that the applicant has changed their request to I-1(Industrial district). A petition with 63 names in opposition to the request was entered into the record. Pam Karlson, representing the applicant, requested that this hearing be tabled to allow the applicant time to draft a site plan for the property before coming back before the Board. Commissioner Bullard made a motion to table Hearing # 1680. Commissioner Stokes seconded the motion. Both Commissioners also expressed concerns about having Industrial zoning in close proximity to residential neighborhoods, adding that all of the surrounding areas need further study before approving anymore zoning changes. Mrs. Karlson stated that her client would be willing to withdraw the application at this time, with the Board's consideration to waive any future application fees for her client. Commissioner Bullard withdrew his motion. Commissioner Stokes withdrew the second. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to permit the applicant to withdraw the request with the stipulation that the Board will waive the future re-zoning application fees, once the land use change has been accomplished. Don Greenhalgh spoke in support of reviewing the area more before making any changes. Upon roll call, all Commissioners voted aye. Motion carried.

HEARING #1681 - BJD ENTERPRISES, INC. - B.D. MCLEOD

Approximately 9.07 acres located North of Karen Blvd., South of Crystal Lake Mobile Home Park, and West of abandoned railroad, Sebring, Florida, located in Sections 2 and 11, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1A (Residential district).

Development Services Director, Jim Polatty, presented the request. Dale Polston stated his client offered deed restrictions to the P&Z Commission that were not included in the recommendation, but are still on the table for the Board's consideration. Vernett Sallie spoke in support of having the deed restrictions on the property. Richard Conover requested clarification on the legal description of the property. Kathryn Myers spoke in support of the deed restrictions, and also requested that some type of berm be placed on the property to prevent the drainage from running onto her property. Mr. Polston stated that they will be required to keep the drainage at pre-development level. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission, approve P&Z Case No. 1681, a zoning change from AU (Agricultural) to R-1A (Residential district), including changing the Mandatory Findings in the staff report, and including the deed restrictions that the houses have a minimum 2,000 square foot living area and a 2 car garage. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 22.

HEARING #1683 - COUNTY INITIATED ZONING CHANGES - CONTACT: JAMES POLATTY, DEVELOPMENT SERVICES DIRECTOR

1) REQUESTING A ZONING CHANGE FROM AU (AGRICULTURE) TO EU (ESTATE DISTRICT) AS FOLLOWS: An irregular 13.72 acre tract of land out of Lake Sebring Park Replat of Lake Sebring Town Site as Shown in Plat Book 3 Page 99 of the Public Records of Highlands County, Florida.

2) REQUESTING A ZONING CHANGE FROM AU (AGRICULTURE) TO R-1 (RESIDENTIAL DISTRICT) AS FOLLOWS: Lots 1,2 & Contiguous 20 Feet of Summit Road to Lot 1, Block N, and Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and contiguous 20 Feet of Closed Summit Road Block P, and Lots 1, 2, 3, 4 and Lots 5 & 6 Less portion of each lot to Scenic Est Sub. Lots 7, 8, 9, 10, 11, 12, 13 & 14, Block R, Lake Shore Park Sub., as shown in Plat Book 1 Page 1 of the Public Records of Highlands County, Florida.

3) REQUESTING A ZONING CHANGE FROM AU (AGRICULTURE) TO R-1 (RESIDENTIAL DISTRICT) AS FOLLOWS: Lots 1 to 6, 7, and 8, Block L, Lots 1 to 8, Block M and Closed Road on the North Side, Lots 10 to 17 Blocks N and O, as shown in Plat Book 1 Page 1 of the Public Records of Highlands County Florida

4) REQUESTING A ZONING CHANGE FROM R-3 (MULTIPLE FAMILY DWELLING INCLUDING MOTEL AND HOTEL DISTRICT) TO R-1 (RESIDENTIAL DISTRICT) AS FOLLOWS: The Southeasterly 25 feet of Lot 19, all Lot 20 and the North ½ of Lot 21 Less Road Right of Way Blk 340, Lake Boulevard Sub as shown in Plat Book 2 Page 82 of the Public Records of Highlands County, Florida.

5) REQUESTING A ZONING CHANGE FROM R-3 (MULTIPLE FAMILY DWELLING INCLUDING MOTEL AND HOTEL DISTRICT) TO R-1A (RESIDENTIAL DISTRICT) AS FOLLOWS: The West ½ of Lot 1 Blk 273 and that Part of Tract A lying East of an unnamed outlet on the East side of Tract A Lake Sebring Sheet 2, as shown in Plat Book 2, Page 13, of the Public Records of Highlands County, Florida.

6) REQUESTING A ZONING CHANGE FROM R-1 (RESIDENTIAL DISTRICT) TO AU (AGRICULTURE) AS FOLLOWS: The East 466.53 feet of the W ½ of Northeast 1/4 of Southeast /14, less the North 100 Feet Containing 13 Acres and the North 3/4 of the Southeast 1/4 of the Southeast 1/4 of Section 6 East of State Road 17, containing 29.51 Acres and the West ½ of the Northeast 1/4 of the Southeast 1/4, less the North 100 feet and less the East 466.53 feet and less the South 780.77 feet and the East ½ of the Northeast 1/4 of the Southeast 1/4, less the North 300 feet of the East 220 feet and the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 South of Road Right of Way containing 18.64 Acres, all lying in Section 6, Township 34 South, Range 29 East Highlands County, Florida.

7) REQUESTING A ZONING CHANGE FROM AU (AGRICULTURE) TO P (PUBLIC AND QUASI-PUBLIC LANDS DISTRICT) AS FOLLOWS: An Irregular 16.58 Acre Tract in the East ½ of the West ½ of the Southeast 1/4 of Section 6, Township 34 South, Range 29 East, Highlands County, Florida.

8) REQUESTING A ZONING CHANGE FROM B-2 (LIMITED BUSINESS DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) AS FOLLOWS: Lots A, B, C, D, E, F, and G, of an Unrec Sub in the Northeast 1/4 of the Northeast 1/4 of Section 7, Township 34 South, Range 29 East, Highlands County, Florida as recorded in OR Book 495 Page 938 of the Public Records of Highlands County, Florida.

Development Services Director, Jim Polatty, presented the request to adopt the county initiated zoning

changes as listed. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission, move to approve P&Z Case No. 1683, including changing the Mandatory Findings in the staff report.. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 23.

15. ACTION

No action items were presented for discussion.

16. COMMISSIONERS

No reports.

17. ADJOURN

The meeting adjourned at 10:11 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD MARCH 2, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Lakes Manager, Clell Ford.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Sgt. Paula Weeks presented the daily jail log of inmate count for the period ending March 2, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended February 26, 2004 and a Monthly Report of Business Services for February* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 101.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the January 27, February 10, and February 17, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits March 2, 2004

General	**2,051,002.96**
County Transportation Trust	**12,974.32**
E911 Operations Fund	**2,503.26**
Conservation Trust Fund	**100.00**
Intergovt Radio Communication	**4,725.00**
Local Govt Infra Surtax	**148,581.51**
Community Development Block	**9,442.01**

Affordable Housing 19,818.84
HCISSRB Construction Fund 32,201.53
Solid Waste 78,933.44
Placid Utilities 2,195.44
Highway Park Utility 121.93
Employee Benefit Fund 3,046.31

C. Request approval of transfer or sale of Tax Certificates per attached lists for Lugo, Reese, Steadman & Duncan. See SMB 45 Page 102.
D. Request approval of Notice of Nuisance for CE04010065, 1860 N. Valencia Drive, Avon Park. See Subdivision file.
E. Request approval of Satisfaction of Mortgage for Joseph & Lisa Paprzycki. See Satisfaction file.
F. Request approval of Satisfaction of Mortgage for Tony M. & Keyla V. Cruz. See Satisfaction file.
G. Request approval of an Interlocal Agreement - Durrah Martin Complex. See file for copy.
H. Request approval of Budget Amendment #03-04-123 for Fire Coordinator
I. Request approval of Resolution & Budget Amendment #03-04-124. See Res. Book 17 Page 24.

6. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Lakes Manager: Request for approval of Cooperative Funding Agreement for construction of an alum injection stormwater treatment facility (K165) Agreement No. 04CON000062

Lakes Manager, Clell Ford, presented the request. A slide presentation was given summarizing the project. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the Cooperative Funding Agreement for the construction of an alum injection stormwater treatment facility. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy of presentation.

B. Development Services Director: Request approval to expend funds to print "Florida's Ancient Islands" brochure

Development Services Director, Jim Polatty, presented a request to approve the expenditure of $1,086.00 from the Conservation Trust Fund to print new "Florida's Ancient Islands" brochure. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

C. Board Attorney

Board Attorney, Ross Macbeth, stated that Commissioners Maxcy, Stokes, and Jackson have been chosen to serve as members of the Value Adjustment Board for the coming year, adding that this requires an election by

the Commissioners. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to ratify the appointments of Commissioners Maxcy, Stokes, and Jackson to serve on the Value Adjustment Board. Upon roll call, all Commissioners voted aye. Motion carried.

D. County Administrator

1. Request acceptance of Drainage Easement

County Administrator, Carl Cool, stated that Mr. and Mrs. Joseph Franza are willing to donate a 20 foot wide drainage easement to the County, if the County is willing to place some fill on the outside edge of the easement. The estimated cost of the fill is $3,000.00. He added that there will be extra fill when the ditch on Chatterpaul property is dug, and that fill could be used for this easement. Staff is recommending the Board accept the drainage easement, and agree to place fill at the site. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

2. Request approval to donate signs to the Highlands County Lakes Association

Carl Cool stated that the Lakes Association has received a cooker, donated by Alan Jay Wildstein. They are asking the County to make three signs noting who donated the cooker and who owns it, and donate the signs to the Association. The cost to make the signs is approximately $125.00. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to agree to make and donate the signs to the Highlands County Lakes Association. Upon roll call, all Commissioners voted aye. Motion carried.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

Commissioner Bullard commended the Highlands County Lakes Association for the effort they put forth to help keep our lakes clean, and encouraged the public to organize lake clean ups around the county. He also reported on a meeting he had with David Moore, Executive Director of SWFWMD.

Commissioner Maxcy commented on the upcoming legislative session in Tallahassee.

9. ADJOURN

The meeting adjourned at 9:35 A.M.

_____

Chairperson

Attest: _____

Clerk

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REGULAR MEETING OF THE BOARD MARCH 9, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Don Brooks.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending March 9, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended March 5, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 103.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. He also gave a brief update on the Dal Hall Boulevard Construction project, and informed the Board that the County's Code of Ordinances is now available on the Board's website. Public Information Officer, Lisa Burley, gave a short demonstration on how to access the Code of Ordinances.

4. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve agenda as amended, with the addition of Items 4-K, 4-L, and 4-M. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits March 9, 2004

General	**614,713.18**
County Transportation Trust	**11,975.77**
E911 Operations Fund	**14,049.40**
Intergovt Radio Communication	**2,600.00**
Local Govt Infra Surtax	**47,831.11**
Community Development Block	**318,047.85**
Affordable Housing	**14,374.04**
Special Law Enforcement	**1,820.31**

HCISSRB Construction Fund 258,875.68
Solid Waste 48,842.22
Placid Utilities 4,947.97
Highway Park Utility 1,620.95
Risk Retention Fund 873.01
Employee Benefit Fund 15.00
Highlands Hosp Pass Thru 4,863.83

B. Request approval to waive county's two-step surplus disposal process, declare indicated items surplus, and allow donation to each entity listed, all being Non-Profit Organizations. See SMB 45 Page 104.

C. Request approval to declare county owned land, Parcel ID's S-13-34-28-050-2630-0070 (Land Bank), a (portion of) S-29-34-29-070-0160-0021, and C-24-35-28-040-0140-0160 as surplus and grant permission to solicit offers on their sale through the county's bid process. Reference future ITB 04-028. See SMB 45 Page 105.

D. Request approval of a Satisfaction of Mortgage for Jeffrey & Sarah Hendrix. See Satisfaction file.

E. Request approval of a Satisfaction of Mortgage for Robert Riley. See Satisfaction file.

F. Request approval of a Satisfaction of Mortgage for Lynda K. Davis. See Satisfaction file.

G. Request approval of a Satisfaction of Mortgage for Scott & Gladys Eaglen. See Satisfaction file.

H. Request approval of a Satisfaction of Mortgage for Robbie Thomas. See Satisfaction file.

I. Request to accept into the public record the Salvation Army Correctional Services CPA Audit Oct. 1, 2002-Sept. 30, 2003 (available for public review through the Clerk of Courts' office). See file for copy.

J. Request approval of Budget Amendments 03-04-132 & 133

K. Request approval of Plat Recording - Hawk's Landing. See Subdivision file.

L. Request approval of Resolution for National Cemetery site. See SMB 45 Page 106.

M. Request approval to waive dumping fees for the Children's Museum. See SMB 45 Page 107.

5. PUBLIC HEARING: To consider an Ordinance to adopt requirements for the approval and issuance of checks, electronic transfers, Automated Clearing House (ACH) transactions, and warrants by the Clerk of Courts for expenditures determined by the Board to serve a public purpose.

Proof of Publication for this hearing was entered into the record. See Proof of Pub Ord. Book 3 Page 56. County Administrator, Carl Cool, stated that the Clerk's office issues checks for the County on a weekly basis, as approved by the Board. In the months that the Board does not meet on the 5th Tuesday, the Clerk's office requires prior approval by the Board to issue checks for the following week. This ordinance would give the Clerk's office the authority to issue checks for the Board in the weeks that the Board does not meet. The Clerk's office is in agreement with the ordinance. Board Attorney, Ross Macbeth, read a caption of the ordinance into

the record. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to adopt the Ordinance as written. Upon roll call, all Commissioners voted aye. Motion carried.

6. WORKSHOP: FY 04-05 Budget Workshop

OMB Director, Rick Helms, gave a powerpoint presentation on the County's Budget Outlook, what issues are facing the County in the upcoming fiscal year, and what the County might expect from the State's budget. He stated that Staff is not expecting to be in cutback mode in the upcoming budget year, but is being cautious. Several shortfalls in the state budget will impact local budgets, but those are not yet known. Commissioner Flowers instructed Staff to approach the budget process as if the County is in cutback mode. He also requested to continue budget discussions, with monthly reports and updates. County Administrator, Carl Cool, stated that Staff will have a better idea by the end of the month of what to expect from the state's budget. Gabriel Reed expressed concerns about the increasing cost shifts from the state to local governments. See tape for further details. See file for copy.

Commissioner Bullard left the meeting at 9:55 A.M.

7. WORKSHOP: Workshop to consider funding for Planning, Zoning, and Code Enforcement through a Municipal Services Taxing Unit (MSTU); and to consider pro-active Code Enforcement

Development Services Director, Jim Polatty, presented two proposals to the Board to fund the Code Enforcement, Zoning, and Planning Departments from a source other than the General Fund, and to implement and propose funding pro-active code enforcement throughout the unincorporated area of the County. The Code Enforcement, Planning, and Zoning Departments could be funded through either a Municipal Services Taxing Unit (MSTU) or a Municipal Services Benefit Unit (MSBU) in the unincorporated area of the County. A MSTU is an ad-valorem tax on a specific area of the county, while a MSBU is a service charge or special assessment. There is a possibility that the County could lower the county-wide millage if an unincorporated MSTU is adopted. Staff is recommending the Board consider implementing a MSTU, and schedule a public hearing for sometime in May or June to allow for public input.

Mr. Polatty presented three options for implementing pro-active code enforcement throughout the unincorporated areas of the County. The first option is to hire a Code Enforcement Clerk, which would allow the three existing Code Enforcement Officers more time in the field. The second option is to hire two additional Code Enforcement Officers, one as head inspector and supervisor, and a Code Enforcement Clerk. The third option would be to hire two additional Code Enforcement Officers and purchase two additional vehicles. Pro-active code enforcement could be funded from the general fund. Staff is recommending the hiring of a code enforcement clerk and make certain code amendments that would make nuisance violations a civil citation. Commissioner Jackson and Stokes spoke in support of pro-active code enforcement and the hiring of a code enforcement clerk. Commissioner Flowers requested Staff prepare a report for the Board summarizing today's discussion, and possibly schedule a follow-up workshop sometime in the next few months. County Administrator, Carl Cool, suggested hiring a temporary clerk to finish out the remainder of the year, in order to give the Board an idea of how it will work. Jack Ritchie, chairman of the Highlands County Homeowners Association, spoke in support of pro-active code enforcement. Ray Royce, Highlands County Citrus Growers Association, encouraged the Board and Staff to workshop this issue again to get a clearer picture of the costs that will be associated. Theresa Williams expressed concerns about implementing pro-active code enforcement, stating that it could create

hardships for some of the residents of Highway Park due to the fines that would be assessed. See tape for further details. See SMB 45 Page 108.

8. COMMISSIONERS

No reports.

9. ADJOURN

The meeting adjourned at 10:54 A.M.

_____

Chairperson

Attest: _____

Clerk

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REGULAR MEETING OF THE BOARD MARCH 16, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

Commissioner Maxcy was absent from the meeting.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Deputy Clerk, Bob Jamison. The Pledge of Allegiance was led by County Administrator, Carl Cool.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Sgt. Paula Weeks presented the daily jail log of inmate count for the period ending March 16, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended March 12, 2004 and a Report of Jury Trial Week for March* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 109.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve agenda as amended, removing Item 5-K, to be placed on the action agenda under the County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the February 24 and March 2, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits March 16, 2004

General	**212,938.62**
County Transportation Trust	**24,571.89**
E911 Operations Fund	**81.82**
Local Govt Infra Surtax	**200,557.05**
HCISSRB Debt Service Fund	**461,431.87**

Affordable Housing 630.00
Special Law Enforcement 1,021.32
HCISSRB Construction Fund 24,352.75
Solid Waste 25,910.04
Placid Utilities 191.49
Highway Park Utility 289.62
Risk Retention Fund 413,006.49
Employee Benefit Fund 4,102.23

C. Request approval of transfer or sale of several Tax Certificates per attached list - McKee. See SMB 45 Page 110

D. Request approval of the reappointments of Dennis Dunn, Andrew Kaltz and Mark Woodcock to the Construction Licensing, Enforcement & Appeals Board. See SMB 45 Page 111.

E. Request approval of the appointments of Jill Jernigan and Andrew Hughes to the Children's Services Council. See SMB 45 Page 112.

F. Request approval of the Fire Prevention Bureau's request to write off outstanding invoices as uncollectible. See SMB 45 Page 113.

G. Request approval to settle aggregate health insurance claims. See Insurance file.

H. Request to deny discount of judgment payoff amount. See SMB 45 Page 114.

I. Request approval to waive tipping fees for the Caladium Festival & Car Show. See SMB 45 Page 115.

J. Request approval to adopt and approve by Resolution the Comprehensive Emergency Management Plan (CEMP). See Res. Book 17 Page 25.

~~**K. Request approval of a Resolution in opposition to government mandated internet filtering**~~

L. Request approval of Addendum No. 1 to Consultant Service Authorization No. 36 for the design and permitting for Sebring Parkway Phase II, in the amount of $11,944.00. See file for copy.

M. Request approval of a contract for Redlands Christian Migrant Association (RCMA) Lake Placid Guardrail with corresponding budget amendment #03-04-136 and Resolution to bring project fund balance forward for Project #99062 for FY 2003-2004. See file for copy. See Res. Book 17 Page 26.

N. Request approval of Satisfaction of Mortgage for Danny & Alice Ritchie. See Satisfaction file.

O. Request approval of Budget Amendment #03-04-135

6. ACTION AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Stokes to set action agenda as amended, with addition of item G-2 under County Administrator, and deletion of Item 6-E. Upon roll call, all Commissioners voted aye. Motion carried.

A. General Services/Purchasing Director: Request approval of a Proclamation recognizing "Purchasing Month, March 2004"

General Services/Purchasing Director, Gerald Secory, presented a proclamation, recognizing March 2004 as *The Board's Purchasing Month in Highlands County*. He added that the Purchasing Department will be having an open house for the public on March 24, 2004 from 7:30 a.m. until 6:00 p.m. at 4320 George Boulevard. Chairman Flowers read the Proclamation into the record. Motion by Commissioner Bullard, seconded by Commissioner Stokes to adopt the Proclamation. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 27.

B. Keep Highlands County Beautiful Coordinator: Presentation of Tree Protection and Preservation Awards

Mike Eisenhart, Coordinator of Keep Highlands County Beautiful (KHCB), along with Louise Sauls, Chairperson for KHCB, and Jerry Miller, Community Relations Manager for Progress Energy, presented awards to area residents and businesses. The awards are to recognize the voluntary effort of individuals in the county that have preserved and protected trees, for the welfare of all Highlands County. Those awarded were: The Villages of Highlands Ridge, Everett & Susan Finney, Sunshine Family Dentistry, and Thomas Wohl. Each recipient received a plaque recognizing their efforts, and a check made payable to Highlands Hammock State Park, that will allow them to receive an annual pass to all of the parks in the State of Florida for a year.

C. Ben Walker, Florida Department of Transportation Planning Manager: Discussion of changes to the Transportation Investment Policy

This item will be rescheduled at a later date.

D. County Engineer: Request approval of Georgia Pacific Entrance Road - Highlands County Grant/Project number 02117 - OTTED Grants OT04-014 & OT04-015

County Engineer, Ramon Gavarette, gave a brief overview of the project, and showed pictures of the warehouse already built and the construction underway for the entrance road. With the construction of the new warehouse, the Florida Department of Transportation (FDOT) is now requiring left and right turn lanes be constructed on SR 70, to allow access to the facility. This will result in a cost increase to the County, with the funds to come from the CIP, but those funds will be reimbursed by FDOT in the 2009/2010 fiscal year. He presented three Staff recommendations for Board approval. Jeff Hehir, Senior Director of Supply Chain Solution for Georgia Pacific, thanked the Board, Staff, and Lake Placid Groves for all of their efforts on this project. Bob Osbourne, representing Lake Placid Groves, also thanked the Board and Staff.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to enter into a Joint Participating Agreement (JPA) with the Florida Department of Transportation by which the County would forward the estimated additional funds, not to exceed $420,000.00, required for the completion of this project with reimbursement of these funds from the FDOT in the State's 2009/2010 fiscal year with no accrual of interest. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to enter into a Participating Party Agreement, in a form acceptable to the Board Attorney, with Lake Placid Groves, LLC. And Georgia Pacific Corporation to implement the requirements of OTTED for the Economic Development Transportation Fund Grant

(Grant # OT04-015) and Rural Infrastructure Grant (Grant # OT04-014) awarded to the County by OTTED, with the conditions set forth by staff. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve agreement between Highlands County and the Governor's Office of Tourism, Trade and Economic Development (OTTED) for the Rural Infrastructure Fund Agreement Number OT04-014 for $117,300.00. Upon roll call, all Commissioners voted aye. Motion carried. See file for copies.

E. ~~Housing Coordinator: Request approval of a Comprehensive Housing Assessment Study~~

F. Board Attorney

Board Attorney, Ross Macbeth, stated he needs advice from the Board concerning the litigation with Gulfstream Natural Gas Systems. He is requesting to hold an executive session on April 6, 2004 at 9:05 a.m. All Commissioners were in agreement with the date and time requested.

G. County Administrator

1. Request approval of Resolution & budget amendment 03-04-134 decreasing fund 005 Reserve for Contingency

County Administrator, Carl Cool, presented the request to approve the Resolution and budget amendment needed to cover the costs of the Little Lake Jackson Alum Injection Project that was approved. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 28.

2. Request approval of a Resolution in opposition to government mandated internet filtering

Commissioner Bullard requested this item to be placed on the action agenda for discussion. He stated that the County Library system does a good job of providing a good level of internet filtering that he believes is consistent with community values. He made a motion to approve the Resolution, with the deletion of paragraph #7. Commissioner Stokes seconded the motion. Board Attorney, Ross Macbeth, stated that Commissioner Bullard also might want to consider removing the second to last Resolved paragraph. Mary Myers, County Library Director, stated she has no problem with removing the two paragraphs from the Resolution, adding that the language in this Resolution was taken from the American Library Associations statement of Freedom to Access. Commissioner Bullard withdrew his motion. Commissioner Stokes withdrew his second. Commission Bullard restated his motion to approve the Resolution with the deletion of the two statements. Commissioner Stokes seconded the motion. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 29.

7. CITIZENS NOT ON AGENDA

Dan Littlefield expressed his opposition to pro-active code enforcement.

Ray Napper spoke to the Commissioners about the loss of curbside garbage collection for some county residents due to the large garbage trucks not being able to drive on their non-county maintained roads.

8. COMMISSIONERS

Commissioner Bullard requested that a presentation and decision on SWFWMD's responses to the County's SWUCA questions be placed on next week's agenda for action by the Board. SWFWMD's Executive Director will be present to answer any questions that arise.

9. ADJOURN

The meeting adjourned at 10:13 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD MARCH 23, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Pam Cross**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Andrew Jackson. The Pledge of Allegiance was led by Commissioner C Guy Maxcy.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending March 23, 2004.

B. Clerk

Deputy Clerk, Pam Cross, presented *a report of Weekly Court Services for week ended March 19, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 116.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits March 23, 2004

General	**162,400.99**
County Transportation Trust	**87,182.73**
E911 Operations Fund	**3,541.39**
Local Govt Infra Surtax	**95,354.30**
Comm Development Block	**9,442.01**
Affordable Housing	**5,766.72**
Special Law Enforcement	**1,633.36**
Government Center	**17,110.00**
HCISSRB Construction Fund	**28,794.05**
Solid Waste	**28,398.56**
Placid Utilities	**1,916.64**

Highway Park Utility 49.25

B. Request approval of the transfer or sale of tax certificates per attached lists for Sebert E. Reese and Ward's Nursery Inc./1290. See SMB 45 Page 117.

C. Request approval of increase in budget for CIP Project 03023 to install leachate recirculation/gas collection piping in cells 1A and 1B at elevation 132 feet.

D. Request approval of the proposed Position Statement regarding the Strategic Intermodal System of the State of Florida. See SMB 45 Page 118.

E. Request approval of Lease of 567 S. Commerce Avenue, also known as Northeast 1/4 of Lot 5, Block 83, Town of Sebring, 4th Addition, Transcript Book, Page 7 of the Public Records of Highlands County, Florida. See Lease file.

F. Request approval of Highlands County Contractors List. See SMB 45 Page 119.

G. Request approval to waive Landfill tipping fee for disposal of sand and grit from the City of Avon Park Wastewater Treatment Plant. See SMB 45 Page 120.

H. Request approval of Consultant Service Authorization No.81 for the design and permitting for Highway Park water main extension - Anderson Street, Huntley Drive South and Huntley Oaks Court. See Chastain Skillman file.

I. Request approval of an amendment to ITB#00-022 Franchise Solid Waste Collections Services, Solid Waste Collection Franchise Contract with Florida Recycling Services, Inc. See file for copy.

J. Request approval of Resolution and Budget Amendment 03-04-145. See Res. Book 17 Page 31.

5. ACTION

Motion by Commissioner Maxcy, seconded by Commissioner Jackson to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Dave Moore, Executive Director, Southwest Florida Water Management District: Discussion on Water Management District boundaries legislation

Commissioner Bullard commented on Southwest Florida Water Management District's (SWFWMD) responses to questions raised by the Board regarding part of Highlands County being in the Southern Water Use Caution Area (SWUCA). A majority of the surface water in Highlands County runs into the South Florida Water Management District (SFWMD). He stated that Senator Alexander and Representative Spratt are awaiting the Board's decision on whether or not to continue forward with legislation that would put all of Highlands County into SFWMD. Dave Moore, Executive Director of SWFWMD, thanked the Commission for giving him the chance to resolve this issue. He agreed that nearly all of the county surface water flows into SFWMD, but was more concerned with the ground water issue, in that more than half flows into SWFWMD. The Chair opened the floor to the public.

Wes Fisher, owner of Hidden Acres Nursery, Ray Royce, Highlands County Citrus Growers Association, Elton Gisendaner, John Tallent, Marty Roepstorpf, Utility Director for the City of Sebring, John Barben, and Sanford Hartt, all spoke in support of moving forward with the legislation. Don Linton, Vice Chairman of the Water Advisory Committee, stated that the Committee passed a unanimous vote to back the County Commission in

supporting the legislation. Commissioner Flowers thanked Mr. Moore for his efforts in trying to accommodate the County, and trying to satisfy our requests. Motion by Commissioner Bullard, seconded by Commissioner Stokes to request that our legislative delegation continue to pursue passage of legislation to move all of Highlands County into the South Florida Water Management District. Upon roll call, all Commissioners voted aye. Motion carried.

6. PUBLIC HEARING: Public Hearing to consider placement of lien on 17 East Palm Circle, #CE0307-0092

Code Enforcement Officer, Eddie Conklin, presented a request to place a lien, in the amount of $600.00, on the property located at 17 East Palm Circle, in Lake Grassy Home Sites. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

7. PUBLIC HEARING: Public Hearing to consider placement of lien on 180 Hawthorne Drive, #CE 0302-0069

Code Enforcement Officer, Eddie Conklin, presented a request to place a lien, in the amount of $3,225.00, on the property located at 180 Hawthorne Drive, in Highway Park. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

Break 9:55 - 10:00 A.M.

8. PUBLIC HEARING: Public Hearing to consider purchase of Lots 6-10, Block 77, Town of Sebring, 8th Addition, per PB 1-PG3

Proof of Publication for this hearing was entered into the record. Engineering Services Manager, Jennifer Good, presented a request to purchase the five lots located across the street from the Courthouse in Sebring, for use as additional Government Center parking. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the Contract for Sale and Purchase Agreement for the property. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

9. PUBLIC HEARING: Public Hearing to approve Contract for Sale and Purchase Agreement for 618 Fernleaf Avenue, Sebring, FL

Proof of Publication for this hearing was entered into the record. Engineering Services Manager, Jennifer Good, presented a request to purchase the property located at 618 Fernleaf Avenue, in Sebring, for use as additional Government Center parking. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the Contract for Sale and Purchase Agreement for the property. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

10. PUBLIC HEARING: Public Hearing to consider the Vacation of a 20' Utility and Drainage Easement less the North 10' lying between Lots 17 & 18, Block 29, Placid Lakes Section Nineteen, Plat Book 9, Page 14 of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 45 Page 121. Engineering Services Manager, Jennifer Good, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson

to approve the Resolution vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 32.

11. PUBLIC HEARING: Public Hearing to consider proposed zoning changes, a small scale plan amendment, and a county initiated zoning change.

Development Services Director, Jim Polatty, presented Proof of Publication for the following hearing. See Proof of Pub. Ord Book 3 Page 57.

1A) HEARING # CPA - 04 - 243SS - VAN KIRK INVESTMENTS II, LLC - C/O RICK WHIDDEN

Located on the West side of Catfish Creek Road at the intersection of Deanna Drive, Lake Placid, Florida, containing approximately 8.95 acres located in Sec. 2, Twp. 37S, Rge. 29E, Highlands County, Florida.

Requesting a small scale plan amendment from (Agriculture) to (Medium Density Residential). See Hearing #1684 below for details.

1B) HEARING #1684 - VAN KIRK INVESTMENTS II, LLC - C/O RICK WHIDDEN

Located on the West side of Catfish Creek Road at the intersection of Deanna Drive, Lake Placid, Florida, containing approximately 8.95 acres located in Sec. 2, Twp. 37S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z are recommending approval of the small scale plan amendment and re-zone. Letters and e-mails were entered into the record in opposition to the request. The Chair opened the floor to the public. Public input was received in opposition from the following: Hoz Compton, Jim Perry, Scott Forsyth, Michael Wiggins, Nancy Shuler, Marlene Snyder, Eric Brooks, Laurie Brouwer, Charles Smith, Mike Wudtke, Gabriel Reed, Susan Compton, Jon Draper, and Debbie Malloy-Thorpe. Rick Whidden spoke on behalf of the petitioner. Commissioner Stokes expressed concerns about the increase in traffic. Richard Reinhart, County Engineering Department, stated that the most recent counts for Catfish Creek Road show an annual average of 7,200 vehicles per day. Commissioner Bullard questioned if development of the property will interfere with the rights of the residents to gain access to their property on Catfish Lane. Tim Van Kirk, petitioner, stated that part of Catfish Lane lies on his property, but he would be willing to make adjustments to allow the residents to keep their access. Commissioner Maxcy suggested lowering the number of lots on the property. Mr. Van Kirk stated he would be willing to reduce the number of lots by 1 or 2 lots.

Commissioner Bullard made a motion to approve the zoning change and land use change request, including maintaining access for those residents on Catfish Lane, and restricting the number of lots to a maximum of 18 rather than 20 lots. The motion died for lack of a second. Mr. Van Kirk offered to restrict the number of lots to 17. Commissioner Maxcy made a motion to deny the request. Commissioner Stokes seconded the motion. Commissioner Bullard questioned if a reason has to be given when denying a request. Board Attorney, Ross Macbeth, stated that some findings of fact and conclusions of law should be stated when denying a request. With

that, Commissioner Bullard requested that the maker of motion state his reasons for denying the request. Commissioner Maxcy withdrew his motion. Commissioner Stokes withdrew his second.

Commissioner Bullard made a motion to approve and adopt by Resolution P&Z Hearing #1684, changing the zoning atlas for 8.95 acres from AU (Agricultural) to R-1A (Residential district), conditioned upon the density not exceeding seventeen (17) lots, and maintaining access for the residents on Catfish Lane, and approve CPA-04-243SS, amending the Future Land Use Map from Agriculture to Medium Density Residential, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Commissioner Jackson seconded the motion. Ross Macbeth stated the easement proposed by the developer would have to be changed to reflect the maximum number of lots lowered to seventeen (17). Upon roll call, Commissioners Bullard and Jackson voted aye. Commissioners Stokes, Maxcy, and Flowers voted nay. Motion failed.

Commissioner Maxcy left the meeting at 11:45 A.M.

2) <u>HEARING #1685 - WHITESTAR INC. - C/O RICK WHIDDEN</u>

Approximately 6.8 acres located South of U.S. 98 on the West side of Albritton Road, Sebring, Florida. Located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from R-1 (Residential district) to I-1 (Industrial district). Applicant desires warehouse and vehicle storage.

Development Services Director, Jim Polatty, stated this application has been withdrawn, and the applicant is requesting the Board waive the application fee when they re-apply for a revised zoning designation next month. Staff is recommending approval of the application fee waiver. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve the request to waive the application fee. Upon roll call, all Commissioners voted aye. Motion carried.

3) <u>HEARING #1686 - RANDALL J. PARKER (724) LLC, A FLORIDA LIMITED LIABILITY COMPANY - C/O RICK WHIDDEN</u>

Two Lots on the South side of U.S. 98, and approximately 100 feet East of Bay Street, Lorida, Florida. Lots 2 and 3, Block 2, Lorida Heights, as recorded in P.B. 8, Pg. 48 of the Public Records of Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

Development Services Director, Jim Polatty, presented the request. The applicant will provide a restrictive easement eliminating some objectionable uses. Staff and P&Z are recommending approval of the zoning change. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution P&Z 1686, amending the Zoning Atlas for 0.46 acres from B-1 (Neighborhood Business district) to B-3 (Business district), referencing the mandatory findings, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 33.

4) <u>HEARING #1687 - COUNTY INITIATED ZONING CHANGES - CONTACT: JAMES POLATTY, DEVELOPMENT SERVICES DIRECTOR</u>

Development Services Director, Jim Polatty, presented the request to approve the county initiated zoning changes as listed. The property owner of Area 73, Site 1, is requesting to pull their property.

1) ***REQUESTING A ZONING CHANGE FROM AU (AGRICULTURAL) TO R-1 (RESIDENTIAL DISTRICT) AS FOLLOWS:*** The north ½ of the south ½ of the southwest 1/4 of the northeast 1/4 of the northeast 1/4 of Section 27, Township 34 South, Range 28 East, less the East 250 feet less the west 33 foot road right of way, lying in Highlands County, Florida, containing 1.42 acres.

2) ***REQUESTING A ZONING CHANGE FROM I-2 (INDUSTRIAL DISTRICT) TO M-2 (MOBILE HOME PARKS DISTRICT) AS FOLLOWS:*** Tract A, Thunderbird Hill South as recorded in Plat Book 14 Page 46, of the public records of Highlands County, Florida, Thunderbird Hill South Sewer Plant.

3) ***REQUESTING A ZONING CHANGE FROM I-2 (INDUSTRIAL DISTRICT) TO P (PUBLIC AND QUASI-PUBLIC LANDS DISTRICT) AS FOLLOWS:*** The south 72.60 feet of the east 180 feet of the west 255 feet of the south ½ of the southwest 1/4 of the northwest 1/4 of the northwest 1/4 and the north 72.60 feet of the east 180 feet of the west 255 feet of the north /12 of the northwest 1/4 of the southwest 1/4 of the northwest 1/4 containing .60 acres and the north ½ of the northwest 1/4 of the southwest 1/4 of the northwest 1/4 less north 72.60 feet of the east 180 feet of the west 255 feet there of containing 4.70 acres and recorded in OR Book 795, Page 394 of the public records Highlands County, Florida and the south ½ of the southwest 1/4 of the northwest 1/4 of northwest 1/4 less the south 72.60 feet of the east 180 feet of the west 255 feet there of containing 4.70 acres and recorded in OR Book 795 Page 394, of the public records of Highlands County Florida and all lying in Section 27, Township 34 South, Range 28 East, Highlands County, Florida.

4) ***REQUESTING A ZONING CHANGE FROM AU (AGRICULTURAL) TO R-3 (MULTIPLE DWELLING DISTRICT) AS FOLLOWS:*** The north 484 feet of the south 534 feet of the west 360 feet of the east 1,020 feet of Section 34, Township 34 South, Range 28 East, Highlands County, Florida, containing 4 acres and recorded in OR Book 583 Page 479, and OR Book 636 Page 994 of the public records Highlands County, Florida.

5) ***REQUESTING A ZONING CHANGE FROM AU (AGRICULTURAL) TO R-1A (RESIDENTIAL DISTRICT) AS FOLLOWS***: Lots 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, and 71, Golf Hammock, Unit Two, as recorded in Plat Book 12, Page 47 of the public records, Highlands County, Florida.

6) ***REQUESTING A ZONING CHANGE FROM AU (AGRICULTURAL) TO R-1A (RESIDENTIAL DISTRICT) AS FOLLOWS:*** Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 ,10, 11, 12, 13, 14, 15, 16, and 17, Golf Hammock, Unit One, as recorded in Plat Book 12, Page 30, of the public records Highlands County, Florida.

7) ***REQUESTING A ZONING CHANGE FROM B-2 (LIMITED BUSINESS DISTRICT) TO M-2 (MOBILE HOME PARKS DISTRICT) AS FOLLOWS:*** The east 406.7 feet of the south 264.5 feet of the Northwest 1/4 and the west 908.3 feet of the south 264.5 feet of the northeast 1/4 south of Bayview Road containing 7.9 acres in Section 23, Township 34 South, Range 28 East, Highlands County, Florida, known as Lakeview Mobile Park.

8) ***REQUESTING A ZONING CHANGE FROM EU (ESTATE DISTRICT) TO R-1 (RESIDENTIAL DISTRICT) AS FOLLOWS:*** A 2.65 acre tract lying in the northwest corner of the southeast 1/4 of the southeast 1/4 Section 23, Township 34 South, Range 28 East, Highlands County, Florida, fully described in Deed

Book 84, Page 453, and Tax Deed Book 1, and Record Book 77, Page 205, of the public records Highlands County Florida, containing 2.65 acres and a 1.3 acre tract in the north 350 feet of the southeast 1/4 of the southeast 1/4 of Section 23, Township 34 South, Range 28 East, Highlands County, Florida, west of Lake Jackson Boulevard Subdivision containing 1.3 acres, and Section 23, Township 34 South, Range 28 East, Highlands County, Florida, and a 1.27 acre tract in the east 212.73 feet of the west 542.73 feet of north 350 feet of the southeast 1/4 of the southeast 1/4 of Section 23, Township 34 South, Range 28 East, Highlands County, Florida containing 1.27 acres.

9) ***REQUESTING A ZONING CHANGE FROM EU (ESTATE DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) AS FOLLOWS:*** An irregular 6 acre tract in the west 660 feet of the south 3,064 feet of Section 23, Township 34 South, Range 28 East, Highlands County, Florida, south of road, containing 6.06 acres.

10) ***REQUESTING A ZONING CHANGE FROM EU (ESTATE DISTRICT) TO R-1 (RESIDENTIAL DISTRICT) AS FOLLOWS:*** A 2 acre tract in the west 660 feet of the southwest 1/4 of the northwest 1/4 of Section 23, Township 34 South, Range 28 East, Highlands County, Florida, south of road, north of county road, containing 2.02 acres.

11) ***REQUESTING A ZONING CHANGE FROM I-1 (INDUSTRIAL DISTRICT) TO B-3 (BUSINESS DISTRICT) AS FOLLOWS:*** The north 410.35 feet of the south 850.74 feet of the east 498.23 feet of the southeast 1/4 of Section 26, Township 34 South, Range 28 East, west of Highway 27 and a contiguous triangular tract in the southwest 1/4 of Section 25, Township 34 South, Range 28 East, Highlands County, Florida, west of Highway 27, containing 4.65 acres.

12) ***REQUESTING A ZONING CHANGE FROM I-2 (INDUSTRIAL DISTRICT) TO B-3 (BUSINESS DISTRICT) AS FOLLOWS:*** Lot 1 and Lot 4, less northwesterly 9.33 feet Block A and ½ of contiguous closed Vera Street Lakeview High Pines, as shown in Plat Book 4, Page 82, of the public records Highlands County, Florida.

13) ***REQUESTING A ZONING CHANGE FROM EU (ESTATE DISTRICT) TO R-3 (MULTIPLE DWELLING DISTRICT) AS FOLLOWS:*** A 6.7 acre tract of land in the southwest 1/4 of Section 36, Township 34 South, Range 28 East, Highlands County, Florida, northwest of County Road 634 and southwest of Highlands Wheel Estate Mobile Home Park , containing 6.7 acres.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution P&Z 1687 as follows: Area 74, Site 1; Area 76, Site 1; Area 77, Sites 1 through 3; Area 78, Site 1; Area 79, Sites 1 through 54; Area 80, Sites 1 through 17; Area 159, Site 1; Area 161, Sites 1 through 3; Area 166 Site 1; Area 166A Site 2; Area 178, Site 1; Area 179, Site 1; and Area 188, Site 1, referencing the mandatory findings, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 34.

A. Consideration of requesting from the State, an extension on the filing of Future Land Use Map (FLUM) amendments for this year

Development Services Director, Jim Polatty, requested the Board approve the extension of the deadline for filing large scale plan amendments, from April to May. Due to a proposed constitutional amendment, several property

owners that are applying for large scale plan amendments are having a difficult time getting their applications through. Staff is requesting the Board approve this extension to allow these property owners more time to complete their applications. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

12. COMMISSIONERS

Shirley Wilson, President of the Highway Park Preservation and Enhancement District, addressed the Board, thanking them for all of their help in cleaning up Highway Park.

13. ADJOURN

The meeting adjourned at 12:04 P.M.

_____
Chairperson

Attest: _____
Clerk

****

REGULAR MEETING OF THE BOARD APRIL 6, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Clerk of Courts, Luke Brooker. The Pledge of Allegiance was led by Col. Roy Whidden.

Kevin Roberts, Human Services Director, introduced Joseph Dionne, recently hired as the County's Veterans Service Officer. Mr. Dionne thanked the Board and Staff for the opportunity to serve the veterans of Highlands County. County Administrator, Carl Cool, stated the ordinance that provides for the hiring of department heads requires the consent of the Board. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to ratify the employment application for Joseph Dionne. Upon roll call, all Commissioners voted aye. Motion carried.

9:05 am. EXECUTIVE SESSION: Regarding Case No. 03-14378 CIV Graham- Gulfstream v. Highlands County Board of County Commissioners

The Executive Session was called to order at 9:07 A.M. Proof of Publication for this session was entered into the record. See SMB 45 Page 122.

The Chair called the regular meeting back to order at 9:30 A.M.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending April 6, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended April 2, 2004 and a Monthly Report of Business Services for March* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 123. Luke Brooker presented the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2003. A copy was presented to the Archbold Biological Station, in recognition and thanks for the pictures they provided for the report. Mr. Brooker also stated that the CAFR is available in hard copy, on CD, and on the Clerk's web site.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the March 9, and 16, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits April 6, 2004

General	**1,149,097.72**
County Transportation Trust	**9,881.83**
E911 Operations Fund	**17,914.49**
Conservation Trust Fund	**743.00**
Local Govt Infra Surtax	**580,248.86**
Comm Development Block	**151,405.60**
Affordable Housing	**9,183.98**
Special Law Enforcement	**4,788.00**
HCISSRB Construction Fund	**547,530.35**
Solid Waste	**53,974.46**
Placid Utilities	**3,216.46**
Highway Park Utility	**807.05**
Risk Retention Fund	**5.57**

C. Request approval to accept into the record the Sebring Airport Authority Financial Statements and Auditor's Report for FY ended 9/30/2003 and 2002. See file for copy.

D. Request approval of the Qualified Targeted Industry (QTI) and Brownfields Bonus Programs. See Res. Book 17 Page 35.

E. Request approval of name revision to AeroMed COPCN. See file for copy.

F. Request approval to write-off EMS bills. See SMB 45 Page 124.

G. Request approval of transfer or sale of several Tax Certificates per attached lists for Yacoboni, Shames, and Trinity Development Corporation. See SMB 45 Page 125.

H. Request approval of transfer or sale of several Tax Certificates per attached lists for Lewis and Reese. See SMB 45 Page 126.

I. Request approval of Satisfaction of Mortgage for Linda L. Smith. See Satisfaction file.

J. Request approval of Satisfaction of Mortgage for Marvin & Gloria Ritenour. See Satisfaction file.

K. Request approval of Satisfaction of Mortgage for Carlos Vega. See Satisfaction file.

L. Request approval of Satisfaction of Mortgage for Gregory & Stacy Smith. See Satisfaction file.

M. Request approval of Satisfaction of Mortgage for Jose & Karen Robiou. See Satisfaction file.

N. Request approval for equipment trade-in (Road & Bridge Department). See SMB 45 Page 127.

O. Request to accept a proposed Easement from Wagner & Wolinskaya

P. Request approval to waive Landfill tipping fee for 10,000 gallons of wet sludge from the City of Sebring waste water treatment plant. See SMB 45 Page 128.

Q. Request approval for Notice of Nuisance on CE 04010097, 4710 Alhambra Avenue,

Sebring. See Subdivision file.

R. Request approval of a Resolution to set a Public Hearing date to close a portion of Santa Barbara Avenue. See Res. Book 17 Page 36.

S. Request approval of commodity contract. See Grant file.

T. Request approval of Resolutions and budget amendments 03-04-149 & 150; 151;153; 154 and 156. See Res. Book 17 Page 37.

U. Request approval of Resolution and budget amendment 03-04-158. See Res. Book 17 Page 38.

Payment of bills and employee benefits was authorized on March 30, 2004 in the amount of $516,938.63.

6. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Robert E. Livingston, Highlands County Bar Association & members of Law Day Committee: Request approval of a Proclamation recognizing Friday, April 30, 2004, as "Law Day 2004"

Rob Livingston, Highlands County Bar Association, presented the Proclamation for approval. Chairman Flowers read the Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request, proclaiming Friday, April 30, 2004 as *Law Day*, a day to celebrate our liberties and freedom. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 39.

B. Kylia Carswell, Community Facilitator with Devereux Kids: Request approval of a Proclamation recognizing the month of April 2004 as "Child Abuse and Neglect Prevention Month"

Kim Dougherty, Director of Prevention with Heartland for Children, presented the Proclamation for approval. Chairman Flowers read the Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the request, proclaiming the month of April 2004 as *Child Abuse and Neglect Prevention Month* in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 40.

C. Mike Willingham, Executive Director, Sebring Airport Authority: Appreciation of the board's assistance with design-build projects

Mike Willingham, Executive Director for Sebring Airport Authority, expressed his thanks to the Board for their help in assisting with their design-build projects, and their faith and trust in the Sebring Airport Authority in getting the projects completed. Commissioner Maxcy thanked Mr. Willingham and Board members for making the Sebring Airport Authority one of the most valuable assets to Highlands County.

D. Keith Lockett: Request approval to renew the DeSoto City Off Road Radio Controlled Park, Inc. Right of Entry Agreement

Keith Lockett requested approval to renew the Right of Entry Agreement with the Board for the DeSoto City park. He suggested the possibility of having an extended lease in the future that would renew the lease for more than one year at a time. County Administrator, Carl Cool, showed some recent pictures that were taken of the

park. Commissioner Jackson questioned the possibility of having a continuing lease with the right to terminate by either party. Board Attorney, Ross Macbeth, stated that there is a provision within the current lease stating the right to terminate by either party with notification.

Commissioner Jackson made a motion to approve the one-year lease extension. Commissioner Maxcy seconded the motion. Mike Monske, resident living by the park, expressed concerns about the noise level, trespassers and drinking on the property. Mr. Lockett stated that they are in the process of having a fence installed that will prohibit access to the property by anyone that is not a member of the club. Commissioner Flowers stated that the park is county property, and there is an ordinance in place that prohibits alcohol on county property. He encouraged Mr. Monske to inform the Sheriff's office when he sees any violations occurring. He advised Mr. Lockett and Mr. Monske meet with the County Administrator and Staff to come up with ideas and solutions for the issues discussed. Commissioner Stokes requested the Sheriff's office do extra patrol in the area.

Vicki Pontius, Parks and Recreation Director, spoke in agreement to the right to terminate the agreement, adding that she would like the opportunity to get the park back should the facility ever be abandoned. Commissioner Bullard made an amendment to the original motion to renew the agreement for one year, with the understanding that the applicant and the residents will work with County Staff to try to work out some of the issues. Commissioner Stokes seconded the motion. Upon roll call of the *amendment to the motion*, all Commissioners voted aye. Motion carried. Upon roll call of the *original motion*, all Commissioners voted aye. Motion carried. See SMB 45 Page 129.

E. Louise England, Tourist Development Council Administrator: Request approval to fund lakes projects through the Tourist Development Tax Trust Fund

Louise England presented, for approval, three (3) projects that the Highlands County Lakes Association has recommended to the Tourist Development Council. The first project is a request for a $500 matching grant from the Tourist Tax Funds to recycle fishing line. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

The second project recommended by the Lakes Association is for $1000 for Tourist Tax Funds to purchase native plants to plant in Lake August to improve fish habitat and water quality. The work will be done and maintained by volunteers. Commissioner Bullard expressed concerns about using Tourist Tax revenues for the cleanup and restoration of a lake that does not have public access. He requested that Staff come back to the Board with proposals for taking the funds out of Reserve for Contingency or some other fund to do the project. Ms. England stated that they were assured that there is public access to Lake August. County Administrator, Carl Cool, stated that there is a drainage easement on the lake, but it does not provide public access. Don Linton expressed concerns for other lakes in the county that are not eligible for these funds, but have hotels and other businesses located on them that collect the tourist tax. Louise England stated that the Council will look at this project again and try to come up with a clearer definition of public access for lakes.

The third request is a request for $1,500 to stock a donated trailer and grill, to feed the people who volunteer to clean up the lakes. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 130.

F. Parks & Recreation Director:

1. Request approval to assume maintenance of canals 10 & 11 and a portion of Catfish Creek

Vicki Pontius, Parks & Recreation Director, presented a request for approval to assume the maintenance of the canals as stated. Motion by Commissioner Bullard, seconded by Commissioner Stokes to assume the maintenance of canals 10 & 11 and a portion of Catfish Creek, at the same levels as the other canals. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 131.

2. Request approval to assume maintenance of canal at Flamingo Road, NE

Vicki Pontius presented the request to assume the maintenance of the canal at Flamingo Road NE in Placid Lakes, at the request from local residents. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 132.

G. Human Resources Director: Request approval of temporary clerical support for Code Enforcement

Human Resources Director, Freddie Carino, presented a request to authorize a temporary clerical position to assist in the Code Enforcement office. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the personnel action as recommended by Staff. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 133.

H. Housing Coordinator:

1. Request approval to partner with the Avon Park Housing Authority to pay one half the cost of the Comprehensive Housing Assessment Study of Highlands County, not to exceed $7,500

Housing Coordinator, Penny Phillippi, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the partnering with the Avon Park Housing Authority to pay one half of the cost of the Comprehensive Housing Assessment Study of Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Housing file.

2. Update on Community Development Block Grant - conflict of interest for CDBG client

Penny Phillippi presented a request to apply for a conflict of interest from the Department of Community Affairs (DCA) for one of the participants in the CDBG Housing Rehabilitation program. The conflict of interest exists due to the applicant having family relationships with members of the Citizens Advisory Task Force. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Housing file.

3. Request approval of the State Housing Trust Fund Resolution

Penny Phillippi presented a Resolution for approval, opposing the portion of the Governor's proposed budget that would eliminate the Housing Trust Funds, urging the Legislature to re-authorize the state and local housing trust funds that provide funding for affordable housing programs. Commissioner Jackson expressed concerns about the wording in the first paragraph. Commissioner Bullard suggested adding the word "help" to make the

paragraph read " Whereas, Highlands County has an obligation to *help* provide for the housing needs...". Commissioner Maxcy read the amended Resolution into the record. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the Resolution as amended. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 41.

4. Request approval to use parcels from the Affordable Housing Land Bank to pursue HOME Investment Partnership funds

Penny Phillippi presented a request to provide 25 parcels from the Affordable Housing Land Bank to be used in the HOME Investment Partnership program. The program will provide purchase assistance for 25 applicants whose incomes are at or below 80% of the area median income. Board Attorney, Ross Macbeth, stated that Staff will have to identify the lots that will qualify for this program, then put the properties out for bid. Ms. Phillippi stated they will come back before the Board with the lots chosen and the bid process. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Housing file.

I. Board Attorney

No report.

J. County Administrator: Request approval of budget amendment 03-04-143 decreasing Fund 401 Reserve for Contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

7. CITIZENS NOT ON AGENDA

Thelma Fayson requested permission to have an Easter parade on Sunday April 11th, in Sebring, which will take place on a portion of Highlands Avenue, located in the County. Chairman Flowers advised Ms. Fayson to meet with Carl Cool after the meeting to carry out her request.

8. COMMISSIONERS

Commissioner Stokes reported on a proposal received from the South Florida Water Management District, requesting input on doing a long range management plan on the Kissimmee Chain of Lakes.

Commissioner Maxcy reported on a meeting he attended in Orlando yesterday for the National Association of County Engineers.

9. ADJOURN

The meeting adjourned 11:06 A.M.

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Chairperson

Attest: _____

Clerk

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REGULAR MEETING OF THE BOARD APRIL 13, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Tom Portz**
C Guy Maxcy	**Bob Jamison**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending April 13, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended April 8, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 134..

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. Commissioner Stokes presented a plaque given to the Board from the Citrus Growers Association in recognition of the Board's support of preserving the US Tariff on imported citrus products by adopting a Resolution last year.

4. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve agenda as amended, removing one parcel listed in Item 4-D. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits April 13, 2004

General	**1,783,793.37**
County Transportation Trust	**28,989.36**
E911 Operations Fund	**9.16**
Intergovt Radio Communication	**233.51**
Legal Aid	**3,108.80**
Local Govt Infra Surtax	**62,553.93**
Affordable Housing	**13,316.66**
Solid Waste	**45,140.84**
Placid Utilities	**544.66**
Highway Park Utility	**213.30**

Risk Retention Fund 4.58
Employee Benefit Fund 13.74

B. Request approval of Tanglewood Phase II - Section 15, Twp 34S, Rge 28E, Release of Improvement Escrow Agreement Plat Book 16, Page 53. See Subdivision file.

C. Request approval to waive county's two-step Surplus Disposal process, declare indicated items Surplus, and allow donation to Hardee County Public Library. See SMB 45 Page 135.

D. Request approval to accept donated parcels, designate parcels as surplus and place parcels into the Affordable Housing Land Bank. See Housing file.

E. Request approval of Community Development Block Grant (CDBG) award to contractors for housing rehabilitation. See Housing file.

F. Notification of a vacancy on the Natural Resources Advisory Commission (NRAC). See SMB 45 Page 136.

G. Request approval of Budget Amendment 03-04-160

5. WORKSHOP: County Administrator's retirement & transition plans

Commissioner Flowers stated the purpose of this workshop is to discuss plans for hiring a new county administrator when the current county administrator retires in June 2005. Carl Cool presented ideas for the transition to a new administrator. He is suggesting hiring an "assistant to the County Administrator" in January 2005, resulting in a six month overlap until he retires. After which, he would still remain available on a consultation basis. Mr. Cool also suggested making some minor changes to the ordinance regarding the County Administrator, to bring it up to date, before starting the interview process. The County could use the services of an executive search firm to help in the hiring of the new administrator. Tom Freijo, Senior Vice President of The Mercer Group Inc., briefly explained the executive search services that his firm provides for a city or county in the selection process. Commissioner Bullard questioned if the applications would become public record once they are received by the search firm. Mr. Freijo stated that everything he receives becomes public record.

Besides deciding on whether to hire a search firm, Carl Cool advised the Board that they also will need to decide if they want any overlap time for the new administrator. Mr. Freijo stated that most applicants would not want to enter into that type of agreement. Commissioner Bullard added that most would come into the job expecting to be in charge from day one. He suggested an alternate transition plan, by hiring the new administrator, and keeping Carl Cool on board on a declining consulting retainer for a period of 6 months. Commissioner Maxcy suggested negotiating a consulting fee with Carl Cool, on an as needed basis, rather than paying him a salary for 6 months. Commissioner Flowers supports a continued pro-active approach to the process, and identifying the issues that will have to be addressed. He encouraged the Board to bring up any suggestions when they have them, and to meet with Mr. Cool to have Staff do additional research for any of their ideas. Carl Cool stated that this could be made a budget issue for the upcoming budget year if the Commissioners want to have the funds available for a search firm. Commissioners Bullard, Flowers, and Stokes agreed that it would be in the County's best interest to hire the services of a search firm. Commissioner Maxcy voiced concerns about spending money to hire an outside search committee that cannot guarantee the new County Administrator would stay with the County for more than one year. The Board instructed Staff to begin addressing some specific issues, such as revising the ordinance regarding the County Administrator, modifying the transitional plan, and researching ideas

for potential contracts, and consulting agreements with fair compensation. Human Resources Director, Freddie Carino, added that the cost of hiring a search firm is reasonable. Although the work could be done in-house, there is the possibility of exceeding the $20,000 charge by having Staff do the selection process. See SMB 45 Page 137.

Commissioner Jackson left the meeting at 10:10 A.M. Returned at 10:35 A.M.

6. WORKSHOP: Video & discussion on loss reduction - Workplace Incentives Program

Human Resources Director, Freddie Carino, showed a video describing the "Safety Pays" workplace incentives program, an employee incentive program designed to encourage safety on the job. County Administrator, Carl Cool, stated this concept is being brought before the Board for review, and that no decision is needed today. The program could help reduce the number of workers compensation claims, and the severity of the claims. Freddie Carino stated the cost is approximately $2,000 per year per group, with a cap of $150 in the jackpot. The payouts would come out of Salaries & Wages, and would be run through payroll. Carl Cool suggested starting out with four groups, including the three crews from Road & Bridge Department, and the Carpentry Shop. He stated that this would be proposed as a budget expenditure, to be funded after October 1, 2004, if approved. See SMB 45 Page 138.

7. COMMISSIONERS

No reports.

8. ADJOURN

The meeting adjourned at 10:59 A.M.

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Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD APRIL 20, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Tom Portz**
C Guy Maxcy	**Bob Jamison**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Commissioner Andrew Jackson.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending April 20, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended April 16, 2004 and a report of Jury Trial Week for the Month of April* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 139. He also announced that the *National Day of Prayer* is scheduled for Thursday, May 6, 2004 at 11:00 a.m. on the Courthouse lawn.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits April 20, 2004

General	**301,884.60**
County Transportation Trust	**44,475.91**
E911 Operations Fund	**1,767.21**
Conservation Trust Fund	**5,184.20**
Local Govt Infra Surtax	**37,177.17**
Tourist Development Trust Fund	**81,540.00**
Community Development Block	**3,000.00**
Affordable Housing	**6,293.31**

Special Law Enforcement 7,960.00
HCISSRB Construction Fund 11,712.60
Solid Waste 16,875.14
Placid Utilities 2,751.54
Highway Park Utility 1,095.99
Risk Retention Fund 144.31
Employee Benefit Fund 2.48

B. Approval of minutes of the March 23, 2004 board meeting minutes
C. Request approval of a payment without purchase order to YDI for communications project equipment
D. Request approval authorization of Gulfstream Natural Gas System, LLC - Thirty-inch underground natural gas transmission pipeline roadway crossings/directional bores valve yard driveway connection permits. See file for copy.
E. Request approval of a Resolution to establish a Public Hearing to consider the exchange of land. See Res. Book 17 Page 42.
F. Request approval of a Notice of Nuisance for CE 04020020, 17210 NW Third Lane, Kissimmee River Estates. See Subdivision file.
G. Request to appoint Don Bates to the Water Advisory Committee. See SMB 45 Page 140.
H. Request to accept into the record the Auditor's Report of Sebring Airport Authority for Fiscal Year ended September 30, 2003. See file for copy.
I. Request approval of Resolution and Budget Amendment 03-04-167. See Res. Book 17 Page 43.
J. Request approval of Budget Amendments 03-04-163 & 165

6. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Frances Stebbins, Aide to Representative Baxter Troutman: Invitation to the "Operation Troop Salute Day" festivities on May 1, 2004 at 12:30 p.m., at the Chain of Lakes Stadium in Winter Haven, and request to approve a Proclamation in support of "Operation Troop Salute Day"

Frances Stebbins, Aide to Representative Baxter Troutman, invited the Board and the public to attend "Operation Troop Salute Day" on May 1, 2004 at the Chain of Lakes Stadium in Winter Haven, to honor the men and women of Hardee, Highlands, and Polk County who have participated in the war on terrorism. Mark Konsavage, military advisor to Rep. Troutman, briefly described the events that are scheduled for the day. Chairman Flowers read the Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, proclaiming May 1, 2004 as *Operation Troop Salute Day*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 44.

B. County Engineer

1. Presentation of the Executive Summary Update for the Courthouse Restore/ Repair Project #01099, and Corrections Facility Expansion Project #01100

County Engineer, Ramon Gavarrete, gave a monthly update on the Courthouse Restore/Repair and Corrections Facility Expansion project, and showed pictures of the construction. The estimated completion date for the project is October 11, 2004. See file for copy.

2. Request approval of Budget Amendment # 03-04-137 and Change Order # 33

Ramon Gavarrete presented a budget amendment and contract change order for approval, which is necessary to upgrade the video visitation system for the new jail facility. The budget amendment is needed to cover current deficiencies in the project, anticipated change orders for the renovation of the jail, and the change order presented today. The funds are being transferred from the contingency fund for the courthouse to the jail project. Deputy Clerk, Bob Jamison, questioned what will happen if additional funds are needed for the courthouse project, if all of the contingency funds are used. Ramon Gavarrete stated that Staff will have to come back before the Board to seek additional funding. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

C. Assistant County Administrator and Emergency Management Director: Presentation of Hazardous Material Response Team Recommendations

Assistant County Administrator, Tom Portz, stated that Highlands County is being given the opportunity by the State Domestic Security Task Force to enhance our Hazardous Materials Response Team. The State is proposing to give Highlands County 3 different sets of funding totaling $234,529.25, for additional equipment for the HAZMAT Team, light extraction training, and a mass casualty response trailer. Staff is recommending approval to accept the funding, and also approve the designation of a Lead Worker to oversee the management of the Team. Motion by Commissioner Bullard, seconded by Commissioner Stokes to accept the proposals for $234,529.25 of funding from the State of Florida Department of Financial Services and the Regional Domestic Security Task Force, and to approve the designation of a Lead Worker for the HAZMAT Team. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

D. Board Attorney

Board Attorney, Ross Macbeth, presented a letter he received from Bryant, Miller, and Olive, the Board's current bond counsel. They have a potential client, National Recreational Properties Inc, that is interested in buying the bonds for Sun'n Lakes Improvement District and restructuring them. There is a potential for a conflict of interest, due to the possibility of the Board having to approve changes to the district charter and adopting Resolutions and Ordinances relating to that. They are requesting the Board to sign a conflict of interest waiver. Mr. Macbeth is recommending approval of the request. Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve the conflict of interest waiver. Commissioner Bullard expressed concerns about approving this without having ample time to review the request. Ross Macbeth stated that the issue can be rescheduled for next week's agenda. Commissioner Jackson withdrew his motion, and Commissioner Maxcy withdrew the second. Chairman Flowers stated this issue will be tabled until next week, and advised all members to review the request and contact Mr. Macbeth with any questions or concerns.

E. County Administrator:

1. Request for waiver of Road Policy on Markland Lane

County Administrator, Carl Cool, stated that Staff has been working with the residents of Markland Lane, to obtain easements in order to have the road considered for county maintenance. Staff is requesting the Board to waive the current Board policy regarding right-of-way acquisition on non-maintained roads, and allow the County to do the in-house title searches, prepare legal descriptions, and prepare the necessary documents for the easements to be executed by the landowners, to be presented to the Board for acceptance. Commissioner Bullard expressed concerns about waiving the policy, and inquired, of the Board Attorney, if accepting easements would give the County the rights needed to maintain the road. Ross Macbeth stated that the easements would be acceptable. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye, except Commissioners Bullard and Jackson, who voted nay. Motion carried. See SMB 45 Page 141.

2. Request for road inspections for the Town of Lake Placid

County Administrator, Carl Cool, presented a request from Lake Placid Town Councilwoman Debra Worley, asking the County to work with the Town of Lake Placid in preparing a survey and inventory of all roads that the Town maintains. Mrs. Worley is trying to work towards a more efficient way of maintaining the roads and associated costs. The estimated cost to the County would be under $2000.00. Motion by Commissioner Bullard, seconded by Commissioner Jackson to provide the Staff time to develop a road inventory and evaluation plan for the Town of Lake Placid. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 142.

3. Request approval of National County Government Week Proclamation

Carl Cool presented the request, and read the proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to adopt the proclamation, recognizing the week of April 18-24, 2004 as *National County Government Week*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 45.

4. Request approval of National Library Week Proclamation

Commissioner Maxcy read the proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to adopt the Proclamation, recognizing the week of April 18-24, 2004 as *National Library Week*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 46.

6. CITIZENS NOT ON AGENDA

No participants.

7. COMMISSIONERS

Commissioner Stokes reminded the Board of the 4-H Lunch today at the Agri-Civic Center.

Commissioner Maxcy gave an update on the State Budget, stating that the costs to fund the Department of Juvenile Justice will most likely become the responsibility of the Counties.

8. ADJOURN

The meeting adjourned at 10:14 A.M.

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Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD APRIL 27, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending April 26 2004. The Farm Report for March was also given.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended April 23, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 143. He also reminded everyone of the National Day of Prayer to be held May 6, 2004 at 11 A.M. on the Courthouse Lawn.

C. Chairman Flowers announced that the Law Day celebration will be held on Friday, April 30th, at 4 P.M. in the County Commissioners Board Room. Commissioner Maxcy reminded everyone of the Adopt a Leader Luncheon on May 6, 2004 at the First Baptist Church in Sebring. Commissioner Bullard announced that the Bill to move all of Highlands County into the South Florida Water Management District has unanimously passed both the House of Representatives and the Senate, and is being passed on to the Governor for his signature.

4. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits April 27, 2004

General	**164,513.58**
County Transportation Trust	**23,837.58**
E911 Operations Fund	**6,228.28**
Local Govt Infra Surtax	**175,816.16**
Community Development Block	**9,442.01**
Affordable Housing	**9,704.67**

Solid Waste 18,252.97
Placid Utilities 5,068.49
Highway Park Utility 4,485.69

B. Request approval of the transfer or sale of a tax certificate - Diane Johnson. See SMB 45 Page 144.

C. Request approval of the transfer or sale of a tax certificate - Calvin & Shirley Wilson. See SMB 45 Page 145.

D. Request approval of Satisfaction of Mortgage for Shawn & Jennifer Russell. See Satisfaction file.

E. Request approval of Satisfaction of Mortgage for Edie Katzenmeyer. See Satisfaction file.

F. Request approval of Satisfaction of Mortgage for David & Nancy Rivera. See Satisfaction file.

G. Request approval of Addendum No. 2 to Consultant Service Authorization No. 34, between Highlands County Board of County Commissioners and Chastain-Skillman for the Lake Placid Library Project. See Library file.

H. Request approval to release a Declaration of Unity of Title Agreement for James S. Campbell and Geraldine E. Campbell

I. Request approval of Resolutions and Budget Amendments 03-04-169 & 170. See Res. Book 17 Page 47.

5. PUBLIC HEARING: Public Hearing to consider approval of Contract for Sale and Purchase Agreement for 1430 S. Highlands Avenue, Sebring, also known as Golf View Sub PB1- PG 100 Lot 6 less N 45 feet and all Lots 7-8-9 less Road Right of Ways Block 226

Proof of Publication was entered into the record. Engineering Services Manager, Jennifer Good, presented the request to purchase the property, located at 1430 S. Highland Avenue, for use in Phase II of the Sebring Parkway, for the amount of $465,745.00. County Administrator, Carl Cool, stated the property is a warehouse located next to Central Florida Glass & Mirror that was purchased by the Board last year. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the Contract for Sale and Purchase Agreement. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 146.

6. PUBLIC HEARING: Public Hearing to consider approval of Contract for Sale and Purchase Agreement for 3232 Desoto Road, Sebring, also known as Lot 252 Grayce's Mobile Estates Unit Two PB 9-PG 46

Proof of Publication was entered into the record. Engineering Services Manager, Jennifer Good, presented the request to purchase the property located at 3232 Desoto Road, for use in Phase II of the Sebring Parkway, for the amount of $7800.00. She added that the Board also needs to approve the exemption of an appraisal, since no appraisal was done on the property. Motion by Commissioner Jackson, seconded by Commissioner Bullard to approve the exemption of the appraisal, and the Contract for Sale and Purchase Agreement. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 147.

7. PUBLIC HEARING: Public Hearing to consider adoption of a Resolution closing that

portion of Bonnet Lake Village, a Subdivision lying in Sections 8 and 9, Township 34 South, Range 29 East, as recorded in Plat Book 10, Page 8 of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 45 Page 148. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the Resolution vacating the plat as requested. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 48.

8. PUBLIC HEARING: Public Hearing to consider adoption of a Resolution closing a part of Santa Barbara Avenue lying between Blocks 8 and 11 and lying between Blocks 9 and 10, Lake Letta Estates, Unit 5, according to the Plat thereof as recorded in Plat Book 1, Page 70-B, of the Public Records of Highlands County

Proof of Publication was entered into the record. See SMB 45 Page 149. County Engineer, Ramon Gavarrete, presented the request. Eric Lewis spoke in opposition to the road closing. Motion by Commissioner Stokes, seconded by Commissioner Bullard to adopt the Resolution closing the road. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 49.

9. PUBLIC HEARING: Public Hearing to consider the Vacation Of Plat closing a portion of a Waterway (being a 80 foot right of way), lying between Tract "A" and Block 44 of Leisure Lakes, Section 11, according to the Plat thereof as recorded in Plat Book 7, Page 25, of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 45 Page 150. County Engineer, Ramon Gavarrete, presented the request. Commissioner Bullard expressed concerns about water quality problems created by dead-end canals, and suggested that the County install drainage culverts across the canal prior to any development on the property. Ann Pollard, representing the petitioner, spoke in support of vacating the plat. Commissioner Maxcy questioned the cost of installing the culverts. Mr. Gavarrete stated that Staff would have to design the project, then have Road & Bridge price it. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to adopt the Resolution vacating the plat and accepting the drainage easement from the petitioner. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 50.

10. PUBLIC HEARING: Public Hearing to consider County Ordinance #02-03 pertaining to the small quantity generator of hazardous waste notification and verification surcharge

Proof of Publication was entered into the record. See Proof of Pub Ord. Book 3 Page 57. Board Attorney, Ross Macbeth, read a caption of the Ordinance into the record. This fee is collected by the Tax Collector with occupational license taxes. The ordinance is being amended to allow the fee to subject to a penalty should it not be paid when due. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to adopt the Ordinance as stated. Don Greenhalgh inquired about how a business is determined to be a small

quantity generator. Mr. Macbeth stated that the Regional Planning Council conducts visits with the businesses that generate hazardous waste. Upon roll call, all Commissioners voted aye. Motion carried.

11. PUBLIC HEARING: Public Hearing to consider three zoning changes, one small scale plan amendment, and one county initiated zoning change

Development Services Director, Jim Polatty, presented Proof of Publication for the following hearings. See Proof of Pub. Ord Book 3 Page 58.

HEARING # CPA - 04-247SS - L & S FAMILY, LTD, A FLORIDA LIMITED PARTNERSHIP - C/O ROGER DALE POLSTON, POLSTON ENGINEERING, INC.

Approximately 2.45 acres located West of Lakeview Drive and Northwesterly of County Road 29, Lake Placid, Florida, located in Sec. 8, Twp. 37S, Rge. 30E, Highlands County, Florida.

Requesting a small scale plan amendment from (Medium Density Residential) to (Low Density Residential).

HEARING # 1691 - L & S FAMILY, LTD, A FLORIDA LIMITED PARTNERSHIP - C/O ROGER DALE POLSTON, POLSTON ENGINEERING, INC.

Approximately 2.45 acres located West of Lakeview Drive and Northwesterly of County Road 29, Lake Placid, Florida, located in Sec. 8, Twp. 37S, Rge. 30E, Highlands County, Florida.

Requesting a zoning change from R-1 (Residential district) to EU (Estate district). *AND*,
Approximately 7.06 acres located in Sec. 8, Twp. 37S, Rge. 30E, Highlands County, Florida.
Requesting a zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to construct single family residences.

Development Services Director, Jim Polatty, presented the request to approve the re-zoning and land use change. Dale Polston, representing the petitioner, spoke in support of the request. Commissioner Bullard asked for assurance that nothing would be done to interfere with the free flow of water between Lake Grassy and Lake Huntley. Mr. Polston stated they would not be allowed to alter the flow of the water. Motion by Commissioner Maxcy, seconded by Commissioner Jackson in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution P&Z Hearing 1691 changing the Zoning Atlas for 7.06 acres from AU (Agricultural district) to EU (Estate district) and 2.45 acres from R-1 (Residential district) to EU (Estate district) and approve CPA-04-247SS amending the Future Land Use Map for 2.45 acres from Medium Density Residential to Low Density Residential, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 51.

HEARING # 1692 - LAKE PLACID HOLDING COMPANY - C/O ROGER DALE POLSTON, POLSTON ENGINEERING, INC.

An approximate 18.58 acres located at the Southeast corner of the intersection of Washington Boulevard N.E. and Jefferson Avenue, Lake Placid, Florida, located in Sec. 14, Twp. 37S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).
Applicant desires a warehouse, assembly of model airplanes, and etc.

Development Services Director, Jim Polatty, presented the request to approve the re-zoning. A revised Resolution and a Declaration of Covenants and Restrictions were submitted reflecting the deed restrictions offered by the applicant. Dale Polston, representing the applicant, added a statement to the Declaration of Covenants,

listed as Item A-6 under Article II, to read "Other similar contractor services". He submitted a preliminary site plan to the Board. Board Attorney, Ross Macbeth, questioned the language in Item A-1 under Article II, adding the form of the Declaration of Covenants is not appropriate to be part of the Resolution. He stated a new Declaration would need to be drafted, that would be acceptable and enforceable by the County. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution P&Z Hearing 1692, amending the Zoning Atlas for 18.58 acres from B-1 (Neighborhood Business district) to B-3 (Business district), referencing the mandatory findings, and becoming effect as provided by law, including the revised Resolution, and including Exhibit A, being in a form acceptable to the County Attorney. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 52.

HEARING # 1693 - CLUB PROPERTIES, INC. AND KEVIN D. DUFORD - C/O RICK WHIDDEN

Located East of Rodeo Drive North and approximately 147 feet North of Haw Branch Road, Sebring, Florida, approximately .55 acres located in Sec. 9, Twp. 35S, Rge. 28E, Highlands County, Florida. Requesting a zoning change from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development). Applicant desires to construct a four-plex.

Development Services Director, Jim Polatty, presented the request to approve the re-zoning. Rick Whidden, representing the applicant, spoke in support of the re-zoning request. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution P&Z Hearing 1693, amending the Zoning Atlas for 0.55 acres from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development district), referencing the mandatory findings, and becoming effect as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 53.

HEARING # 1694 - CONSISTENCY ZONING CHANGES (DISTRICT 7) - CONTACT: JAMES POLATTY, DEVELOPMENT SERVICES DIRECTOR

Development Services Director, Jim Polatty, presented the request to approve the county initiated zoning changes as listed:

A) REQUESTING A ZONING CHANGE FROM R-3 (MULTIPLE DWELLING DISTRICT) TO R-1 (RESIDENTIAL DISTRICT): Blocks 1, 2, 3, 4, 5, 6, and Lots 1 thru 23, Block 42, Sun N' Lakes Estates, Section 1, as shown in Plat Book 8 Page 10 of the Public Records of Highlands County, Florida. And Lots 1,2, and 3, Block 140, and Lots 1,2, and 3, Block 145, and Lots 1 thru 13, Block 146, Sun N' Lakes Estates, Section 15, as shown in Plat Book 8 Page 84, of the Public Records of Highlands County, Florida. And Blocks 141, 144, 147, 148, 149, and 150, Sun N' Lakes Estates, Section 15, as shown in Plat Book 8 Page 84, of the Public Records of Highlands County, Florida. AND Block 261, Less Lot 20, and including all of Block 262 excluding Lots 2 and 17, and including Lots 1 thru 29 and 35 and 63, excluding Lots 17, 40, 56, and 60, Block 263, Sun N' Lakes Estates, Section 20, as shown in the Plat Book 8 Page 89, of the Public Records of Highlands County, Florida.

B) ***REQUESTING A ZONING CHANGE FROM R-3 (MULTIPLE DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT):*** Lots 1 thru 11 Block S, and Blocks T, U, and V, Sun N' Lakes Estates, Section 1, as shown in Plat Book 8 Page 10, of the Public Records of Highlands County, Florida.

C) ***REQUESTING A ZONING CHANGE FROM R-3 (MULTIPLE DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT):*** All of Block L, Sun N' Lakes Estates, Section 4, as shown in Plat Book 8, Page 34, of the Public Records of Highlands County, Florida.

D) ***REQUESTING A ZONING CHANGE FROM B-2 (LIMITED BUSINESS DISTRICT) TO AU (AGRICULTURAL):*** The Northeasterly 6.85 acre portion of Tract J, Sun N' Lakes Estates, Holiday Country Club Section, as shown in Plat Book 8 Page 92, of the Public Records of Highlands County, Florida.

E) ***REQUESTING A ZONING CHANGE FROM M-1 (MOBILE HOME SUBDIVISION DISTRICT) TO AU (AGRICULTURAL):*** Lot 7, Block 27, Sun N' Lakes Estates Acres, as shown in Plat Book 8, Page 24, of the Public Records of Highlands County, Florida.

F) ***REQUESTING A ZONING CHANGE FROM M-2 (MOBILE HOME PARKS DISTRICT) TO AU (AGRICULTURAL):*** The West ½ of the East ½ of Section 33, Township 37 South, Range 30 East, Highlands County, Florida. Containing approximately 21 acres.

G) ***REQUESTING A ZONING CHANGE FROM R-3 (MULTIPLE DWELLING DISTRICT) TO B-3 (BUSINESS DISTRICT):*** A tract of land being 480 feet along US Highway 27 by 300 feet out of Tract J, Sun N' Lakes Estates, Holiday Country Club Section as recorded in Plat Book 8 Page 92, of the Public Records of Highlands County, Florida and known as the Holiday Inn site. Containing approximately 3.28 acres.

H) ***REQUESTING A ZONING CHANGE FROM R-3 (MULTIPLE DWELLING DISTRICT) TO R-1 (RESIDENTIAL DISTRICT):*** All of Block 4, and Block 2, Sun N' Lakes Estates, Holiday Country Club Section as shown in Plat Book 8 Page 92, of the Public Records of Highlands County, Florida.

I) ***REQUESTING A ZONING CHANGE FROM I-2 (INDUSTRIAL DISTRICT) TO AU (AGRICULTURAL):*** A portion of the Northeast Quarter of Section 28, Township 37 South, Range 30 East, Highlands County, Florida, more particularly described as follows: Begin at the Northeast corner of said Section 28; thence North 89E47'41" West along the North line of said Section 28 for a distance of 75.0 feet to a point; thence South 0E04'03" East for a distance of 75.0 feet to a point; thence South 89E47'41" East for a distance of 75.0 feet to a point on the East line of said Section 28, thence North 0E04'03" West along the West line of said Section 28 for a distance of 75.0 feet to a Point of Beginning.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution P&Z 1694 as follows: Area 747,747A, 751, 752, 758, 763, 765, 769 and 771 and their respective cited properties, excluding the following: Area 747 - Sites 313; 329; 351; 367 (Lot 40); 383; and 387, and Area 765 - Site 1, referencing the mandatory findings and, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res.

Book 17 Page 54.

12) ACTION

Motion by Commissioner Stokes, seconded by Commissioner Jackson to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Board Attorney

Board Attorney, Ross Macbeth, passed out a letter from Bryant, Miller and Olive regarding the conflict of interest waiver for their proposed representation of NRPI. He pointed out a few changes that have been made. Bryant, Miller and Olive has clarified that they do not believe there would any conflict in their representation of the County as bond counsel, and their representation of NRPI. If a conflict arises, they will not represent NRPI. Bryant, Miller and Olive is asking for the Board's consideration in waiving the conflict of interest. Mr. Macbeth recommended that the Board approve the request. Deputy Clerk, Bob Jamison, questioned if Bryant, Miller and Olive comes back to represent the County, would Sun 'n Lake Improvement District and NRPI have to submit a waiver of conflict of interest. Mr. Macbeth stated that both are signing the same type of letter as the County. Motion by Commissioner Jackson, seconded by Commissioner Maxcy to waive any conflict of interest, and authorize the Chairman to sign the letter. Upon roll call, all Commissioners voted aye. Motion carried.

B. County Administrator

No action items submitted.

13) COMMISSIONERS

Commissioner Flowers passed around a Thank You card from the residents of Fair Haven Villas for the donation of some surplus computer equipment to them.

14) ADJOURN

The meeting adjourned at 10:49 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD MAY 4, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by John Smart, representing the VFW.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending May 4, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended April 30, 2004 and a Monthly Report of Business Services for April* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 151. He reminded everyone of the National Day Prayer to be held this Thursday, May 6th, on the Courthouse lawn. He added that Luke Brooker, along with two First Lieutenants who are home on leave from Iraq, will be on Barry Foster's radio show to promote the National Day of Prayer.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve agenda as amended, with an addition to Item 5-B, and corrections to Items 5-J and 5-N. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits May 4, 2004

General	**904,576.11**
County Transportation Trust	**30,685.30**
E911 Operations Fund	**4,443.81**
Local Govt Infra Surtax	**510,982.23**
Affordable Housing	**340.00**
Government Center	**2,000.00**

HCISSRB Construction Fund 363,004.17
Solid Waste 110,563.20
Placid Utilities 2,504.30
Highway Park Utility 57.23

B. Approval of minutes of the April 6, and April 20, 2004 board meeting minutes
C. Request reappointment of Ellene Fields, and the appointment of John Martz, to the Community Redevelopment Agency. See SMB 45 Page 152.
D. Request approval of transfer or sale of Tax Certificate for Mary Sue Croft. See SMB 45 Page 153.
E. Request approval of transfer or sale of Tax Certificate for Edward P. or Jean A. Crouch. See SMB 45 Page 154.
F. Request approval of Satisfaction of Mortgage for Marina & Clyde Caminos. See Satisfaction file.
G. Request approval of Satisfaction of Mortgage for Evelyn Gessler Clevenger. See Satisfaction file.
H. Request approval of Satisfaction of Mortgage for William Porter. See Satisfaction file.
I. Request approval of Satisfaction of Mortgage for Ronald G. & Helen A. Behm. See Satisfaction file.
J. Request approval of Highlands County Land Bank Parcel Designation. See Housing file.
K. Request approval of the appointment of Ray Schirtz to the Lake Istokpoga Management Committee. See SMB 45 Page 155.
L. Notification of a vacancy on the Veteran's Services Advisory Board. See SMB 45 Page 156.
M. Request approval of Resolution & Budget Amendment 03-04-181. See Res. Book 17 Page 55.
N. Request approval of Budget Amendment 03-04-176
O. Request approval of Budget Amendment 03-04-177

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Representative from Devereux Foster Care Licensing: Request approval of a Proclamation in support of "Foster Parent Appreciation Month"

Jamie Sprouse and Gabrielle Nyhan, representing Devereux Foster Care Licensing, presented the Proclamation for approval. Chairman Flowers read the Proclamation into the record. Gabriel Reed spoke in support of the Proclamation. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request, proclaiming the Month of May 2004 as *Foster Parent Month* in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 56.

B. Nell Ferwin Hayes, President, Convention & Visitor's Bureau (CVB) of Highlands County: Update on the CVB and request to accept their financial statement into the

record

Nell Ferwin Hayes, President of the CVB, presented the Board with the CVB's financial statements for the year ended September 30, 2003. She also gave a presentation on the many projects that the CVB has been involved with and upcoming events that are being scheduled for Highlands County. Ms. Hayes introduced the Board of Directors for the CVB, who were present at the meeting. See file for copy.

C. Development Services Director and Curtis DeYoung, Natural Resources Advisory Commission (NRAC) Chairman: Request approval of replacement members to NRAC

Development Services Director, Jim Polatty, presented a request to re-appoint Greg Karlson as a "Development" representative, and appoint Erin McCarta as an "Environmental" representative to the Natural Resources Advisory Commission (NRAC), as recommended by Staff. Hank Kowalski expressed concern about the lack of objectivity among County Staff when reviewing the resumes for the appointments to NRAC. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 157.

D. Mia Robertson, Clerk's Director of Compliance & Internal Audit: Financial Report briefings: Sebring Airport Authority, Industrial Development Authority, Sun 'n Lakes of Sebring Improvement District and Salvation Army

Senior Director of Business Services, Bob Jamison, gave a brief introduction about the briefings. Mia Robertson, Director of Compliance and Internal Audit, gave an overhead presentation on the Financial Report briefings for the Sebring Airport Authority (SAA), Industrial Development Authority (IDA), Sun 'n Lakes of Sebring Improvement District and the Salvation Army. Commissioner Bullard questioned the reason for the decrease in operating revenue for the SAA. Mike Carter, of the NCT Group, stated that the SAA recently renegotiated leases with some larger tenants for a decrease in rent, and water revenues are down due to the Racetrack installing their own irrigation, and no longer using SAA water. Mia Robertson noted a declining financial condition for the IDA from the prior year. Commissioner Bullard clarified that the reason for the decline is that the IDA had built up a cash carry forward in the last several years, and was instructed by the Board to use their reserves when the County's budget became tight.

Mia Robertson stated that both the Sun 'n Lakes of Sebring Improvement District and the Salvation Army received a clean audit opinion, and both had marginal changes in their financial condition from the prior year. Commissioner Bullard commended Ms. Robertson and the Clerk's office for their work in preparing these briefings, and keeping the Board and the public informed as to the condition of each agency. Lisa Burley, Director of Administrative Services and Public Affairs for the Sun 'n Lake Improvement District, thanked the Board for the inclusion and invitation to this financial briefing, adding that they look forward to a strong working relationship with the Board in the future.

E. County Engineer: Request approval of Contract, Budget Amendment No. 03-04-182, and Resolution for construction of pre-engineered 35'x80' steel building, Project No. 02066, ITB No. 04-044

County Engineer, Ramon Gavarrete, presented a request to approve the Contract with E.O. Koch Construction Company, along with the corresponding budget amendment and Resolution, for the construction of a pre-engineered steel building, to be built on the property that currently houses the Facilities Management building. He stated that the County has had to vacate the alley on the east side of the property through the City of Sebring,

and is scheduled for the final public hearing on May 18, 2004. Due to expected increases in steel prices, E.O. Koch Construction Company has guaranteed their bid through May 7, 2004. Commissioner Maxcy stated he will have to abstain from voting on this issue due to E.O. Koch Construction Company being a client of his. A Memorandum of Voting Conflict was entered into the record. See SMB 45 Page 158. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried. See Res. Book 17 Page 57.

F. Housing Coordinator: Request approval of the Highlands County Local Housing Assistance Plan (LHAP)

Housing Coordinator, Penny Phillippi, presented the request to approve the Highlands County Local Housing Assistance Plan, as recommended by the Affordable Housing Committee. She briefly described each program, and pointed out some changes recommended by the Committee. County Administrator, Carl Cool, suggested some changes in the criteria for the programs, pertaining to the location of homes being in Highlands County. He proposed adding language that would allow homes to be located on roads maintained by city, county and state agencies. Development Services Director, Jim Polatty, stated that the plan could be amended at anytime once adopted by the Board. Commissioner Bullard expressed concerns about expanding the programs out based on a criteria other than income, and asking people to pay back loans, with interest, that were traditionally forgiven. He suggested researching and studying the issues more before adopting the plan. Ms. Phillippi requested to withdraw the plan for approval, to allow Staff and the Affordable Housing Committee time to do more research, and bring the plan back before the Board for approval at a later date.

G. Board Attorney

No report.

H. County Administrator:

1. Request approval of the Certificate of Participation for the Local Share Edward Byrne Memorial Law Enforcement Formula Grant Funding FY 2004

County Administrator, Carl Cool, presented the request on behalf of the Sheriff's Office. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the Certificate of Participation for the Local Share Edward Byrne Memorial Law Enforcement Formula Grant Funding. Upon roll call, all Commissioners voted aye. Motion carried. See Grant file.

2. Request approval of Budget Amendment 03-04-179 decreasing fund 005 Reserve for Sheriff & corrections

Carl Cool presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the budget amendment for the Sheriff's Office, allocating their Contingency funds into Operating Expenses. Commissioner Bullard questioned the potential problems that could arise by using up their Contingency funds. Carl Cool stated that the Sheriff's Office has other funds internally that they can utilize if needed. Upon roll call, all Commissioners voted aye. Motion carried.

3. Request approval to relocate the Desoto City Off Road Radio Controlled Park

Carl Cool presented the request to re-locate the Desoto City Off Road Radio Controlled Park to the old Avon Park Landfill. Keith Lockett stated that the move will alleviate some of the problems associated with the current

location. He added that the move to the Avon Park Landfill will provide them with additional room and security. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request, and direct Staff to create a lease agreement for Desoto City Off Road Radio Control Park to be re-located to the old Avon Park Landfill. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 159.

4. Request approval to pay dues in the amount of $1,000.00 to the County Coalition for Responsible Management of Lake Okeechobee and St. Lucie and Caloosahatchee Estuaries

Carl Cool presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the payment of the 2004 dues to the County Coalition for Responsible Management of Lake Okeechobee and St. Lucie and Caloosahatchee Estuaries. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 160.

7. CITIZENS NOT ON AGENDA

Ray Napper inquired about getting information on the projected costs associated with the Sebring Parkway. Carl Cool stated that the costs are part of the budget and CIP each year. He added that Staff will provide Mr. Napper with a report of the costs for the Parkway.

8. COMMISSIONERS

Commissioner Maxcy stated that Article V passed out of the House of Representatives last week, and is being sent to the Governor for his signature.

9. ADJOURN

The meeting adjourned at 10:50 A.M.

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Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD MAY 11, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Pam Cross**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending May 11, 2004.

B. Clerk

Deputy Clerk, Pam Cross, presented *a report of Weekly Court Services for week ended May 7, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits May 11, 2004

General	**206,024.38**
County Transportation Trust	**10,066.01**
E911 Operations Fund	**19,627.95**
Law Enforcement Education	**4,818.88**
Legal Aid	**3,108.80**
Local Govt Infra Surtax	**133,578.06**
Community Development Block	**2,237.80**
Affordable Housing	**1,098.68**
HCISSRB Construction Fund	**16,599.70**
Solid Waste	**43,137.29**
Placid Utilities	**539.82**
Highway Park Utility	**133.68**

Risk Retention Fund 4.58
Employee Benefit Fund 4,244.38

B. Request approval of the transfer or sale of tax certificates for James Nielander. See SMB 45 Page 161.

C. Request approval to authorize the Chairman to sign the Network Security Agreement for the Public Safety Data Network. See file for copy.

D. Request approval to appoint Karen Stringfield to the Children's Services Council. See SMB 45 Page 162.

E. Request approval to record instruments accepting the road right of way for Townsend Road

F. Request approval of several Satisfaction of Mortgage(s) for Leonardo & Maritza Montano, Joshua Zahller, and Will & Diane Haralson. See Satisfaction file.

G. Request approval to accept donated parcels, designate parcels as surplus and place parcels into the Affordable Housing Land Bank. See Housing file.

H. Request approval for the Children's Services Foundation of Highlands County, Inc. to receive proceeds from the Highlands Kids.Com Recycling Program thereby benefitting the Children's Advocacy Center. See SMB 45 Page 163.

I. Request approval of the Rural Economic Development Initiative (REDI) Resolution for Project #04-00273. See Res. Book 17 Page 58.

J. Request approval of Budget Amendment 03-04-184 & 185

K. Request approval of Resolutions & Budget Amendments 03-04-186 & 192. See Res. Book 17 Page 59.

5. WORKSHOP: Discussion of a proposed Municipal Services Taxing Unit (MSTU) Referendum for the Highlands County Library System

Mary Myers, County Library Director, discussed a long range plan of service for the library system for 2004 through 2009. A slide presentation was given, outlining the various services that are available, and how those services compare to other counties in the state and the standards set by the Florida Library Services. State standards recommend that 77% to 87% of a library's budget should be from local sources. Highlands County's Library system currently operates with 58% of their budget coming from the County's General Fund. Ms. Myers proposed the idea of establishing a Municipal Services Taxing Unit (MSTU) for the purpose of funding the county library system. County Administrator, Carl Cool, outlined the differences between and MSTU and a Municipal Services Benefit Unit (MSBU), adding that these options are not being proposed for the upcoming budget year. Commissioner Maxcy stated the need to find alternative ways of funding to improve the standards of the library system.

Ms. Myers stated that there are other options for generating additional revenue that can be implemented anytime. The County could start charging user fees for some of the services offered by the library, such as Internet usage, copies, and library cards for non-residents. Florida Statutes state that a public library can not charge for basic library services. The County needs to decide what they consider to be basic library services. Chairman Flowers encouraged Staff to research other counties for the possibility of charging user fees. The Chair opened the floor to the public.

Joan Marrone, John Tallent, and Marilyn Jacobs spoke in support of the library system and charging user fees. Mary Fote and Michael Ruby spoke in opposition to user fees. Ray Napper suggested the possibility of using recreation dollars to fund the library system. Carl Cool stated that some of these funds, which come from the one penny sales tax, already go towards the library for expansion and improvement. Staff was commended for the job they do, and instructed to research the possibility of user fees to generate additional revenue. See file for information.

6. ACTION

Motion by Commissioner Stokes, seconded by Commissioner Jackson to set action agenda as listed, with addition of Item 6-B. Upon roll call, all Commissioners voted aye. Motion carried.

A. County Administrator: Request approval of a Resolution in support of the Highlands County Fair Associations' Fairgrounds Improvement Project funding

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to adopt the Resolution in support of state funding for the Highlands County Fair Association's Fairgrounds Improvement Project. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 60.

B. Request approval of Interlocal Agreement with Highlands County School Board

County Administrator, Carl Cool, presented the request to approve an interlocal agreement with the Highlands County School Board, allowing the money collected by the County for Drivers Education to be reimbursed to the School Board for funding of a drivers education program for the upcoming summer. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

7. COMMISSIONERS

No reports.

8. ADJOURN

The meeting adjourned at 10:16 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD MAY 18, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Tom Portz**
C Guy Maxcy	**Bob Jamison**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Commissioner Edgar Stokes.

2. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending May 18, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended May 14, 2004 and a report of Jury Trial Week for the month of May* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 164.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the April 27, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits May 18, 2004

General	**244,438.93**
County Transportation Trust	**14,141.68**
E911 Operations Fund	**.82**
Local Govt Infra Surtax	**11,846.42**
Community Development Block	**96,213.57**
Affordable Housing	**13,577.76**
Government Center	**8,687.00**
HCISSRB Construction Fund	**6,352.50**

Solid Waste 43,599.32
Placid Utilities 1,995.73
Highway Park Utility 303.00
Risk Retention Fund ..... .41
Employee Benefit Fund 3.43

C. Request approval of transfer or sale of several Tax Certificates per attached lists- Nielander. See SMB 45 Page 165.

D. Request approval to increase the charges for color photocopies. See SMB 45 Page 166.

E. Request approval of Satisfaction of Mortgage for Simon Ramirez & Maria Saldivar. See Satisfaction file.

F. Request approval of Satisfaction of Mortgage for Sonya Kidd. See Satisfaction file.

G. Request approval of Satisfaction of Mortgages from Grant Year 92047 per attached list. See Satisfaction file.

H. Request approval to declare county owned land, Parcel - ID: C-04-34-28-160-3440-0440 as surplus and grant permission to solicit offers on its sale through the County's bid process. Reference future ITB 04-054. See SMB 45 Page 167.

I. Request approval of fee waiver for service organization and homeowners group for H.L. Bishop Park. See SMB 45 Page 168.

J. Request approval of Temporary Construction Easements, Airport Road Widening, Project No. 00073

K. Request approval of Resolution and budget amendment 03-04-187. See Res. Book 17 Page 61.

L. Request approval of Budget Amendments 03-04-193; 195; 198-199

6. ACTION AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Stokes to set action agenda as amended, pulling Item E-1 from agenda, to be replaced by a request from the Highlands County Fair Association and Humane Society. Upon roll call, all Commissioners voted aye. Motion carried.

A. Assistant County Administrator: Presentation of Certificate of Recognition for Budget Preparation to Rick Helms, OMB Director

Assistant County Administrator, Tom Portz, presented Rick Helms, OMB Director, with a Certificate of Recognition for Budget Preparation, from the Government Finance Officers Association.

B. Finance Officer, Clerk of Courts: Interim Financial Report of Key Operating Performance Measures as of March 31, 2004

Senior Director of Business Services, Bob Jamison, and Finance Officer, Pam Cross, presented an Interim Financial Report of Key Operating Performance Measures as of March 31, 2004, for the Board of County Commissioners. See Financial Reporting file.

County Administrator, Carl Cool, presented an EMS billing update with ADP for the period ending March 31, 2004.

C. County Engineer: Request approval for installation and maintenance of red light confirmation lights

Bob Diefendorf, Engineering Department, presented the request and gave a powerpoint presentation, outlining the project. The Florida Department of Transportation (FDOT) will purchase the lights, and the county will fund the costs for installation and maintenance. He added that the Community Traffic Safety Team is in support of this request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the installation and maintenance of the red light confirmation lights with traffic control being provided by the requesting Law Enforcement Agency, at no cost to the County. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 45 Page 169.

D. Board Attorney

Commissioner Maxcy requested an update from the Board Attorney, on the Georgia Pacific Access Road Project, pertaining to the possible cost overruns on the project. Board Attorney, Ross Macbeth, stated that a conference call is scheduled between all of the involved parties to discuss the issue and try to find solutions so the project can be completed. Mr. Macbeth stated that he will keep the Board informed of any progress in the project.

E. County Administrator:

1. Request for waiver of dump fees for the Highlands County Fair Association and Highlands County Humane Society

County Administrator, Carl Cool, presented a request from the Highlands County Fair Association and the Highlands County Humane Society, to waive the landfill fees for each of their projects. Motion by Commissioner Maxcy, seconded by Commissioner stokes, to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval of signage and improvements to Hammock Road Trail

County Administrator, Carl Cool, presented a request from the three Rotary Clubs of Sebring, to have a sign installed on US 27 for the Hammock Road Trail. The Rotary Clubs are proposing to buy the sign, pay to have it installed, and give it to the County as a gift. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. Chairman Flowers asked Mr. Cool to draft a letter for his signature, to be given to each Rotary Club, thanking them for their sign. See SMB 45 Page 170.

7. CITIZENS NOT ON AGENDA

Maggie Smith expressed concerns about some code enforcement violations on E.A. Smith Avenue in Highway Park, and requested an update on the progress of the clean up of the area. County Administrator, Carl Cool, stated there are ongoing clean up projects in the area. Commissioner Flowers instructed Ms. Smith to meet with Mr. Cool following the meeting to address her concerns and get an update from code enforcement.

8. COMMISSIONERS

No reports.

9. ADJOURN

The meeting adjourned at 10:11 A.M.

_____
Chairperson

Attest: _____
Clerk

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The Budget Workshop of the Board, was held on May 17 through May 20, 2004 in the Government Center Boardroom, 600 S. Commerce Ave., Sebring, Florida with the following schedule:

The Workshop was called to order at 8:00 A.M. in the Board of County Commission Chambers, by OMB Director, Rick Helms. Also present was Terry Gott, Budget Analyst, Christine Edwards, Budget Technician, and Edgar Stokes, County Commissioner. The Notice of the meeting was posted on the official bulletin board on 05-14-04. See SMB 45 Page 171.

The Budget Office staff listened to each Department request and will formulate a recommendation to the County Administrator. The recommendation will be presented to the Board of County Commissioners. All agencies will be advised of this recommendation and allowed to register appeals, or complaints, with the County Administrator or the Board of County Commissioners. Any changes will be incorporated and millage certification is tentatively scheduled.

MONDAY, MAY 17, 2004				
AGENCY	**PAGE #**	**COST CENTER**	**LOCATION**	**TENTATIVE TIMES**
Parks & Recreation	**E-161**	6104	Government Center Boardroom	8:00 A.M.
Carpentry Shop	**F-38**	4103		
Recreation	**E-128**	6101		
Parks Department	**E-137**	6102		
Florida Boating Improvement Program	**E-159**	6103		
Weed Control	**E-262; E-267**	6304, 6305		
Road and Bridge	**F-24**	4102		8:30 A.M.
Maintenance Shop	**F-42**	4104		
Mowing - Right of Ways	**F-62**	4106		
County Shell Pit	**F-65**	4108		
County Engineer	**F-2**	4101		9:00 A.M.
Traffic Operations	**F-47**	4105		
Community Traffic Safety	**E-36**	3105		
Sebring Parkway Maintenance	**F-67**	4110		
Placid Utilities - Water	**F-171**	7102		9:15 A.M.
Placid Utilities - Sewer	**F-198**	7103		
Highway Park	**F-185**	7102A		9:30 A.M.
Emergency Operations Director	**E-55; E-58; E-67; E-70**	3211, 3213, 3215, 3216		9:45 A.M.
Special Tax Districts-Fire:				
West Sebring Special Benefit Fire District	**J-51**	7960		
Lake Placid Fire District	**J-61**	7966		
Lorida Special Benefit Fire District	**J-67**	7968		
Venus Special Benefit Fire District	**J-76**	7969		
Lake Placid Sun 'n Lakes Fire District	**J-81**	7981		

DeSoto City Special Fire District	**J-85**	7982		
Highlands Lakes Fire District	**J-93**	7988		
Leisure Lakes Special Fire District	**J-103**	7994		
Highlands Park Estates Special Tax Fire District	**J-111**	7997		
Placid Lakes Fire District	**NA**	7991		
Local Emergency Management	**E-10; E-27**	3991, 3991B, 3998A		10:00 A.M.
E911 Operations	**E-22**	3998		10:15 A.M.
Intergovt Radio Communication Program	**E-20**	3994		
Communications Program	**E-30**	3998B		
Information Technology Department	**E-32**	3998C		
Animal Control	**E-104**	5106		11:15 A.M.
Human Resources	**D-17**	2107		11:30 A.M.
Work Study Program	**D-71**	5310		
LUNCH BREAK				
Landfill				1:15 P.M.
Refuse Disposal System	**F-73**	4210		
Recycling Operations/Recovery Facility	**F-95**	4211		
Solid Waste Administration	**F-99**	4212		
Waste Tire Processing Grant	**F-107**	4214		
Landfill Closure	**F-109**	4215		
Recycling Grant	**F-113**	4217		
Refuse Collection Program	**F-120**	4218		
FDEP Proj - Sebring Landfill Closure	**F-122**	4219		
Highlands Beautiful/Litter and Marine Debris	**E-278**	6308		
Libraries	**D-110; E-114; E-117; E-121**	6209-6212		2:00 P.M.

MONDAY, MAY 17, 2004				
AGENCY	**PAGE #**	**COST CENTER**	**LOCATION**	**TENTATIVE TIMES**
Non-Ad Valorem Districts:			Government Center Boardroom	2:30 P.M.
Sun 'n Lakes 1-20 Improvement Trust	**J-2**	7962		
Highlands Park Estates Special Benefit District	**J-4**	7963		
Highway Park Special Benefit District	**J-42**	7965		
Lake Haven Estates Special Benefit District	**J-44**	7970		
Orange Blossom Unit 12	**J-8**	7971		
Sebring Acres	**J-10**	7972		
Orange Blossom CCC	**J-12**	7973		
Sun 'n Lakes LP Recreational District	**J-14**	7974		
Orange Blossom Units 1-19	**J-17**	7975		
Red Hill Farms Improvement District	**J-22**	7977		
Sebring Hills Lighting Special Benefit District	**J-45**	7978		
Orange Blossom Units 8 & 9	**J-24**	7979		
Lake Placid Sun 'n Lakes Sp. District	**J-26**	7980		
Sebring Highlands Special Tax District	**J-28**	7983		
Orange Villa Special Benefit District	**J-47**	7984		
Placid Lakes Special Benefit District	**J-30**	7987		
Istokpoga Marsh Improvement District	**J-33**	7989		
Avon Park Estates Special Benefit District	**J-35**	7990		
Highlands Park Estates Special Tax District	**J-38**	7995		
Hickory Hills Special Benefit District	**J-40**	7996		
Sebring Country Estates Special District	**J-49**	7998		
Pre-Trial Release	**G-54**	1014		3:00 P.M.
OFF THE AIR BY 5:30 PM				
WEDNESDAY, MAY 19, 2004				
AGENCY		**COST CENTER**	**LOCATION**	**TENTATIVE TIMES**
Community Development Block Grant - Housing	**E-223**	5341		10:00 A.M.
State Housing Initiatives Program (SHIP)	**E-228**	5342		
Housing Department	**E-238**	5344		
Building Department	**F-157**	3440		10:30 A.M.
Natural Resources	**E-243**	6303		11:15 A.M.
Industrial Development Authority	**H-28**	5300		11:30 A.M.
Tourist Development Tax/Convention Visitors Bureau	**H-39**	5301		
Tourist Development Tax - Lakes	**H-41**	5302		
LUNCH BREAK				
Circuit Court (Court Administrator - Nick Sudzina)	**G-2**	1000		1:15 P.M.
State Attorney	**G-14**	1002/1002A		1:30 P.M.

Public Defender	**G-19**	1003/1003A		1:45 P.M.
OFF THE AIR BY 12 NOON				
WEDNESDAY, MAY 19, 2004				
AGENCY		**COST CENTER**	**LOCATION**	**TENTATIVE TIMES**
Board of County Commissioners	**C-2**	2101		2:00 P.M. until completed. These cost centers to be presented by OME Director except as noted or requested
Public Information (moved from Mon., May 17)	**D-37**	2109		
Central Services	**D-78**	2111		
Board Attorney	**D-6**	2103		
County Administrator	**C-5**	2104		
County Audits	**D-8**	2105		
Office of Management & Budget	**D-10**	2106		
Non-Ad Valorem Assessment	**D-31**	2108		
Facilities Management (moved from Mon., May 17)	**D-54**	2672		
Courthouse Facilities (moved from Mon., May 17)	**D-2**	1031		
Florida Highway Patrol	**G-112**	3102		
Division of Forestry	**E-65**	3214		
County Jail	**E-72**	3322		
Detention & Correction - Medical	**E-76**	3324		
Medical Examiner	**H-1**	3990		
Mental Health	**E-169**	5103		
Driver Education Safety	**E-222**	5228		
Highlands County Housing Authority	**H-43**	5343		
Community Redevelopment Agency-Sebring	**H-46**	5346		
Community Redevelopment Agency-Avon Park	**H-48**	5347		
Sebring Regional Airport/Industrial Park	**H-50**	5348		
Avon Park Airport CRA	**H-52**	5349		
Avon Park Southside CRA	**H-54**	5350		
Highlands Park Estate Improvement Trust Fund	**J-41A**	7999		
Long Term Notes 151, 401	**I-1; I-3**	8110, 8110A		
Bond Administration Costs	**I-5**	2680		
CIP Plan	**K-1-K-66**	Various Cost Centers		
Reserve for Contingency	**D-82; F-71; F-127; F-211**	9990, 9990A, 9990F, 9990G		
THURSDAY, MAY 20, 2004				
AGENCY		**COST CENTER**	**LOCATION**	**TENTATIVE TIMES**
Department of Human Services			Government Center Boardroom	8:00 A.M.
Health Care Responsibility Act	**E-191**	5108		

Human Services Administration	**E-193**	5220		
Public Assistance Program	**E-197**	5221		
State-County Assistance Program	**E-199**	5222		
Commodities	**E-201**	5223		
Children's Services Council	**E-208**	5225		
Transportation Disadvantaged	**E-217**	5226		
Adapt Program	**E-219**	5227		
Legal Aid Program	**G-110**	1046		
Veterans	**E-164**	2991		8:30 A.M.
Children's Advocacy Center	**E-78**	3995		8:45 A.M.
Nu-Hope	**E-204**	5224		9:00 A.M.
Health Unit	**H-7**	5101		9:15 A.M./11:00 A.M
General Services	**D-40**	2558		9:30 A.M.
County Extension	**E-2**	6302		9:45 A.M.
Emergency Medical Services	**E-81**	5105		10:00 A.M.
County Planning & Development	**F-129**	2700	Moved from Wednesday, May 19	10:30 A.M.
Conservation Trust	**E-270**	6307	"	
Zoning Department	**F-144**	3439	"	
Nuisance Abatement	**F-169**	6306	"	
Historic Preservation Commission	**D-73**	6213	"	

REGULAR MEETING OF THE BOARD MAY 25, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending May 25, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended May 21, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 45 Page 172.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits May 25, 2004

General	**1,628,836.30**
County Transportation Trust	**10,080.79**
E911 Operations Fund	**.4,729.19**
Local Govt Infra Surtax	**224,628.85**
Community Development Block	**7,106.44**
Affordable Housing	**20,619.57**
Government Center	**2,903.77**
HCISSRB Construction Fund	**17,921.03**
Solid Waste	**187,606.63**
Placid Utilities	**774.45**
Highway Park Utility	**281.87**
Employee Benefit Fund	**1,035.00**

Highlands Hosp Pass Thru 14,591.49

B. Request approval of Highlands County Land Bank Parcel Designation. See SMB 45 Page 173.

C. Request approval of the transfer or sale of several tax certificates per attached lists for Crouch & Dukes. See SMB 45 Page 174.

D. Request approval of a Request to Release Lien, Case #9798-104, 1300 SR 64 W., Avon Park. See Subdivision file.

E. Request approval of an Accident Medical Expense & Accidental Dismemberment & Death Insurance Application. See Insurance file.

F. Request approval of Placid Utilities Advisory Committee term extensions and the appointment of Lois Krebs as an alternate to the committee. See SMB 45 Page 175.

G. Request approval of and expenditure from the Special Law Enforcement Trust Fund, in the amount of $250.00 to the Florida Missing Children's Day. See SMB 45 Page 176.

H. Request approval of motion to approve a Resolution to establish a Public Hearing to consider closing that portion of the unnamed 45 foot wide street lying between Lots H and I, and that portion of the unnamed 40 foot wide roadway lying along the westerly side of Lot H and the north 179.32 feet of Lot I, of E.D. & C.E. Putney Subdivision in Section 10, Township 33 South, Range 28 East, as shown on the plat thereof recorded in Transcript Book at Page 3 of the Public Records of Highlands County, Florida. See Res. Book 17 Page 65.

I. Accept into the record a summary of the Dori Slosberg Driver Education Safety Act Revenue & Expenditures as of March 31, 2004. See file for copy.

J. Request approval of Budget Amendment 03-04-201, 202 & 207

5. PUBLIC HEARING: To consider amending an Ordinance providing for administration and expenditures from the Driver Education Safety Trust Fund

Proof of Publication was entered into the record. See Proof of Pub. Ord. Book 3 Page 59. County Administrator, Carl Cool, presented the request. Board Attorney, Ross Macbeth, read a caption of the Ordinance into the record. Motion by Commissioner Bullard, seconded by Commissioner Jackson to adopt the ordinance providing for the administration of and expenditures from the Driver Education Safety Trust Fund. Upon roll call, all Commissioners voted aye. Motion carried.

6. PUBLIC HEARING: Public Hearing to consider a Resolution to vacate an easement along the 7.5' utility easement lying North of the South line of Lots 13 & 19, and the 7.5' easement along the east line of Lots 1,2, 3 & 19, and along the west line of lots 10-13, and the 7.5' easement lying along the railroad right-of-way of Lot 19, Block 3, Hickory Villa, according to the plat thereof recorded in Plat Book 8 Page 47, of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 45 Page 177. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the Resolution vacating the easement as requested. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 66.

7. PUBLIC HEARING: Public Hearing to consider an amended Resolution to correct the name of the petitioner stated in the Resolution recorded at O.R. Book 1756, Page 552, of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 45 Page 178. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the amended Resolution, correcting the name of the petitioner in the original Resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 67.

8. PUBLIC HEARING: Public Hearing to consider a Resolution to vacate a utility and drainage easement as follows: The East 10.00 feet of Lots 37, 38 & 39, and the West 10.00 feet of Lots 36, 37, and 38, Block 4, Orange Blossom Estates, Unit No. 6 as per plat recorded in Plat Book 6, Page 35, of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 45 Page 179. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the Resolution, vacating the utility and drainage easement as presented, upon execution of a Unity of Title Agreement from the petitioner. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 68.

9. PUBLIC HEARING: Public Hearing to consider a Resolution to vacate a portion of a road segment on Shop 16 Road, Plat Book 1, Page 5 of the Public Records of Highlands County, and acceptance of real property for the Right of Way for a portion of a road segment on Shop 16 Road, Plat Book 1, Page 5 of the Public Records of Highlands County

Proof of Publication was entered into the record. See SMB 45 Page 180. County Engineer, Ramon Gavarette, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the Resolution, vacating a portion of Shop 16 Road, and accepting a portion of Shop 16 Road, in order to relocate a portion of the road. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 69.

10. PUBLIC HEARING: Public Hearing to consider a Resolution to vacate a utility and drainage easement along the southerly 7.50 feet of the westerly 170.00 feet of Lots 22, 23, 24, 25, 26, 27 and 28, Block 394 and the northerly 7.50 feet of the westerly 170.00 feet of Lots 23, 24, 25, 26, 27, 28 and 29, Block 394 Sun 'n Lake Estates of Sebring, Unit 18, as per plat recorded in Plat Book 10, Page 27, of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 45 Page 181. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the Resolution vacating the utility and drainage easement as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 70.

11. PUBLIC HEARING: Public Hearing to consider a Resolution to vacate a 6 foot by 100 foot easement on the North side of Lot 25, Block 26, Avocado Subdivision, Plat Book 4, Page 62 of the Public Records of Highlands County

Proof of Publication was entered into the record. See SMB 45 Page 182. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the Resolution vacating the easement as presented. Upon roll call, all Commissioners voted aye. Motion carried.

See Res. Book 17 Page 71.

12. PUBLIC HEARING: Public Hearing to consider a Resolution to vacate a utility and drainage easement along the Northwesterly 7.50 feet of Lot 5, and the Southeasterly 7.50 feet of Lot 6, Block 53, Sebring Country Estates, Section Three, as per plat recorded in Plat Book 9, Page 6, of the Public Records of Highlands County, Florida. Less and except the Southerly 10.00 feet thereof.

Proof of Publication was entered into the record. See SMB 45 Page 183. County Engineer, Ramon Gavarette, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the Resolution vacating the utility and drainage easement as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 72.

13. PUBLIC HEARING: Public Hearing to consider proposed Comprehensive Plan Amendments in Conservation Acquisition Area

This item has been rescheduled for a later date.

14. PUBLIC HEARING: Public hearing to consider four zoning changes, four small scale plan amendments, and discussion of direction for a County initiated zoning or FLUM change

Development Services Director, Jim Polatty, presented Proof of Publication for the following hearings. See Proof of Pub. Ord. Book 3 Page 60.

HEARING # CPA - 04-246SS - WIGGINS FINANCIAL, INC., - C/O CLIFFORD R. RHOADES, P.A. (SYBIL BRADY)

An approximate 8.93 acre Parcel located West of U.S. Highway 27 South, and South of Sebring Lakes Boulevard, Sebring, Florida, and legally described as follows: Tract B, Sebring Lakes Replat, per Plat thereof, as recorded in Plat Book 8, Page 45, of the Public Records of Highlands County, Florida. Requesting a small scale plan amendment from (Agriculture) to (Commercial).

HEARING # 1690 -WIGGINS FINANCIAL, INC., - C/O CLIFFORD R. RHOADES, P.A. (SYBIL BRADY)

An approximate 8.93 acre Parcel located West of U.S. Highway 27 South, and South of Sebring Lakes Boulevard, Sebring, Florida, and legally described as follows: Tract B, Sebring Lakes Replat, per Plat thereof, as recorded in Plat Book 8, Page 45, of the Public Records of Highlands County, Florida. Requesting a zoning change from B-2 (Limited Business district) to B-3 (Business district). Applicant desires all the permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. The Commissioners entered letters into the record from the public concerning this hearing. Cliff Rhoades, representing the petitioner, spoke in support of the request. Janet Bernfeld, Roy Carr, and James Wood spoke in opposition to the re-zoning. Buddy Wiggins, petitioner, spoke in support of the request. Mr. Rhoades stated his client would be willing to allow for deed restrictions to prohibit certain uses in the B-3 zoning district. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission and the Local Planning Agency, move to approve and adopt by Ordinance CPA-04-246SS amending the Future Land Use Map for 8.953 acres

from Agriculture to Commercial and deny P&Z 1690 changing the Zoning Atlas for 8.93 acres from B-2 (Limited Business district) to B-3 (Business district), and, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

HEARING # CPA - 04-249SS - ROBERT E. KAJFASZ AND DELORES J. KAJFASZ

Located on the East side of Acre Road, and South of Hickory Ridge Drive East, Sebring, Florida, and legally described as follows: Lot 1, LESS the South 50 feet of the North 51 feet, of Zodiac Subdivision, as recorded in P.B. 12, Pg. 41, of the Public Records of Highlands County, Florida.
Requesting a small scale plan amendment from (Commercial) to (Medium Density Residential).

HEARING # 1696 ROBERT E. KAJFASZ AND DELORES J. KAJFASZ

Located on the East side of Acre Road, and South of Hickory Ridge Drive East, Sebring, Florida, and legally described as follows: Lot 1, LESS the South 50 feet of the North 51 feet, of Zodiac Subdivision, as recorded in P.B. 12, Pg. 41, of the Public Records of Highlands County, Florida.
Requesting a zoning change from B-2 (Limited Business district) to M-1-S (Mobile Home and Residential Subdivisions district). Applicant desires to construct eight (8) dwelling units.

Development Services Director, Jim Polatty, presented the request. Robert Coto spoke in support of the zoning and land use change. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission and the Local Planning Agency, move to recommend approval and to adopt by Resolution P&Z 1696 changing the Zoning Atlas for 4.18 acres from B-2 (Limited Business district) to M-1-S (Mobile Home and Residential Subdivisions district), and approve CPA-04-249SS amending the Future Land Use Map for 4.18 acres from Commercial to Medium Density Residential, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 73.

HEARING #1697 - 27 QUALITY AUTO SALES - C/O LARRY ROGERS

Located on the West side of U.S. 27 North, approximately 295 feet North of Stryker Road, Avon Park, Florida, and legally described as follows: The S ½ of the North 200 feet of Lots 129 and 130, LESS road right-of-way, Lakewood Villa and Addition, as recorded in P.B. 1, Pg. 5, of the Public Records of Highlands County, Florida.
Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

Development Services Director, Jim Polatty, presented the request. Larry Rogers, petitioner, spoke in support of the zoning change. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution P&Z 1697, amending the Zoning Atlas from B-1 (Neighborhood Business district) to B-3 (Business district) for a 0.56 acre parcel, after referencing the mandatory findings, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 74.

HEARING # CPA - 04-251SS - JOHN R. ROLLER - C/O CAROLE POLK

An approximate 9.91 acre Parcel along the South side of U.S. 27, just North of the American Legion

Post 25, Lake Placid, Florida, and legally described as follows: Approximately 9.91 acres located in Sec. 24, Twp. 36S, Rge. 29E, Highlands County, Florida.
Requesting a small-scale plan amendment from (Agricultural) to (Commercial).

Development Services Director, Jim Polatty, presented the request. Carole Polk, representing the petitioner, spoke in support of the land use change, stating that the owner is trying to bring his property into consistency with the zoning. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission, move to approve and adopt by Ordinance CPA-04-251SS, amending the FLUM for 9.91 acres from Agriculture to Commercial, referencing the mandatory findings, and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

HEARING # CPA - 04-252SS - CAROLYN J. FISHER - C/O ROGER DALE POLSTON, POLSTON ENGINEERING, INC.

An approximate 4 acre Parcel at the Southeast corner of S.R. 17 South and Altvater Road, Avon Park, Florida, and legally described as follows: Located in Sec. 6, Twp. 34S, Rge. 29E, Highlands County, Florida. Containing approximately 4.19 acres.
Requesting a small-scale plan amendment from (Low Density Residential) to (Commercial) and (Low Density Residential) to (Medium Density Residential).

HEARING # 1698 - CAROLYN J. FISHER - C/O ROGER DALE POLSTON, POLSTON ENGINEERING, INC.

An approximate 4 acre Parcel at the Southeast corner of S.R. 17 South and Altvater Road, Avon Park, Florida, and legally described as follows: Located in Sec. 6, Twp. 34S, Rge. 29E, Highlands County, Florida. Containing approximately 1.81 acres.
Requesting a zoning change from AU (Agricultural) and M-1-S (Mobile Home and Residential Subdivisions district) to B-3 (Business district). Applicant desires to keep the single family residence and proposed commercial uses are an upholstery shop, warehouses for RV and boat storage, and maybe other retail uses.

Development Services Director, Jim Polatty, presented the request. Dale Polston, representing the petitioner, spoke in support of the request. Carolyn Fisher, petitioner, stated she currently lives on the East portion of the parcel, and is wanting to relocate her upholstery business to the front part of the parcel, fronting S.R. 17. Commissioner Bullard stated that the request is not consistent with the surrounding land use and zoning districts. Mr. Polston stated that M-1-S zoning (Mobile Home and Residential Subdivisions district) allows for one single family residence, adding that the zoning for the part of the parcel that her house is located on could be zoned M-1-S, which would eliminate one the zoning categories. Commissioner Bullard stated that he could support that change, and requested a short recess to allow Staff and the petitioner time to construct a motion that would accomplish the amended request.

Break 10:40 - 10:55 A.M.

Jim Polatty stated the revised motion, changing the zoning from AU and M-1-S to B-3 and B-3 CU, and amending the land use change from (Low Density Residential) to (Commercial) for the B-3 parcels, and (Medium Density Residential) for the M-1-S parcels. The Westerly portion of the B-3 would have deed restrictions, and the other B-3 parcel would have a conditional use, limited to storage and warehouse only. Commissioner Flowers questioned if the applicant would be able to sell of pieces of the property, or would it all have to remain under one ownership. Board Attorney, Ross Macbeth, stated that the applicant would have the option of selling of individual parcels. Mr. Polatty added that the commercial property could be subdivided, if it met the subdivision regulations in zoning.

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission and the Local Planning Agency, move to approve and adopt by Resolution P&Z 1698, amending the Zoning Atlas from AU (Agricultural) and M-1-S (Mobile Home and Residential Subdivisions district) to B-3 (Business district), with deed restrictions, limiting uses to the following: upholstery shop, trade shops such as plumber, electrical, and etc., speciality shops such as hobby or craft, antique shop, new and used furniture, sandwich, ice cream, and deli type food stores or professional office, for 1.81 acres on the front or Westerly portion of the B-3 parcel facing C.R. 17 as shown on the P&Z recommendation map and as B-3 CU (Warehouse and Storage only) on the Southern portion of the B-3 Parcel (that portion of the proposed B-3 re-zoning not fronting on CR 17) as shown on the P&Z recommendation map and move to approve and adopt by Ordinance CPA-04-252SS, amending the FLUM from (Low Density Residential) to (Commercial) for the two B-3 parcels containing 1.81 acres more or less and (Low Density Residential) to (Medium Density Residential) for the two M-1-S parcels that contain 2.38 acres, more or less, referencing the mandatory findings, and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 75.

DISCUSSION TO GIVE STAFF INSTRUCTIONS: LAND USE STUDY OF THE AREA BETWEEN, ALBRITTON ROAD, RANCHERO ROAD, AND US 98

Development Services Director, Jim Polatty, discussed the land use study done on the property between Albritton Road, Ranchero Road, and U.S. 98, and presented Staff and P&Z recommendations for re-zoning and land use changes. The study area, consisting of 6 parcels, is currently zoned AU (Agriculture) and the land use is I (Industrial). He presented a letter from one of the property owners, Tom Klepinger, requesting that his property remain Agriculture. Commissioner Bullard commended Staff and the people in the neighborhood for producing an example of good land planning. Bob Kajasz and Robert Coto spoke in support of the recommendation. Mr. Polatty stated the Board needs to include in their motion, to instruct Staff to do a county initiated comprehensive plan amendment change, based on P&Z recommendation. He also requested that the Board authorize Staff to refund the fees Mr. Klepinger has paid for changing the comp plan for his property back to AU, should he agree to go along with P&Z recommendations.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission and the Local Planning Agency, move to approve the EU land use study alternative and delete the center property (Mr.Klepinger's property - leaving it Agriculture, per the owner's letter request), and extend the length of the EU (Estate district) to the Southern line of the existing B-3 (Business district) that

currently is adjacent to Albrittion (Acre) Road and direct staff to prepare a consistency re-zoning and Consistency Comprehensive Plan amendment to implement this action, and authorize Staff to refund the fees to Mr. Klepinger if needed. Upon roll call, all Commissioners voted aye. Motion carried.

15. ACTION

No action items were submitted for the agenda.

16. COMMISSIONERS

Commissioner Stokes reported on a visit he had at the County's Emergency Operations Center, to discuss the E-911 program and the recent changes that have taken place.

Commissioner Maxcy reported on the progress being made with the Georgia Pacific project. County Administrator, Carl Cool, stated that the next step is to get the engineering work done, and obtain bids for the road work that needs to be done.

Commissioner Flowers commented on the Mock Terrorist and Hazardous Materials Incident that took place last week at the Sebring Airport.

17. ADJOURN

The meeting adjourned at 11:22 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD JUNE 1, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Kelly Meier, representing the WAVES.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending June 1, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended May 28, 2004 and a Monthly Report of Business Services for May* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 1. Mr. Jamison also announced a new service of Payables images available to all Board Staff.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve agenda as amended, adding minutes from May 18, 2004 to Item 5-A, and correction of a typographical error on Item 5-M. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval of minutes of the May 4, 11 and 18, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits June 1, 2004

General	**178,634.09**
County Transportation Trust	**45,020.44**
E911 Operations Fund	**.201.57**
Intergovt Radio Communications	**11.34**
Local Govt Infra Surtax	**314,840.12**
Community Development Block	**13,996.80**

Affordable Housing 36,041.95
Special Law Enforcement 4,302.00
HCISSRB Construction Fund 54,584.00
Solid Waste 40,737.06
Placid Utilities 215.82
Highway Park Utility 26.28
Risk Retention Fund 5.57

C. Request approval of Satisfaction of Mortgage for T. Callahan, D. Hilden, and M. Strang. See Satisfaction file.

D. Request approval of an Adopt a Highway Agreement - Callahan - Henscratch Farms Vineyard and Winery. See file for copy.

E. Request to approve Florida Department of Environmental Protection 2004/2005 Consolidated Solid Waste Management Grant Application. See Grant file.

F. Request approval to declare Parcel ID#C-22-37-30-240-3120-0170, and C-22-37-30-240-3150-0150 as surplus and approve General Services/Purchasing Department to solicit offers pursuant to the Board's 8/13/02 adopted Purchasing Manual and Florida Statute s.125.35. See SMB 46 Page 2.

G. Request approval for native plants to be planted in Lake August and approval of budget amendment 03-04-203

H. Request approval of "Exhibit A" FY 04/05 FDOT Work Orders and a Resolution authorizing the chairman to sign per approved FDOT State Highway Lighting, Maintenance and Compensation Agreement. See Res. Book 17 Page 76 and FDOT file.

I. Request approval of execution of Grant Contracts for Highlands County Lakes Association and Highlands County Soil & Water Conservation District. See Grant file.

J. Request approval of Budget Amendment #03-04-216

K. Request approval of Budget Amendments #03-04-204 & 211

L. Request approval of Resolutions & Budget Amendments 03-04-208 & 210. See Res. Book 17 Page 77.

M. Request approval of Resolution & Budget Amendment 03-04-218. See Res. Book 17 Page 78.

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Chairman Flowers and Detective Eugene C. Walker, Division of State Fire Marshal: Presentation to Mr. Sean Beuford, and James Beuford

Cpt. Mark Sauls and Lt. Brandon Ball of the State Fire Marshal's Office presented Sean Beuford with an award recognizing him for his heroic efforts on May 17, 2004, by entering a residence that was burning to remove an occupant to safety. Chairman Flowers presented Mr. Beuford with a Character Recognition Award, on behalf of the Board of County Commissioners, recognizing him for his *Determination*. His son, James Beuford, was presented a Character Recognition Award for his *Attentiveness*, in observing that a neighbor's home was on fire,

and alerting others to the danger.

B. Clerk of Court's Finance Officer: Presentation of Budget-to-Actual from the Comprehensive Annual Financial Reports

Senior Director of Business Services, Bob Jamison, and Finance Officer, Pam Cross, presented a Budget to Actual Analysis report on the Revenues and Expenditures for the Board of County Commissioners, obtaining information from the Comprehensive Annual Financial Reports for the last nine fiscal years. See Financial Reporting file.

C. County Engineer: Executive Summary update for Courthouse Restore/Repair Project #01099, and Corrections Facility Expansion #01100

County Engineer, Ramon Gavarrete, gave an update on the Courthouse Restore/Repair Project and the Corrections Facility Expansion. Pictures were shown of the continuing construction, and the estimated completion date is October 31, 2004. The plan is to have all four new courtrooms completely operational by June 25, 2004. He stated that the new jail is completed, but remains unoccupied until the video visitation system is completely installed. Commissioner Flowers requested Mr. Gavarrete to set up another tour of the construction for elected officials.

D. Board Attorney

Board Attorney, Ross Macbeth, stated he needs advice from the Board concerning the litigation with Gulfstream Natural Gas Systems. He requested to hold an executive session next Tuesday, June 8, 2004 at 9:45 A.M. All Commissioners were in agreement with the date and time requested.

E. County Administrator:

1. Request approval of Resolution & Budget Amendment #03-04-209decreasing fund 005 Reserve

County Administrator, Carl Cool, presented the request to approve the Resolution and budget amendment, reimbursing the Town of Lake Placid for acquisition of Lake June Park acreage, to comply with the interlocal agreement between the County and the Town. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 79.

2. Request approval to waive the county's purchasing policy for purchase over $25,000 regarding Highlands County World Changers Partnership

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the waiver of the county's purchasing policy for purchase over $25,000 regarding Highlands County World Changers Partnership. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 3.

3. Request approval of Budget Amendment 03-04-217 decreasing the 151 Reserve for Contingency

County Administrator, Carl Cool, presented the request to approve the budget amendment to transfer funds to raise the level of Old State Road 8 in the area of Toni Circle, in order to control the problems caused by

flooding in the past. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

Commissioner Maxcy reported that the bill for Article V was signed by the Governor on Friday in Tallahassee.

9. ADJOURN

The meeting adjourned at 10:15 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD JUNE 8, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Tom Portz**
C Guy Maxcy	**Pam Cross**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending June 8, 2004. The Farm Report for May was also given.

B. Clerk

Deputy Clerk, Pam Cross, presented *a report of Weekly Court Services for week ended June 4, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. Assistant County Administrator, Tom Portz, announced that a tour of the new courthouse is scheduled for next Tuesday.

4. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits June 8, 2004

General	**842,747.64**
County Transportation Trust	**7,596.12**
E911 Operations Fund	**.15,630.34**
Local Govt Infra Surtax	**113,115.84**
Community Development Block	**11,490.00**
Affordable Housing	**25,465.89**
Special Law Enforcement	**309.99**
Solid Waste	**109,293.73**
Placid Utilities	**2,934.77**

Highway Park Utility 1,454.15
Risk Retention Fund 421,302.66
Employee Benefit Fund 2,943.50

B. Request approval of approval of "EXHIBIT A" FY 04/05 FDOT Work Orders and a Resolution authorizing the chairman to sign per approved FDOT Traffic Signal Maintenance and Compensation Agreement. See Res. Book 17 Page 80 and FDOT file.

C. Request approval of 2nd Cycle of Comprehensive Plan Amendments for Calendar Year 2004. See SMB 46 Page 4.

D. Request approval of a Satisfaction of Mortgage for S. Mercer/S. Pugh, and L. Keith. See Satisfaction file.

E. Request approval of Clerk's Fourth Quarter 2003-2004 Budget. See SMB 46 Page 5.

F. Request approval of Contract with Brock Excavation, Inc. for installation of concrete items - Airport Road Widening Project No. 00073. See file for copy.

G. Notification of upcoming vacancy on the Historic Preservation Commission. See SMB 46 Page 6.

H. Request approval of transfer or sale of Tax Certificates per attached list for Marvin L. Bell. See SMB 46 Page 7.

I. Request approval of Budget Amendments 03-04-219 & 220

J. Request approval of Budget Amendment 03-04-223

5. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as amended, with addition of two items under County Administrator, and one item under Assistant County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Chief Frank Mercurio, Chairman, Highlands County Community Traffic Safety Team: Special recognition of CTST Coordinator Renee' LaDue

Chief Frank Mercurio presented Renee' LaDue, Coordinator of the Community Traffic Safety Team, a Character Recognition award for *Initiative*, for her work on child passenger safety for the County's Community Traffic Safety Team.

6. WORKSHOP: Jim Greenwood, Greenwood Consulting: Presentation of Highlands County Incubator Project

John Payne, Chairman of the Incubator Task Force, made a brief introduction of the goals and objectives of the Task Force. Jim Greenwood, of Greenwood Consulting, discussed the project and a feasibility study he conducted on developing a business incubator in Highlands County. After studying several locations, Sebring Airport was chosen as the most favorable location to construct office and manufacturing space for the incubator. The project is feasible for the county, and would promote local economic development. A powerpoint presentation was given describing a business incubator and the benefits it would provide to Highlands County. Mike Willingham, Executive Director of the Sebring Airport Authority, presented a letter endorsing the incubator project. John Shoop, IDA/EDC, discussed the financial aspects of the project. The IDA/EDC is asking for a $350,000 commitment from the County to go towards the $2 million proposal, with other funds to come from

Federal grants, and private sector donations. Commissioner Jackson questioned if the County could guarantee the funds as a loan. Mr. Shoop stated that a loan is a feasible option. Louise England, Executive Director of the IDA/EDC, explained the services that will be available through the business incubator. She also presented letters from the University of South Florida Small Business Development Center and the Heartland Workforce Investment Board, offering support and funding for the project.

Commissioner Bullard commended the IDA/EDC for the work that has been put into this project. He asked them to research if a loan from the County, instead of a match, would meet local match provisions of the grant funding. Commissioner Flowers raised concerns about budget issues, and a time frame for when the funds would be needed. County Administrator, Carl Cool, stated the funds could come from the one penny sales tax or the CIP. Commissioner Flowers encouraged the Board to do more homework on this project, and for the IDA/EDC to come back before the Board at the July 6th meeting to determine how to proceed with the project.

9:45 a.m. EXECUTIVE SESSION: Regarding Case No.03-14378 CIV Graham- Gulfstream v. Highlands County Board of County Commissioners

This Executive Session was canceled from today's agenda.

7. ACTION (Cont'd)

A. County Administrator:

1. Request confirmation of Sarah Beth Hopton for the job of Public Information Officer

County Administrator, Carl Cool, presented the request. Assistant County Administrator, Tom Portz, gave some brief background information on Sarah Beth Hopton. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approval of the confirmation of Sarah Beth Hopton for the job of Public Information Officer. Upon roll call, all Commissioners voted aye. Motion carried. The Commissioners congratulated Ms. Hopton on her appointment. Ms. Hopton thanked the Board and Staff for the opportunity, adding that she is looking forward to working for the County. See SMB 46 Page 8.

2. Request approval of a job reclassification

County Administrator, Carl Cool, presented the request to reclassify the position of Administrative Secretary, currently held by Ms. Corine Burgess, to Public Information Assistant. He stated that Ms. Burgess has provided frequent and direct support and back up for the Public Information Officer, and has functioned in the capacity of the Public Information Officer during the recent gap in the position. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to approve the job reclassification as recommended by Staff. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 9.

3. Request approval of agreement with St. Lucie County for inmate housing in Highlands County

County Administrator, Carl Cool, presented the request. Capt. Paul Hinman, detention commander for the Sheriff, stated that the St. Lucie County Jail is currently under construction, to be completed in May 2005, and they are in need of housing for approximately 30 to 50 inmates. Upon approval of the agreement, Highlands County will begin to take inmates from St. Lucie County on June 21, 2004, at a cost of $40 per day per inmate,

plus medical expenses. Commissioner Maxcy questioned how the daily rate was calculated. Capt. Hinman stated the amount is based on salaries and expenses for housing the inmates. Motion by Commissioner Jackson, seconded by Commissioner Stokes to the agreement with St. Lucie County for inmate housing in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

4. Request approval to declare Friday June 11th as a County Holiday, if declared a State Holiday by the Governor

County Administrator, Carl Cool, presented a request to declare Friday, June 11th a County Holiday, if declared by the Governor as a State holiday. President Bush has signed an Executive Order declaring Friday as a Federal holiday, to honor the memory of former President Ronald Reagan who passed away over the weekend. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

B. Assistant County Administrator: Presentation of Goals and Objectives for the Local Mitigation Plan

Assistant County Administrator, Tom Portz, presented the goals and objectives for the Local Mitigation Plan as drafted by the Local Mitigation Strategy Working Group. See file for copy.

8. COMMISSIONERS

Commissioner Bullard commented on the recent passing of former President Ronald Reagan.

Commissioner Maxcy read a Resolution, passed by the Florida Association of Counties Board of Directors, in opposition to the homestead exemption increase. He requested that Staff draft a similar resolution for the Commissioners to pass at next week's meeting. He also commented on a letter that he received from Mrs. Fred Fields, thanking EMS and Rick Weigand for their prompt response, courtesy and caring during a recent incident.

9. ADJOURN

The meeting adjourned at 10:57 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD JUNE 15, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Steve Robertson, of the West Sebring Volunteer Fire Department.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending June 15, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended June 11, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 10.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings and cancellations were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits June 15, 2004

General	**336,136.37**
County Transportation Trust	**15,276.86**
E911 Operations Fund	**.70.44**
Conservation Trust Fund	**200.00**
Driver Ed Safety Trust Fund	**26,213.40**
Local Govt Infra Surtax	**80,613.22**
Tourist Development Trust Fund	**500.00**
Community Development Block	**14,585.79**
Affordable Housing	**62,135.54**
HCISSRB Construction Fund	**422,718.31**
Solid Waste	**14,634.80**

Placid Utilities 1,485.71
Highway Park Utility 284.43
Risk Retention Fund 4.58
Employee Benefit Fund 13.74

B. Approval of minutes of the May 25, and June 1, 2004 board meeting minutes
C. Request approval of transfer or sale of several Tax Certificates per attached list -B. Starr, J. Hudson, and C. Crooks. See SMB 46 Page 11.
D. Request to approve the appointment of Jack B. Edgemon, Jr. to the Natural Resources Advisory Commission (NRAC). See SMB 46 Page 12.
E. Request approval of CDBG Construction Bid Awards for the demolition and construction of six housing units. See Housing file.
F. Request approval of Satisfaction of Mortgage for Alice J. Paisley. See Satisfaction file.
G. Request approval of Resolutions and Budget Amendment 03-04-227. See Res. Book 17 Page 81.
H. Request approval of budget amendments 03-04-225, 226 & 228

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as amended, removing Items 6-C and 6-E from agenda, and adding Item H-3 under County Administrator and Item 2 under Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

A. Housing Coordinator: Request approval of the 2004-2007 SHIP Local Housing Assistance Plan

Development Services Director, Jim Polatty, presented the request to approve the Local Housing Assistance Plan (LHAP) for the SHIP Program for 2004-2007. He passed out revised copies of the LHAP to the Board, and identified the changes that have been made. Jane Breylinger, Executive Director of Habitat for Humanity, spoke in favor of the LHAP. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the Local Housing Assistance Plan as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Housing file.

B. Emergency Operations Director: Presentation of Firefighter I Certificates to Volunteer Firefighters, followed by a brief recess to view Highlands Lakes Fire District's new apparatus

Emergency Operations Director, Tim Eures, along with Chairman Flowers, and Brad Batz, Training Instructor, presented Certificates of Completion of the Firefighter I Class to the following: John Poyner and Dustin Twiggs (Placid Lakes Fire Dept), Adam Hess and Eric Sager (Lake Placid Fire Dept), Allan Merrill (Leisure Lakes Fire Dept), Chief Earl Gray, Renee Joliff, Michael Morse, Craig Lauderback, Scott Smith, and Anthony Sostre (Highlands Lakes Fire Dept), and Donna Goins, Timothy Johnson, and Robert Bullock (Lorida Fire Dept). The Board congratulated the Volunteer Firefighters for their accomplishment, and expressed their appreciation for the volunteers' time and effort they put into the job. Steve Robertson, of West Sebring Fire Department, showed off two trophies that his department recently won in the Florida State Firematics competition.

Break 9:35 - 9:50 A.M.

C. ~~Code Enforcement Officer: Request approval of a Lien on CE 03030140, 3800 Rushlo Street, Sebring~~

D. County Engineer: Request approval of the proposed installation of street lights along Sebring Parkway at the 90 degree turn and at the intersection with Scenic Highway

County Engineer, Ramon Gavarette, presented the request, giving a slide presentation showing the proposed locations for installation of the street lights. The concrete poles will be rented from and installed by Progress Energy. Staff is proposing to install curbs and gutters to protect the light poles. Commissioner Bullard expressed concerns that putting curbs at the outside of the turn could result in more serious crashes. Mr. Gavarette stated that the poles could be re-located further back from the roadway. Commissioner Flowers questioned if aluminum poles could be used instead of concrete poles. Mr. Gavarette stated that it would be an increase in cost for the aluminum poles. Loren Eby spoke in support of the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the proposed installation of street lights on Sebring Parkway, upon finalizing plans with Progress Energy and the location of the lights. Upon roll call, all Commissioners voted aye, except Commissioner Bullard, who voted nay. Motion carried. See Sebring Parkway file.

E. ~~Development Services Director: Update on Tax Deed Sales of Conservation Acquisition Lots Project~~

F. Veteran Services Officer: Request approval of Highlands County's participation in Florida's World War II Memorial

Veteran Services Officer, Joseph Dionne, presented the request, and displayed an example of the plaque for Highlands County, with suggestions for the inscription from Staff and the Veteran's Advisory Board. Commissioner Flowers pointed out a typographical error on the plaque. Mr. Dionne advised that there may be some final changes to the plaque. County Administrator, Carl Cool, suggested a minor language change. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to proceed with the memorial plaque, taking into consideration the suggestions made today. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 14.

G. Board Attorney

1. Consideration of a Stipulated Settlement Agreement regarding Case No.03-14378 CIV Graham- Gulfstream v. Highlands County Board of County Commissioners

Board Attorney, Ross Macbeth, presented to the Board, for their consideration, an agreement between the County and Gulfstream Natural Gas Systems, that will have Gulfstream paying the County for a 50-foot easement through the south end of the county landfill property. Ray Napper questioned the proximity of the pipeline to the methane gas production plant. County Administrator, Carl Cool, stated that the pipeline will be located on the southern boundary of the landfill, and the methane gas plant is on the northern boundary. If the pipeline is re-located in the future, it will then be on the northern boundary of the landfill, less than one quarter of a mile from the methane plant, and will be closely monitored. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to approve the Stipulated Settlement Agreement with Gulfstream Natural Gas Systems. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

2. Request approval of a resolution approving the issuance of Highlands County Industrial Development Authority Industrial Development Revenue Bonds

Board Attorney, Ross Macbeth, presented the resolution for approval, stating that the revenue bonds are for the purpose of financing the acquisition, construction and equipping of a 25,000 square foot manufacturing facility for Amerikan, LLC, to produce plastic nursery containers for the horticultural industry. The property is located in Sebring, and will likely become annexed into the City of Sebring in the near future. Louise England, Executive Director of the Highlands County Economic Development Commission, stated that the City of Sebring is very eager to have the company relocate to Highlands County. Commissioner Bullard expressed concerns about the location of the business and the size of the silos that are to be built on the property. County Administrator, Carl Cool, stated that the City of Sebring has amended their building code to allow for the height of the silos. Commissioner Jackson expressed his confidence in the City of Sebring to take responsibility and do what is right for the City and the County.

Commissioner Jackson made a motion to approve the resolution approving the $8.5 million bond issue for Amerikan, LLC. Commissioner Maxcy seconded the motion. Ray Napper questioned what is going to be inside the silos. Louise England stated that plastic beads to manufacture the containers will be stored in the silos. Jack Ritchie suggested postponing the vote until further research can be done on the project. Commissioner Maxcy withdrew his second, stating a conflict of interest due to M.E. Gose Construction being a client. A Memorandum of Voting Conflict was entered into the record. See SMB 46 Page 15.

Commissioner Stokes seconded the motion. Upon roll call, all Commissioners voted aye, except Commissioner Bullard, who voted nay, and Commissioner Maxcy, who abstained. Motion carried. See Res. Book 17 Page 82.

H. County Administrator

1. Request approval to name a body of water

County Administrator, Carl Cool, presented the request to name a retention pond in Spring Lake, Lake Tara. This pond is used for recreation by residents of the subdivision. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Commissioner Bullard withdrew his second, and asked to get the opinions and suggestions of the homeowners before moving forward with this request. Commissioner Stokes withdrew his first. Chairman Flowers instructed Staff to do more research and get input from the homeowners.

2. Request approval of resolution & budget amendment 03-04-224 decreasing fund 110 & 151 reserve for contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to approve the resolution and budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 83.

3. Request approval of budget amendment 03-04-233

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

Carl Cool reported on a meeting he attended last week in Okeechobee, along with Commissioner Stokes, Corine Burgess, and Lake Placid Town Councilwoman Debra Worley, with the South Florida Water Management District Governing Board.

7. CITIZENS NOT ON AGENDA

Ray Napper made an offer to the County to broadcast the Board meetings on Channel 5, at 9:00 P.M. on Tuesday nights. Chairman Flowers instructed him to meet with Carl Cool to follow up on the offer.

8. COMMISSIONERS

1. Commissioner Stokes: Presentation of a request from the Insurance Committee

Commissioner Stokes reported on the Insurance Committee meeting that was held last week. Blue Cross Blue Shield was the only provider to submit a bid for the county health insurance. They are expecting an approximate 12% increase in premiums. The Insurance Committee is requesting the Board consider accepting Blue Cross Blue Shield as the vendor and advise if there will be additional funding available for the health plan. Fred Carino, Human Resources Director, discussed the options available to the County and employees with the proposed increase. He stated that there is an Insurance Committee meeting scheduled for 2:00 P.M. this afternoon, and the Commissioners are encouraged to attend to give their input. Commissioner Bullard expressed the need for the County to find a way to cover the increase. See SMB 46 Page 16.

2. Commissioner Maxcy: Resolution in opposition to the Additional Homestead Exemption

Commissioner Maxcy read the Resolution into the record. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to adopt the resolution in opposition to the Additional Homestead Exemption. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 84.

Commissioner Maxcy announced that he will attending the Florida Association of Counties Conference next week, and will be absent from the Board meeting next Tuesday.

9. ADJOURN

The meeting adjourned at 11:59 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD JUNE 22, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

Commissioner Maxcy was absent from the meeting.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard, with a special prayer in memory of Clayton Womer, who passed away last week. The Pledge of Allegiance was led by Development Services Director, Jim Polatty.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending June 22, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended June 18, 2004 and a report of Jury Trial Week for June* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 18.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits June 22, 2004

General	**183,354.84**
County Transportation Trust	**46,422.49**
E911 Operations Fund	**.4,683.97**
Conservation Trust Fund	**200.00**
Local Govt Infra Surtax	**163,021.59**
Tourist Development Trust Fund	**37,260.00**
Community Development Block	**23,438.81**
Affordable Housing	**3,176.60**
HCISSRB Construction Fund	**34,173.20**

Solid Waste 21,464.12
Placid Utilities 803.09
Employee Benefit Fund 1,171.50

B. Request approval of Satisfaction of Mortgage for S. Soto, D. Juliano, and K. Cooper. See Satisfaction file.

C. Request approval of Resolution to establish a Public Hearing to consider closing a portion of Spruce Drive lying between Lot 12, Block C, and Lots 1 and 2, Block D, as depicted on that certain Plat of Lebanon Heights Subdivision, Section Two, as recorded in Plat Book 9, Page 33, Public Records of Highlands County, Florida. See Res. Book 17 Page 85.

D. Request approval of CSA No. 73 between and by the Highlands County Board of County Commissioners and Chastain-Skillman, Inc. - addition of shoulders and sidewalks to the extension of Pendarvis Road - CSA File No. 7160.73. See file for copy.

E. Request approval of CSA No. 82 between and by the Highlands County Board of County Commissioners and Chastain-Skillman, Inc. - George Boulevard - CSA File No. 7160.82. See file for copy.

F. Request approval of Budget Amendment 03-04-231

5. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Bullard to set action agenda as amended Addition of Item B-2 under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Darrell Koranda, Field Day Coordinator: Request approval of a proclamation for "Amateur Radio Week"

Darrell Koranda, Field Day Coordinator, presented the proclamation for approval. Chairman Flowers read the Proclamation into the record. Motion by Commissioner Bullard, seconded by Commissioner Jackson to adopt the proclamation, declaring the week of June 20 -26, 2004, as *Amateur Radio Week*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 86.

6. PUBLIC HEARING: To consider approval of a Lien on CE 03030140, 3800 Rushlo Street, Sebring

April Hartseil, Code Enforcement Officer, presented a request to place a lien on the property located at 3800 Rushlo Street, Rushlo Subdivision, in Sebring. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained, stating a conflict of interest due to the property owner being a client. Motion carried. See Subdivision file.

7. PUBLIC HEARING: To consider approval of a Lien on CE 04010097, 4710 Alhambra Ave., Sebring

April Hartseil, Code Enforcement Officer, presented a request to place a lien on the property located at 4710 Alhambra Avenue, Sebring Manor Subdivision, in Sebring. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion

carried. See Subdivision file.

8. PUBLIC HEARING: To consider an Ordinance establishing trust funds; imposing court costs; providing for severability, providing for conflict, providing for inclusion in code, and providing for an effective date.

Proof of Publication was entered into the record. See Proof of Pub Ord Book 3 Page 61. Board Attorney, Ross Macbeth, presented the Ordinance for adoption, and read a caption of the Ordinance into the record. Motion by Commissioner Jackson, seconded by Commissioner Stokes to adopt the Ordinance, establishing trust funds and imposing court costs. Upon roll call, all Commissioners voted aye. Motion carried.

9. PUBLIC HEARING: Public Hearing to consider adoption of a Resolution to close that portion of the unnamed 45 foot wide street lying between Lots H and I and that portion of the unnamed 40 foot wide roadway lying along the westerly side of Lot H and the north 179.32 feet of Lot 1, of E.D. & C.E. Putney Subdivision in Section 10, Township 33 South, Range 28 East, as shown on the plat thereof recorded in Transcript Book at Page 3 of the Public Records of Highlands County, Florida.

Proof of Publication was entered into the record. See SMB 46 Page 19. Public Works Coordinator, Angie Bollinger, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson to adopt the resolution closing a portion of the road as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 87.

10. PUBLIC HEARING: Public Hearing to consider one zoning change and two small scale plan amendments. Development Services Director, Jim Polatty, presented Proof of Publication for the following hearings. See Proof of Publication Ord. Book 3 Page 62..

HEARING # CPA - 04-253SS - THOMAS M. KLEPINGER

An approximate 5 acre Parcel located at the West end of Ranchero Drive, South of U.S. 98, and legally described as follows: Approximately 5.0 acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a small scale plan amendment from (Industrial district) to (Agriculture).

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency, move to approve and adopt by Ordinance CPA-04-253SS amending the Future Land Use Map for 5.00 acres from Industrial to Agricultural, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

HEARING # CPA-04-254SS - DESIGNER HOMES, INC. - C/O RICK WHIDDEN

An approximate .8 acres located North of the Lakeshore Mall at the Northwest corner of Sparrow Avenue and Limpkin Street, Sebring, Florida, and legally described as follows: Lots 73, 74, and 75, Sebring Hills Subdivision according to the Plat thereof recorded in Plat Book 6, Page 2, of the Public Records of Highlands County, Florida.

Requesting a small scale from (Commercial) to (High Density Residential).

HEARING #1699 - DESIGNER HOMES, INC. - C/O RICK WHIDDEN

An approximate .8 acres located North of the Lakeshore Mall at the Northwest corner of Sparrow Avenue and Limpkin Street, Sebring, Florida, and legally described as follows: Lots 73, 74, and 75, Sebring Hills Subdivision according to the Plat thereof recorded in Plat Book 6, Page 2, of the Public Records of Highlands County, Florida.

Requesting a zoning change from B-2 (Limited Business district) to R-3 (Multiple Dwelling district).

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve and adopt by Resolution P&Z 1699 changing the Zoning Atlas for 0.8 acres from B-2 (Limited Business district) to R-3 (Multiple Dwelling district) and adopt by Ordinance CPA-04-254SS amending the Future Land Use Map for 0.8 acres from Commercial to High Density Residential, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 88.

11. ACTION

A. Board Attorney: Request approval of recordation of the Subdivision Plat Entitled Villages of Highlands Ridge - Phase VII-B - Section One

Board Attorney, Ross Macbeth, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the recordation of the plat for Villages of Highlands Ridge - Phase VII-B - Section One. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

B. County Administrator

1. Request approval of the Highlands County Fair Association's request for assistance.

County Administrator, Carl Cool, presented the request. Motion by Commissioner Jackson, seconded by Stokes to approve the Highlands County Fair Association's request for assistance, and remove the old concrete from the livestock barn and prepare the site for a new concrete slab. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 20.

2. Discussion of proposed joint meeting with South Florida Water Management District and the three municipalities

Carl Cool asked the Commission to consider setting a joint meeting between the South Florida Water Management District Governing Board, the County, and the three municipalities, in order for the Governing Board to introduce themselves and have a general question and answer meeting. He suggested holding the meeting on Tuesday, July 19, 2004 between 6:00 and 8:00 P.M. in the County Commission Chambers. The Commissioners reached a consensus to hold the meeting as scheduled. Mr. Cool stated that the meeting will be publicly noticed. Chairman Flowers suggested having each municipality designate one person to represent
them at the meeting.

Carl Cool reported that Santa Rosa County has filed a lawsuit against the State of Florida for passing on costs for

Juvenile Justice to the counties. He stated that the Commissioners might be lobbied to join the case at the Florida Association of Counties Conference this week, but cautioned that they may not want to join until they know for certain that the costs shifts meet the criteria as an unfunded mandate and goes against the Florida Constitution. Board Attorney, Ross Macbeth, has not received a copy of the actual bill yet in order to study it further and make a determination about the lawsuit.

12. COMMISSIONERS

Commissioner Bullard stated that the County is in need of volunteer firefighters, and encouraged any member of the public who is interested in becoming a volunteer firefighter to contact the County Fire Services Department.

13. ADJOURN

The meeting adjourned at 10:00 A.M.

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Chairperson

Attest: _____

Clerk

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REGULAR MEETING OF THE BOARD JULY 6, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Joan Hicks, Amvets Auxiliary Post 21.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Sgt. Jamie Casey presented the daily jail log of inmate count for the period ending July 6, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended July 2, 2004 and a Monthly Report of Business Services for June* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 21.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve agenda as amended, with a correction to Item 5-W. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits July 6, 2004

General	**1,629,114.77**
County Transportation Trust	**14,771.26**
Conservation Trust Fund	**7,500.00**
Legal Aid	**3,108.80**
Local Govt Infra Surtax	**173,450.28**
Affordable Housing	**101,575.00**
HCISSRB Construction Fund	**170,348.92**
Solid Waste	**105,559.26**
Placid Utilities	**623.86**

Highway Park Utility 228.39
Tax Deed Surplus Fund 34,209.99

B. Approval of the June 8, 2004 board meeting minutes
C. Request approval of Satisfaction of Mortgage for Andrea Petrovich. See Satisfaction file.
D. Request approval of Satisfaction of Mortgage for Paul & Elaine Sala. See Satisfaction file.
E. Request approval of Satisfaction of Mortgage for Cory Sheward. See Satisfaction file.
F. Request approval of Satisfaction of Mortgage for John C. McWhorter. See Satisfaction file.
G. Request approval of Satisfaction of Mortgage for Ann R. & Ronald Keith Wyatt. See Satisfaction file.
H. Request approval of Satisfaction of Mortgage for Jeff Clogston & Tina L. Simmons. See Satisfaction file.
I. Request approval of Satisfaction of Mortgage for Frank Benchina, Jr. & Minnie L. Benchina. See Satisfaction file.
J. Request approval of proposed exchange of surplus materials from Hill Marking, Inc. See SMB 46 Page 22.
K. Request approval of transfer or sale of Tax Certificate(s) for Kugler; McClellan; Furgala; McKee; Smeal and Jackson per attached lists. See SMB 46 Page 23.
L. Request approval to waive the fee on H. L. Bishop Park for the Lake Placid Youth Football. See SMB 46 Page 24.
M. Request approval of a Law Enforcement Housing Agreement. See file for copy.
N. Request approval to re-appoint Patrick A. White to the Health Facilities Authority. See SMB 46 Page 25.
O. Request approval of charges for public access Internet computers. See SMB 46 Page 26.
P. Request to approve Letters of Intent from Heartland Workforce Investment Board, Inc., to renew the contract for the 2004/2005 program year for the Operation Positive Chance and Academy grants. See grant file.
Q. Request approval of donation of surplus property from the library to the Historical Society of Avon Park. See SMB 46 Page 27.
R. Request to consider approval of recording instruments accepting North Noel Road right of way. See Subdivision file.
S. Request approval of an Adopt A Highway Agreement with Highlands Homes Neighborhood Community. See file for copy.
T. Request approval of an Adopt A Highway Agreement with Cannon Friends. See file for copy.
U. Request approval of Budget Amendments 03-04-232; 234; 237; 239 & 240
V. Request approval of Resolutions & Budget Amendments 03-04-238 & 242. See Res. Book 17 Page 89.
W. Request approval to ~~Release Lien~~ Declare a Nuisance, Case #004020068, 2513, 2515 & 2525 Lake Letta Drive, Avon Park, FL. See Subdivision file.

Payment of bills and employee benefits was authorized on June 29, 2004 in the amount of $1,997,081.05.

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Mr. Snidow, Military Order of Purple Hearts: Request approval to place a memorial on the courthouse lawn

R. E. Snidow, Commander of Highlands Chapter 601 of the Military Order of Purple Heart, presented a request to place a monument on the Courthouse lawn, honoring combat wounded veterans. He requested help from the County in installing the monument, and added that the location will be left up to the Commissioners' decision. Chairman Flowers stated that the County will offer any help that is needed. Mr. Snidow added that there is also room on the monument for various emblems to be placed by other organizations, for a small fee. Commissioner Bullard questioned if this request has been before the Veterans Advisory Council. Mr. Snidow advised it had not been, but they do have a member of the Order that sits on the Council. Chairman Flowers advised Mr. Snidow that County Staff, along with the Veterans Advisory Council, and the County Veterans Services Officer will contact him to assist in moving forward with this request. See SMB 46 Page 28.

B. J. Corbett Alday, III, : Community Development Block Grant (CDBG): Notice of First Public Hearing

Proof of Publication for this hearing was entered into the record. See SMB 46 Page 29. Development Services Director, Jim Polatty, introduced Don Ridley with Meridian Services Group. Mr. Ridley stated the purpose of this public hearing is to explain the objectives of the Community Development Block Grant, and to outline the categories that the funds may be used for. Staff is requesting to apply for the CDBG funds in the Economic Development category. County Administrator, Carl Cool, questioned if the Economic Development grant could be used for a business incubator project. Mr. Polatty stated that it could be, adding that a funding proposal has been sent to the Economic Development Commission, showing how the incubator would be funded. Gabriel Reed commented on the conditions that have to be met in order for applicants to be eligible for the grants. Mr. Polatty stated that no action is required today, and a second public hearing will be held in two weeks. See Housing file.

C. Development Services Director: Request approval of Land Acquisition Agreement with The Nature Conservancy

Development Services Director, Jim Polatty, presented a recommendation from NRAC to approve the contract with The Nature Conservancy (TNC), and the additional funds being requested by TNC to pay a portion of the salaries of the two (2) existing positions and one (1) new part time position for the land acquisition program. Mike Izzarone, of The Nature Conservancy, gave a brief overview of the land acquisition program, and how it is working. Commissioner Maxcy questioned if the County was receiving any payment for the lots in lieu of taxes. Treasa Handley, Assessment Coordinator, stated that the County has been receiving monies for some of the lots. Commissioner Jackson stated that TNC is doing a good job, and that an increase in the County's contribution is not needed. Commissioner Bullard expressed concerns with land management problems. County Administrator, Carl Cool, requested that TNC focus on the Leisure Lakes area, as there are still private lots scattered about the area, which results in a liability issue for the County. Mr. Izzarone advised that Leisure Lakes is top priority. Commissioner Stokes requested that maps be provided that point out the environmentally sensitive areas. Mr. Polatty stated that Staff will bring back maps to the Board in the near future. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to approve the contract with TNC for funding to pay

a portion of the salaries for the two existing land protection specialists dedicating 100% of their time to the land acquisition project, and one new part time specialist dedicating 50% of their time, with the funds coming from the Conservation Trust Fund. Commissioner Jackson expressed concerns in approving the contract for a two year period, and suggested amending it to a one year contract, with TNC to come back in one year with an update. Commissioner Maxcy amended his motion to accept the one year contract term. Commissioner Bullard amended his second. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

Assessment Coordinator, Treasa Handley, reported on the progress of the assessment refunds being issued to property owners due to the acquisition of lands by the State.

D. Board Attorney

1. Request approval of a Permanent Easement and a Temporary Construction Easement with Gulfstream Natural Gas System, LLC

Board Attorney, Ross Macbeth, presented for approval a Permanent Easement and Temporary Construction Easement with Gulfstream for the installation of a natural gas pipeline across county landfill property. Commissioner Bullard inquired if the Engineering and Solid Waste departments have signed off on these easements. Mr. Macbeth stated the departments have reviewed it and accepted it. Deputy Clerk, Bob Jamison questioned if a bond is required for this construction. Mr. Macbeth stated no bond is required. Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve the easements as presented. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval of Construction Stipulation Agreement with Gulfstream Natural Gas System, LLC

Ross Macbeth presented a Construction Stipulation Agreement which calls for Gulfstream to install 80 feet of wall pipe under the landfill access road, capable of withstanding vehicles up to 150, 000 pounds, and provide security for the construction area after hours when the main landfill gates area left open. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the Construction Stipulation Agreement. Upon roll call, all Commissioners voted aye. Motion carried.

E. County Administrator

1. Request approval of Budget Amendments 03-04-245; and 246 correcting incorrect accounts in 110/151 Reserve for Contingencies & decreasing fund 151 Reserve for Contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the budget amendments as presented. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval of Budget Amendment 03-04-243 decreasing fund 005 Reserve for Contingency

Carl Cool presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

7. CITIZENS NOT ON AGENDA

Ray Royce expressed his thanks to the Commission and Staff for all of the work that they did in trying to get all of Highlands County into the South Florida Water Management District.

8. COMMISSIONERS

Commissioner Bullard reported on the Florida Association of Counties Annual Conference that he attended last week.

Commissioner Maxcy also reported on the FAC Conference. He suggested putting the water management issue on the ballot in November as a referendum for the public to vote on. Discussion of the issue was held. The consensus of the Board was to continue to move forward and work towards putting it on the ballot.

9. ADJOURN

The meeting adjourned at 10:28 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD JULY 13, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Chairman David Flowers. The Pledge of Allegiance was led by Commissioner Guy Maxcy .

3. ANNOUNCEMENTS

A. Sheriff

Sgt. Jamie Casey presented the daily jail log of inmate count for the period ending July 13, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended July 9, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 30.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. Commissioner Maxcy announced that his niece gave birth to twins last week on July 4th.

4. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve agenda as amended, pull Item 4-H, and place under Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits July 13, 2004

General	**332,856.16**
County Transportation Trust	**18,192.93**
E911 Operations Fund	**.15,327.89**
Conservation Trust Fund	**200.00**
Local Govt Infra Surtax	**51,092.33**
Affordable Housing	**3,042.39**
HCISSRB Construction Fund	**6,540.85**
Solid Waste	**29,375.94**
Placid Utilities	**3,541.23**
Highway Park Utility	**1,391.07**
Risk Retention Fund	**32.79**
Employee Benefit Fund	**3,045.61**

B. Request approval of a lease for 403 South Commerce Avenue, Sebring with Peggy Shaffer. See Lease file.

C. Request approval of a lease for 403 South Commerce Avenue, Sebring with Senator J.D. Alexander. See Lease file.

D. Request approval of an Agreement with South Florida Water Management District for an intensive water quality investigation of Lake Istokpoga and surrounding surface waters. See file for copy.

E. Request approval of transfer or sale of Tax Certificate(s) for Rutherford & Short per attached lists. See SMB 46 Page 31.

F. Request to declare a nuisance on Case #04030113, 1915 N. Sebring Drive, Sebring, FL 33870. See Subdivision file.

G. Request for a Notice of Nuisance on 218 Douglas Avenue, Sebring. See Subdivision file.

H. ~~Request to appoint an alternate member to the Planning & Zoning Commission, Board of Adjustment and Local Planning Agency.~~

I. Request approval of RFP 04-046 Group Health & Employee Benefits. See file for copy.

J. Request approval of Budget Amendment 03-04-241 and 249

K. Request approval of Resolutions & Budget Amendments 03-04-244 and 247. See Res. Book 17 Page 91.

5. PUBLIC HEARING: To modify the Sun 'n Lake of Sebring Improvement District Enabling Act

Proof of Publication was entered into the record. See Proof of Pub Ord. Book 3 Page 63. Board Attorney, Ross Macbeth, presented a request to adopt the ordinance, modifying the Enabling Act of the District. A caption of the ordinance was read into the record. Commissioner Bullard questioned if there is any provision in the Ordinance that any obligation on the bonds could fall back on the taxpayers of the County. Mr. Macbeth stated that the bonds are strictly special revenue based on the assessments in the District. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to adopt the Ordinance modifying the Enabling Act for the Sun'n Lake of Sebring Improvement District. Upon roll call, all Commissioners voted aye. Motion carried.

6. WORKSHOP: Clean-up of Phase II Roadway Name Changes

E-911 Communication Coordinator, Ben Henley, gave a brief background of the Roadway Name Changes project. He presented a list of recommended name changes for the final clean up phase before all addresses are to be enacted on August 1, 2004. Some last minutes changes were also noted.

Public input was received from the following with suggestions for road name changes: Torsten Rothman, Bill Nielander, Gene Cole, Luis Fresquez, John D'Amanda, Eugene Longo, Carol Decoteau, Jesse Armstrong, Vincent Avery, Dan Chase, Patricia Johns, Larry Butler, Fred Donehou, Janet Hunt, Edgar Vargas, John Torok, Marta Esquilin, Danny Worth, Randall Smith, Jean Michelin, James Dean, Barbara Maire, Lamar Ritenour, Corbett Branson, Denise Hagel, Robert Saffold, Martha Albritton, Barbara Pellar, Teresa Williams, Arthur Gaines, and Vernice Kaphingst. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the request for road name changes for Clean Up Phase II, including the changes discussed at today's meeting. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 92.

Break 10:55 - 11:10 A.M.

7. WORKSHOP: Presentation of the FY 2005 Recommended Budget

County Administrator, Carl Cool, submitted a proposed balanced budget for fiscal year 2004-2005 for the Board's consideration. The proposed total budget of $100,517,020, represents a 1.26% increase from last year's adopted budget. He noted that the Sheriff's office is not in agreement with the current proposed budget. There are no proposed tax increases or fee increases in this budget. He added that the taxable value in Highlands County has gone up approximately 7% this year. OMB Director, Rick Helms, gave a brief powerpoint presentation on the proposed budget.

Mr. Cool stated that two public hearings have been set for Thursday, September 9, 2004 and Tuesday, September 21, 2004, both at 5:30 PM, for adoption of the final budget. Mr. Helms added that the millage rate will be need to be certified prior to August 4, 2004, and requested that the certification be scheduled for next week's Board meeting. Deputy Clerk, Bob Jamison, stated that with the Article V revisions, the Board will realize about $1.3 million less in revenues from fees collected by the Clerk, but the Clerk's budget will be about $1.7 million less. Ray Royce inquired if any changes in assessments or fees are anticipated for this budget year. Mr. Helms stated he is not aware of any requests for changes or increases at this time. See file for copy.

8. COMMISSIONERS

Commissioner Maxcy stated he will attending the National Association of Counties Conference in Phoenix next week.

Consent Agenda Item 4-H

Chairman Flowers presented the request to appoint Mr. Wendell "Winky" Williams as the alternate member. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the request as stated. Upon roll call, all Commissioners voted aye. See SMB 46 Page 32.

Board Attorney, Ross Macbeth, presented a check from Gulfstream Natural Gas Systems for the easements that were given to Gulfstream from the County.

9. ADJOURN

The meeting adjourned at 11:52 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD JULY 20, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Tom Portz**
Bob Bullard	**Bob Jamison**
Edgar Stokes	**J Ross Macbeth**
	Jodi Giguere

Commissioner Maxcy was absent from the meeting, to attend the National Association of Counties Conference. Chairman Flowers announced that today is the 35th Anniversary of man landing on the moon.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Board Attorney, Ross Macbeth.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending July 20, 2004. The Farm Report for June was also given.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended July 16, 2004 and a report of Jury Trial Week for July* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 33.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve agenda as amended, deleting Item 5-C Part 2. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits July 20, 2004

General	**151,802.73**
County Transportation Trust	**19,067.48**
E911 Operations Fund	**.1,937.81**
Local Govt Infra Surtax	**355,874.52**
Tourist Dev Trust - Lakes	**145.78**

Comm Development Block 16,440.41
Affordable Housing 55,998.00
Solid Waste 23,224.68
Placid Utilities 3,772.85
Highway Park Utility 454.53
Risk Retention Fund 11.35
Employee Benefit Fund 4,031.58

B. Request approval of minutes of the June 15, and June 22, 2004 board meeting minutes
C. Request approval to pay Voluntary Special Assessments for (1) Legal proceedings on Dept of Juvenile Justice cost shift ~~& (2) Additional Homestead Exemption Constitutional Amendment~~
D. Request approval of Florida Recreation Development Assistance Program (FRDAP) Contract - Windy Point. See file for copy.
E. Request approval of sub-grant agreement with Florida Department of Community Affairs. See Grant file.
F. Request approval of acceptance and recording of Quit Claim Deed for right of way on Lake Sebring Drive. See Subdivision file.
G. Request approval of funds to be expended for legal fees from the Law Enforcement Trust Fund
H. Request approval of Budget Amendments #03-04-253 thru 254
I. Request approval of Resolutions and Budget Amendments 03-04-259. See Res. Book 17 Page 93.
J. Request approval of 911 Resolution. See Res. Book 17 Page 94.
K. Request approval of Certification of Millage Rate. See SMB 46 Page 34.

6. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Bullard to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Representative Joe Spratt: Presentation of a check from the Florida Department of Environmental Protection

State Representative Joe Spratt presented the Commission with a check from the Florida Department of Environmental Protection, for $200,000 in grant funds for improvements to the Windy Point Park. Parks & Recreation Director, Vicki Pontius, accepted the check on behalf of the County. Commissioner Bullard thanked Rep. Spratt for his years of service to Highlands County. Commissioner Stokes commented on a going away party he attended for Rep. Spratt, who will be leaving office in November.

B. Lynn Topel, Executive Director, Florida Heartland Rural Economic Development Initiative (FHREDI): Request for support for the Kellog Grant

Lynn Topel, Executive Director of the Florida Heartland Rural Economic Development Initiative (FHREDI), requested the Board send a letter to the Kellog Corporation in support of the Kellog Grant for FHREDI. The grant will provide funds to develop an entrepreneurial course of study at the regional community colleges, and to

develop a mentoring network to work with area businesses. Louise England, Executive Director of the Highlands County Economic Development Commission, spoke in support of the grant. Motion by Commissioner Stokes, seconded by Commissioner Jackson to authorize a letter to be drafted and sent to the Kellog Corporation in support of the grant. Upon roll call, all Commissioners voted aye. Motion carried.

C. Clerk's Director of Compliance and Internal Audit: Presentation of the Follow-Up Audit Report No. 04-01-08 - Board of County Commissioners EMS Billing and Collections

Senior Director of Business Services, Bob Jamison, and Director of Compliance and Internal Audit, Mia Robertson, presented a Follow-up Audit Report on EMS Billing and Collections. Mrs. Robertson stated that this is the Clerk's last scheduled follow-up. See Clerk's Financial Reporting file for copy.

D. Clerk's Finance Officer: Presentation of the Interim Financial Report as of June 30, 2004

Senior Director of Business Services, Bob Jamison, and Finance Officer, Pam Cross, presented an Interim Financial Report of Key Operating Performance Measures for the Board of County Commissioners as of June 30, 2004. A financial report of revenues and expenditures for EMS Billing and Collections was also given. Commissioner Bullard commented on the recent policy change that reduced the number of non-emergency transfers, and requested that the Clerk's office include in their reports the effect the policy change has had on the EMS collection percentage. See Clerk's Financial Reporting file for copy.

E. Development Services Director and Housing Coordinator with Corbett Alday, Meridian Community Services Group, Inc.: CDBG Notice of Second Public Hearing and Advisory Council Meeting

Housing Coordinator, Penny Phillippi, presented a request to approve the Enabling Resolution authorizing the submission of the FY 2004 application for CDBG Economic Development category. Corbett Alday, Meridian Services Group, stated this is the required second public hearing to obtain public input on the grant application for infrastructure improvements to benefit the Lowe's Companies, Inc., intending to locate a retail center in Highlands County. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 95 and Housing file.

F. Board Attorney

No report.

G. County Administrator

1. Request approval of Budget Amendment 03-04-256 decreasing fund 401 Reserve for Contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request waiver of development application review fees for Play Florida

County Administrator, Carl Cool, presented the request. Motion by Commissioner Jackson, seconded by

Commissioner Stokes to approve the waiver of the application fees for Play Florida. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 35.

Carl Cool advised that the Recreation & Parks Advisory Committee will be meeting this Thursday, prior to the scheduled public hearing next Tuesday, to consider the purchase of property located north of Sebring High School owned by Gary Blackman. He received a letter from the Sun'n Lake Improvement District, offering for sale to the Board an approximate 60 acre tract of land. This information will be presented to RPAC this week for consideration. Commissioner Bullard suggested canceling the public hearing for next week to allow more time to gather information on the property. Board Attorney, Ross Macbeth, stated that the public hearing could be canceled, and will need to be re-advertised. Commissioner Bullard made a motion to cancel the scheduled public hearing to consider the acquisition of the Blackman property. Commissioner Stokes seconded the motion. Upon roll call, all Commissioners voted aye. Motion carried.
Carl Cool reported on the increase in revenues for Highway Park Utilities, and stated that bids have been received to extend the water lines into the Lake Huntley subdivision. The bids are within budget and contracts will be brought before the Board for consideration in the near future.

7. CITIZENS NOT ON AGENDA
No participants.

8. COMMISSIONERS
Commissioner Bullard commented on the Sheriff's debate, and congratulated Chairman Flowers and the other candidates for a job well done, and encouraged the public to attend the candidate forums in order to make a well informed decision when voting for the County's elected officials.

9. ADJOURN
The meeting adjourned at 10:21 A.M.

_____
Chairperson

Attest: _____
Clerk

****

REGULAR MEETING OF THE BOARD JULY 27, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending July 27, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended July 23, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 37.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool.

4. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve agenda as amended, removing Item 4-E from agenda. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits July 27, 2004

General	**1,511,294.68**
County Transportation Trust	**15,327.19**
E911 Operations Fund	**.2,837.38**
Legal Aid	**3,108.80**
Local Govt Infra Surtax	**46,818.60**
Tourist Dev Trust Fund	**37,260.00**
Affordable Housing	**20,369.43**
Special Law Enforcement	**1,000.00**
HCISSRB Construction Fund	**3,789.46**
Solid Waste	**257,160.53**
Placid Utilities	**1,651.65**
Highway Park Utility	**481.79**

B. Request approval of the transfer or sale of a tax certificates for Jackson, Jaen, and

Nielander per attached lists. See SMB 46 Page 38.

C. Request approval of Satisfaction of Mortgage for Roger and Kristi Slade. See Satisfaction file.

D. Accept into the record the Dori Slosberg Driver Education Safety Act Quarterly Receipts & Disbursements. See file for copy.

E. ~~Request approval of a temporary construction easement for the Airport Road Widening, Project No. 00073. See file for copy.~~

F. Request approval of Budget Amendment 03-04-261

G. Request approval of Resolutions & Budget Amendments 03-04-270 & 271; 272. See Res. Book 17 Page 97.

H. Request approval of Resolutions and Budget Amendments 03-04-265 & 266. See Res. Book 17 Page 98.

5. ACTION

Motion by Commissioner Jackson, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval of "Firefighter Appreciation Week" Proclamation on behalf of the Muscular Dystrophy Association

Commissioner Bullard read the Proclamation into the record. Motion by Commissioner Bullard, seconded by Commissioner Jackson to adopt the Proclamation, recognizing the week of August 1-7, 2004 as *Highlands County Firefighters Appreciation Week*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 99.

6. PUBLIC HEARING: Public Hearing to consider request for a Nuisance Lien, CE04020020, 17210 NW Third Lane, Kissimmee River Estates

Proof of Publication was entered into the record. See SMB 46 Page 39. Code Enforcement Officer, April Hartseil, presented a request to place a lien on the property located at 17210 NW Third Lane, in Kissimmee River Estates. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

7. PUBLIC HEARING: Public Hearing to consider adoption of a Resolution to vacate an easement along the North 7.5 Feet of Lot 6, Block C, Spring Lake Village 8, According to the Plat Thereof as Recorded in Plat Book 11, Page 8, of the Public Records of Highlands County, Florida, less the West 10 Feet and East 15 Feet Thereof. And the South 7.5 Feet of Lot 7, Block C, a Replat of Spring Lake Village 8 According to the Plat Thereof as Recorded in Plat Book 15, Page 25 of the Public Records of Highlands County, less the West 10 Feet and the East 15 Feet Thereof.

Proof of Publication was entered into the record. See SMB 46 Page 40. Public Works Coordinator, Angie Bollinger, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to adopt the Resolution, vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 100.

8. PUBLIC HEARING: Public Hearing to consider adoption of a Resolution to close that portion

of Spruce Drive, lying between Lot 12, Block C, and Lots 1 and 2, Block D, as depicted on that certain Plat of Lebanon Heights Subdivision, Section Two, as recorded in Plat Book 9, Page 33, Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 46 Page 41. Public Works Coordinator, Angie Bollinger, presented the request. John McClure, representing the petitioner, spoke in support of the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to adopt the Resolution, closing a portion of Spruce Drive. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 101.

9. PUBLIC HEARING: Public Hearing to consider a Resolution to vacate 3.25' of the 15' Utility and Drainage Easement lying through West ½ of Lot 191, West Sebring Estates, Section B, according to the Plat thereof as recorded in Plat Book 7, Page 43 of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 46 Page 42. Public Works Coordinator, Angie Bollinger, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to adopt the Resolution vacating a portion of the utility and drainage easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 102.

10. PUBLIC HEARING: Public Hearing to consider adoption of a Resolution to vacate that portion of a 15' foot drainage and utility easement, lying between Lots 18 and 19, Block 265, Sun 'N Lake of Sebring Unit 13, according to the plat thereof as recorded in Plat Book 9, Page 71, Public Records of Highlands County, Florida, and lying north of the rear 10 foot utility and drainage easement over said Lots 18 and 19, and proceeding to the northerly common lot line of said Lots 18 and 19.

Proof of Publication was entered into the record. See SMB 46 Page 43. Public Works Coordinator, Angie Bollinger, presented the request. John McClure, representing the petitioner, spoke in support of the request. Commissioner Bullard questioned if a Unity of Title Agreement is proposed on these properties. Mr. McClure stated that the agreement will be required when a building permit is pulled. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to adopt the Resolution, vacating a portion of the drainage and utility easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 103.

11. PUBLIC HEARING: Public Hearing for Highlands 04-1

Public hearing to consider 54 proposed zoning changes, 59 proposed Large Scale Plan amendments which include 4 Consistency FLUM Districts to bring the zoning and FLUM into consistency; 3 proposed text amendments, and three Small Scale Plan amendments. Development Services Director, Jim Polatty, presented Proof of Publication for the following hearings. See Proof of Pub. Ord Book 3 Page 63.

Commissioner Maxcy entered into the record A Memorandum of Voting Conflict for the following hearings due to the applicants being clients or family members: Hearings # 7A & 7B, 8A & 8B, 9A & 9B, 10A & 10B, 20A & 20B, 21A & 21B, 23A & 23B, 25A & 25B, 26A & 26B, and 28A & 28B. Commissioner Bullard entered into the record A Memorandum of Voting Conflict for the following hearings due to the applicant being a relative: Hearings # 43, 44A & 44B, and 46A & 46B. See SMB 46 Page 44.

6A) <u>HEARING #CPA-04-255SS - THOMAS S. & EILEEN M. PIEKARSKI</u>

Eight lots at the northeast corner of Lincoln and Harrison Streets in Placid Lakes Subdivision, and legally described as follows: Lots 23 through 30, Block 18, Placid Lakes Section 2, as recorded in Plat Book 6, Page 21 of the Public Records of Highlands County, Florida.

Request: A small scale plan amendment from (Public/Quasi-Public Facility and Institutional Lands) to (Medium Density Residential).

6B) HEARING #1700 - THOMAS S. & EILEEN M. PIEKARSKI

Eight lots at the northeast corner of Lincoln and Harrison Streets in Placid Lakes Subdivision, and legally described as follows: Lots 23 through 30, Block 18, Placid Lakes Section 2, as recorded in Plat Book 6, Page 21 of the Public Records of Highlands County, Florida.

Request: A zoning change from P (Public and Quasi-Public Lands district) to R-1A (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Staff and the Planning & Zoning Commission (P&Z) are recommending approval. Mr. Thomas Piekarski spoke in favor of the request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the recommendation of the Planning and Zoning Commission and Local Planning Agency, move to *approve and adopt P&Z 1700* changing the Zoning Atlas for 0.98 acres from P (Public/Quasi-Public Facility and Institutional Lands) to R1-A (Residential district), and *approve CPA-04-255SS* amending the Future Land Use Map for 0.98 acres from Public/Quasi-Public Facility and Institutional Lands to Residential and, after referencing the mandatory findings, transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 104.

29A) HEARING #CPA-04-277LS - CHARLES J. WADE & NICOLE P. WADE - C/O ROGER DALE POLSTON, POLSTON ENGINEERING, INC.

Subject property is located on the east side of US 27 south of The Sun'n Lake - Lake Placid Golf Course, and legally described as follows: Approximately 79.33 acres located in Sec. 28, Twp. 37S, Rge. 30E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential) and (Commercial).

29B) HEARING #1723 - CHARLES J. WADE & NICOLE P. WADE - C/O ROGER DALE POLSTON, POLSTON ENGINEERING, INC.

Subject property is located on the east side of US 27 south of The Sun'n Lake - Lake Placid Golf Course, and legally described as follows: Approximately 79.33 acres located in Sec. 28, Twp. 37S, Rge. 30E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district) and B-2 (Limited Business district). Applicant desires single family residences, GAIA Center with lodge, coffee shop, Learning Center, Wellness Center, Spa, parking, various recreational, meditation and gardening uses.

Development Services Director, Jim Polatty, presented the request. Staff is recommending approval, and P&Z is recommending denial of the request. Dale Polston, representing the petitioner, passed out a proposal for the site construction, and added that the petitioner is offering to put a conditional use on the B-2 zoning to include the uses listed. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendation of Staff, move to *approve CPA-04-277LS*, amending the FLUM from (Agriculture) to (Low Density Residential) and (Commercial), and *adopt P&Z Case # 1723*, a zoning change from AU (Agricultural)

to EU (Estate district) and B-2 CU with conditional uses to include uses presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 105.

31A) HEARING #CPA-04-279LS - DP PARTNERS, LTD, DANIEL L. PHYPERS, PGP PARTNERS, LTD, PAUL G. PHYPERS, AND LEX AND KAREN CAUFFIELD - C/O ROGER DALE POLSTON

Subject property is located on the east side of CR 17, just north of the intersection with US 27 South, on Lake Simmons, and legally described as follows: Approximately 34 acres located in Sec. 24, Twp. 36S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential).

31B) HEARING #1725 - DP PARTNERS, LTD, DANIEL L. PHYPERS, PGP PARTNERS, LTD, PAUL G. PHYPERS, AND LEX AND KAREN CAUFFIELD - C/O ROGER DALE POLSTON

Subject property is located on the east side of CR 17, just north of the intersection with US 27 South, on Lake Simmons, and legally described as follows: Approximately 34 acres located in Sec. 24, Twp. 36S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z are recommending denial of the request. Dale Polston spoke on behalf of the petitioners. Drew Phypers spoke in support of the request. Commissioner Maxcy expressed concerns about increased boat traffic on the lake. County Administrator, Carl Cool, suggested that the County have the Right of Way along C.R. 17 conveyed either at the time of the re-zoning and comp plan amendment or at the time of recording of the plat. Motion by Commissioner Bullard, seconded by Commissioner Stokes, move to *approve CPA-04-279LS*, amending the FLUM from (Agriculture) to (Low Density Residential) and to *approve P&Z Case # 1725*, a zoning change from AU (Agricultural) to EU (Estate district), including the conveyance of the right of way required by the County's Land Development Regulations at the time of recording of the plat. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who voted nay. Motion carried. See Res. Book 17 Page 106.

12A) HEARING #CPA-04-276LS - HEARTLAND HOLDINGS CO. LLC

Subject property is located on the north shore of Lake Pythias, adjacent to River Greens Golf Course, and legally described as follows: Approximately 318 acres located in Sec. 2, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).

12B) HEARING #1722 - HEARTLAND HOLDINGS CO. LLC

Subject property is located on the north shore of Lake Pythias, adjacent to River Greens Golf Course, and legally described as follows: Approximately 318 acres located in Sec. 2, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1 (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended approval of the request, with conditions. Rick Hayes spoke in support of the request, noting additional language to condition #1 from P&Z. County Administrator, Carl Cool, stated that Staff is working to get the permits to replace the culverts under the old railroad bed to allow boat access between Lake Pythias and Lake Damon. Motion by

Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the recommendation of P&Z, including P&Z's recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-276LS,* amending the FLUM from (Agriculture) to (Medium Density Residential) and *adopt by Resolution P&Z Case # 1722*, a zoning change from AU (Agricultural) to R-1 (Residential district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-276LS) becoming effective as provided by law, and amending condition #1 to read:1] Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 107.

7A) HEARING #CPA-04-256LS - DAVIS CITRUS MANAGEMENT, INC. - C/O RICK WHIDDEN

Subject property is located on the south shore of Lake Glenada, adjacent to Lake Glenada Mobile Home Park, and legally described as follows: Approximately 40.00 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).

7B) HEARING #1701 - DAVIS CITRUS MANAGEMENT, INC. - C/O RICK WHIDDEN

Subject property is located on the south shore of Lake Glenada, adjacent to Lake Glenada Mobile Home Park, and legally described as follows: Approximately 40.00 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change AU (Agricultural) to R-1A (Residential district). Applicant desires single family residences.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended approval of the request, with conditions. Commissioner Maxcy declared his conflict of interest for this hearing. Rick Whidden commented on the differences between the comprehensive plan and Land Development Regulations requirements for central water and sewer. Mr. Polatty stated that the LDR requirements are more restrictive. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendation and including the conditions recommended by the LPA/P&Z , move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-256LS,* amending the FLUM from (Agricultural) to (Medium Density Residential) and *adopt by Resolution P&Z Case # 1701*, a zoning change from AU (Agricultural) to R1A (Residential district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-256LS) becoming effective as provided by law, and amending condition # 1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units

constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy, and including the applicant donating one-half of the road right-of-way at the time of platting or at the time the County is able to pave the road, whichever comes first. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried. See Res. Book 17 Page 108.

8A) HEARING #CPA-257LS - DAVIS ENTERPRISES, INC. - C/O RICK WHIDDEN

Subject property is located on the west side of SR 17 across from the intersection with Arbuckle Creek Rd., and legally described as follows: Approximately 139.24 acres located in Sec. 18, Twp. 34S, Rge.29E, Highlands County, Florida.

Request: A large scale plan amendment (Agriculture) and (Low Density Residential) to (Medium Density Residential) and (High Density Residential).

8B) HEARING #1702 - DAVIS ENTERPRISES, INC. - C/O RICK WHIDDEN

Subject property is located on the west side of SR 17 across from the intersection with Arbuckle Creek Rd., and legally described as follows: Approximately 139.24 acres located in Sec. 18, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) and R-1 (Residential district) to R-1A (Residential district) and R-3 (Multiple Dwelling district). Applicant desires single family residences and multiple family housing.

Development Services Director, Jim Polatty, presented the request. P&Z directed Staff to initiate a sector plan for this property and the broader area to determine future traffic needs. He added that the applicant will be required to provide central water and sewer, and donate one-half of the road right-of-way for S.R. 17, Ben Eastman, and Sebring Parkway Phase IV. Joe Davis agreed to donating right-of-way for S.R. 17 and Ben Eastman, but not the right-of-way for the Parkway, because it would run through the middle of his property. County Administrator, Carl Cool, stated that Staff will have results of a traffic study for the area after the first of the year. Mr. Davis suggested approving the comp plan amendment, and tabling the re-zoning at this time until a sector plan can be done for the area. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendation and including the conditions recommended by the LPA/P&Z, move to *approve for transmittal to the State of Florida Department of Community* Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-257LS, amending the FLUM from (Agriculture) and (Low Density Residential) to (Medium Density Residential) and (High Density Residential) and *table P&Z Case # 1702*, including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-257LS) becoming effective as provided by law, including the waiver of fees for re-application, the road right-of-way dedications agreed to by the applicant, and amending P&Z condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried.

Lunch Break 12:40 - 2:00 P.M.

9A) HEARING #CPA-04-258LS - DAVIS CITRUS MANAGEMENT INC., DAVIS ENTERPRISES, DAVIS SAVANNAH JUSTINE TRUST & DAVIS ASHLEY MAUREEN TRUST (C/O J L & PATRICIA M DAVIS TRUST) - C/O RICK WHIDDEN

Subject property is located on the northwest, southwest, and southeast corners of SR 17 and Downing Rd., and legally described as follows: Approximately 76.48 acres located in Secs. 7 and 18, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial).

9B) HEARING#1703 - DAVIS CITRUS MANAGEMENT INC., DAVIS ENTERPRISES, DAVIS SAVANNAH JUSTINE TRUST & DAVIS ASHLEY MAUREEN TRUST (C/O J L & PATRICIA M DAVIS TRUST) - C/O RICK WHIDDEN

Subject property is located on the northwest, southwest, and southeast corners of SR 17 and Downing Rd., and legally described as follows: Approximately 76.48 acres located in Secs. 7 and 18, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to B-3 (Business district). Applicant proposed uses are stated in the attached application.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended denial of the request. Rick Whidden, representing the applicant, stated that the acreage has been decreased to 26.89 acres for the land use change. Due to the results of the previous hearing, he requested that the Board approve the land use change and table the re-zoning at this time until a sector plan is done for the area. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendation of the LPA and the P&Z, *approve CPA-04-258LS* amending the Future Land Use Map for 26.89 acres from Agricultural to Commercial, with all included conditions, and move to *table P&Z Case # 1703,* including waiving the fees for re-application. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried.

10A) HEARING #CPA-04-259LS - JOE L. DAVIS, SR. - C/O RICK WHIDDEN

Subject property is located on the southeast corner of CR 64 and CR 17A, east of Avon Park, and legally described as follows: Approximately 18.1 acres located in Sec. 24, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial).

10B) HEARING #1704 - JOE L. DAVIS, SR. - C/O RICK WHIDDEN

Subject property is located on the southeast corner of CR 64 and CR 17A, east of Avon Park, and legally described as follows: Approximately 18.1 acres located in Sec. 24, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to B-3 (Business district). Applicant proposes all uses allowed in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, stated that the acreage has been decreased to 9.05 acres. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the recommendation of the P&Z, including the conditions recommended by P&Z, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-259LS*, amending the FLUM from (Agriculture) to (Commercial) for 9.05 acres and *adopt by Resolution P&Z Case*

 # 1704, a zoning change from AU (Agricultural) to B-3 (Business district) for 9.05 acres, including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-259LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried. See Res. Book 17 Page 109.

13A) HEARING #CPA-04-261LS - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the west side of US 27, south of The Reflections on Silver Lake Mobile Home Park, and legally described as follows: Approximately 116.844 acres located in Sec. 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).

13B) HEARING #1706 - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the west side of US 27, south of The Reflections on Silver Lake Mobile Home Park, and legally described as follows: Approximately 116.844 acres located in Sec. 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family residences.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended approval of the request. Rick Whidden spoke on behalf of the applicant. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the recommendation of the P&Z, including the conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-261LS*, amending the FLUM from (Agriculture) to (Medium Density Residential) and *adopt by Resolution P&Z Case # 1706*, a zoning change from AU (Agricultural) to R-1A (Residential district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-261LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 110.

14A) HEARING #CPA-04-262LS - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the west side of US 27, north of The Reflections on Silver Lake Mobile Home Park ,and adjacent to The Silver Lake Wildlife and Environmental Area, and legally described as follows: Approximately 52.108 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential).

14B) HEARING #1707 - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the west side of US 27, north of The Reflections on Silver Lake Mobile Home Park ,and adjacent to The Silver Lake Wildlife and Environmental Area, and legally described as

follows: Approximately 52.108 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to single family residences.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended approval of the request. Rick Whidden spoke on behalf of the applicant. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendation of the LPA and the P&Z, including the conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-262LS,* amending the FLUM from AU (Agriculture) to RL(Low Density Residential) and *adopt by Resolution P&Z Case #1707*, a zoning change from AU (Agricultural) to EU (Estate district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-262LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 111.

15A) <u>HEARING #CPA-04-263LS - SAXON GROVES, INC. - C/O RICK WHIDDEN</u>

Subject property is located on the west side of US 27, just north of the entrance to The Reflections on Silver Lake Mobile Home Park, and legally described as follows: Approximately 41.353 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agricultural) to (Commercial).

15B) <u>HEARING #1708 - SAXON GROVES, INC. - C/O RICK WHIDDEN</u>

Subject property is located on the west side of US 27, just north of the entrance to The Reflections on Silver Lake Mobile Home Park, and legally described as follows: Approximately 41.353 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires commercial development and permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended approval of the request. Rick Whidden spoke on behalf of the applicant. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the recommendation of the LPA and the P&Z, including the conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-263LS,* amending the FLUM from AU (Agriculture) to B (Commercial) and *adopt by Resolution P&Z Case # 1708*, a zoning change from AU(Agricultural) to B-3 (Business district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-263LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 112.

~~**16A) HEARING #CPA-04-264SS - SAXON GROVES, INC. - C/O RICK WHIDDEN**~~

~~Subject property is located on the east side of US 27 just north of College Dr, and legally described as follows: Approximately 9.91 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.~~

~~Request: A small scale plan amendment from (High Density Residential) to (Commercial).~~

~~**16B) HEARING #CPA-1709 - SAXON GROVES, INC. - C/O RICK WHIDDEN**~~

~~Subject property is located on the east side of US 27 just north of College Dr, and legally described as follows: Approximately 9.91 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.~~

~~Request: A zoning change from R-3 (Multiple Dwelling district) to B-3 (Business district). Applicant desires commercial development and permitted uses in the B-3 zoning district.~~

This item has been withdrawn.

17A) HEARING #CPA-04-265SS - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the east side of US 27, south of Lake Anoka, at the intersection of US 27 and Martin St, and legally described as follows: Approximately 8.23 acres located in Sec. 27, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A small scale plan amendment from (Medium Density Residential) to (Commercial).

17B) HEARING #1710 - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the east side of US 27, south of Lake Anoka, at the intersection of US 27 and Martin St, and legally described as follows: Approximately 8.23 acres located in Sec. 27, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from B-1 (Neighborhood Business district) and R-3 (Multiple Dwelling district) to B-3 (Business district). Applicant desires commercial development and permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Rick Whidden spoke on behalf of the applicant. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the recommendation and conditions of the P&Z, move to *approve and adopt by Ordinance CPA-04-265SS*, amending the Comprehensive Plan FLUM for 8.23 acres from (Medium Density Residential) to (Commercial), and *adopt by Resolution P&Z Case #1710*, a zoning change from B-1 (Neighborhood Business district) and R-3 (Multiple Dwelling district) to B-3 (Business district), referencing the mandatory findings, and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 113.

20A) HEARING #CPA-04-266LS - CRUTCHFIELD GROVES, INC.; CRUTCHFIELD, JOHN THOMAS; TAYLOR, CHRISTINE, C. TR.; CAPO, KATHLEEN C. HALEY TR.; CRUTCHFIELD, H. EARL; HENRY CRUTCHFIELD, INC.; CLAGETT TAYLOR INC.; J. H. CRUTCHFIELD; KNIGHT, ALBERT A.; MCKENNA, MARTIN J.; MCKENNA, MARTIN J. AND KAREN N.; CRUTCHFIELD, GLORIA S.; AND HARSHMAN HOLDINGS, INC. - C/O RICK WHIDDEN

Subject property is located east of SR 17, north of Arbuckle Creek Rd.,and is surrounding Basket Lake, and legally described as follows: Approximately 409.0 acres located in Secs. 7, 8, and 17, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).

20B) HEARING #1711 - CRUTCHFIELD GROVES, INC.; CRUTCHFIELD, JOHN THOMAS;

TAYLOR, CHRISTINE, C. TR.; CAPO, KATHLEEN C. HALEY TR.; CRUTCHFIELD, H. EARL; HENRY CRUTCHFIELD, INC.; CLAGETT TAYLOR INC.; J. H. CRUTCHFIELD; KNIGHT, ALBERT A.; MCKENNA, MARTIN J.; MCKENNA, MARTIN J. AND KAREN N.; CRUTCHFIELD, GLORIA S.; AND HARSHMAN HOLDINGS, INC. - C/O RICK WHIDDEN

Subject property is located east of SR 17, north of Arbuckle Creek Rd.,and is surrounding Basket Lake, and legally described as follows: Approximately 409.0 acres located in Secs. 7, 8, and 17, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct a private gated single family dwellings development.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, requested that the Board approve the land use change and table the re-zoning at this time until a sector plan can be completed for the area. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the recommendation and conditions of the P&Z, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-266LS*, amending the FLUM from (Agriculture) to (Medium Density Residential) and *table P&Z Case # 1711*, including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-266LS) becoming effective as provided by law, including the waiver of re-application fees, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried.

21A) HEARING #CPA-04-267LS - HENRY CRUTCHFIELD INC. - C/O RICK WHIDDEN

Subject property is located on both sides of SR 17, north of Downing Rd, and south of Power Line Rd, and legally described as follows: Approximately 29.4 acres located in Sec. 7, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial) and (Low Density Residential).

21B) HEARING #1712 - HENRY CRUTCHFIELD INC. - C/O RICK WHIDDEN

Subject property is located on both sides of SR 17, north of Downing Rd, and south of Power Line Rd, and legally described as follows: Approximately 29.4 acres located in Sec. 7, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to B-3 (Business district) and EU (Estate district). Applicant desires the permitted uses in the B-3 zoning district and single family residences.

Development Services Director, Jim Polatty, presented the request. P& Z recommended denial of the B-3 zoning change and the Commercial land use change. Rick Whidden, representing the applicant, requested that the Board table the re-zoning at this time, and withdraw the B-3 and Commercial request. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with P&Z's recommendation, including the

recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, that 19.42 acre portion of Comprehensive Plan Amendment CPA-04-267LS,* amending the FLUM from (Agriculture) to (Low Density Residential) and *table P&Z Case # 1712,* including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-267LS) becoming effective as provided by law, including the waiver of re-application fees, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried.

23A) <u>HEARING #CPA-04-269LS - HENRY CRUTCHFIELD INC. - C/O RICK WHIDDEN</u>

Subject property is located on the west side of SR 17 at the intersection of Arbuckle Creek Rd, and legally described as follows: 12.0 acres located in Sec. 18, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (High Density Residential).

23B) <u>HEARING #1714 - HENRY CRUTCHFIELD INC. - C/O RICK WHIDDEN</u>

Subject property is located on the west side of SR 17 at the intersection of Arbuckle Creek Rd, and legally described as follows: 12.0 acres located in Sec. 18, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-3 (Multiple Dwelling district). Applicant desires to construct multiple family dwellings.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, requested that the Board table the re-zoning at this time until a sector plan is completed for the area. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendation of the LPA and the P&Z, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-269LS,* amending the FLUM from (Agriculture) to (High Density Residential) and *table P&Z Case #1714,* including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-269LS) becoming effective as provided by law, including the waiver of re-application fees, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried.

18A) HEARING #CPA-04-274LS - GAPWAY GROVE CORPORATION - C/O JOHN W. STRANG

Subject property is located along both sides of Scenic Highway and continues around the south and east shores of Little Redwater Lake, and legally described as follows: Approximately 323 acres located in Secs. 12 and 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) and (Low Density Residential) to (Medium Density Residential).

18B) HEARING #1719 - GAPWAY GROVE CORPORATION - C/O JOHN W. STRANG

Subject property is located along both sides of Scenic Highway and continues around the south and east shores of Little Redwater Lake, and legally described as follows: Approximately 323 acres located in Secs. 12 and 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. John Strang, representing the applicant, requested that the Board approve the land use change, and table the re-zoning at this time until a sector plan is completed for the area. Motion by Commissioner Bullard, seconded by Commissioner Maxcy , in accordance with the recommendation of the LPA and the P&Z, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-274LS*, amending the FLUM from (Agriculture) and (Low Density Residential) to (Medium Density residential) and *table P&Z Case #1719*, including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-274LS) becoming effective as provided by law, including waiving the fees for re-application, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried.

28A) HEARING #CPA-04-306LS - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on the southwest corner of US 27 and SR 66, and legally described as follows: Approximately 69.27 acres located in Sec. 16, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Industrial) to (Commercial).

28B) HEARING #1720 - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on the southwest corner of US 27 and SR 66, and legally described as follows: Approximately 69.27 acres located in Sec. 16, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from I-2 (Industrial district) to B-3 (Business district). Applicant desires all the permitted uses in B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Rick Whidden spoke on behalf of the applicant. Motion by Commissioner Bullard, seconded by Commissioner Stokes , in accordance with the recommendation of the P&Z, move to *approve for transmittal to the State of Florida Department of*

Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-306LS, amending the FLUM from (Industrial) to (Commercial) and *adopt by Resolution P&Z Case #1720*, a zoning change from I-2 (Industrial district) to B-3 (Business district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-306LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried. See Res. Book 17 Page 114.

33A) HEARING #CPA-04-282LS - MARK, INC. AND SEBRING GROUP - C/O ROGER DALE POLSTON

Subject property is located north of Skipper Rd just west of the intersection with US 27, and legally described as follows: Approximately 21.83 acres located in Sec. 21, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential).

33B) HEARING #1728 - MARK, INC. AND SEBRING GROUP - C/O ROGER DALE POLSTON

Subject property is located north of Skipper Rd just west of the intersection with US 27, and legally described as follows: Approximately 21.83 acres located in Sec. 21, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended approval of the request. Connie Hough requested that conditions be put on Lot 37 that borders her property, to only allow a house. Roger Polston stated the applicant has no objections to putting conditions on the lot. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the recommendation of the P&Z, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-282LS,* amending the FLUM from (Agriculture) to (Low Density Residential) and *adopt by Resolution P&Z Case # 1728,* a zoning change from AU (Agricultural) to EU (Estate district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-282LS) becoming effective as provided by law, and amending condition # 1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 115.

44A) HEARING #CPA-04-292LS - GREGORY SCOTT REYNOLDS - C/O RICK WHIDDEN

Subject property is located on the west side of Placid View Dr south of Jersey St, and legally described as follows: Approximately 36.93 acres located in Sec. 26, Twp. 37S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential).

44B) HEARING #1738 - GREGORY SCOTT REYNOLDS - C/O RICK WHIDDEN

Subject property is located on the west side of Placid View Dr south of Jersey St, and legally described as follows: Approximately 36.93 acres located in Sec. 26, Twp. 37S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Commissioner Bullard declared his conflict of interest for this hearing, and entered into the record a petition from area residents in opposition to the request. Rick Whidden spoke on behalf of the applicant. Motion by Commissioner Jackson, seconded by Commissioner Stokes , in accordance with the recommendations and conditions of the P&Z, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-292LS,* amending the FLUM from (Agriculture) to (Low Density Residential) and *adopt by Resolution P&Z Case # 1738,* a zoning change from AU (Agricultural) to EU (Estate district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-292LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye, except Commissioner Bullard, who abstained. Motion carried. See Res. Book 17 Page 116.

50A) HEARING #CPA-04-297LS - KAHN CITRUS INC. - C/O BEN CROSBY

Subject property is located on the northeast corner of Sebring Parkway and Scenic Highway, and legally described as follows: Approximately 15 acres located in Sec. 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial).

50B) HEARING #1744 - KAHN CITRUS INC. - C/O BEN CROSBY

Subject property is located on the northeast corner of Sebring Parkway and Scenic Highway, and legally described as follows: Approximately 15 acres located in Sec. 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning from AU (Agricultural) to B-3 (Business district). Applicant desires the permitted uses in B-3. Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended denial of the request. Ben Crosby spoke on behalf of the applicant. *Commissioner Bullard made a motion to deny the request, in accordance with P&Z's recommendations. Motion died for lack of a second.* Commissioner Stokes stated that Commercial zoning could benefit future residents in the area. Board Attorney, Ross Macbeth, stated that it would most likely be a small office complex or gas station. *Commissioner Bullard made a motion again to deny the land use change and zoning change. Motion died for lack of a second. Commissioner Jackson made a motion to approve CPA-04-297LS, amending the FLUM from Agriculture to Commercial, and to adopt P&Z Case # 1744, a zoning change from AU (Agriculture) to B-3 (Business*

district). Commissioner Maxcy seconded the motion, but expressed concerns about the entire parcel being zoned commercial. Commissioner Maxcy amended the original motion to reduce the acreage to 5 acres. Amended motion died for lack of a second. Commissioner Bullard stated that Commercial is too intense of a use for the Sebring Parkway. Mr. Crosby stated that the applicant is willing to reduce the request to 8 acres. *Commissioner Bullard made a motion to amend the request reducing the zoning to B-2 for the westerly 8 acres*. Mr. Crosby stated his client is in agreement with the amendment. *Commissioner Stokes seconded the motion. Upon roll call of the amended motion, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried. Upon roll call of the Original motion, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried.* See Res. Book 17 Page 117.

Break 3:45 - 4:00 P.M.

53A) HEARING #CPA-04-299LS - LETTA-BONNETT GROVES, INC. AND C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLP - C/O JACK P. BRANDON

Subject property is located to the east and south of The Pinecrest Golf Course, and legally described as follows: Approximately 296 acres located in Secs. 25, 35, 36, Twp. 33S, Rge. 28E, and Sec. 1, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) and (Low Density Residential) to (Medium Density Residential) and (High Density Residential).

53B) HEARING #1747 - LETTA-BONNETT GROVES, INC. AND C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLP - C/O JACK P. BRANDON

Subject property is located to the east and south of The Pinecrest Golf Course, and legally described as follows: Approximately 296 acres located in Secs. 25, 35, 36, Twp. 33S, Rge. 28E, and Sec. 1, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district) and R-3 (Multiple Dwelling district). Applicant desires single family and multi-family dwellings.

Development Services Director, Jim Polatty, presented the request. Jack Brandon stated that all of the conditions are acceptable to the applicant. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with P&Z's recommendation, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-299LS, amending the FLUM from (Agriculture) to (Low Density Residential) and adopt by Resolution P&Z Case # 1747*, a zoning change from AU (Agricultural) to R-1A (Residential district) and R-3 (Multiple Dwelling district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-299LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 118.

56A) HEARING #CPA-04-302LS - CREWS GROVE, INC. AND C. ELTON CREWS, INC. - C/O JACK P. BRANDON

Subject property is located north of Lake Denton and south of Phase 3 of The Sebring Parkway, and legally described as follows: Approximately 180 acres located in Sec. 35, Twp. 33S, Rge. 28E, and Sec. 2, Twp. 34S, Rge. 28E, and Sec. 1, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agricultural) to (Medium Density Residential) and (Industrial).

56B) HEARING #1750 - CREWS GROVE, INC. AND C. ELTON CREWS, INC. - C/O JACK P. BRANDON

Subject property is located north of Lake Denton and south of Phase 3 of The Sebring Parkway, and legally described as follows: Approximately 180 acres located in Sec. 35, Twp. 33S, Rge. 28E, and Sec. 2, Twp. 34S, Rge. 28E, and Sec. 1, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district) and I-2 (Industrial district). Applicant desires to construct single family dwellings and the permitted uses in the I-2 zoning district.

Development Services Director, Jim Polatty, presented the request. The Industrial use will allow the parking of agricultural equipment and trucks. A separate zoning hearing will need to be scheduled for the Industrial zoning with a conditional use. Jack Brandon spoke on behalf of the applicant.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with P&Z's recommendation and conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-302LS, amending the FLUM from (Agriculture) to (Medium Density Residential) and adopt by Resolution P&Z Case #1750*, a zoning change from AU (Agricultural) to R-1A (Residential district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-302LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 119.

11A) HEARING #CPA-260LS - LORI CHANEY - C/O THOMAS L. NUNNALLEE

Subject property is located on the east side of CR 64 at the Polk County Line, and legally described as follows: Approximately 18.76 acres located in Sec. 3, Twp. 33S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from Existing Designation to (Agriculture).

11B) HEARING #1705 - LORI CHANEY - C/O THOMAS L. NUNNALLEE

Subject property is located on the east side of CR 64 at the Polk County Line, and legally described as follows: Approximately 18.76 acres located in Sec. 3, Twp. 33S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from M-2 (Mobile Home Parks district) to AU (Agricultural). Applicant desires to construct a single family dwelling with agricultural uses.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Maxcy, seconded

by Commissioner Bullard, in accordance with the recommendation of the LPA and the P&Z, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-260LS, amending the FLUM from Existing Designation to (Agriculture) and adopt by Resolution P&Z Case # 1705*, a zoning change from M-2 (Mobile Home Parks district) to AU (Agricultural), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-260LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 120.

19A) HEARING #CPA-04-275LS - PIONEER GROVE, INC. - C/O CLIFFORD M. ABLES, III

Subject property is located on both sides of Oak Park Ave, north of Snyder Rd on Lake Pioneer, and legally described as follows: Approximately 59.36 acres located in Secs. 10 and 11, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential).

19B) HEARING #1721 - PIONEER GROVE, INC. - C/O CLIFFORD M. ABLES, III

Subject property is located on both sides of Oak Park Ave, north of Snyder Rd on Lake Pioneer, and legally described as follows: Approximately 59.36 acres located in Secs. 10 and 11, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1 (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request, adding that EU (estate district) is being requested for the zoning change. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the recommendation of the LPA and the P&Z, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-275LS, amending the FLUM from (Agriculture) to (Low Density Residential) and adopt by Resolution P&Z Case #1721*, a zoning change from AU (Agricultural) to EU (Estate District), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-275LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 121.

~~**22A) HEARING #CPA-04-268LS - GLORIA S. CRUTCHFIELD - C/O RICK WHIDDEN**~~

~~Subject property is located on the north side of Arbuckle Creek Rd at the intersection with SR 17, and legally described as follows: Approximately 13.60 acres located in Sec. 18, Twp. 34S, Rge. 29E, Highlands County, Florida.~~

~~Request: A large scale plan amendment from (Agriculture) to (Commercial).~~

~~**22B) HEARING #1713 - GLORIA S. CRUTCHFIELD - C/O RICK WHIDDEN**~~

~~Subject property is located on the north side of Arbuckle Creek Rd at the intersection with SR 17, and legally described as follows: Approximately 13.60 acres located in Sec. 18, Twp. 34S, Rge. 29E, Highlands County, Florida.~~

~~Request: A zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires mini-warehouses.~~
This item has been withdrawn.

25A) HEARING #CPA-04-271LS - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on the southwest corner of US 98 and CR 17, and legally described as follows: Approximately 32.8 acres located in Sec. 22, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial).

25B) HEARING #1716 - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on the southwest corner of US 98 and CR 17, and legally described as follows: Approximately 32.8 acres located in Sec. 22, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from B-2 (Limited Business district) and AU (Agricultural) to B-3 (Business district). Applicant desires the permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Commissioner Maxcy declared his conflict of interest for this hearing. Commissioner Bullard inquired to why Staff recommended denial of this request. Rick Whidden, representing the applicant, stated that Staff thought there was too much commercial in the area, adding that the request has been amended to include only Lots 6-11. Motion by Commissioner Bullard, seconded by Commissioner Jackson , in accordance with the recommendation of the LPA and the P&Z, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-271LS, amending the FLUM from (Agriculture) to (Commercial) and adopt by Resolution P&Z Case # 1716,* a zoning change from B-2 (Limited Business district) and AU (Agricultural) to B-3 (Business district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-271LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried. See Res. Book 17 Page 122.

26A) HEARING #CPA-04-272LS - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on both sides of US 27 south of Hughes Supply, and legally described as follows: Approximately 34.91 acres located in Secs. 15 and 22, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial).

26B) HEARING #1717 - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on both sides of US 27 south of Hughes Supply, and legally described as follows: Approximately 34.91 acres located in Secs. 15 and 22, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires the permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Commissioner Maxcy declared his conflict of interest for this hearing. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the recommendation of the P&Z, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment*

CPA-04-272LS, amending the FLUM from (Agriculture) to (Commercial) and adopt by Resolution P&Z Case # 1717, a zoning change from AU(Agricultural)) to B-3 (Business district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-272LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried. See Res. Book 17 Page 123.

43) HEARING #CPA-04-291LS - REYNOLDS FARMS INC. - C/O RICK WHIDDEN

Subject property is located at the southeast corner of US 27 and SR 70, and legally described as follows: Approximately 73.11 acres located in Sec. 4, Twp. 38S, Rge. 30E, Highlands County, Florida.

Request: A large scale plan amendment (Agriculture) to (Medium Density Residential) and (Commercial).

Development Services Director, Jim Polatty, presented the request. Commissioner Bullard declared his conflict of interest for this hearing. Rick Whidden spoke on behalf of the applicant. Motion by Commissioner Jackson, seconded by Commissioner Stokes, in accordance with the recommendation of the P&Z, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-291LS*, amending the FLUM from (Agriculture) to (Medium Density Residential) and (Commerical), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-291LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Bullard, who abstained. Motion carried.

46A) HEARING #CPA-04-294LS - REYNOLDS PROPERTIES LTD. - C/O RICK WHIDDEN

Subject property is located between CR 621 and the south east shore of Lake Istokpoga, and legally described as follows: Approximately 26 acres located in Sec. 20, Twp. 36S, Rge. 31E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential).

46B) HEARING #1740 - REYNOLDS PROPERTIES LTD. - C/O RICK WHIDDEN

Subject property is located between CR 621 and the south east shore of Lake Istokpoga, and legally described as follows: Approximately 26 acres located in Sec. 20, Twp. 36S, Rge. 31E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Commissioner Bullard declared his conflict of interest for this hearing. Motion by Commissioner Jackson, seconded by Commissioner Stokes, in accordance with the recommendation of the P&Z, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-294 LS, amending the FLUM from (Agriculture) to (Low Density Residential) and adopt by Resolution P&Z Case # 1740*, a zoning change from AU (Agricultural) to EU (Estate district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-294LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Bullard, who abstained. Motion carried. See Res. Book 17 Page 124.

30A) HEARING #CPA-04-278LS - GOSE GROVES, INC. / LELIA LAKE GROVE, LLC. - C/O L. C. SMITH AND DALE POLSTON

Subject property is located on the north shore of Lake Lelia, and legally described as follows:

Approximately 20 acres located in Sec. 27, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).

30B) HEARING #1724 - GOSE GROVES, INC. / LELIA LAKE GROVE, LLC. - C/O L. C. SMITH AND DALE POLSTON

Subject property is located on the north shore of Lake Lelia, and legally described as follows: Approximately 20 acres located in Sec. 27, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendation of the P&Z, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-278LS, amending the FLUM from (Agriculture) to (Medium Density Residential) and adopt by Resolution P&Z Case # 1724*, a zoning change from AU (Agricultural) to R-1A (Residential district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-278LS) becoming effective as provided by law, and amending condition #1 to read: 1] Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 125.

32A) HEARING #CPA-04-280LS - DP PARTNERS, LTD, DANIEL L. PHYPERS, PGP PARTNERS, LTD, PAUL G. PHYPERS, HHD PARTNERS, LTD, HAYWARD H. DAVIS, CONSOLIDATED-TOMOKA LAND COMPANY - C/O ROGER DALE POLSTON

Subject property is located between Old State Road 8 and the east shore of Lake Placid, and legally described as follows: Approximately 253.5 acres located in Sec. 18, Twp. 37S, Rge. 30E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential).

32B) HEARING #1726 - DP PARTNERS, LTD, DANIEL L. PHYPERS, PGP PARTNERS, LTD, PAUL G. PHYPERS, HHD PARTNERS, LTD, HAYWARD H. DAVIS, CONSOLIDATED-TOMOKA LAND COMPANY - C/O ROGER DALE POLSTON

Subject property is located between Old State Road 8 and the east shore of Lake Placid, and legally described as follows: Approximately 253.5 acres located in Sec. 18, Twp. 37S, Rge. 30E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to construct single family dwellings.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the recommendation of the LPA and the P&Z, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-280LS, amending the FLUM from (Agriculture) to (Low Density Residential)*

and adopt by Resolution P&Z Case # 1726, a zoning change from AU (Agricultural) to EU (Estate district), referencing the Mandatory Findings in the staff report, and contingent upon the plan amendment (CPA-04-280LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 126.

40) <u>HEARING #1735 - GERALD C. SHIELDS (Re-zoning Only)</u>

Four lots on the north side of Miller Rd between Wildflower and Larkspur in Leisure Lakes, and legally described as follows: Approximately 2.29 acres located in Sec. 21, Twp. 36S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from B-2 (Limited Business district) to R-2 (Two-Family Dwelling district).

Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission and Local Planning Agency, move to *approve and adopt by Resolution P&Z Case #1735*, amending the Zoning Atlas from B-2 (Limited Business district) to R-2 (Two-Family Dwelling district) for a 2.29 acre parcel, after referencing the mandatory findings, and becoming effective as provide by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 127.

41A) <u>HEARING #CPA-04-289LS - JOHN P. BARBEN AND JEAN D. HANCOCK, J. NED HANCOCK AND TAMMY S. HANCOCK - C/O ROGER DALE POLSTON</u>

Subject property is located west of US 27 north of The Reflections on Silver Lake Mobile Home Park, and legally described as follows: Approximately 74.6 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial).

41B) <u>HEARING #1736 - JOHN P. BARBEN AND JEAN D. HANCOCK, J. NED HANCOCK AND TAMMY S. HANCOCK - C/O ROGER DALE POLSTON</u>

Subject property is located west of US 27 north of The Reflections on Silver Lake Mobile Home Park, and legally described as follows: Approximately 74.6 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires the permitted uses in B-3.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the recommendation of the P&Z, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-289LS, amending the FLUM from (Agriculture) to (Commercial) and adopt by Resolution P&Z Case # 1736*, a zoning change from AU (Agricultural) to B-3 (Business district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-289LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion

carried. See Res. Book 17 Page 128.

42A) HEARING #CPA-04-290LS - ROGER AND SUSAN GURGANUS - C/O DALE POLSTON

Subject property is located east of Avon Park on the north side of Winthrop St at Lotela, and legally described as follows: Approximately 34.54 acres located in Sec. 14, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).

42B) HEARING #1737 - ROGER AND SUSAN GURGANUS - C/O DALE POLSTON

Subject property is located east of Avon Park on the north side of Winthrop St at Lotela St, and legally described as follows: Approximately 34.54 acres located in Sec. 14, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1 (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the recommendation of the LPA and the P&Z, including the recommended conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-290LS, amending the FLUM from (Agriculture) to (Medium Density Residential) and adopt by Resolution P&Z Case # 1737,* a zoning change from AU(Agricultural) to R-1 (Residential district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-290LS) becoming effective as provided by law, amending condition # 1 as follows:1] Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 129.

~~**45A) HEARING #CPA-04-293LS - GREGORY S. REYNOLDS - C/O RICK WHIDDEN**~~

~~Subject property is located on the east side of CR 17, south of US 98, and legally described as follows: Approximately 95.24 acres located in Sec. 23, Twp. 35S, Rge. 29E, Highlands County, Florida.~~

~~Request: A large scale plan amendment from (Agriculture) to (Industrial).~~

~~**45B) HEARING #1739 - GREGORY S. REYNOLDS - C/O RICK WHIDDEN**~~

~~Subject property is located on the east side of CR 17, south of US 98, and legally described as follows: Approximately 95.24 acres located in Sec. 23, Twp. 35S, Rge. 29E, Highlands County, Florida.~~

~~Request: A zoning change from AU (Agricultural) to I-1 (Industrial district). Applicant desires a light industrial park.~~

This item has been withdrawn.

49A) HEARING #CPA-04-296LS - KAHN CITRUS INC. - C/O BEN CROSBY

Subject property is located on the east side of Scenic Highway, north of Sebring Parkway, and legally

described as follows: Approximately 19.43 acres located in Sec. 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (High Density Residential).

49B) HEARING #1743 - KAHN CITRUS INC. - C/O BEN CROSBY

Subject property is located on the east side of Scenic Highway, north of Sebring Parkway, and legally described as follows: Approximately 19.43 acres located in Sec. 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-3 (Multiple Dwelling district). Applicant desires to construct multiple family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with P&Z's recommendation, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-296LS, amending the FLUM from (Agriculture) to (High Density Residential) and adopt by Resolution P&Z Case # 1743*, a zoning change from AU (Agricultural) to R-3 (Multiple Dwelling district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-296LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 130.

51) HEARING #1745 - SEBRING PROPERTIES, LLC - C/O RANDY HERSCOVICI

Subject property is located on the east side of SR 17, north of Lake Placid at the railroad bridge, and legally described as follows: Approximately 2.65 acres located in Sec. 31, Twp. 36S, Rge. 30E, Highlands County, Florida.

Request: A zoning change from M-2 (Mobile Home Parks district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development). Applicant desires to construct Condominium living units.

Development Services Director, Jim Polatty, presented the request. Keith Hunicutt spoke on behalf of the applicant. Motion by Commissioner Jackson, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission and Local Planning Agency, including P&Z's recommended conditions, move to *approve and adopt by Resolution P&Z Case #1745*, amending the Zoning Atlas from M-2 (Mobile Home Parks district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) for a 2.65 acre parcel, after referencing the mandatory findings, and becoming effective as provide by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer

system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 131.

52A) HEARING #CPA-04-298LS - CREWS GROVES, INC. AND C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located on the east side of US 27, south of The Sunpure Plant, and legally described as follows: Approximately 75.03 acres located in Sec. 4, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Industrial) and (High Density Residential).

52B) HEARING #1746 - CREWS GROVES, INC. AND C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located on the east side of US 27, south of The Sunpure Plant, and legally described as follows: Approximately 75.03 acres located in Sec. 4, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to I-2 (Industrial district) and R-3 (Multiple Dwelling district). Applicant desires an industrial development and high density residential.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with P&Z's recommendation and conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-298LS, amending the FLUM from (Agriculture) to (Industrial) and adopt by Resolution P&Z Case #1746*, a zoning change from AU (Agricultural) to I-2 (Industrial district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-298LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 132.

~~**54A) HEARING #CPA-04-300LS - ROBERT C. CREWS, II AND C. ELTON CREWS FAMILY PARTNERSHIP, LLLP - C/O JACK P. BRANDON**~~

~~Subject property is located on both side of SR 17 between Lake Angelo and The Avon Park City Limits, and legally described as follows: Approximately 175.51 acres located in Secs. 24 and 25, Twp. 33S, Rge. 28E, Highlands County, Florida.~~

~~Request: A large scale plan amendment from (Agriculture) and (Low Density Residential) to (Medium Density Residential).~~

~~**54B) HEARING #1748 - ROBERT C. CREWS, II AND C. ELTON CREWS FAMILY PARTNERSHIP, LLLP - C/O JACK P. BRANDON**~~

~~Subject property is located on both side of SR 17 between Lake Angelo and The Avon Park City Limits, and legally described as follows: Approximately 175.51 acres located in Secs. 24 and 25, Twp. 33S, Rge. 28E, Highlands County, Florida.~~

~~Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings.~~

This item has been withdrawn.

55A) HEARING #CPA-04-301LS - C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located between the south shore of Lake Viola and The Avon Park City Limits, and legally described as follows: Approximately 75.02 acres located in Secs. 14 and 15, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).

55B) HEARING #1749 -C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located between the south shore of Lake Viola and The Avon Park City Limits, and legally described as follows: Approximately 75.02 acres located in Secs. 14 and 15, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings.

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, in accordance with P&Z's recommendation and conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-301LS, amending the FLUM from (Agriculture) to (Medium Density Residential) and adopt by Resolution P&Z Case # 1749,* a zoning change from AU (Agricultural) to R-1A (Residential district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-301LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried.. See Res. Book 17 Page 133.

~~**57A) HEARING #CPA-04-303LS - ROBERT C. CREWS, II - C/O JACK P. BRANDON**~~

~~Subject property is located on the north side of Albritton Rd, between CR 17A and Lake Viola, and legally described as follows: Approximately 19.69 acres located in Sec. 14, Twp. 33S, Rge. 28E, Highlands County, Florida.~~

~~Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).~~

~~**57B) HEARING #1751 - ROBERT C. CREWS, II - C/O JACK P. BRANDON**~~

~~Subject property is located on the north side of Albritton Rd, between CR 17A and Lake Viola, and~~

~~legally described as follows: Approximately 19.69 acres located in Sec. 14, Twp. 33S, Rge. 28E, Highlands County, Florida.~~

~~Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings~~.

This item has been withdrawn.

58A) HEARING #CPA-04-304LS - ROBERT C. CREWS, II AND CHRISTY F. CREWS

Subject property is located on The Polk County Line west of Lake Adelaide, and north of The Avon Park Lakes Subdivision, and legally described as follows: Approximately 59.31 acres located in Sec. 5, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential).

58B) HEARING #1752 - ROBERT C. CREWS, II AND CHRISTY F. CREWS

Subject property is located on The Polk County Line west of Lake Adelaide, and north of The Avon Park Lakes Subdivision, and legally described as follows: Approximately 59.31 acres located in Sec. 5, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with P&Z's recommendation and conditions, move to *approve for transmittal to the State of Florida Department of Community Affairs (FDCA) for their compliance determination, Comprehensive Plan Amendment CPA-04-304LS, amending the FLUM from (Agriculture) to (Medium Density Residential) and adopt by Resolution P&Z Case # 1752*, a zoning change from AU (Agricultural) to R-1A (Residential district), including the Mandatory Findings in the staff report, and contingent upon plan amendment (CPA-04-304LS) becoming effective as provided by law, and amending condition #1 to read: Central potable water and sanitary sewer systems are required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. All dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 134.

~~**59A) HEARING #CPA-04-305LS - LETTA - BONNET GROVES, INC. AND DAVIS ENTERPRISES, INC. - C/O JACK P. BRANDON**~~

~~Subject property is on the south side of the Avon Park Airport, and legally described as follows: Approximately 215.25 acres located in Sec.28, Twp. 33S, Rge. 28E, Highlands County, Florida.~~

~~Request: A large scale plan amendment from (Agriculture) to (Industrial).~~

~~**59B) HEARING #1753 - LETTA - BONNET GROVES, INC. AND DAVIS ENTERPRISES, INC. - C/O JACK P. BRANDON**~~

~~Subject property is on the south side of the Avon Park Airport, and legally described as follows: Approximately 215.25 acres located in Sec.28, Twp. 33S, Rge. 28E, Highlands County, Florida.~~

~~Request: A zoning change from AU (Agricultural) and I-2 CU (Industrial district with a Conditional Use district)~~

~~to I-2 (Industrial district). Applicant desires to operate an industrial park~~.
This hearing has been postponed.

13. ACTION (cont'd)

A. Board Attorney

No report.

B. County Administrator: Discussion of recommendation from RPAC concerning the Blackman property

County Administrator, Carl Cool, reported that RPAC is requesting the Board to reschedule the public hearing to discuss the purchase of the Blackman property. He suggested scheduling the public hearing for September 7, 2004. Motion by Commissioner Bullard, seconded by Commissioner Stokes, approve to set the public hearing to consider the acquisition of the Blackman property for September 7, 2004, at 9:00 AM or as soon thereafter as possible. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 45.

14. COMMISSIONERS

Commissioner Bullard thanked P&Z and Staff for all of their hard work on all of these hearings, and requested to send a letter from the Chairman thanking them for their hard work.

The regular meeting adjourned at 4:47 P.M.

The meeting reconvened at 9:00 A.M., Wednesday, July 28, 2004, with an invocation led by Commissioner Edgar Stokes, and the Pledge of Allegiance led by Chairman David Flowers.

12. PUBLIC HEARING: Public Hearing for Highlands 04-1 & consistency amendments

60A) <u>HEARING #CPA-04-229LS - SOUTH FLORIDA WATER MANAGEMENT DISTRICT - JEFF MCLEMORE - COUNTY INITIATED</u>

Approximately 37.36 acres located in Sec. 2, Twp. 36S, Rge 32E, Highlands County, Florida, being more particularly described as comprising the old EEEE Fish Camp located on the north side of U.S. Highway 98, approximately 2.5 miles east of its intersection with C.R. 721 (Nine-Mile Grade) and one mile east of Cornwell.

Request: A large scale plan amendment from Existing Designation to Conservation/Management.

60) <u>HEARING #1603 - SOUTH FLORIDA WATER MANAGEMENT DISTRICT - JEFF MCLEMORE - COUNTY INITIATED</u> - Approximately 37.36 acres located in Sec. 2, Twp. 36S, Rge 32E, Highlands County, Florida, being more particularly described as comprising the old EEEE Fish Camp located on the north side of U.S. Highway 98, approximately 2.5 miles east of its intersection with C.R. 721 (Nine-Mile Grade) and one mile east of Cornwell.

Request: A re-zone from Campground (CG-1) and Mobile Home Park (M-2) to Conservation/Management (CM).
Development Services Director, Jim Polatty, presented the request, stating that acreage has been changed to 37.51 acres. Motion by Commissioner Jackson, seconded by Commissioner Maxcy, move to recommend *approval and adopt by Resolution P&Z Case #1603* changing the Zoning Atlas for 46.1 acres from CG-1 (Campground district)

& M-2 (Mobile Home Parks district) to CM (Conservation/Management Lands district), and approve for transmitting CPA-04-229LS to the Florida Department of Community Affairs (FDCA) for their compliance determination, changing the Future Land Use Map for 46.1 acres from Existing Designation to Conservation/Management Lands, after referencing the mandatory findings, and upon the large scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 135.

61) <u>CPA-04-240LS AND P&Z 1677 - DISTRICT No. 3. - COUNTY INITIATED LAND USE CHANGES (AS PART OF THE COUNTY INITIATED COMPREHENSIVE PLAN AND ZONING CONSISTENCY CHANGES)</u>

DISTRICT No. 3. Various parcels within the unincorporated areas of the County between the Cities of Avon Park and Sebring, as legally described in Resolution, which is Attachment # 59, or in the attached property owner list, which is contained in Agenda Notebook

Request**:** A large scale plan amendment changing either the FLUM or the Zoning Atlas or both to bring the land use and the implementing zoning into consistency.

Development Services Director, Jim Polatty, presented the request, adding that there is no resolution to be adopted today, just transmittal only. Motion by Commissioner Bullard, seconded by Commissioner Jackson, move to recommend *approval and adopt by Resolution P&Z Case #1677* amending the Zoning Atlas for the following areas and their respective cited properties, 65, 103 and the two SNL areas, and approve CPA-04-240LS, for areas 65, 103, 104, 106, 117, 126, 134, 136 and the two listed SNL areas and their respective cited properties, referencing the mandatory findings of fact, and transmit to the Florida Department of Community Affairs for their compliance review, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 136.

62) <u>CPA-04-244LS AND P&Z 1688 - DISTRICT No. 5 - COUNTY INITIATED LAND USE CHANGES (AS PART OF THE COUNTY INITIATED COMPREHENSIVE PLAN AND ZONING CONSISTENCY CHANGES)</u>

DISTRICT No. 5... Various parcels within the unincorporated areas of the County, primarily within the immediate areas of Lakes Letta, Bonnet, Little Red Water, Sebring and vicinity, as legally described in Resolution, which is Attachment # 60, or in the attached property owner list, which is contained in Agenda Notebook.

Request: A large scale plan amendment changing either the FLUM or the Zoning Atlas or both to bring the land use and the implementing zoning into consistency.

Development Services Director, Jim Polatty, presented the request, adding that Areas 143, 149, 252, 259, and 246 have been pulled. A letter was entered into the record from Kip Doty, property owner in Area 246, requesting that his property be removed from the list of properties being re-zoned. Commissioner Bullard suggested bringing Mr. Doty's property back as part of a county initiated change at a later date, and allow him to keep his R-3 zoning. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, move to recommend *approval and adopt by Resolution P&Z Case #1688*, amending the Zoning Atlas for areas 244, 251, 256 and 262, and their respective cited properties; and approve CPA-04-244LS, amending the Future Land Use Map for areas 139, 142, 144, 145, 147, 150, 151, 240, 241, 243, 244, 245, 251, 253, 254, 256, 257, 260, 262, 263, 273 and 274, referencing the mandatory findings, and transmit to the Florida Department of Community Affairs for their compliance review with state law, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

See Res. Book 17 Page 137.

63) CPA-04-245LS AND P&Z 1689 - DISTRICT No. 6 - COUNTY INITIATED LAND USE CHANGES (AS PART OF THE COUNTY INITIATED COMPREHENSIVE PLAN AND ZONING CONSISTENCY CHANGES)

DISTRICT No. 6... Various parcels within the unincorporated areas of the County primarily within West Sebring and vicinity, south of Schumacher Road, as legally described in Resolution, which is Attachment # 61, or in the attached property owner list, which is contained in Agenda Notebook.

Request: A large scale plan amendment changing either the FLUM or the Zoning Atlas or both to bring the land use and the implementing zoning into consistency.

Development Services Director, Jim Polatty, presented the request, adding that Area 181 has been pulled.

Motion by Commissioner Maxcy, seconded by Commissioner Jackson, move to recommend *approval and adopt by Resolution P&Z Case #1689*, amending the Zoning Atlas for areas 68, 70, 165, 165A, and165B, and their respective cited properties; and approve CPA-04-245LS, amending the Future Land Use Map for areas 68, 69, 70, 71, 72, 75, 165, 165A, 165B, and 169, referencing the mandatory findings, and transmit to the Florida Department of Community Affairs for their compliance review with state law, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 138.

64) CPA-04-248LS AND P&Z 1695 - DISTRICT No. 7 - COUNTY INITIATED LAND USE CHANGES (AS PART OF THE COUNTY INITIATED COMPREHENSIVE PLAN AND ZONING CONSISTENCY CHANGES)

DISTRICT No. 7... Various parcels within the unincorporated areas of the County primarily within the Sun 'N Lakes estates of Lake Placid and vicinity, as legally described in Resolution, or in the attached property owner list, which is contained in Agenda Notebook.

Request: A large scale plan amendment changing either the FLUM or the Zoning Atlas or both to bring the land use and the implementing zoning into consistency.

Development Services Director, Jim Polatty, presented the request, adding that Areas 743B, 756, and 760 are bring pulled from the re-zoning, and Areas 743A, 754, and 756 are bring pulled from the comp plan. Motion by Commissioner Stokes, seconded by Commissioner Jackson, move to recommend *approval and adopt by Resolution P&Z Case #1695*, amending the Zoning Atlas for areas 744, 754, 767, 769A, and 772, and their respective cited properties; and approve CPA-04-248LS, amending the Future Land Use Map for areas 743B, 747B, 755,759, 761, 762, 766, 767, 769A, 773 and 774, referencing the mandatory findings, and transmit to the Florida Department of Community Affairs for their compliance review with state law, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 139.

~~**65A) HEARING # CPA-04-307LS-A, COUNTY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS**~~

~~Amending FLU Policy 1.3: LAND USE CATEGORIES, DENSITIES AND INTENSITIES, by adding a new land use category to the Future Land Use Element pertaining to an Urban Reserve (UR)~~ (***This amendment is being continued to the September 14th hearing.)***

~~**65B) HEARING # CPA-04-307LS-B, COUNTY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT**~~

~~Amending FLU Policy 1.3: LAND USE CATEGORIES, DENSITIES AND INTENSITIES, pertaining~~

~~to Accessory Uses within selected land use categories.~~ (***This amendment is being continued to the September 14th hearing.)***

~~**65C) HEARING # CPA-04-307LS-C, COUNTY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT**~~

~~Amending FLU Policy 1.3.E.7: COMMERCIAL, providing for commercial residential facilities ranging from permanent full time, transient and time share, including assisted living facilities.~~ (***This amendment is being continued to the September 14th hearing.)***

15. ADJOURN

The meeting adjourned at 9:42 A.M. (Wednesday)

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD AUGUST 3, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Charles Krueger of VFW Post 38 in Lake Placid.

3. Call for "Citizens not on the Agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending August 3, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended July 30, 2004 and a Monthly Report of Business Services for July* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 46.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool.

5. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as amended, removing budget amendment # 03-04-275 from Item 5-I. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits August 3, 2004

General	**622,140.38**
County Transportation Trust	**28,660.86**
E911 Operations Fund	**.48.25**
Local Govt Infra Surtax	**29,812.33**
Affordable Housing	**26,846.06**
HCISSRB Construction Fund	**99,041.76**
Solid Waste	**56,724.78**
Placid Utilities	**2,413.27**

Highway Park Utility 1,423.31
Risk Retention Fund 41
Employee Benefit Fund 3.32

B. Approval of minutes of the July 6, 13, and 20, 2004 board meeting minutes
C. Request approval & execution of Florida Department of Environmental Protection 2004-2005 Small County Solid Waste Grant Agreement, Grant No. SC516. See Grant file.
D. Request approval of Satisfaction of Mortgage for Marilyn Massaline. See Satisfaction file.
E. Request approval of Rural Economic Development Initiative (REDI) County Resolution for Project #04-00269. See Res. Book 17 Page 140.
F. Request approval of the Avon Park Library Construction Grant Agreement & Resolution & Budget Amendment 03-04-274. See file and Res. Book 17 Page 141.
G. Request approval of contract with Brock Excavation, Inc. for construction of the Huntley Drive South/Huntley Court Water main Expansion Project, Project # 02118. See file for copy.
H. Request approval of Budget Amendments 03-04-277 & 03-04-282
I. Request approval of Resolutions & Budget Amendments #~~03-04-275~~ & 03-04-281. See Res. Book 17 Page 142.

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Residents of Cleveland Road: Request approval to replace the current county sidewalks on the following Sebring Shores roads: Cleveland, Gardenview, and Lake Sebring Drive

County Administrator, Carl Cool, reported on a petition that was received from the residents of Sebring Shores, requesting that the sidewalks on the county maintained portions of Cleveland Road, Gardenview Road, and Lake Sebring Drive be replaced. Road & Bridge has submitted a proposal for taking out the old sidewalks and replacing them with sod. Road & Bridge Superintendent, Bruce VanJaarsveld, gave a brief presentation, showing pictures of the sidewalks in the area. The Chair opened the floor to the public. Deanne Gough and Marsha Bush spoke in support of replacing the sidewalks. Commissioner Flowers suggested the possibility of financing the project with the residents to pay for the materials, and the County would supply the labor. He instructed Staff to do more research on the project, and come up with a cost breakdown for what it would cost the residents, and to meet with area residents to determine the amount of interest in the project financing. See SMB 46 Page 47.

B. Howard W. Kuhn: Discussion of his concerns about Lake Istokpoga levels and county spraying procedures.

Howard Kuhn expressed his concerns about the low levels of Lake Istokpoga and the effects that aquatic weed spraying has on the lake.

C. George Puffenburger and Lisa Burley-McGeHee, Sun 'n Lake of Sebring Improvement

District: Request for two representatives on the Recreation and Parks Advisory Committee (RPAC)

George Puffenburger stated that this item was to be pulled from the agenda, and indicated that Sun'n Lake is still interested in being considered in the future for representation on RPAC. He informed the Board that Sun'n Lake also has no further input on the county softball field, and would support the County moving forward with RPAC's request to purchase the Blackman property. See SMB 46 Page 48.

D. Parks & Recreation Director: Request approval of netting at Max Long Complex & approval of Budget Amendment 03-04-279

Parks & Recreation Director, Vicki Pontius, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the recommendation from RPAC for safety netting at the Max Long Complex. Upon roll call, all Commissioners voted aye. Motion carried.

E. General Services Director: Request approval of Sun 'n Lake of Sebring's application/ letter for conveyance of county owned property located at 4918 Myrtle Beach Drive based on Section 125.38, Florida Statutes

General Services Director, Jed Secory, presented the request. Board Attorney, Ross Macbeth, suggested that the Board reject all of the bids at this time, and keep the lot in the County inventory. He also commented on the letter from the attorney representing Sun State Homes Inc, who had the highest bid on the lot. John McClure, representing the Sun'n Lake Improvement District, stated that the lot is essential for District operations, and would be used for drainage and access for maintenance vehicles. He requested that the Board reject all of the bids, and work with the District for a possible solution. Shay Kern, owner of Sun State Homes Inc., spoke in support of the Board honoring the highest bid. Motion by Commissioner Stokes, seconded by Commissioner Jackson to reject all bids for the property at this time, and keep the lot in the County inventory. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

F. County Engineer: Consideration of ranking of applications for the Florida Department of Transportation (FDOT) Equity Act for the 21st Century (TEA-21) Program

County Administrator, Carl Cool, presented the list of proposed projects for consideration of ranking. He pointed out that landscape improvement only projects are no longer eligible for funding through this program. The following were in attendance to present their projects: Marie Sutherland from the City of Avon Park, Pete Pollard for the City of Sebring, Bert Harris for the Town of Lake Placid, and Lisa Burley for Sun'n Lake of Sebring Improvement District. Commissioner Maxcy stated that a rotation has been followed in the past between the three municipalities. Commissioner Bullard expressed concerns about adding Sun'n Lakes into the rotation this year, and suggested that they consider Sun'n Lakes as a county request. Commissioner Jackson stated the ranking should be based on the greatest need in the County. Carl Cool stated that FDOT will not contract directly with Sun'n Lakes, and if ranked number one, FDOT will contract with the County to fund the Sun'n Lakes project.

Commissioner Bullard made a motion to rank the applications in the following order: (1) Pendarvis Road Bike Path; (2) Sun'n Lakes Pedestrian Safety Linkages; (3) Washington Heights Pedestrian and Bicycle Paths; (4) Southside Street Project; and (5) Repaving of AMTRAK Station Parking Lot. Commissioner Stokes seconded the motion. The Chair opened the floor to the public. William Jackson, Larry Stange, Ray Napper, Joe Eck, and

Mick Grosh spoke in support of Sun'n Lake of Sebring. Robert Saffold and Thomas Bond spoke in support of Washington Heights. Ray Royce and Debra Worley spoke in support of Lake Placid. Upon roll call, Commissioners Bullard and Stokes voted aye, Commissioners Maxcy, Jackson, and Flowers voted nay. Motion failed. Parks and Recreation Director, Vicki Pontius expressed concerns about future maintenance and liability issues that the County will have to face.

Commissioner Bullard made a motion to rank the applications in the following order for submittal to FDOT. Commissioner Stokes seconded the motion.

Priority	Project Name	Project Sponsor	Local Funding Amount	Total Project Cost
1	Pedestrian Safety Linkages To Schools, Beautification And Enhancement	Sun'n Lake of Sebring Improvement District	-0-	$428,440.00
2	Pendarvis Road Bike Path	Town of Lake Placid	-0-	$300,000.00
3	Washington Heights Pedestrian and Bicycle Paths	City of Sebring	-0-	$220,000.00
4	Southside Street Project	City of Avon Park	-0-	$300,000.00
5	Repaving of AMTRAK Station Parking Lot	City of Sebring	-0-	$ 65,000.00

Upon roll call, all Commissioners voted aye. Motion carried. See FDOT file for copy.

G. Board Attorney

No report.

H. County Administrator:

1. Request approval of budget amendment #03-04-258 decreasing fund 401 Reserve for Contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval of budget amendment #03-04-276 decreasing Clerk's fund 005 Reserve for Contingency

Carl Cool presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

3. Request approval of budget amendment #03-04-273

Carl Cool presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

4. Resolution & budget amendment #03-04-284 decreasing fund 005 Reserve for Contingency (BCC), as well as acceptance of the Local Law Enforcement Block

Grant award, authorizing matching funds and delegating Colonel Bill Jones as the signing authority for this grant

Carl Cool presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the resolution and budget amendment as presented, and accepting the Local Law Enforcement Block Grant award, authorizing matching funds, and delegating Colonel Bill Jones as the signing authority for the grant. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 143.

7. CITIZENS NOT ON AGENDA

Ray Napper commented on the replacement of sidewalks in the Sebring Shores area.

8. COMMISSIONERS

Commissioner Maxcy reported on news from the OMB department that ad-valorem tax revenues and solid waste assessments are exceeding the budget.

9. ADJOURN

The meeting adjourned at 11:51 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD AUGUST 10, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending August 10, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended August 6, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 49.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Chairman Flowers announced that tomorrow, August 11th, is the 11th anniversary of the Community Traffic Safety Team.

4. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits August 10, 2004

General	**206,484.81**
County Transportation Trust	**40,459.54**
E911 Operations Fund	**.15,288.52**
Legal Aid	**2,975.04**
Local Govt Infra Surtax	**29,784.31**
Affordable Housing	**10,270.90**
Fire Inspection	**1,035.25**
HCISSRB Construction Fund	**261.26**
Solid Waste	**88,822.14**
Placid Utilities	**966.18**

Highway Park Utility 137.64
Highlands Hosp Pass Thru 8,724.50
Risk Retention Fund 4.53
Employee Benefit Fund 13.59

B. Request approval of transfer or sale of several Tax Certificates for Wilton Ventures, Inc., The Hayden Company, James Nielander, and George McKee per attached lists. See SMB 46 Page 50.

C. Request approval of Prairie Oaks Community Association Roadways Maintenance Agreement. See subdivision file for copy.

D. Request approval of Satisfaction of Mortgages after completing ten-year term per attached list. See Satisfaction file.

E. Request approval of a Satisfaction of Mortgage for Brian S. & Janet L. Wheaton. See Satisfaction file.

F. Request approval of a Satisfaction of Mortgage for Angela Padgett. See Satisfaction file.

G. Request approval of a Satisfaction of Mortgage for Jason Bennett. See Satisfaction file.

H. Request approval of a Satisfaction of Mortgage for Leslie & Kelly Carter. See Satisfaction file.

I. Request approval of an application for Group Life Insurance & Accidental Death and Dismemberment

J. Request approval of the 2005 holiday schedule, observing the same holidays as the Tenth Judicial Court. See SMB 46 Page 51.

K. Request approval of Budget Amendments 03-04-287 & 288

L. Request approval of Resolution & Budget Amendment 03-04-289. See Res. Book 17 Page 144.

M. Request approval of Resolution & Budget Amendment 03-04-296. See Res. Book 17 Page 145.

N. Request approval of Budget Amendment 03-04-278

5. WORKSHOP: Workshop on the status of the Heartland Water Alliance Water Supply Plan

County Administrator, Carl Cool, gave a brief history of the Heartland Water Alliance. Jeff Spence, Environmental Affairs Officer for the Polk County Board of County Commissioners, gave background information on the Water Supply Plan. Steve Elias, Envisors Project Manager for the Heartland Water Alliance Water Supply Plan, gave a powerpoint presentation, updating the Board on the status of the plan, through Phase I. He pointed out the objectives of the plan, and reviewed a hydrologic water balance that was prepared for the four county area. Commissioner Bullard thanked the presenters for conducting the study and the work that is being done, but expressed the need for more aggressive funding and more technical assistance for these projects from the water management districts. Carl Cool suggested doing a study on the acquifer outflow for Highlands County only. He also reported on a phone conversation he had with Chris Flack from the Governors' office in regards to a letter he sent to the Governor. The letter asked the Governor for a response, that if the voters of Highlands County were to vote in favor of being in one water management district, would it alleviate his concerns or the reason for his veto of the bill. Mr. Flack advised that it would alleviate one of several concerns that the Governor had. Mr. Cool presented a draft of suggested language for the referendum ballot question, adding that the

Supervisor of Elections would need to have a firm decision by August 31st in order to get it on the November ballot. The Board gave a consensus to move forward with the referendum ballot question, and bring it back before the Board for a final decision. Refer to tape for further details.

6. COMMISSIONERS

Commissioner Bullard commended Fire Services and County Staff for their response to the fire in Lake Placid last week.

7. ADJOURN

The meeting adjourned at 11:01 A.M.

_____
Chairperson

Attest: _____
Clerk

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EMERGENCY MEETING OF THE BOARD, AUGUST 12, 2004

1. The meeting was called to order at 8:30 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Chairman Flowers, followed by the Pledge of Allegiance.

3. Approval of Resolution proclaiming a local emergency

Chairperson Flowers stated that this emergency meeting was called to consider adopting a Resolution, proclaiming a local emergency due to the Hurricane Charley event. County Administrator, Carl Cool, stated that this meeting has been publicly noticed. Chairman Flowers read the resolution into the record, declaring a state of local emergency and requesting all available assistance for Highlands County. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to adopt the resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 146.

Chairman Flowers advised that there will be a briefing with constitutional officers at 11:15 A.M., and an emergency management meeting this afternoon at 12:00 P.M. to update County Staff and coordinate emergency personnel and actions. Emergency Management Director, Bill Nichols, gave a brief update on Hurricane Charley and it's projected path.

Cool Carl stated at this time County offices are planning to be open on Friday. He requested the Board give authorization to the County Administrator or County Staff to make the decision whether to leave the offices open tomorrow, or close them should the weather start to deteriorate. The Board gave a consensus to allow the County Administrator to make the decision.

4. Other Business

5. Adjourn

The meeting adjourned at 8:39 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD AUGUST 17, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. Call for "Citizens not on the Agenda" forms to be turned in

4. ANNOUNCEMENTS

Chairman Flowers commended County Staff for the way that they have handled this emergency situation, and for running a very well organized Emergency Operations Center.

A. Sheriff

Sgt. Paula Weeks presented the daily jail log of inmate count for the period ending August 17, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended August 13, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 52. He also reported that the Clerk's office is closed to the public for most of this week, and some staff have been working since Saturday, maintaining computer services and doing payroll for some of the constitutional officers.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings and cancellations were announced for the benefit of the public.

Jerry Miller with Progress Energy, along with Lynette Vermillion and Gail Simpson, gave a brief update of the work that is being done to restore power to the County. Chairman Flowers expressed his appreciation for the work that Progress Energy and all of the other power companies are doing to restore power. He also announced that water and ice is available at the National Guard Armory in Avon Park.

County Administrator, Carl Cool, gave a report on the progress that is being made to restore phone service in the County, and the progress that the Road & Bridge department is making in clearing the roadways. Information was also given on the following:

County garbage trucks will being picking up yard trash on Wednesday, August 18th
No fatalities or injuries were reported in Highlands County due to the storm
All three area hospitals have power restored
Some grocery stores and gas stations have power restored
Some banks are open for business

Chairman Flowers stated that the Supervisor of Elections for Hardee County passed away yesterday. The Public Information Office has been providing updates on the local radio station on the even hours from 10 AM till 10PM since the storm. Carl Cool stated that the curfew from 9 PM to 7 AM is still in effect. There will be no courts today, and the County Landfill will be open from 7 AM to 7 PM, and dump fees will be waived for debris from the storm. Commissioner Stokes commended WWOJ 99.1 and the Public Information Office for their continuous coverage in keeping the County informed.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve agenda as listed Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits August 17 2004

General	**584,042.28**
County Transportation Trust	**9,380.38**
E911 Operations Fund	**.18.18**
Local Govt Infra Surtax	**34,027.21**
Government Center	**4,770.00**
HCISSRB Construction Fund	**45,371.86**
Solid Waste	**11,927.82**
Placid Utilities	**218.19**
Highway Park Utility	**621.40**

B. Approval of minutes of the July 27, 2004 board meeting minutes

C. Request approval of transfer or sale of Tax Certificates per attached list for Heartland Investments, LLC. See SMB 46 Page 53.

D. Request approval of transfer or sale of a Tax Certificate for Willie James or Retha Jackson. See SMB 46 Page 54.

E. Request approval of transfer or sale of a Tax Certificate for Clinton E. Howerton, Jr. See SMB 46 Page 55.

F. Request adoption of the Hazardous Analysis Grant. See Grant file.

G. Request approval of a Notice of Nuisance on CE 04070035, 13027 US Highway 98, Sebring. See Subdivision file.

H. Request approval recording instruments when signed accepting Markland Lane ingress and egress easements for recording and Budget Amendment from Transportation Trust Fund 110 Contingency not to exceed $1,000

I. Accept into the record the Annual Report for the Highlands County SHIP Program. See Housing file.

J. Request approval of Chastain-Skillman, Inc. Addendum No. 2 to CSA No. 76. See file for copy.

K. Request write-off of an EMS bill. See SMB 46 Page 56.

L. Request approval of State Aid to Libraries Application Approval & Agreement. See Library file.

M. Request approval of Satisfaction of Mortgage for Keri Skiba. See Satisfaction file.

N. Request approval of Resolutions and Budget Amendments 03-04-275; 299; 303 & 305. See Res. Book 17 Page 147.

O. Request approval of Budget Amendments 03-04-290; 297; 300; 302 and 308

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. County Engineer

1. Request approval of CR 17 drainage improvements

County Engineer, Ramon Gavarette, presented the request, adding that the stormwater runoff has been a problem since FDOT replaced the CR 17 bridge about 3 years ago. Staff is recommending approval of Option #3, including a budget amendment, transferring the funds from Contingency to fund the project. Mr. Clark Edwards spoke in support of the request, but questioned the type of easement that would be put in place on his property. Mr. Gavarette stated that it would be limited drainage easement for maintenance rights only. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the recommendation by Staff for the construction of storm drains and the reconstruction of driveways as described in Option #3 in the amount of $56,000, including a budget amendment from Fund 151 Contingency. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval of 2004 Candidates for the Florida Department of Transportation (FDOT) 2009/2010 Work Program

County Engineer, Ramon Gavarette, presented the list of candidates for approval. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the 2004 Candidates for the FDOT 2009/2010 Work Program. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

Mr. Clark Edwards stated that he has a 15,000 watt generator that he would be willing to loan to any family that is in need of one. He offered his phone number for contact, adding that he will deliver and hook it up for them.

B. Board Attorney

No report.

C. County Administrator

1. Request approval to adopt a Resolution on the Sebring Lakes Acres Subdivision

County Administrator, Carl Cool, presented the Resolution for adoption, which acknowledges the rights-of-ways in Sebring Lakes Acres as public, non-maintained roads. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to adopt the Resolution for Sebring Lakes Acres Subdivision, and approve the recording of the Resolution in the Official Record Books of Highlands County, Florida. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 148.

2. Request approval of Budget Amendment 03-04-311 decreasing fund 005 Reserve for Contingency

Carl Cool presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

3. Request approval of Budget Amendment 03-04-291 decreasing fund 401 Reserve, and reallocating funds to purchase a new or used Horizontal Baler and make necessary renovations to the Materials Recovery Facility

Carl Cool presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the budget amendment and request as presented. Upon roll call, all Commissioners voted aye. Motion carried.

4. Budget Amendment 03-04-292 decreasing fund 005 Reserve; and Budget Amendment 03-04-301 decreasing fund 110 Reserve

Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the budget amendments as presented. Upon roll call, all Commissioners voted aye. Motion carried.

5. Request approval of change to the Assistant County Administrator's job description

County Administrator, Carl Cool, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the proposed revision to the job description of the Assistant County Administrator. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 57.

6. Request approval of Resolution extending Local State of Emergency

Carl Cool presented the request and read the Resolution into the record. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve the resolution as read. Mr. Cool stated that County Staff and the local law enforcement agencies are recommending that the Countywide Curfew from 9 PM till 7 AM of each day remain in effect. Board Attorney, Ross Macbeth, stated that he will add the curfew to the Resolution. Commissioners Jackson and Stokes accepted the revision to the motion. Sgt. Paula Weeks, representing the Sheriff's Office, stated that law enforcement will patrol mainly the non-lit residential areas for curfew violators. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 149.

7. Request to authorize amendment to Community Development Block Grant (CDBG)

Carl Cool presented a request from Staff, requesting the Board to authorize an amendment of the CDBG for Housing Assistance to accept Emergency Management funds in for disaster relief. This will provide funding to help people that need money to fix their houses that were damaged by the storm. Development Services Director, Jim Polatty, presented a letter, to be signed by the Chairman, to send to the Governor, requesting the funds. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to authorize the acceptance of the funds. Upon roll call, all Commissioners voted aye. Motion carried.

7. CITIZENS NOT ON AGENDA

Linda Blackwell expressed the need to find a way to reach the residents in the remote areas of Highlands County during an emergency. Chairman Flowers urged her to work with the Public Information Office to find a way to communicate with the public of Highlands County.

Ray Napper commended all of the newspapers, the local radio station, and County Staff for keeping Highlands County informed during and after the hurricane.

Gabriel Reed commented on the number of power companies from around Florida and other states that have come to Highlands and Hardee Counties to help restore power.

8. COMMISSIONERS

No reports.

9. ADJOURN

The meeting adjourned at 10:20 A.M.

_____
Chairperson

Attest: _____
Clerk

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EMERGENCY MEETING OF THE BOARD, AUGUST 19, 2004

1. The meeting was called to order at 9:30 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Chairman Flowers, followed by the Pledge of Allegiance.

3. Request approval to send relief to Hardee and Desoto Counties using Highlands County crews

County Administrator, Carl Cool, presented a request, asking for the Board to authorize the County Administrator to send County Staff and equipment, when available, to help Hardee, Desoto, and Charlotte Counties. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

Jerry Miller, representing Progress Energy, stated there are still approximately 1,600 homes still without power. He stated that all of the feeder lines in Highlands County are repaired, and crews are now working in residential areas and in backyards. He encouraged residents to call in power outages, but added that some outages could be due to damage to homes on the customer end of the line. Residents should have a licensed electrician assess and fix the damage if possible, then contact the power company to have the home re-energized.

4. Request approval to modify the curfew addressed in the Resolution proclaiming a local emergency

Chairman Flowers stated at the Emergency briefings held yesterday and this morning, law enforcement officials decided that the current curfew of 9 PM till 6 AM could be modified to Midnight to 6 AM until power is back on line or the Sheriff feels comfortable lifting the curfew. Commissioner Maxcy questioned if a curfew was still needed. Carl Cool stated the current curfew is hurting some businesses, and power is still not stable in parts of the county. Board Attorney, Ross Macbeth, added that communications are still not back in full service either. Chairman Flowers read the resolution, modifying the curfew, into the record. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to adopt the Resolution modifying the curfew as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 150.

5. Other Business

Louise England, Executive Director of the Economic Development Commission (EDC), gave information on loan assistance programs available from the SBA and the State.

Lee Champaign, Federal Coordinating Officer for FEMA, stated that FEMA is available to provide assistance to Highlands County. A Disaster Resource Center is being set up today at the Agri-Civic Center to provide assistance to individuals and businesses. He advised how the public to contact FEMA to apply for assistance. Commissioner Maxcy questioned if FEMA would provide assistance for mosquito spraying. Mr. Champaign stated that the County may be eligible for assistance if certain requirements are met.

Chairman Flowers expressed his thanks to all County employees and volunteers for all of the hard work and extra effort that has been put into this emergency situation. Carl Cool reported on a $50,000 donation that was received from the Miccosukee Indian Tribe for disaster relief. Chairman Flowers stated that the Tribe wanted to return the favor after Highlands County provided assistance to them during Hurricane Andrew. Commissioner Bullard suggested channeling the donation to the Children's Services Foundation Emergency Relief Fund, to bring in FEMA and other agencies to the Children's Advocacy Center, and coordinate getting the funds disbursed quickly. Ross Macbeth stated that a budget amendment and resolution would need to be passed in order to direct the funds. Rick Helms, OMB Director, stated that the budget amendment and resolution could be passed today. Motion by Commissioner Bullard, seconded by Commissioner Stokes to adopt the resolution and budget amendment to receive and disburse the donation to the Children's Services Foundation for emergency disaster relief for the victims of Hurricane Charley in Highlands County. Deputy Clerk, Bob Jamison, stated that a check will be issued upon receipt of the budget amendment. Upon roll call, all Commissioners voted aye. Motion carried.

Commissioner Maxcy inquired how long the landfill will be waiving tipping fees for storm debris. Carl Cool stated that the landfill will be open 7 days a week, and fees will be waived for storm related debris only until the clean up is done.

Deputy Clerk, Bob Jamison, reported the Clerk's office was open this morning in the Government Center and the Courthouse, providing full services to the public.

6. Adjourn

The meeting adjourned at 10:20 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD AUGUST 24, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Andrew Jackson. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. ANNOUNCEMENTS

A. Sheriff

Sgt. Jamie Casey presented the daily jail log of inmate count for the period ending August 24, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended August 20, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 58.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings and cancellations were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits August 24 2004

General	**84,196.32**
County Transportation Trust	**5,818.65**
E911 Operations Fund	**.4,682.01**
Local Govt Infra Surtax	**117,698.48**
Community Development Block	**180,887.21**
Affordable Housing	**24,390.00**
HCISSRB Construction Fund	**10.13**
Solid Waste	**11,761.66**
Placid Utilities	**1,641.98**
Highway Park Utility	**132.71**
Employee Benefit Fund	**1,015.00**

5. PUBLIC HEARING: Public Hearing to consider adoption of a Resolution to vacate a twenty (20) foot wide drainage and utility easement, lying ten (10) feet each side of the common lot line between Lots 9 & 10, Block 35, Placid Lakes Section 19, as recorded in Plat Book 9, Page 14 of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 46 Page 59. County Engineer, Ramon Gavarrete, presented the request. Curtis DeYoung spoke on behalf of the petitioner. Motion by Commissioner Jackson, seconded by Commissioner Stokes to adopt the Resolution vacating the drainage and utility easement as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 151.

6. PUBLIC HEARING: Public Hearing to consider adoption of a Resolution to vacate a 5' Utility and Drainage Easement lying between Lots 5 & 6, Replat of Lots 7 through 13, Block 3, Venetian Village Revised, Plat Book 15, Page 114, of the Public Records of Highlands County, Florida and the 5' Utility and Drainage Easements lying between Lots 7, 8, 9, 10, & 11, Block 6, Venetian Village Revised, Plat Book 11, Page 12, of the Public Records of Highlands County, Florida.

Proof of Publication was entered into the record. See SMB 46 Page 60. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to adopt the Resolution vacating the drainage and utility easement as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 152.

7. PUBLIC HEARING: Public Hearing to consider two zoning changes and one small scale plan amendment, are on the Board of County Commissioners' Agenda for August 24, 2004.

Development Services Director, Jim Polatty, presented Proof of Publication for the following hearings. See Proof of Pub. Ord. Book 3 Page 64.

HEARING #1742 - EUSTUS & NOREEN NELSON - C/O RICK WHIDDEN

Subject property is located on the south side of Sun 'N Lake Blvd, between U.S. 27 and Ponce De Leon, and legally described as follows: Approximately 1.0 acres located in Sec. 10, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from B-1 (Neighborhood Business district) to B-2 (Limited Business district). Applicant desires to operate medical related uses.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z are recommending approval of the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, move to approve and adopt by Resolution P&Z 1742 changing the Zoning Atlas for 1.0 acre from B-1 (Neighborhood Business district) to B-2 (Limited Business district), and after referencing the mandatory findings, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 153.

NEW BUSINESS: HEARING # CPA-04-308SS - RAZ PROPERTIES, INC. - C/O ROB REED

An approximate 1.82 acre Parcel on the West side of the entrance to Golf Hammock Subdivision, just South of Bogey Street, and legally described as follows: approximately 1.82 acres located in Sec. 34, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A small scale plan amendment from (Commercial) to (High Density Residential).

HEARING # 1754 - RAZ PROPERTIES, INC. - C/O ROB REED

An approximate 1.82 acre Parcel on the West side of the entrance to Golf Hammock Subdivision, just South of Bogey Street, and legally described as follows: approximately 3.0 acres located in Sec. 34, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from B-2 CU (Limited Business district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) and B-2 (Limited Business district). Applicant desires multiple dwelling units and commercial buildings.

Development Services Director, Jim Polatty, presented the request. Staff and P&Z recommended approval of the request. He added that if the Board approves the re-zone, a site plan will also need to be approved. Cliff Rhoades, representing the petitioner, spoke in support of the request. The Chair opened the floor to the public. Flo Cooper, Thomas Wohl, Harry MacDougall, and Richard Morey spoke in opposition to the request. Commissioner Maxcy commented on the uses that could be put on the property without a conditional use. Commissioner Bullard questioned the layout of the exit and entrance roads within the development. Rob Reed, developer of the property, stated the exits were designed to also allow a bike path to connect to Hammock Road. County Engineer, Ramon Gavarrete, stated that a traffic study will have to be done before the development can be approved. Cliff Rhoades stated the owner is willing to offer deed restrictions on the layout for the B-2 portion of the property, prohibiting any retail uses.

Motion by Commissioner Bullard, seconded by Commissioner Stokes , move to recommend approval and adopt by Resolution P&Z 1754, amending the Zoning Atlas from B-2 CU (Limited Business district with a Conditional Use) to R-3 FUD (Multiple Family Dwelling district with a Flexible Unit Development) for 1.82 acres and to B-2 (Limited Business district) for 1.18 acres, and adopt Ordinance CPA-04-308SS, amending the Future Land Use Map from Commercial to High Density Residential for 1.82 acres and, after referencing the mandatory findings, transmit to the Florida Department of Community Affairs (DCA) for their compliance determination, becoming effective as provided by law, providing that what is being approved must conform to the current site plan as presented, and deed restrictions be drafted and executed, upon approval from the Board Attorney, prohibiting retail sales. Board Attorney, Ross Macbeth, added some additional language to the Resolution and Ordinance, amending the effective dates, and amending the restrictions. Upon roll call, all Commissioners voted aye, except Commissioner Flowers who voted nay. Motion carried. See Res. Book 17 Page 154.

Chairman Flowers introduced Congressman Mark Foley who was present at the meeting. Congressman Foley commended the residents of Highlands County for working together and helping each other during their time of crisis after Hurricane Charley. He expressed concerns about the lack of a shelter in Lake Placid, and encouraged the Commission to work with the State and any federal resources available to work towards retrofitting the South Florida Community College Lake Placid campus for a shelter.

8. ACTION

Motion by Commissioner Stokes, seconded by Commissioner Jackson to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Board Attorney

No report.

B. County Administrator

1. Approval of Resolution proclaiming a local emergency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the Resolution, proclaiming a local state of emergency for Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 155.

2. Discussion of proposed language for referendum ballot question on the water management district issue

Carl Cool presented the proposed language for the referendum ballot question. Commissioner Bullard expressed concern about some of the language, suggesting some minor changes in the wording. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve the proposed language, with changes as suggested. Chairman Flowers read the proposed language for the public. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 61.

3. Approval of Motions to help obtain grants for assistance for hurricane issues

Carl Cool presented the request to approve the suggested motions in order to help the County obtain grants to address hurricane issues. Board Attorney, Ross Macbeth, suggested some language changes that would require contracts to come back before the Board. Corbett Alday, representing Meridian Services Group, stated they had no problem with the language changes. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 62.

9. COMMISSIONERS

Commissioner Bullard invited the public to attend the Caladium Festival this weekend in Lake Placid, adding that all proceeds from the festival will be used to benefit victims of Hurricane Charley. He also stated that next Tuesday is Election day, and encouraged everyone to vote.

Commissioner Flowers expressed his appreciation for all those who have helped during the aftermath of Hurricane Charley.

10. ADJOURN

The meeting adjourned at 10:39 A.M.

_____
Chairperson

Attest: _____
Clerk

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EMERGENCY MEETING OF THE BOARD, SEPTEMBER 2, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

Andrew Jackson	**Carl Cool**
C Guy Maxcy	**Tom Portz**
Bob Bullard	**Bob Jamison**
Edgar Stokes	**J Ross Macbeth**
	Jodi Giguere

Chairman Flowers was absent from the meeting. Vice Chairman Jackson presided over the meeting.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a silent prayer, followed by the Pledge of Allegiance by Vice Chairman Jackson.

3. Update on Hurricane Frances

County Administrator, Carl Cool, stated this meeting is being called due to Hurricane Frances, and its possible impact on Highlands County. E-911 Coordinator, Ben Henley, gave a brief update on the Hurricane and what Highlands County can expect over the next few days. Emergency Management Director, Bill Nichols, announced that all public schools and the college will be closed on Friday, and listed all of the shelters that will be open. Emergency information will be broadcast on WWOJ FM 99.1, every hour starting today. Mr. Cool stated that signs have been posted throughout the county letting the public know to tune into the radio station for emergency information. Press releases will also be issued to the local newspapers. He recommended that all County offices and the Courthouse be closed tomorrow. Deputy Clerk, Bob Jamison, stated the Clerk is also recommending that the Courthouse be closed tomorrow. The Board reached a consensus to close all County offices and the Courthouse tomorrow. Landfill tipping fees are still waived for storm debris. Sandbags will be available on Sheriff's Tower Road from 10 AM till 4 PM today. Commissioner Maxcy inquired about potential traffic problems should the county lose power for any length of time. Assistant County Administrator, Tom Portz, stated that the Engineering Department and Traffic Operations are currently working with the Sheriff's Office to put up barricades in some intersections immediately after the storm. Sheriff Godwin stated his office will work to keep roadways as safe as possible. Mr. Cool stated the emergency resolution will give the Sheriff the authority to set a curfew in the unincorporated areas of the county.

4. Consideration and request for approval of Resolution proclaiming a local emergency

County Administrator, Carl Cool, read the resolution into the record. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to adopt the resolution proclaiming a local emergency and authorize the Highlands County Sheriff to establish, modify, enforce, and terminate a curfew in the unincorporated areas of Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 158.

5. Other Business

Assistant County Administrator, Tom Portz, announced that there will be a 10 AM briefing for department heads, and an open meeting for the public at 12 PM to announce County activities and preparations.

6. Adjourn

The meeting adjourned at 10:03 A.M.

_____

Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD SEPTEMBER 7, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by OMB Director, Rick Helms. The Pledge of Allegiance was led by Doris Moody of the Veterans Council.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending September 7, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, expressed his appreciation, on behalf of all of the 485 computer users in the county, to the Clerk's Automated Services division, for coming in yesterday and getting all of the County computer systems back up and operational.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional announcements were made for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as amended, with addition of Item 5-O. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits September 7, 2004

General	**526,712.85**
County Transportation Trust	**3,581.39**
E911 Operations Fund	**9.04**
Local Govt Infra Surtax	**637.02**
Comm Development Block	**67,066.80**
Affordable Housing	**3,709.67**
HCISSRB Construction Fund	**1,920.20**
Solid Waste	**41,333.48**

Placid Utilities 4,176.33
Highway Park Utility 1,223.75
Risk Retention Fund 4.52
Employee Benefit Fund 26.01
Highlands Hosp Pass Thru 3,860.67

Payment of bills and employee benefits was authorized on August 31, 2004 in the amount of $2,114,332.54.

A. Approval of minutes of the August 3, 10, 12, 17 and 19, 2004 board meeting minutes
B. Request approval of transfer or sale of several Tax Certificates per attached lists for James Nielander, George McKee, and the Hayden Company. See SMB 46 Page 65.
C. Request approval of transfer or sale of Tax Certificates for Steven R. Gonzalez per attached list. See SMB 46 Page 66.
D. Request approval to waive landfill tipping fees for receipt of City of Sebring street sweepings. See SMB 46 Page 67.
E. Request approval of Satisfaction of Mortgage for John & Cheryl Wirick. See Satisfaction file.
F. Request approval of Satisfaction of Mortgage for Felipe & Carmen Wober. See Satisfaction file.
G. Request approval of Chastain-Skillman, Inc. Addendum 1 to Consultant Services Authorization (CSA) No. 77. See file for copy.
H. Request approval of an Interlocal with the City of Sebring for a netting system at Max Long Field. See file for copy.
I. Request approval of revisions to the Procedures and Policies for road closings, Vacation of Plats and Vacation of Easements. See file for copy.
J. Request approval of a Proclamation of September 9-10, 2004, as "The Grand Inaugural of the Eleventh President of the University of Florida (Dr. J. Bernard Machen)". See Res. Book 17 Page 159.
K. Request approval of the FY 2004-2005 Amendment to the Victims of Crime Act (VOCA) Agreement. See file for copy.
L. Request approval of certification of Non Ad Valorem Assessment Roll for Solid Waste Assessment. See Res. Book 17 Page 160.
M. Request approval of Resolution & Budget Amendment 03-04-320. See Res. Book 17 Page 161.
O. Request approval of Resolution for Health Facilities Authority Revenue Bonds. See Res. Book 17 Page 162.

6. PUBLIC HEARING: Public Hearing to consider approval to purchase the Blackman property in accordance with the presented Agreement and approve the accompanying Budget Amendment and Resolution

Engineering Services Manager, Jennifer Good, presented the Proof of Publication into the record. See SMB 46 Page 68. County Administrator, Carl Cool, gave a powerpoint presentation, showing the location of the property and briefly pointing out the costs associated with the purchase and development of the property. Commissioner Jackson questioned if the costs involved include the cost to reroute Sheriff's Tower Road. Mr. Cool stated that

the cost to reroute Sheriff's Tower Road would come from the Sebring Parkway funds. Commissioner Bullard inquired if Staff will apply for grants to help fund this project. Parks and Recreation Director, Vicki Pontius, stated that they will apply for grant funding to offset some of the costs of the project. The Chair opened the floor to the public.

Public input was received from the following in support of the purchase of the property: John Grille, John Shoop, representing RPAC, Ned Hancock, Robert Saffold, and Gabriel Reed. Deputy Clerk, Bob Jamison, inquired about the time line for development of the project. Mr. Cool stated they are estimating 1 to 1 ½ years to completion. He added that since the purchase price is above the average of the two appraisals, Florida State Statutes require a 4 to 1 vote for approval. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the purchase of the Blackman property, and approve the accompanying budget amendment and resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 163 and file for copy.

7. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. County Administrator

1. Request approval of Budget Amendment 03-04-315, decreasing fund 005 Reserve for Contingency

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

2. Consideration and request for approval of Resolution proclaiming a local emergency

County Administrator, Carl Cool, presented the Resolution for approval. Board Attorney, Ross Macbeth, suggested some minor language changes. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the Resolution as amended, proclaiming a local emergency and authorizing the Highlands County Sheriff to establish, modify, enforce, and terminate a curfew in the unincorporated area of Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 164.

County Engineer, Ramon Gavarrete, showed a short video clip of the weather conditions after the hurricane went through Highlands County, as County Staff was repairing traffic signals. Carl Cool gave a brief summary of the storm and its impact on Highlands County.

Carl Cool presented a request for the Board's consideration to grant salaried employees some additional annual leave hours for compensation for extra hours worked during the recent local emergencies. Commissioner Maxcy questioned the additional cost to the County. Mr. Cool stated there would be no additional dollars for the county, only a loss of production. Commissioner Flowers stated that it would be offset by the increase in production during the emergencies. Commissioner Bullard expressed concern about making a decision on this issue today without further study. Commissioner Flowers suggested Staff do more work on the issue and bring it back before the Board at next week's meeting. Deputy Clerk, Bob Jamison, requested some clarification on the issue for the Payroll department, prior to making a decision.

Commissioner Flowers stated there are other issues he would like discussed at next week's meeting dealing with hurricane preparedness and follow-up issues. Carl Cool invited anyone with comments or concerns about hurricane issues to bring them up at next week's meeting. He also suggested holding a post-event briefing tomorrow, to hear any issues that might need to be implemented prior to Hurricane Ivan that is expected to affect Florida next week.

3. Request approval of Budget Amendment 03-04-335, decreasing fund 110 Reserve for Contingency

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

8. CITIZENS NOT ON AGENDA

No participants.

9. COMMISSIONERS

Commissioner Maxcy thanked all of the County employees who worked during the hurricanes for a job well done.

10. ADJOURN

The meeting adjourned at 10:50 A.M.

_____
Chairperson

Attest: _____
Clerk

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PUBLIC HEARING OF THE BOARD, SEPTEMBER 9, 2004

1. The Public Hearing was called to order at 5:30 P.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Tom Portz**
Bob Bullard	**J Ross Macbeth**
C Guy Maxcy	**Ann Roberts**
Edgar Stokes	**Jodi Giguere**

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Chairman David Flowers.

3. Public Hearing statement read by Chairperson to identify the millage rate and the purpose of the Public Hearing.

4. Budget presentation by staff

County Administrator, Carl Cool, made some opening remarks, and submitted a proposed budget for the County in the amount of $102,089,034 for FY 2004-2005. He added that all of the constitutional officers are in agreement with the proposed budget. OMB Director, Rick Helms, gave a slide presentation, briefly outlining the proposed budget. He provided the Commissioners with information on the effect that increasing the upper limits of all of the pay grades for county employees that are awarded merit increases would have on the county budget. He stated that increasing the pay grades would impact the budget by approximately $120,000, and would affect 41 employees. Commissioner Flowers stated that he requested this information because some county employees are maxed out in their pay brackets. Commissioner Maxcy inquired when the last time a study was done on the county's salary base. Mr. Cool stated that is has been about 10 years. He added that another study could be done, and could be included as an additional line item on the final budget to be approved next week. Commissioner Bullard stated that he would rather have the funds go towards upping the pay caps for employees instead of doing a study. No decision was made at this time.

5. Public Hearing open to public input discussion and comments.

Selvin McGahee, representing Florida Non-Profit Housing, came before the Board to request additional funding for the Highlands County Housing Authority, to help fund a staff position that would help in developing affordable housing in the county. Commissioner Bullard expressed his opposition to funding the request at this time, due to the lateness of the request and not going through the normal budget process. OMB Director, Rick Helms, stated that this additional funding request was part of their original budget request. Commissioner Maxcy stated that the Board should address this request later in the year. No action was taken at this time.

6. Motions for adoption of FY 2004-2005 Resolutions

A. Millage Resolution Adoption

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to adopt Resolution, to set the millage rate

at 9.0 mills as presently contained in the proposed budget for the 2004-2005 fiscal year, exceeding the rolled back rate of 8.5189 mills by 5.65%. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 166.

B. Tentative Budget Resolution

Motion by Commissioner Maxcy, seconded by Commissioner Bullard to adopt Resolution, adopting the tentative budget for the fiscal year 2004-2005 in the sum of $97,214,623.00 for all funds exclusive of special benefit assessment districts. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 167.

C. Adoption of Special Taxing Districts Assessments & Budget

Motion by Commissioner Bullard, seconded by Commissioner Stokes to adopt Resolution, adopting an assessment for all special benefit assessment districts in the total sum of $4,874,411.00 which included $2,871,383.00 in fund balance brought forward from the previous fiscal year. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 168.

7. Adjournment

The meeting adjourned at 5:56 P.M.

_____
Chairperson

Attest: _____
Clerk

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EMERGENCY MEETING OF THE BOARD, SEPTEMBER 12, 2004

1. The meeting was called to order at 2:00 P.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Tom Portz**
C Guy Maxcy	**Bob Jamison**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Commissioner Edgar Stokes.

3. Approval of Resolution proclaiming a local emergency

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the resolution proclaiming a local emergency. Commissioner Jackson requested that better efforts be put forth to inform the public about curfews that are or will be put in place, adding that there was some confusion among the public as to the curfews that were being put in place with Hurricane Frances. County Administrator, Carl Cool, stated that are still signs in place along the highways informing the public about emergency information and curfews. Public Service Announcements were given on the local radio station, and call takers at EOC had the same information available to the public. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 169.

4. Consideration of mosquito spraying

Chairman Flowers suggested rescheduling this item for discussion at next Tuesday's meeting.

5. Request to consider and approve a proposed Exempt Employee Emergency Duty Pay and Leave Procedure

County Administrator, Carl Cool, requested that this item be rescheduled for discussion at next Tuesday's meeting. The Board reached a consensus to reschedule this item for next week.

6. Request approval for the Chairman to continue the Public Hearing scheduled for September 14, 2004 to a date certain in the event the meeting is canceled due to Hurricane Ivan

Carl Cool stated that a second round of public hearings for land use changes and re-zones are scheduled for next Tuesday's meeting. This request is being made due to the impending threat of Hurricane Ivan. Chairman Flowers stated that the only reason there would not be a meeting next Tuesday is if the Hurricane changes course and threatens the southwest coast of Florida. Board Attorney, Ross Macbeth, stated that no action by the Board is necessary at this time, adding that there is enough time to re-advertise the public hearings.

7. Other Business

8. Adjourn

The meeting adjourned at 2:15 P.M.

_____

Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD SEPTEMBER 14, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Board Attorney, Ross Macbeth.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending September 14, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended September 10, 2004 and a Monthly Report of Business Services for August* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 69.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits September 14, 2004

General	**589,569.18**
County Transportation Trust	**24,137.87**
E911 Operations Fund	**.15,309.65**
Local Govt Infra Surtax	**3,585.95**
Community Development Block	**15,570.00**
Affordable Housing	**11,968.31**
Government Center	**4,528.44**
HCISSRB Construction Fund	**126,075.94**
Solid Waste	**5,912.85**
Placid Utilities	**4,544.59**
Highway Park Utility	**82.69**

Risk Retention Fund 19,173.87

B. Request approval for the Highlands County Sheriff's Department to spend settlement checks received in the amount of $10,000.00 and $3,113.70 to replace one of two vehicles wrecked beyond repair. See SMB 46 Page 70.

C. Request approval of sale or transfer of several Tax Certificates for Adelaide Young per attached list. See SMB 46 Page 71.

D. Request approval of recommended motions related to Hurricane Disaster Fund. See SMB 46 Page 72.

E. Request approval of a Subgrant Application for the Byrne State & Local Law Enforcement Formula. See Grant file.

F. Request approval of Budget Amendment 03-04-341

8. WORKSHOP: John Payne, Incubator Task Force Chairman: Workshop to consider a Small Business Development Center

John Payne, representing the EDC/IDA, gave a powerpoint presentation on developing a Small Business Development Center (SBDC) in Highlands County, summarizing the needs and benefits associated with and SBDC, and the costs of having a business analyst available to serve Highlands, Hardee, and Desoto Counties. Currently, 83% of the position is funded, with the University of South Florida's Small Business Development Center funding one-half. They are asking the County for $11,000 annual allocation to help fund the position. Commissioner Maxcy questioned who the person would work under. Mr. Payne advised they would report directly to USF's SBDC. Irene Hurst, Director of USF's SBDC, stated that the person would be hired locally. They would be located in Highlands County, and serve Hardee and Desoto Counties when needed. Mr. Payne stated that they would like to have this item included in the County's 2004-2005 budget. County Administrator, Carl Cool, stated that if the Board is in agreement, Staff could amend the budget to include the request. Commissioner Jackson spoke in support of trying it for one year, but added that he would like to see reports and results from the SBDC. The Board reached a consensus to move this item towards the final budget hearing. See file for copy.

5. PUBLIC HEARING: Eight (8) zoning changes, eight (8) large scale plan amendments, and three (3) text amendments are on the Board of County Commissioners' Agenda for September 14, 2004. Proof of Publication for the following hearings were entered into the record. See Proof of Pub. Ord. Book 3 Page 65.

HEARING #CPA-04-264LS - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the east side of US 27 just north of College Dr, and legally described as follows: Approximately 9.91 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.
Request: A small scale plan amendment from (High Density Residential) to (Commercial).

HEARING #1709 - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the east side of US 27 just north of College Dr, and legally described as follows: Approximately 9.91 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.
Request: A zoning change from R-3 (Multiple Dwelling district) to B-3 (Business district). Applicant desires

commercial development and permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Staff recommended denial of the request, while P&Z recommended approval with conditions. Rick Whidden, representing the petitioner, spoke in support of the request. Commissioner Bullard questioned Staff's recommendation. Mr. Polatty stated that the conditions imposed by P&Z have eliminated Staff concerns. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, including the cited conditions as stated by P&Z, move to approve and transmit CPA-04-264LS, amending the Comprehensive Plan FLUM for 9.91 acres from RH (High Density Residential) to B (Commercial), and adopt by Resolution P&Z Case # 1709, a zoning change from R-3 (Multiple Dwelling district) to B-3 (Business district), referencing the mandatory findings, and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 170.

HEARING #CPA-04-273LS - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on the northwest corner of US 27 and SR 66, and legally described as follows: Approximately 41.68 acres located in Sec. 16, Twp. 35S, Rge. 29E, Highlands County, Florida.
Request: A large scale plan amendment from (Agriculture) to (Commercial) and (Industrial).

HEARING #1718 - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on the northwest corner of US 27 and SR 66, and legally described as follows: Approximately 41.68 acres located in Sec. 16, Twp. 35S, Rge. 29E, Highlands County, Florida.
Request: A zoning change from AU (Agricultural) to B-3 (Business district) and I-2 (Industrial district).

Development Services Director, Jim Polatty, presented the request. Staff recommended approval of the request. P&Z recommended approval with conditions. Commissioner Bullard questioned the conditions imposed by P&Z. Rick Whidden, representing the petitioner, stated that sewer and water will be available for the development. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission and the Local Planning Agency move to approve and adopt by Resolution P&Z 1718 changing the Zoning Atlas for 38.74 acres from AU (Agricultural) to I-2 (Industrial district) and 2.94 acres from AU (Agricultural) to B-3 (Business district), including the cited conditions, and approve CPA-04-273LS amending the Future Land Use Map for 38.74 acres from Agricultural to Industrial and 2.94 acres from Agriculture to Commercial and, after referencing the mandatory findings, transmit to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the large scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained due to a conflict of interest. A Memorandum of Voting Conflict was entered into the record. See SMB 46 Page 73. Motion carried. See Res. Book 17 Page 171.

HEARING #CPA-04-295LS - IAN AND LEIGH ANNE TAYLOR, REYNOLDS PROPERTIES, CL REYNOLDS, TERRY REYNOLDS, REYNOLD FARMS, BULLARD -C/O RICK WHIDDEN

Subject property is located on both sides of Lake Francis Rd, south of Lake Persimmon, and legally described as follows: Approximately 253.57 acres located in Secs. 14 and 15, Twp. 36S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential).

HEARING #1741 - IAN AND LEIGH ANNE TAYLOR, REYNOLDS PROPERTIES, CL REYNOLDS, TERRY REYNOLDS, BARBARA BULLARD, REYNOLD FARMS - C/O RICK WHIDDEN

Subject property is located on both sides of Lake Francis Rd, south of Lake Persimmon, and legally described as follows: Approximately 253.57 acres located in Sec. 14 and 15, Twp. 36S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Staff recommended approval of the request. P&Z recommended approval with conditions. Rick Whidden, representing the petitioner, spoke in support of the request, but expressed his disagreement with sewer being required for this property. The Chair opened the floor to the public. Ray Napper expressed concerns about the nearby lakes. Ken Hall expressed concerns about increased traffic and the lakes. Jack Ritchie and Gabriel Reed spoke on the need for the property to be on central sewer. Commissioner Bullard suggested some language changes to condition # 2 imposed by P&Z.

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission and the Local Planning Agency move to approve, including the cited conditions, amending condition #2 to read as follows: Central potable water system is required for development of this site. All dwelling units constructed on this site shall be required to connect to a central potable water system prior to the issuance of a building permit for the twenty-first (21st) dwelling unit, and all additional dwelling units constructed on the site thereafter shall be required to connect to a central potable water system prior to the issuance of a certificate of occupancy. If developed at a density greater than 4 dwelling units per acre, all dwelling units constructed on this site shall be required to connect to a central sanitary sewer system prior to the issuance of a building permit for the thirty-first (31st) dwelling unit, and all additional dwelling units constructed on this site thereafter shall be required to connect to a central sanitary sewer system prior to the issuance of a certificate of occupancy; and adopt by Resolution P&Z 1741 changing the Zoning Atlas for 253 acres from AU (Agricultural) to EU (Estate district), and approve for transmittal CPA-04-295LS amending the Future Land Use Map for 253 acres from AU (Agriculture) to RL (Low Density Residential) and after referencing the mandatory findings, transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the large scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Bullard, who abstained, due to being related to the applicant. A Memorandum of Voting Conflict was entered into the record. See SMB 46 Page 74. Motion carried. See Res. Book 17 Page 172.

HEARING #CPA-04-300LS - ROBERT C. CREWS, II AND C. ELTON CREWS FAMILY PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located on both side of SR 17 between Lake Angelo and The Avon Park City Limits, and legally described as follows: Approximately 175.51 acres located in Secs. 24 and 25, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) and (Low Density Residential) to (Medium Density Residential).

HEARING #1748 - ROBERT C. CREWS, II AND C. ELTON CREWS FAMILY PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located on both side of SR 17 between Lake Angelo and The Avon Park City Limits, and legally described as follows: Approximately 175.51 acres located in Secs. 24 and 25, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-1A (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Jack Brandon, representing the petitioner, spoke in support of the request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission and the Local Planning Agency move to approve, including the cited conditions, and adopt by Resolution P&Z 1748 changing the Zoning Atlas for175.51 acres from AU (Agricultural) to R-1A (Residential district), and approve for transmittal CPA-04-300LS amending the Future Land Use Map for 175.51 acres from Agriculture and Low Density Residential to Medium Density Residential and, after referencing the mandatory findings, transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the large scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 173.

HEARING #CPA-04-305LS - LETTA - BONNET GROVES, INC. AND DAVIS ENTERPRISES, INC.- C/O JACK P. BRANDON

Subject property is on the south side of the Avon Park Airport, and legally described as follows: Approximately 215.25 acres located in Sec.28, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Industrial).

HEARING #1753 - LETTA - BONNET GROVES, INC. AND DAVIS ENTERPRISES, INC. - C/O JACK P. BRANDON

Subject property is on the south side of the Avon Park Airport, and legally described as follows: Approximately 215.25 acres located in Sec.28, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) and I-2 CU (Industrial district with a Conditional Use district) to I-1 (Industrial district) and I-2 (Industrial district). Applicant desires to operate an industrial park.

Development Services Director, Jim Polatty, presented the request. Jack Brandon, representing the petitioner, spoke in support of the request. Wade Taveniere, representing the EDC/IDA also spoke in support of the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission and the Local Planning Agency, move to approve, including the cited conditions, and adopt by Resolution P&Z # 1753 changing the Zoning Atlas for 215.25 acres from AU (Agricultural) and I-2CU (Industrial district with a conditional use district) to I-1 (Industrial district) and I-2 (Industrial district), and approve transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination CPA-04-305LS amending the Future Land Use Map for 215.25 acres from Agriculture to Industrial, after referencing the mandatory findings, and upon the large scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained due to a conflict of interest. A Memorandum of Voting Conflict was entered into the record. See SMB 46 Page 75. Motion

carried. See Res. Book 17 Page 174.

Break 10:50 - 11:00 A.M.

HEARING # CPA-04-309LS - LATT MAXCY CORP.
An approximate 300 acre Parcel located on the East side of U.S. 27, South of Skipper Road, and legally described as follows: Located in Sec. 27, Twp. 35S, Rge. 29E, Highlands County, Florida.
Request: A large scale plan amendment from (Agriculture) to (Industrial).

HEARING # 1755 - LATT MAXCY CORP.
An approximate 300 acre Parcel located on the East side of U.S. 27, South of Skipper Road, and legally described as follows: Located in Sec. 27, Twp. 35S, Rge. 29E, Highlands County, Florida.
Request: A zoning change from AU (Agricultural) and B-2 (Limited Business district) to I-2 (Industrial district). Applicant desires an industrial park.

Development Services Director, Jim Polatty, presented the request. Staff recommended approval of the request. P&Z recommended approval of the land use change, but made no recommendation on the re-zone. He added that the Board could approve the zoning change today. Chairman Flowers entered into the record a petition he received in opposition to the hearing. Janet Kovach spoke on behalf of the applicant in support of the request. The Chair opened the floor to the public. Charles Kincaid and Denise Schotting spoke in opposition to the request. Wade Taveniere and Gene Paul spoke in support. Ms. Kovach stated that the applicant will be withdrawing the request for the zoning change as this time. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission and the Local Planning Agency, move to approve, including the cited conditions, transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination Comprehensive Plan Case # CPA-04-309LS amending the Future Land Use Map for 300.0 acres from AU(Agriculture) to I(Industrial), after referencing the mandatory findings. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained due to a conflict of interest. A Memorandum of Voting Conflict was entered into the record. See SMB 46 Page 76. Motion carried.

HEARING # CPA-04-314LS - GLORIA S. MCNORTON, LEONARD C. SMITH III, JULIA A. FINNIGAN AND TRACY L. FITCH - C/O ROGER DALE POLSTON
An approximate 12 acre Parcel located on the Southwest corner of S.R. 66 and Sparta Road, and legally described as follows: located in Sec. 20, Twp. 35S, Rge. 29E, Highlands County, Florida. Containing approximately 11.55 acres.
Request: A large scale plan amendment from (Agriculture) to (Commercial).

HEARING # 1759 - GLORIA S. MCNORTON, LEONARD C. SMITH III, JULIA A. FINNIGAN AND TRACY L. FITCH - C/O ROGER DALE POLSTON
An approximate 12 acre Parcel located on the Southwest corner of S.R. 66 and Sparta Road, and legally described as follows: located in Sec. 20, Twp. 35S, Rge. 29E, Highlands County, Florida. Containing approximately 11.55 acres.
Request: A zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires the

permitted uses in the B-3 zoning.

Development Services Director, Jim Polatty, presented the request. Dale Polston, representing the petitioner, spoke in support of the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission and the Local Planning Agency, move to approve, including the cited conditions below, and adopt by Resolution P&Z 1759, amending the Zoning Atlas from AU (Agricultural) to B-3 (Business district) for 11.55 acres, and approve for transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination CPA-04-314LS amending the Future Land Use Map from AU(Agriculture) to B (Commercial) for 11.55 acres, after referencing the Findings of Fact, and upon the large scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 175.

HEARING#CPA- 04-229LS - (ISTOKPOGA PARK) HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR

A portion of Spring Lake Village X as per plat recorded in Plat Book 11, Page 10 of the Public Records of Highlands County, Florida, being more particularly described as follows: Lake Istokpoga County Park on the North shore of Lake Istokpoga. The Park entrance is South of U.S. 98 at the East end of Spring Lake Subdivision, located in Sec. 12, Twp. 35S, Rge. 30E, Highlands County, Florida.

Request: A large scale plan amendment from "Mixed Use" to "Public/Quasi-Public Facility and Institutional Lands."

HEARING #1661 (ISTOKPOGA PARK) HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS - C/O C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR

A portion of Spring Lake Village X as per plat recorded in Plat Book 11, Page 10 of the Public Records of Highlands County, Florida, being more particularly described as follows: Lake Istokpoga County Park on the North shore of Lake Istokpoga. The Park entrance is South of U.S. 98 at the East end of Spring Lake Subdivision, located in Sec. 12, Twp. 35S, Rge. 30E, Highlands County, Florida.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission and the Local Planning Agency, move to approve, including conditions cited below, and adopt by Resolution P&Z # 1661 changing the Zoning Atlas from AU (Agricultural district) to P (Public/Quasi-Public Lands district), and approve for transmittal CPA-04-229LS for 29.95 acres amending the Future Land Use Map from Mixed Use to Public/Quasi-Public Facility and Institutional Lands, transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, after referencing the mandatory findings, and upon the large scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 176.

PUBLIC HEARING #CPA-04-307LS-A, COUNTY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

Amending FLU Policy 1.3: LAND USE CATEGORIES, DENSITIES AND INTENSITIES, by adding a new land use category to the Future Land Use Element pertaining to an Urban Reserve (UR).

Request: A Comprehensive Plan text amendment that allows reservation of land on the Future Land Use

map.

Development Services Director, Jim Polatty, presented the request. Commissioner Bullard expressed concerns about the land use category, adding that he sees no advantage to property owners to go through the process to have their land use changed to Urban Reserve. County Administrator, Carl Cool, stated that if a land owner chooses to go through the process of obtaining a urban land use, they would have five public hearings to go through to get their land use change. Mr. Polatty stated that P&Z agreed with Staff that this is a worthwhile option for property owners. No action was taken on this hearing by the Board.

PUBLIC HEARING #CPA-04-307LS-B, COUNTY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

Amending FLU Policy 1.3: LAND USE CATEGORIES, DENSITIES AND INTENSITIES, pertaining to Accessory Uses within selected land use categories.

Request: A Comprehensive Plan text amendment allowing accessory uses in all Future Land Use categories.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Jackson, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency, move to approve transmitting Comprehensive Plan Case # CPA-04-307LS-B to the Florida Department of Community Affairs for their compliance review, referencing the mandatory findings of fact, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

PUBLIC HEARING #CPA-04-307LS-C, COUNTY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

Amending FLU Policy 1.3.E.7: COMMERCIAL, providing for commercial residential facilities ranging from permanent full time, transient and time share, including assisted living facilities.

Request: A Comprehensive Plan text amendment allowing commercial residential facilities ranging from permanent full time, transient and time share, including assisted living facilities in the Commercial Future Land Use category.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the Local Planning Agency, move to approve transmitting Comprehensive Plan Case # CPA-04-307LS-C to the Florida Department of Community Affairs for their compliance review, referencing the mandatory findings of fact, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

6. WORKSHOP: To consider a proposed Ordinance restricting the planting of trees near power lines

Chairman Flowers presented the proposed Ordinance, submitted by Gabriel Reed, for discussion and consideration. The ordinance is not being recommended by the County or Staff. Commissioner Stokes, as liaison to the Natural Resources Advisory Commission (NRAC), stated they have looked at tree ordinances in the past, and would like this ordinance to be presented to NRAC before coming before the Board. Gabriel Reed stated the idea of the ordinance is to regulate the planting and maintenance of trees near power lines to prevent future damage and destruction. Chairman Flowers stated the propose ordinance has good points, and requested County

Staff to clean up the ordinance and forward it on to NRAC for review. See SMB 46 Page 77.

7. WORKSHOP: To consider the Capital Improvement Plan (CIP)

County Administrator, Carl Cool, presented a proposed 10 Year Capital Improvement Plan (CIP) for the Board's consideration, along with some changes that have been made. Commissioner Maxcy questioned the cost of new stretchers for EMS. Commissioner Bullard stated his agreement with the CIP and the changes that were made. Mr. Cool stated that if the Board is in agreement, the CIP could be brought back for adoption next week. Chairman Flowers instructed Staff to schedule the adoption for next week's Board meeting. See CIP file.

9. WORKSHOP: To discuss hurricane follow up ideas

Chairman Flowers stated this workshop is being held to discuss hurricane follow-up ideas, adding that there are three (3) specific areas that are to be discussed: pet friendly shelters, salaried employee changes, and mosquito control.

Pet-friendly Shelters

Chairman Flowers stated that he received several calls from people that did not leave their homes during the hurricanes because they did not want to leave their pets behind. County Administrator, Carl Cool, stated that Keith Albritton from Animal Control contacted other larger counties and found that none of them have pet-friendly shelters. The American Red Cross does not want animals in their shelters. During the last hurricane, one woman in Marion County took on the responsibility of taking care of the pets in one of the shelters. In Leon County, in a school used as a shelter, one room was set aside for pets, and the owners were responsible for taking care of the needs of their pet. Mr. Cool stated that more research is needed on the issue, and the County needs to work towards providing more information to the public about area veterinary offices that will shelter pets, and hotels that will allow pets.

Salaried Employees Compensation

Human Resources Director, Fred Carino, stated that Staff has borrowed a policy from Lee County and drafted it to apply to our County's situation, to provide compensation to salaried employees for additional hours worked during emergencies or disasters. He added that the additional compensation would only apply during a declared local state of emergency, and would only affect those salaried employees who worked in excess of 50 hours during the normal work week. County Administrator, Carl Cool, added that the additional compensation would be straight time pay, and there is a good chance that the County could be reimbursed from FEMA for this expense. Commissioner Stokes suggested coming up with some way to recognize employees for their work above and beyond their normal duties during these emergencies. Mr. Cool stated the Mr. Carino has made some suggestions on how to recognize some of these county employees. Commissioner Bullard suggested some language changes to the proposed policy, and questioned if Staff has communicated with the other constitutional officers about possibly making similar changes to their personnel policies. Mr. Cool stated he does intend to meet with the other officers to discuss the issue. Chairman Flowers instructed Staff to make the requested changes to the policy and bring it back before the Board next week. Deputy Clerk, Bob Jamison, questioned if time off or holidays will be factored into the 50 hour requirement, and if the policy will be retroactive. Mr. Carino stated that the policy implies 50 hours of work time, and will apply to future events only. Mr. Cool added that it will have no effect on the hours worked during Hurricanes Charley or Frances, prior to adoption of the policy. Mr. Jamison also requested that Staff use a modified special pay form to identify the actual hours over 50 that an

employee is supposed to get paid for. Mr. Carino stated that he will be willing to work with the Payroll department to modify the payroll transmittal to include the special pay forms.

Mosquito control

County Administrator, Carl Cool, passed out some information about the different types of mosquito control methods available, and a proposal from Clarke Mosquito Control to provide services to Highlands County. He stated that there is a very good chance that the County could receive reimbursement from FEMA for the expenditure. Commissioner Maxcy suggested considering having some type of mosquito control for the people of the County. Commissioner Bullard suggested doing a survey to determine if the citizens of the County would be willing to pay an assessment for mosquito control. Ray Napper expressed concerns about the effects of using mosquito repellant and doing widespread spraying. Chairman Flowers instructed Staff to do more research on the subject, and bring some recommendations back to the Board.

10. ACTION

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as amended, removing Item 10-A from agenda, and adding Item 10-C. Upon roll call, all Commissioners voted aye. Motion carried.

A. ~~Development Services Director & Housing Coordinator: Request to approve a Contract with Meridian Service Group~~

B. County Administrator: Consideration and request for approval of a Resolution proclaiming a local emergency

County Administrator, Carl Cool, presented the resolution for approval. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to adopt the resolution extending the local state of emergency in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 177.

C. Request approval of extension of agreement with Polk, Hardee, and Desoto Counties for the Heartland Water Alliance Water Supply Agreement

Carl Cool presented the request to extend the agreement for the Heartland Water Alliance. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the extension of the agreement. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

11. COMMISSIONERS

Commissioner Jackson stated that the Sun'n Lakes Improvement District is requesting that the Board appoint a liaison for the purpose of improving communications between the two Boards. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to appoint Commissioner Jackson as liaison. Upon roll call, all Commissioners voted aye. Motion carried.

12. ADJOURN

The meeting adjourned at 1:29 P.M.

_____

Chairperson

Attest: _____
Clerk

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PUBLIC HEARING OF THE BOARD, SEPTEMBER 21, 2004

1. The Public Hearing was called to order at 5:30 P.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Tom Portz**
Bob Bullard	**J Ross Macbeth**
C Guy Maxcy	**Bob Jamison**
Edgar Stokes	**Jodi Giguere**

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Human Services Director, Kevin Roberts. The Pledge of Allegiance was led by Chairman Flowers.

3. Public Hearing statement read by Chairperson to identify the millage amount over the rolled back rate.

4. Budget presentation by staff

County Administrator, Carl Cool, presented the final budget for adoption by the Board. OMB Director, Rick Helms, presented a balanced budget to the Board, summarizing the changes that have been made since the last budget hearing. The total budget for FY 2004-2005 is $102,089,034.

5. Public Hearing open to public input discussion and comments.

No public input was received.

6. Motions for adoption of FY 2004-2005 Resolutions

A. Millage Resolution Adoption

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to adopt Resolution, adopting the millage rate at 9.0 mills as presently contained in the tentative budget for the 2004-2005 fiscal year, exceeding the rolled back rate of 8.5189 mills by 5.65%. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 183.

B. Tentative Budget Resolution

Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to adopt Resolution, adopting the final budget for the fiscal year 2004-2005 in the sum of $97,214,623 for all funds exclusive of special benefit assessment districts. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 184.

C. Adoption of Special Taxing Districts Assessments & Budget

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution, adopting a service assessment for all special benefit districts, after having individually considered and adopted a service assessment and budget for each district, in the total sum of $4,874,411 which included $2,871,383 in fund balance brought forward from the previous fiscal year. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 185.

D. Resolution for adoption of budget changes

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution incorporating the changes, directed by the Board, into the final budget. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 186.

7. Adjournment

The meeting adjourned at 5:45 P.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD SEPTEMBER 21, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending September 21, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended September 17, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 78.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional announcements were made for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits September 21, 2004

General	**207,991.36**
County Transportation Trust	**12,958.22**
E911 Operations Fund	**1,038.17**
Conservation Trust Fund	**7,500.00**
Local Govt Infra Surtax	**53,252.40**
Comm Development Block	**11,021.18**
Affordable Housing	**484.20**
Special Law Enforcement	**4,083.00**
HCISSRB Construction Fund	**450.00**
Solid Waste	**40,066.74**
Placid Utilities	**2,959.09**

Highway Park Utility 813.36
Employee Benefit Fund 4,003.30

B. Request approval of transfer or sale of several Tax Certificates per attached lists - Hayden Company. See SMB 46 Page 79.

C. Request approval of Addendum No. 1 to Consultant Service Authorization No. 74 with Chastain-Skillman, Inc. - additional architectural and geotechnical services for Windy Point Park Project - CSI File No. 7160.74. See file for copy.

D. Request approval of Consultant Service Authorization #80 for Water Use Permit Application for renewal for the Tomoka Water Treatment Plant and Consultant Service Authorization #87 Wastewater Treatment Plant Operating Permit Renewal for the Tomoka Wastewater Treatment Plant & Resolution & Budget Amendment 03-04-347. See Res. Book 17 Page 178 and file for copy.

E. Request approval for a Notice of Nuisance for Case CE04040059, 3637 Godwin Road, Lorida. See Subdivision file.

F. Request approval of a Law Enforcement Terrorism Prevention Grant in the amount of $24,720 from the Florida Department of Law Enforcement. See Grant file.

G. Request approval of Resolutions and Budget Amendment 03-04-342. See Res. Book 17 Page 179.

H. Request approval of Budget Amendments 03-04-345; 351

I. Request approval of Budget Amendments 03-04-337 & 338

J. Request approval of Landlord's Agreement- Affordable Paralegal, Inc. and Highlands County. See file for copy.

6. PUBLIC HEARING: Request approval of Ordinance for issuance of Water & Sewer Refunding Revenue Note Series 2004

OMB Director, Rick Helms, entered a Proof of Publication for this hearing into the record. See Proof of Pub. Ord. Book 3 Page 66. Duane Draper, Bond Counsel with the law firm of Bryant, Miller, and Olive, stated the ordinance will authorize the issuance of a water and sewer system promissory note in an amount not to exceed $1.1 million. The purpose of the note is to refinance two existing notes that are scheduled to mature on October 1, 2004. The note will be secured by water and sewer system net revenues, will be non-bank qualified, and will be pre-payable at any time without a penalty. Closing is scheduled for October 1st, and pre-closing is September 30th. Board Attorney, Ross Macbeth, read the caption of the ordinance into the record. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the Ordinance for issuance of Water and Sewer Refunding Revenue Note. Upon roll call, all Commissioners voted aye. Motion carried.

7. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as amended, with two additional items under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. County Engineer

1. Monthly report for Courthouse Series 2002 #01099, and Jail Expansion Series 2002 #01100

County Engineer, Ramon Gavarrete, gave an update on the Courthouse Restore/Repair and Corrections Facility

Expansion project. The estimated completion date is November 20, 2004, but could be moved back a few more months due to the recent hurricanes. See file for copy.

2. Request approval of Budget Amendment No. 03-04-350, and Resolution for additional funds for Courthouse Series 2002 #01099, and Jail Expansion Series 2002 Project #01100

County Engineer, Ramon Gavarrete, presented a request to approve a budget amendment and resolution, transferring additional funds from Reserve for Contingency for the Courthouse and Jail Expansion project. Now that the renovation phase of the project has begun, the contractors are encountering some unanticipated problems and expenditures. Commissioner Maxcy suggested the possibility of the contractor reducing some of their fees due to the recent delays from storms. Mr. Gavarrete stated they have done that in the past, and Staff is constantly working with the contractors to minimize the costs of the project. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the budget amendment and resolution as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 180.

B. Lakes Manager: Request for approval of Department of Environmental Protection Agreement for the "Little Lake Jackson Off-Line Alum Injection Stormwater Treatment System" G0094

Lakes Manager, Clell Ford, presented the request. A slide presentation was given summarizing the project. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the agreement with the Department of Environmental Protection for the Little Lake Jackson Off-Line Alum Injection Stormwater Treatment System. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

C. Human Resources Director: Recommendation on Emergency Pay Plan

Human Resources Director, Fred Carino, presented Staff's recommendation for the Emergency Pay Plan. Commissioner Bullard made some suggested language changes. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the amendment of the Personnel Rules and Regulations to adopt the policy and procedures for providing Pay for Work during emergencies or disasters as submitted by Staff, and including the suggested language changes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 80.

D. Board Attorney

No report.

E. County Administrator

1. Request approval of the Recreation & Parks Advisory Committee recommendation & Budget Amendment 03-04-346, for improvements to Donaldson Park and Memorial Field

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the budget amendment for improvements to Donaldson Park and Memorial Field as recommended by the Recreation and Parks Advisory Committee. Upon roll call, all Commissioners voted aye. Motion carried.

2. Recommendation on proposed ten year Capital Improvement Plan

Carl Cool presented the proposed Ten Year Capital Improvement Plan for approval. Commissioner Maxcy questioned when Phase II-B of the Sebring Parkway is scheduled to begin. Mr. Cool stated that the design stage for Phase II is approximately 90% complete, with construction to begin in FY 05-06. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to adopt the Ten Year Capital Improvement Plan as presented. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

3. Recommendation on proposed plan for mosquito control in Highlands County

Carl Cool presented Staff's recommendation for mosquito control in Highlands County, by moving ahead with a two month program of larvacidal treatment and spraying for adult mosquitos that would cost approximately $250,000. The County has a very good chance of receiving reimbursement from FEMA, which would result in the county only paying out around $31,250. Frank Clarke, representing Clarke Mosquito Control, briefly described the different methods available. Commissioner Jackson questioned if starting a program at this time of year would be effective. Mr. Clarke stated that, under the current situation, the spraying would have a sizable effect on the mosquito population. Commissioner Stokes expressed concerns about spending the money to start the program this late in the year, and asked where the money would come from. Mr. Cool stated that the money would come from the Contingency Fund, and upon approval, a budget amendment would be approved and Staff would apply with FEMA for reimbursement. Ray Napper spoke in support of a mosquito control program, but urged the County to direct the funds towards larvaciding rather that spraying for adult mosquitos. Jack Ritchie also spoke in support of the program. Don Linton spoke in opposition. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to approve the emergency mosquito control program as recommended by the County Administrator, and approve the budget amendment needed to appropriate the funds as recommended. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See file for copy.

4. Consideration and request for approval of a Resolution proclaiming a local emergency

Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the Resolution, extending the local state of emergency for Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 181.

5. Report on storm debris removal

Carl Cool gave an update on the removal of storm debris from the County. He stated that about 50% of the debris has been cleared from the unincorporated areas of the County. Commissioner Bullard commended County Staff for their efforts in getting the debris removed.

6. Report on meeting of Unmet Needs Committee

Carl Cool stated that yesterday was the first meeting of the Unmet Needs Committee, which consists of representatives from all agencies that are providers during emergencies. They met to identify and address the unmet needs of the County. The County has applied for funds available through the Governor's office, to be used during emergencies. The United Way of Central Florida was chosen to be the fiscal agent for the county to help get the funds to those that are in need. The committee will meet weekly to try and identify the unmet needs, and develop a long term recovery solution for our County.

8. CITIZENS NOT ON AGENDA

Ray Napper spoke about the amounts of storm debris in the county, and the need to start requiring the two local garbage haulers to do their part in picking up the debris and yard waste.

9. COMMISSIONERS

No reports.

10. ADJOURN

The meeting adjourned at 10:49 A.M.

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Chairperson

Attest: _____

Clerk

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REGULAR MEETING OF THE BOARD SEPTEMBER 28, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Ann Roberts**
Edgar Stokes	**Jodi Giguere**

John Martz, representing Glades Electric, gave a brief update on the efforts to restore power to parts of Highlands County after Hurricane Jeanne. They still have customers in Venus, Highlands Park, and Lake Josephine that do not have power yet. The biggest problem they are facing is the 25 transmission poles that are down along US 98 in Lorida. A shipment of new poles is expected today, and they have additional crews coming in from Tennessee and Kentucky to help in restoring power. County Administrator, Carl Cool, gave an update on the clean up process going on in the County.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending September 28, 2004.

B. Clerk

No report.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to approve agenda as amended, moving Item 4-F to Public Hearings. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits September 28, 2004

General	**323,002.48**
County Transportation Trust	**17,618.49**
Legal Aid	**2,975.04**
Local Govt Infra Surtax	**987,004.55**
Comm Development Block	**1.00**
Affordable Housing	**28,876.29**

HCISSRB Construction Fund 162,750.00
Solid Waste 48,037.57
Placid Utilities 4,553.60
Highway Park Utility 1,172.51
Employee Benefit Fund 35.00

B. Request approval of the transfer or sale of several tax certificates per attached lists for Young, McKee, Wilton Ventures, Inc., Mc Kee, and Delaney. See SMB 46 Page 81.
C. Request approval of Satisfaction of Mortgage for Daniel L. King. See Satisfaction file.
D. Request approval of Satisfaction of Mortgage for Luis and Rosa Zapata. See Satisfaction file.
E. Request approval of Satisfaction of Mortgage for Donna Janice Sedlock. See Satisfaction file.
F. ~~Request approval of Notice of Nuisance for CE 04010065, 1860 N. Valencia Drive, Avon Park~~
G. Request approval , in accordance with Florida Statute 197.323, to extend the 2004 tax roll prior to completion of the Value Adjustment Board hearings. See SMB 46 Page 82.
H. Accept into the record the Spring Lake Improvement District public meeting schedule for Fiscal Year 2005. See SMB 46 Page 83.
I. Request approval of Sebring Church of the Nazarene, a Non-Profit Organization's request for County Surplus Fixed Asset CL1381. See SMB 46 Page 84.
J. Request approval of Interlocal Agreement for payment of constructions costs of the District Medical Examiner's facility for the 10th Judicial Circuit of Florida by & between Hardee, Highlands & Polk Counties. See file for copy.
K. Request approval of Budget Amendments 03-04-356 & 357
L. Request approval of Resolutions and Budget Amendment 03-04-358. See Res. Book 17 Page 187.

5. PUBLIC HEARING: Public Hearing to consider Five (5) zoning changes and four (4) small scale plan amendments for the Board of County Commissioners' Agenda for September 28, 2004. Proof of Publication for the following hearings were entered into the record. See Proof of Pub Ord. Book 3 Page 67.

NEW BUSINESS: HEARING # CPA-04-310SS - TIDWELL CROSS ASSOCIATES, INC. - C/O RICK WHIDDEN

An approximate 3.3 acre Parcel located in The Country Club of Sebring at the Northeast corner of Vaughn Road and Haw Branch Road, and legally described as follows: Approximately 3.29 acres located in Sec. 9, Twp. 35S, Rge. 28E, Highlands County, Florida.

Request: A small scale plan amendment from (Agriculture) to (High Density Residential).

NEW BUSINESS: HEARING # 1756 - TIDWELL CROSS ASSOCIATES, INC. - C/O RICK WHIDDEN

An approximate 3.3 acre Parcel located in The Country Club of Sebring at the Northeast corner of Vaughn Road

and Haw Branch Road, and legally described as follows: Approximately 3.29 acres located in Sec. 9, Twp. 35S, Rge. 28E, Highlands County, Florida.
Request: A zoning change from AU (Agricultural) and R-3 FUD to R-3 FUD. Applicant desires to construct a four-plex.

Development Services Director, Jim Polatty, presented the request. He stated a citizen suggested that a buffer was required on the property when the land was re-zoned before. Commissioner Bullard made a motion to approve the re-zone and land use changes as recommended. Commissioner Stokes seconded the motion. Commissioner Maxcy stated that he received a phone call from a resident inquiring about a buffer on the property. Mr. Polatty stated that this hearing could be put on hold to allow Staff time to research the minutes from the previous re-zone hearing. Commissioner Bullard withdrew his motion. Commissioner Stokes withdrew his second. Chairman Flowers put this hearing on hold, and will come back to it when Staff has further information.

HEARING #CPA-04-311SS - THE VIRGINIA FRYMAN TRUST - C/O W. R. CAUTHAN, P.E.
An approximate 5.38 acre Parcel located on the East side of U.S. 27 at the intersection of Thunderbird Road, and legally described as follows: Approximately 5.38 acres located in Sec. 23, Twp. 34S, Rge. 28E, Highlands County, Florida.
Request: A small scale plan amendment from (Medium Density Residential) to (Commercial).

HEARING #1757 - THE VIRGINIA FRYMAN TRUST - C/O W. R. CAUTHAN, P.E.
An approximate 5.38 acre Parcel located on the East side of U.S. 27 at the intersection of Thunderbird Road, and legally described as follows: Approximately 5.38 acres located in Sec. 23, Twp. 34S, Rge. 28E, Highlands County, Florida.
Request: A zoning change from R-2 (Two-Family Dwelling district) to B-3 (Business district). Applicant desires a Lowe's Home Improvement Center.

Development Services Director, Jim Polatty, presented the request. Ron Cauthan, representing the applicant, briefly described the project. He added that the City of Sebring has committed to provide water and sewer services to the property. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve and adopt by Resolution P&Z 1757 changing the Zoning Atlas for 5.38 acres from R-2 (Two-Family Dwelling district) to B-3 (Business district) and adopt by Ordinance CPA-04-311SS amending the Future Land Use Map for 5.38 acres from Medium Density Residential to Commercial, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 189.

HEARING # CPA-04-309SS - LYNDA BERLINE PERSONAL REPRESENTATIVE OF ANNIE PARDEE - C/O MARK CAPPO
An approximate 5.2 acre Parcel located on the West side of U.S. 27 at the Polk County line, and legally described as follows: located in Sec. 4, Twp. 33S, Rge. 28E, Highlands County, Florida.
Request: A small scale plan amendment from (Agriculture) to (Commercial).

HEARING # 1758 - LYNDA BERLINE PERSONAL REPRESENTATIVE OF ANNIE PARDEE - C/O MARK CAPPO

An approximate 5.2 acre Parcel located on the West side of U.S. 27 at the Polk County line, and legally described as follows: located in Sec. 4, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from CG-1 (Campground district) to B-3 (Business district). Applicant desires aluminum supplies and retail.

Development Services Director, Jim Polatty, presented the request. Mark Cappo, representing the applicant, spoke in support of the request. Commissioner Bullard questioned why P&Z excluded the conditions cited in the Staff report in their motion. Mr. Polatty stated that the conditions go along with the small scale plan amendment, and P&Z did not agree with the conditions. The applicant is in agreement with the conditions recommended by Staff. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve and adopt by Resolution P&Z 1758 changing the Zoning Atlas for 5.2 acres from CG-1 (Campground district) to B-3 (Business district) and adopt by Ordinance CPA-04-309SS amending the Future Land Use Map for 5.2 acres from Agriculture to Commercial, including the conditions cited in the Staff report, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 190.

HEARING #1760 - JOHN HAVILAND - C/O RICK WHIDDEN

An approximate 4.4 acre Parcel located in The Country Club Of Sebring, Northwest of the tennis courts, and legally described as follows: Located in Sec. 9, Twp. 35S, Rge. 28E, Highlands County, Florida. Containing approximately 4.398 acres.

Request: A zoning change from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development). Applicant desires to construct a duplex and tri-plexs.

Development Services Director, Jim Polatty, presented the request. Commissioner Bullard questioned what the difference is between the old zoning and the request. Rick Whidden, representing the applicant, stated the difference is in the density and setbacks on the property. Motion by Commissioner Jackson, seconded by Commissioner Stokes, in accordance with the recommendations of the Planning and Zoning Commission, move to approve and adopt by Resolution P&Z 1760 changing the Zoning Atlas for 4.4 acres from R-3 (Multiple Dwelling district with Flexible Unit Development) to R-3 (Multiple Dwelling district with Flexible Unit Development), referencing the mandatory findings, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 191.

HEARING #CPA-04-313SS - LIONEL LAGROW - C/O JAMES E. TOMPKINS, ATTORNEY

Approximately 3.5 acres located at the North end of Windy Point Road on the West shore of Lake Istokpoga, and legally described as follows: located in Sec. 34, Twp. 36S, Rge. 30E, Highlands County, Florida. Containing approximately 3.5 acres.

Request: A small scale plan amendment from (Agriculture) to (Medium Density Residential).

HEARING #1761 - LIONEL LAGROW - C/O JAMES E. TOMPKINS, ATTORNEY

Approximately 3.5 acres located at the North end of Windy Point Road on the West shore of Lake Istokpoga, and legally described as follows: located in Sec. 34, Twp. 36S, Rge. 30E, Highlands County, Florida. Containing approximately 3.5 acres.

Request: A zoning change from AU (Agricultural) to R-1 (Residential district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve and adopt by Resolution P&Z 1761 changing the Zoning Atlas for 3.5 acres from AU (Agricultural district) to R-1 (Residential district) and adopt by Ordinance CPA-04-313SS amending the Future Land Use Map for 3.5 acres from Agriculture to Medium Density Residential, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 192.

Resuming Hearing # CPA-04-310SS and Hearing #1756:

Jim Polatty stated that Staff researched the minutes from P&Z hearings for this property. No minutes were found indicating a requirement for a buffer on the site. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve and adopt by Resolution P&Z 1756 changing the Zoning Atlas for 3.3 acres from AU (Agriculture) and R-3 FUD (Multiple Family Dwelling district with Flexible Unit Development) to R-3 FUD (Multiple Family Dwelling district with Flexible Unit Development) and adopt by Ordinance CPA-04-310SS amending the Future Land Use Map for 1.83 acres from Agriculture to High Density Residential, referencing the mandatory findings, and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Carl Wilburn and Rob Livingston commented on the need for a buffer and restricting access into the development off Vaughn Road. Bill Cross, developer of the property, stated that access will be restricted to the development. Commissioner Bullard amended his motion to include the following two conditions: (1) requiring a vegetative buffer, and (2) limiting access off Vaughn Road. Commissioner Stokes accepted the amended motion. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 188.

Proof of Publication for following three hearings was entered into the record. See SMB 46 Page 85.

6. PUBLIC HEARING: Public Hearing to consider approval of a Notice of Lien for Case# CE04040151, 218 Douglas Avenue

Development Services Director, Jim Polatty, presented the request to place a lien on the property located at 218 Douglas Avenue, Hillcrest Heights Subdivision, in the amount of $2,74.00. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

7. PUBLIC HEARING: Public Hearing to consider approval of a Notice of Lien for Case # CE03040033, 3612 Paradise Drive, Sebring

Development Services Director, Jim Polatty, presented the request to place a lien on the property located at 3612 Paradise Drive, Sunview Acres, in the amount of $435.00. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained, due to the property owner being a client of his firm. See SMB 46 Page 86. Motion carried. See Subdivision file.

7-A. PUBLIC HEARING: Public Hearing to consider approval of a Notice of Lien for Case # CE 04010065, 1860 N. Valencia Drive, Avon Park (Consent Agenda Item 4-F)

Development Services Director, Jim Polatty, presented the request to place a lien on the property located at 1860 N. Valencia Drive, Avon Park Lakes, in the amount of $2,345.50. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

8. ACTION

Motion by Commissioner Maxcy, seconded by Commissioner Bullard to set action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. County Administrator

1. Consideration and request for approval of a Resolution proclaiming a local emergency

County Administrator, Carl Cool, presented the resolution for approval, with revisions, extending the local state of emergency in Highlands County. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the resolution as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 193.

2. Request to approve application, planning, and program management services from Public Grant/Loan Funded FFY 2004 Projects - Meridian Community Services Group, Inc.

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the contract to hire Meridian Community Services Group, Inc, to provide application, planning, and program management services for Public Grant/Loan Funded FY 2004 Projects. Upon roll call, all Commissioners voted aye. Motion carried. See Housing file.

3. Letter from Reliable Sanitation

County Administrator, Carl Cool, presented a letter from Reliable Sanitation, expressing their interest in renewing the solid waste contract with the County for an additional five-year term. They are predicting a rate increase will be needed over the next five years. He stated the Board will have to discuss this at a later date. See SMB 46 Page 87.

9. COMMISSIONERS

No reports.

10. ADJOURN

The meeting adjourned at 10:35 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD OCTOBER 5, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by John Nettles of the Veterans Advisory Council.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending October 5, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a Monthly Report of Business Services for September, a report of Jury Trial Week for September, and a report of Weekly Court Services for week ended October 1, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 88.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. An update on the debris removal in the county was also given. Gary Mikulecky, Extension Director, reported that larvacide pellets, used to kill mosquito larvae, are available to the public at the County Extension Office.

5. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as amended, adding Item 5-F and removing Item 5-C, to be placed on action agenda under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits October 5, 2004

General	**797,611.44**
County Transportation Trust	**6,039.88**
E911 Operations Fund	**2,447.38**
Local Govt Infra Surtax	**945.15**

Comm Development Block 47,768.55
Affordable Housing 2,843.12
HCISSRB Construction Fund 166.97
Solid Waste 65,487.69
Placid Utilities 406.16
Highway Park Utility 160.58
Risk Retention Fund 786,824.20
Employee Benefit Fund 16.03

B. Request approval of minutes of the August 24, and September 2,7,9,12,and 14, 2004 board meetings
C. ~~Request approval of Satisfaction of Mortgage for Sean R. and Ida N. Wyland.~~
D. Request approval of Release of Nuisance #CE03010022, 1102 US 27 South, Avon Park, FL. See Subdivision file.
E. Request approval of Resolution and Budget Amendment 04-05-03. See Res. Book 17 Page 194.
F. Request approval of Budget Amendments 03-04-360 and 03-04-361

7. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Callie Johnson: Request approval of a Proclamation in support of "National 4-H Week"

Callie Johnson, President of the Lorida Livestock 4-H Club, presented the proclamation for approval and read it into the record. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve the request, proclaiming October 3-9, 2004 as *National 4-H Week* in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 195.

B. Howard A. Fleetwood, President, Military Sea Services Museum, Inc.: Request approval of a proclamation recognizing USS Highlands Week

Human Resources Director Fred Carino, as a member of the Military Sea Services Museum, Inc., read the proclamation into the record. The museum is hosting a reunion for the crew of the U.S.S. Highlands next week at the Kenilworth Lodge. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the proclamation, designating the week of October 11-17, 2004 as *U.S.S. Highlands Week* in Highlands County, Florida. Gabriel Reed spoke in support of the proclamation. Howard Fleetwood, President of the Military Sea Services Museum, stated the crew is the original crew of the ship, adding that October 13, 2004 is also the 229th birthday of the United States Navy. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 196.

C. Susan F. Buelow, Program Coordinator, Florida Department of Health: Request approval of a proclamation recognizing "Let's Talk" Month

Susan Buelow, Program Coordinator for the Florida Department of Health, presented the proclamation for approval, and read it into the record. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the proclamation, declaring October as *Let's Talk Month*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 197.

D. Human Resources Director: Request approval and adoption of plan year 2005 Group Health Plan Rates

Human Resources Director, Fred Carino, presented the 2005 Group Health Plan Rates for approval by the Board. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the Group Health Insurance Rates as proposed by Staff. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 89.

E. Board Attorney

No report.

F. County Administrator

1. Consideration and request for approval of a Resolution proclaiming a local emergency

County Administrator, Carl Cool, presented the resolution for approval. He suggested deleting the paragraph of the resolution pertaining to a countywide curfew. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve the resolution, as amended, extending the local state of emergency in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 198.

2. Request approval of Satisfaction of Mortgage for Sean R. and Ida N. Wyland

County Administrator, Carl Cool, stated this item was pulled off the consent agenda, at the request of Commissioner Bullard. He stated that there is a typographical error in the Staff memo, but the recommended motion is correct. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the Satisfaction of Mortgage for Sean R. and Ida N. Wyland. Upon roll call, all Commissioners voted aye. Motion carried. See Satisfaction file.

8. CITIZENS NOT ON THE AGENDA

No participants.

9. COMMISSIONERS

Commissioner Stokes thanked Glades Electric for working hard in restoring power in Lorida.

Commissioner Maxcy expressed his appreciation for county staff who worked to provide the community with much needed ice, water, and food after the storms.

10. ADJOURN

The meeting adjourned at 9:41 A.M.

_____

Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD OCTOBER 12, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by OMB Director, Rick Helms.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending October 12, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended October 8, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 90.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. Mr. Cool also gave a brief update on the mosquito spraying and debris removal in the county. Chairman Flowers announced that Commissioner Bullard and Richard Conover will be celebrating a birthday this week.

4. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve agenda as listed. Preston Colby requested detail on Items 4-E and 4-F. He also questioned how many budget amendments from FY 03-04 are still outstanding, and if they will prevent Staff from completing a trial balance in a timely manner. OMB Director, Rick Helms, gave a brief explanation of each budget amendment. Deputy Clerk, Bob Jamison, stated there are budget amendments for one to two months into the new fiscal year to correct the budgets of the individual cost centers. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits October 12, 2004

General	**815,622.05**
County Transportation Trust	**28,647.14**
E911 Operations Fund	**15,802.22**
Local Govt Infra Surtax	**171,191.35**
Affordable Housing	**484.20**
Fire Inspection	**59.30**
HCISSRB Construction Fund	**158,202.11**
Solid Waste	**15,629.55**

Placid Utilities 11,614.48
Highway Park Utility 122.18
Risk Retention Fund 4.52
Employee Benefit Fund 13.56

B. Request approval of Satisfaction of Mortgage for Gustavo & Yamilet Pena. See Satisfaction file.
C. Request approval of Satisfaction of Mortgage for Geraldine V. Shine. See Satisfaction file.
D. Request approval of Florida Department of Environmental Protection 2004/2005 Consolidated Solid Waste Management Grant Application. See Grant file.
E. Request approval of Budget Amendment 03-04-362
F. Request approval of Resolution & Budget Amendments 04-05-02,05,06,07,08, and 12. See Res. Book 17 Page 199.
G. Request approval of a Loan Agreement with the Highlands County Genealogical Society and The United Daughters of The Confederacy, Captain John Wesley Whidden Chapter, for the loan of their collection of Genealogy Books to the Lake Placid Library. See SMB 46 Page 91.
H. Request approval of the 2005 Board of County Commissioners Board Meeting Schedule. See SMB 46 Page 92.

5. WORKSHOP: Workshop on County Administrator Ordinance

County Administrator, Carl Cool, stated that Staff is considering amending the County Ordinance that sets forth the office of the County Administrator. He presented a proposed draft of the ordinance, with amendments, for discussion. Commissioner Jackson requested clarification on the time limit for notice of termination. Board Attorney, Ross Macbeth, stated that wording came from the Florida Statutes, and there is no time limit set forth. Commissioner Bullard questioned the designation of the budget officer. Deputy Clerk, Bob Jamison, questioned if it would comply with state statutes to include in the ordinance that the budget officer would be the County Administrator or his designee. Mr. Macbeth stated that Florida Statutes state the Board designates the budget officer. The Chair opened the floor to the public. Preston Colby commented on the time limit for a hearing request, and suggested some language changes. Mr. Macbeth stated that a public hearing will need to be scheduled for adoption of the ordinance, adding that another workshop could be held for further discussion. Staff was directed to review the ordinance, making the changes as recommended, and bringing it back before the Board for adoption. See tape for further detail. See file for copy.

6. WORKSHOP: Workshop on Solid Waste Collection Contracts

County Administrator, Carl Cool, gave a background summary on the solid waste contracts the County has with the two garbage haulers, Reliable Sanitation and Florida Recycling Services. He reported on a letter received from Reliable Sanitation, expressing an interest in renewing their contract with the County for an additional five years, but would not be able to do so without a cost increase. He stated that Florida Recycling would be willing to do collection for all of Highlands County at their current rate. The Board could negotiate with Reliable Sanitation, negotiate with Florida Recycling for a countywide contract, or put out for bids for the area currently covered by Reliable Sanitation. Solid Waste Director, Jerry Leszkiewicz, gave a list of the advantages and disadvantages of having one or two garbage companies in the county. After checking with other counties who have only one garbage hauler, he is recommending Highlands County stay with two haulers. Commissioner Bullard complimented both of the companies for

the tremendous job they do in serving the citizens of Highlands County. He spoke in opposition to negotiating with Reliable Sanitation at a higher rate, and suggested the County go out for bids, and allow both companies to bid, along with any other companies that are interested. Terry Collier, General Manager for Reliable Sanitation, stated his company would welcome the opportunity to negotiate with the County, if possible, or bid on the contract. Commissioner Jackson expressed his agreement with Commissioner Bullard. Mr. Cool stated that the Board needs to try to negotiate with Reliable before putting their contract out to bid. The Board reached a consensus to proceed with negotiations with Reliable Sanitation, and bring it back before the Board for approval. See tape for further details. See file for copy.

Break 10:53 - 11:03 A.M.

7. ACTION:

Motion by Commissioner Jackson, seconded by Commissioner Stokes to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Executive Director, Highlands County Economic Development Commission & Industrial Development Authority: Request approval of Project for Tourist Tax, Water Portion

Louise England, Executive Director, of the EDC/IDA, presented a funding request for approval, from the Tourist Development Council, to use Tourist Tax Funds for the printing of informational brochures for the Highlands County Lakes Association. Commissioner Bullard spoke in support of the request, but stated there are some typographical errors within the brochure. Ms. England stated she would meet with Commissioner Bullard to go over the errors. Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

B. County Administrator:

1. Request approval of Resolutions and Budget Amendment 04-05-09 decreasing fund 110 Reserve and 04-05-10 decreasing fund 151 Reserve

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the Resolutions and budget amendments as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 200.

2. Consideration and request for approval of a Resolution proclaiming a local emergency

Carl Cool presented the request to approve the resolution extending a local state of emergency in Highlands County. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 201.

8. COMMISSIONERS

Commissioner Bullard congratulated John Holbrook who was installed as mayor of the Town of Lake Placid last night, and Charlie Wilson, who was sworn in as a new town councilman.

9. ADJOURN

The meeting adjourned at 11:09 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD OCTOBER 19, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Harold Linville, Veterans Association.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending October 19, 2004. The Farm Report for September was also given.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended October 15, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 93.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. He announced that former county employee, Naureen Gwynn, passed away over the weekend.

5. CONSENT AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of the September 21, 28, and October 5, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits October 19, 2004

General	**2,142,330.12**
County Transportation Trust	**68,005.62**
E911 Operations Fund	**1,650.43**
Law Enforcement Education	**1.70**
Legal Aid	**2,975.04**
Local Govt Infra Surtax	**10,918.20**
HCISSRB Debt Service Fund	**1,516,431.88**
Affordable Housing	**2,223.55**
HCISSRB Construction Fund	**6,833.62**
Solid Waste	**59,558.56**

Placid Utilities 3,438.88
Highway Park Utility 413.07

C. Request approval of transfer or sale of several Tax Certificates per attached list - Wilton Ventures Inc. See SMB 46 Page 94.
D. Request approval of transfer or sale of several Tax Certificates per attached list - Princess Holdings Group Inc. # 1362. See SMB 46 Page 95.
E. Request approval of Contract for FY 04/05 Road Resurfacing Projects, Reference ITB 05-014. See file for copy.
F. Request approval of Notice of Nuisance, Case # 04020100, 3170 W. Shula Rd. Avon Park, FL 33826. See Subdivision file.
G. Request approval of Satisfaction of Mortgage for Augusto and Blanca Baque. See Satisfaction file.
H. Request approval of Satisfaction of Mortgage for Angel and Delia Sala. See Satisfaction file.
I. Request approval of Resolutions and Budget Amendments 04-05-13, 14, and 16. See Res. Book 17 Page 202.
J. Request approval of Resolutions and Budget Amendments 03-04-365 and 366. See Res. Book 17 Page 203.
K. Request approval of Resolutions and Budget Amendments 04-05-19 and 22. See Res. Book 17 Page 204.
L. Request approval of Budget Amendments 04-05-20 and 21
M. Request approval of Execution of Grant Contracts for FY 04-05: (1) Nu-Hope of Highlands County, Inc., a Florida Non-Profit Corporation, (2) Ridge Area Association for Retarded Citizens, Inc., a Florida Non-Profit Corporation. See Grant file.
N. Request approval of Church Facility Request. See SMB 46 Page 96.

6. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as amended, adding Items 4 and 5 under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Gabriel Reed: Request approval of a Proclamation to announce November as Highlands County Mentor/Tutor Program Month

Gabriel Reed, chairman of the Highlands County Mentor/Tutor Program, presented the request. Commissioner Bullard read the Proclamation into the record. Motion by Commissioner Bullard, seconded by Commissioner Stokes to adopt the Proclamation, declaring November as Highlands County Mentor/Tutor Program Month, and the week of November 19th, 2004 as Highlands County Mentor/Tutor Week. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 205.

B. Joseph Dionne, Veterans Service's Officer: Request approval of Appointment of New Veteran Services Advisory Board Members

Veterans Services Officer, Joseph Dionne, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the appointments of Harold Linville, Herbert Wilson, and William Droddy to the Veterans Services Advisory Board. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 97.

C. Bruce Van Jaarsveld, Road and Bridge Superintendent: Request approval of 05/06 Resurfacing List

Road & Bridge Superintendent, Bruce Van Jaarsveld, presented the request. He stated in the past, the County resurfaced approximately 30 miles of roads. However, due to the rising costs of asphalt, Staff is only proposing to resurface about 19 miles of roads in FY 05/06. Commissioner Jackson inquired about the costs associated with resurfacing and reconstructing roads. County Administrator, Carl Cool, stated the funding for road construction comes from gas taxes, which is a flat amount that does not go up with the price of gas. The cost to do the work is going up at the same rate the gas prices are going up. The State has not authorized the Counties to index their gas taxes yet. Richard Conover questioned why some roads that only have one or two homes on them are being resurfaced. Chairman Flowers stated that one factor for determining which roads get resurfaced is the amount of traffic volume on the road. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve the Road Resurfacing list for FY 05/06 as presented. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 98.

D. 10 AM - Charles Bryan, Tax Collector: Tax Collector Presentation

Myrna Spencer and Maryann Wolpert, from the Highlands County Tax Collectors Office, gave a powerpoint presentation on the Tax Collector's Office, and the services they provide to the County. She stated that the Tax Collector's Office will be returning approximately $538,000 of unspent budget funds to the Board.

E. Assistant County Administrator

No report.

F. Board Attorney

No report.

G. County Administrator

1. Request approval of Waiver of Landfill Tipping Fee for the Sebring U.S. Sport Aviation Expo

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to waive the Landfill tipping fees for the Sebring Airport Authority for the Sebring U.S. Sport Aviation Expo. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 99.

2. Request approval to Delay Increase in EMS Rates for Sebring International Raceway

Carl Cool stated that the County's new budget has an increase in EMS fees for the EMS crews standby. In a letter from the Sebring International Raceway, Tres Stephenson, President and General Manager, stated that he was not informed of the increase early enough to make any adjustments to his budget, and is requesting a delay in the increase for the Raceway until after the first of the year, to allow time to adjust his rates. Motion by Commissioner Jackson, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 100.

3. Request approval of Resolution declaring a local state of emergency

Carl Cool presented the request to consider a Resolution continuing a local state of emergency in Highlands County. He stated that debris removal continues on county roadways and non-county

maintained roadways. Commissioner Stokes suggested continuing the cleanup through November 15th. Jack Ritchie and Don Linton spoke in support of the resolution. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the resolution, extending the local state of emergency in Highlands County, and continuing the debris cleanup on non-county maintained roads through November 15th. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 206.

4. Discussion on RFP for selection of new County Administrator

Carl Cool presented this item for discussion to consider issuing a Request for Proposal (RFP) to hire a firm for the selection of a new County Administrator. He stated that if the Board chooses to do an RFP, they can begin the process now, or wait until the new Board is seated at the end of November. Commissioner Bullard spoke in support of beginning the RFP process as soon as possible. Commissioner Maxcy also spoke in support of issuing an RFP, but suggested letting Staff do the selection process in-house. The Board reached a consensus to instruct Staff to move forward with the RFP process. Mr. Cool stated he would get copies of RFP's from other local agencies to use as a model to draft one appropriate for the County. Commissioner Flowers suggested also checking with the Florida Association of Counties for a copy. Mr. Cool added that Staff would draft an RFP and bring it back before the Board for approval.

7. CITIZENS NOT ON THE AGENDA

Richard Conover stated that Consent Agenda Item 5-N should have come before the Building Use Committee. He added that the committee has not had a meeting in over 2 years, and stated that if it is not going to be used, they should dissolve it. Commissioner Stokes stated he had a good point. Staff was instructed to come back with a recommendation to either dissolve the committee or more clearly define its role.

8. COMMISSIONERS

Commissioner Bullard encouraged the public to vote, and reminded them that early voting is going on in the Government Center. He also encouraged the local news media to put emphasis on the water management referendum that is on the ballot.

9. ADJOURN

The meeting adjourned at 10:26 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD OCTOBER 26, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Lisa McClelland**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Andy Jackson. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending October 26, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended October 22, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 101.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. He reported that teams from FEMA and the Army Corp of Engineers are identifying and addressing temporary housing needs in the county. Development Services Director, Jim Polatty, stated a master map of the areas that have been covered is available in the Planning office, and is updated daily. Commissioner Bullard encouraged the public to call the Housing office if they know of anyone with a housing need. The phone number is 402-6650.

4. CONSENT AGENDA

Gabriel Reed spoke on Item F, and commended the Board for approving the grant. Richard Conover commented on Item D. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits October 26, 2004

General	**386,574.64**
County Transportation Trust	**10,542.72**
E911 Operations Fund	**2,838.17**
Local Govt Infra Surtax	**175,579.16**
Community Development Block	**10,569.68**
Affordable Housing	**2,336.72**
Fire Inspection	**5.00**
HCISSRB Construction Fund	**2,898.00**
Solid Waste	**10,931.97**

Placid Utilities 2,428.28
Highway Park Utility 300.71

B. Request approval of the transfer or sale of several tax certificates per attached list for Mitchell and Lisa Mercer. See SMB 46 Page 102.
C. Request approval of Final Plat Recording Panther Creek Golf Estates
D. Request approval to dissolve the Building Use Committee. See SMB 46 Page 103.
E. Request approval of Shared Savings Plan Agreement. See file for copy.
F. Request approval of Execution of Grant Contract for FY 04-05: (1) Boys & Girls Club of Highlands County, Inc., a Florida Non-Profit Corporation. See Grant file.
G. Request approval of Budget Amendment 04-05-23
H. Request approval of Resolutions and Budget Amendments 04-05-24; 25; and 26. See Res. Book 17 Page 207.
I. Request approval of Subordination of Mortgage for Tammy L. Workman.

5. **PUBLIC HEARING:** Public Hearing to consider Four (4) zoning changes and three (3) small scale plan amendments are on the Board of County Commissioners' Agenda for October 26, 2004. Proof of Publication for these hearings were entered into the record. See Proof of Pub Ord. Book 3 Page 68.

NEW BUSINESS: HEARING #CPA-04-314SS - GERALD R. WICKER JR. OR SHARON S. WICKER

An approximate .90 acre Parcel of land located at 1538 Sunset Beach Road and lying on the Northeasterly side Lake Viola, and legally described as follows: Approximately .96 acres located in Sec. 14, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A small scale plan amendment from (Agriculture) to (Low Density Residential).

NEW BUSINESS: HEARING #1762 - GERALD R. WICKER JR. OR SHARON S. WICKER

An approximate .90 acre Parcel of land located at 1538 Sunset Beach Road and lying on the Northeasterly side Lake Viola, and legally described as follows: Approximately .96 acres located in Sec. 14, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district). Applicant desires to construct a single family dwelling.

Development Services Director, Jim Polatty, presented the request. Gerald Wicker briefly explained the request. Commissioner Bullard questioned the minimum lot size requirement in an Estate district. Mr. Polatty replied that a one-half acre is required. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve, and adopt by Resolution P&Z 1762 changing the Zoning Atlas for 0.96 acres from AU (Agricultural district) to EU (Estate district) and adopt by Ordinance CPA-04-314SS amending the Future Land Use Map for 0.96 acres from Agriculture to Low Density Residential, referencing the mandatory findings and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 208.

HEARING #CPA-04-315SS - RAMONA CABRERA

A .90 acre of land lying on the North side of Oakwood Land at the intersection of Oakwood Land and Farm Road, and legally described as follows: Approximately .904 acres located in Sec. 24, Twp. 35S, Rge. 29E, Highlands County, Florida.
Request: A small scale plan amendment from (Low Density Residential) to (Medium Density Residential).

Development Services Director, Jim Polatty, presented the request. Ramona Cabrera spoke in support of her request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve of CPA-04-315SS amending the Future Land Use Map for 0.90 acres from Low Density Residential to Medium Density Residential. Upon roll call, all Commissioners voted aye. Motion carried

HEARING #1763 - MAGNOLIA PROPERTIES OF SEBRING, INC., ANTHONY GATES, V.P. - C/O ROGER DALE POLSTON

Thirty (30) Lots located in Block 267 on the Southeast corner of Sun 'N Lake Boulevard and Cortez Boulevard in Sun 'N Lake of Sebring Subdivision, and legally described as follows: Approximately 8.90 acres located in Sec. 4, Twp. 34S, Rge. 28E, Highlands County, Florida.
Request: A zoning change from R-1A (Residential district) to R-2 (Two-Family Dwelling district). Applicant desires to construct duplexes.

Development Services Director, Jim Polatty, presented the request. Dale Polston, representing the petitioner, spoke in support of the request. Commissioner Bullard questioned if the Board of Supervisors for the Sun'n Lake Improvement District has been notified of this request. Mr. Polston stated that the developers within the District are in favor of the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve, and adopt by Resolution P&Z 1763 changing the Zoning Atlas for 8.90 acres from R-1A (Residential district) to R-2 (Two-Family Dwelling district), after referencing the Mandatory Findings, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 209.

HEARING #1764 - WOLF CREEK PARTNERS, LLC. C/O JEFF FUTCH & ROB REED - AGENT - RICHARD C. WOHLFARTH, P.E., CCL CONSULTANTS, INC.

Approximately 638 acres located on the Northwest corner of State Road 66 and Sparta Road, and legally described as follows: Approximately 627 acres located in Secs. 17, 18, and 19, Twp. 35S, Rge. 29E, Highlands County, Florida.
Request: A zoning change from PD (Planned Development district) to PD (Planned Development district).

Development Services Director, Jim Polatty, stated that the applicants are requesting that this hearing be tabled until December 28, 2004. Commissioner Jackson stated a conflict of interest on this hearing, noting that one of the property owners is a client. A Memorandum of Voting Conflict was entered into the record. See SMB 46 Page 104. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the recommendations of the Planning and Zoning Commission move to table Hearing #1764 until December 28, 2004, at 9:00 a.m. or soon thereafter as possible at this location. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained. Motion carried.

HEARING #CPA-04-316SS - CHARLES JAMES WILSON III AND DOREEN WILSON - C/O

ULAY THOMPSON/PROGRESS ENERGY FLORIDA
A 6.58 acre Parcel lying on the East side of Cemetery Road, approximately 300 feet North of U.S. 27, and 350 feet South of Oak Hill Cemetery, and legally described as follows: Approximately 6.58 acres located in Sec. 30, Twp. 36S, Rge. 30E, Highlands County, Florida.
Request: A small scale plan amendment from "Agriculture" to "Commercial".

HEARING #1765 - CHARLES JAMES WILSON III AND DOREEN WILSON - C/O ULAY THOMPSON/PROGRESS ENERGY FLORIDA
A 6.58 acre Parcel lying on the East side of Cemetery Road, approximately 300 feet North of U.S. 27, and 350 feet South of Oak Hill Cemetery, and legally described as follows: Approximately 6.58 acres located in Sec. 30, Twp. 36S, Rge. 30E, Highlands County, Florida.
Request: A zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires to operate electrical transformer substations

Development Services Director, Jim Polatty, presented the request. Ulay Thompson, Senior Land Agent for Progress Energy, spoke in support of the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve, and adopt by Resolution P&Z 1765 changing the Zoning Atlas for 6.58 acres from AU (Agriculture) to B-3 (Business district) and adopt by Ordinance CPA-04-316SS amending the Future Land Use Map for 6.58 acres from Agriculture to Commercial, referencing the mandatory findings, and transmitting to the Florida Department of Community Affairs (FDCA) for their compliance determination, and upon the small scale amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 210.

6. ACTION
Motion by Commissioner Bullard, seconded by Commissioner Jackson to set action agenda as amended, adding an Item under the Board Attorney, and an Item under the County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Board Attorney: Request approval of Plat Recording for Nature's Walk Subdivision
Board Attorney, Ross Macbeth, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the plat recording for Nature's Walk Subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

B. County Administrator

1. Consideration and request for approval of a Resolution proclaiming a local emergency.

County Administrator, Carl Cool, presented the resolution for approval. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to approve the resolution extending the local state of emergency in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 211.

2. Request approval of Proposal Extension of Contract with Reliable Sanitation, Inc.

Carl Cool, presented the proposed extension of contract from Reliable Sanitation, noting that the contract would be renewed with a $10.04 increase per home, per year. Staff is recommending approval of the request. Commissioner Bullard commended Staff and the two Garbage Haulers for working together to come to an

agreement. Jeff Thompson, representing Florida Recycling, expressed concerns about the contract extension, and the rate increase. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve the proposed extension of contract with Reliable Sanitation, Inc. for the five year period commencing October 1, 2005 at the rate of $122.00 per home, per year. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

3. Proposed approval of termination of agreement with Convention and Visitors Bureau.

Carl Cool presented the request. Commissioner Bullard commended the CVB for all of the work they have done over the years. Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve the termination of agreement with the Convention and Visitors Bureau. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 105.

4. Recommendations on temporary status of Tourist Development Council and Budget Amendment 04-05-30

Carl Cool presented a recommendation from the Tourist Development Council, that the existing employees from the CVB be transferred to the County, as temporary employees with benefits. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve the recommendations as presented, and the budget amendment. Upon roll call, all Commissioners voted aye. Motion carried.

Carl Cool presented the recommendations from the Tourist Development Council to appoint Debra Worley and Christine Hatfield to serve on the TDC. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the appointments as recommended. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 106.

5. Request approval of Budget Amendments 03-04-367 and 03-04-373

Carl Cool presented the budget amendments for approval. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the budget amendments as presented. Upon roll call, all Commissioners voted aye. Motion carried.

7. COMMISSIONERS

Commissioner Bullard reminded the public that Saturday is Trick or Treat Night, and encouraged everyone to drive safely and watch out for the children. He also encouraged the public to help those who are still in need after the hurricanes. He recognized Ray Royce for his efforts in helping those in need.

8. ADJOURN

The meeting adjourned at 10:05 A.M.

_____
Chairperson

Attest: _____
Clerk

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`REGULAR MEETING OF THE BOARD NOVEMBER 2, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**

Commissioner Bullard was absent from the meeting, serving on the Canvassing Board.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Roger Perkins, member of the Highlands County Veterans Council.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending November 2, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended October 29, 2004 and a Monthly Report of Business Services for October* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 107.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve agenda as listed, with the addition of information to Item 5-U. Gabriel Reed commented on Items D, E, F and I. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of the October 12, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits November 2, 2004

General 2,413,360.77
County Transportation Trust 49,117.34
E911 Operations Fund 25.16
Conservation Trust Fund 400.00
Local Govt Infra Surtax 49,696.91

Community Development Block 44,804.00

Affordable Housing 3,588.61
HCISSRB Construction Fund 114,724.83
Solid Waste 39,507.22
Placid Utilities 24,125.83
Highway Park Utility 4,283.39
Employee Benefit Fund 4,171.28
Highlands Hosp Pass Thru 7,721.34

C. Request approval of transfer or sale of Tax Certificates per attached list for Lorene K. Brown #1134. See SMB 46 Page 108.
D. Request approval of Chastain-Skillman, Inc., CSA No. 89 for Bi-Annual Evaluation of Class I Landfill Ground Water Monitoring Data and Budget Amendment No. 04-05-04. See file for copy.
E. Request approval of Chastain-Skillman, Inc., CSA No. 90 to provide miscellaneous services to the Solid Waste Department for FY 04/05. See file for copy.
F. Request approval of Chastain-Skillman, Inc., CSA No. 88 to provide Engineering Services for expanding the Leachate Recirculation and Gas Collection System into Disposal Cell 3 of the Class I Landfill. See file for copy.
G. Request approval of PBS&J, Inc., Task Order No. 17 to provide miscellaneous services to the Solid Waste Department for FY 04/05. See file for copy.
H. Request approval to Declare County Owned Land, Parcel-ID: C-04-34-28-160-3400-0180 as surplus and grant permission to solicit offers on its sale through the County's bid process. Reference future ITB 05-017. See SMB 46 Page 109.
I. Request approval of Addendum 2 to consultant service agreement between BCC & Chastain Skillman (Avon Park Library Expansion). See Library file.
J. Request approval of Addendum to Contract for 1430 S. Highlands Avenue, Sebring, also known as Golf View Sub PB 1-PG 100 Lot 6 Less N 45 feet and all Lots 7-8-9 Less Road Right of Ways Block 226 Extending Closing Date to December 31, 2004. See file for copy.
K. Request approval of Execution of Grant Contract for FY 04-05 for (1) Peace River Center for Personal Development, Inc. See Grant file.
L. Request approval to Execute the Funding Agreement for the Emergency Management Preparedness and Assistant (EMPA) Base Grant for Fiscal Year 2004-2005. See Grant file.
M. Request approval of Re-appointment of Buddy McKenzie to the Historic Preservation Commission. See SMB 46 Page 110.
N. Request approval of Appointment of Cynthia Shuler to the Children's Services Council. See SMB 46 Page 111.
O. Request approval of Honorary Appointment of Larry Hooper to the Children's Services Council. See SMB 46 Page 112.
P. Request approval of Highlands County Hospital Board Grants. See file for copy.
Q. Request approval of Satisfaction of Mortgage for Claude & Lorie Smith. See Satisfaction file.
R. Request approval of Resolution and Budget Amendment 04-05-28. See Res. Book 17 Page 212.
S. Request approval of Resolution and Budget Amendment 04-05-31. See Res. Book 17 Page 213.

T. Request approval of Resolution and Budget Amendments 03-04-368, 69, 70, 71 and 72. See Res. Book 17 Page 214.

U. Receipt of the Constitutional Officers Financial Reports for the Fiscal Year Ended September 30, 2004. See Financial Reports file.

6. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as amended, with the addition of Item F-5 under the County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval of a Resolution recognizing the 100th Anniversary of Rotary International, a Global Network of Community Volunteers

Paul Ebersbach, President of the Avon Park Breakfast Rotary Club, presented the request. Chairman Flowers read the Resolution into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the Resolution, recognizing Rotary International for its 100th Anniversary of community service projects around the world. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 215.

B. Request approval of a Resolution Declaring November 2004 as National Epilepsy Awareness Month

County Administrator, Carl Cool, read the Resolution into the record. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the Resolution, declaring the month of November 2004 as National Epilepsy Awareness Month. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 216.

C. County Engineer: Request approval of the Addendum No. 3 to Consultant Service Authorization No. 49 Between Highlands County Board of County Commissioners and Chastain-Skillman, Inc.

County Engineer, Ramon Gavarrete, presented the request, stating that this will cover the services, not to exceed $27,040, from Chastain Skillman for the Courthouse and Jail Expansion project through January 31, 2005. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

E. Board Attorney

No report.

F. County Administrator

1. Consideration and request for approval of a Resolution proclaiming a local emergency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the Resolution, extending the local state of emergency for Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 217.

2. Request approval of waiver of Landfill Tipping fees for Acceptance of Waste Tire Tread Shavings from the Pride Tire Recap Plant at the Avon Park Correctional Institute

County Administrator, Carl Cool, presented the request from the Solid Waste Department, to waive the landfill tipping fees for the Avon Park Correctional Institute, for the acceptance of waste tire tread shavings from the Pride Tire Recap plant. Gabriel Reed spoke in support of the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 113.

3. Discussion about RFP for the Consultant for Executive Recruitment of County Administrator

County Administrator, Carl Cool, presented a proposed draft for the Board's consideration, of a Request for Proposal (RFP) for the executive recruitment of a County Administrator. Commissioner Maxcy stated his is not convinced that the County needs to go with an outside firm, and suggested the possibility of hiring Mr. Cool, on a consultant basis, to help run the county. Commissioner Flowers stated he would prefer to have a full board present before making any decisions on this issue. Commissioner Stokes made a motion to approve the draft and concept as presented, but not to send it out yet. Commissioner Jackson seconded the motion, stating the importance of moving along with this. Deputy Clerk, Bob Jamison, suggested making the RFP more generic, so it can be applied to more than just the County Administrators' position. The motion was amended to include language changes to make the RFP more generic. Upon roll call of the amended motion, all Commissioners voted aye. Motion carried. See file for copy.

4. Request for direction on Payment of Department of Juvenile Justice Invoice

County Administrator, Carl Cool, reported on a letter received from the Department of Juvenile Justice (DJJ), requesting payment for the Juvenile Detention cost shifts that were passed down to the Counties from the State. The letter gives the counties 15 days to pay the invoice. The Florida Association of Counties is in litigation with the state, claiming that the legislation that was passed last year shifting costs to the counties is unconstitutional. A hearing is scheduled for November 9, 2004, less that two days after the deadline. The FAC has also filed an injunction to prevent the law from being enforced while the matter is in litigation. Board Attorney, Ross Macbeth, stated the County is obligated to pay by Florida Statutes until a court rules the law unconstitutional. He suggested paying the bill under protest. If Highlands County does not pay, then DJJ could withhold the counties' revenue sharing funds until the bill is paid. Commissioner Stokes made a motion to pay the DJJ costs under protest. Commissioner Jackson seconded the motion, but stated he would rather see the County pay it after the hearing if possible. Deputy Clerk, Bob Jamison, stated if the payables department has the bill, it will be paid today. If not, then it will be paid next week. Mr. Cool suggested tabling the issue, and bring it back for a decision in two weeks, to allow time for a court ruling. Commissioner Stokes made a motion to table the original motion. Commissioner Jackson seconded the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 114.

D. Presentation from FEMA to the Board of County Commissioners

Helen McKinney, of the Highlands County Building Department, introduced Todd Davidson, representing the Federal Emergency Management Agency (FEMA). He reported that Highlands County has received a Class 8 Community Rating, which is the Flood Insurance Program's way of rewarding communities for achieving levels above and beyond the minimum requirements. This program also rewards homeowners by giving rate reductions for flood insurance. He presented the Board with a plaque recognizing Highlands County for participating in the National Flood Insurance Program Community Rating System. Development Services Director, Jim Polatty, recognized Helen McKinney for the outstanding job that she does in working on the community rating system and keeping it updated.

5. Request approval of Interlocal Agreement with the City of Avon Park for Donaldson Park and Memorial Park

County Administrator, Carl Cool, presented the Interlocal Agreement for approval. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve the Interlocal Agreement with the City of Avon Park, to provide funding for Donaldson Park and Memorial Park. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

All of the Commissioner wished everyone luck in today's elections.

9. ADJOURN

The meeting adjourned at 10:18 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD NOVEMBER 9, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

David Flowers	**Carl Cool**
Andrew Jackson	**Bob Jamison**
C Guy Maxcy	**J Ross Macbeth**
Bob Bullard	**Jodi Giguere**
Edgar Stokes	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Lt. Frank Worden.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending November 9, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended November 5, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 115.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. Commissioner Bullard announced the Veteran's Day Observance is scheduled for Thursday, November 11, 2004 at 2 P.M. on the Courthouse Lawn.

4. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits November 9, 2004

General	**192,424.80**
County Transportation Trust	**66,626.09**
E911 Operations Fund	**21,168.93**
Legal Aid	**2,975.04**
Local Govt Infra Surtax	**65,106.89**
Community Development Block	**60,815.60**
Affordable Housing	**802.17**
Fire Inspection	**33.66**
Recording Fees FS 28.222	**1,827.00**
Government Center	**4,600.00**
HCISSRB Construction Fund	**2,608.00**
Solid Waste	**55,781.93**

Placid Utilities 937.98
Highway Park Utility 22.01
Risk Retention Fund 4.51
Employee Benefit Fund 3,013.87

B. Request approval of Addendum to CSA for Chastain Skillman, Windy Point, Modification of Restroom Plans. See file for copy.
C. Request approval of Recording Instruments Accepting Cowhouse Road Right of Way and Drainage Easement
D. Request approval of Execution of Interlocal Agreement for Recreation FY 04-05 for Town of Lake Placid. See file for copy.
E. Request approval of Resolutions & Budget Amendments 03-04-374, 04-05-32, and 04-05-35. See Res. Book 17 Page 218.

5. WORKSHOP: Workshop on Placid Water/Wastewater Systems and Highway Park Water System Expansions.

County Engineer, Ramon Gavarrete, presented some discussion items concerning the future expansion of the Placid Lakes Water & Wastewater System and the Highway Park Water System. He presented three options to the Board to consider regarding how the County should negotiate, fund and proceed with any future expansions to the utility systems. With developers requiring extensions of the water and sewer lines, Staff is considering installing larger lines to accommodate future development, but needs direction from the Board on how to negotiate who should pay for the difference in the construction costs. A water line will be installed in Lake Placid along U.S. 27 from the Highway Park system to Lake McCoy to accommodate a housing development. Another line will be installed along U.S. 27 at Cemetery Road for a medical complex. Staff is wanting to install twelve inch lines to accommodate future developments. The developers are wanting smaller lines. Commissioner Bullard spoke in support of the expansion, but stated that it would be unfair to require the developers to pay additional costs for future expansions. Commissioner Stokes commended Engineering Staff for looking ahead and planning for the future. Commissioner Maxcy commented on extending lines for residential hookups and who would pay the costs. Mr. Gavarrete stated the County does not have an ordinance requiring mandatory hookups. Commissioners favored the option of entering into an agreement with the developers, collecting the impact fees and construction costs, and creating an assessment so the developer can recoup some of their costs. Commissioner Bullard suggested Staff draft an ordinance that would enact the option, and leave some flexibility for individual cases. Gabriel Reed questioned if this option is related to the Central Sewer Study Committee's recommendations. Commissioner Bullard stated they were a direct response to those recommendations. Harold Owen spoke in support of an ordinance requiring mandatory hookups. Staff was directed to prepare an ordinance containing the elements of the option discussed, for both developments and installing lines down residential streets.

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioners Stokes, to set action agenda as amended, with addition of items under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

Break 10:15 - 10:25 A.M.

A. Pamela Cross, Clerk's Finance Office: Presentation of Unadjusted Fiscal Year-End Financial Report of Key Operating Performance Measures as of September 30, 2004.

Senior Director of Business Services, Bob Jamison, and Finance Officer, Pam Cross, presented the Unadjusted Fiscal Year-End Financial Report of Key Operating Performance Measures for the Board of County Commissioners as of September 30, 2004. An Interim Financial Report of EMS Operating Performance Measures was also given. See Clerk's Financial Reporting file.

B. Board Attorney

No report.

C. County Administrator:

1. Consideration and request for approval of a Resolution proclaiming a local emergency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to adopt the resolution extending the local state of emergency for Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 219.

2. Request from Charles Erwin to waive a returned check fee.

County Administrator, Carl Cool, presented a request from Charles Erwin to waive a returned check fee. Mr. Erwin obtained a building permit in August 2004, but was not aware that his check had been returned by the bank unpaid. Because of the Board's policy, Staff is recommending the Board not waive the fee. The Board reached a consensus to abide by County policy and not approve the request. See SMB 46 Page 116.

3. Proposed Facility Use Agreement

Carl Cool stated that the Federal Emergency Management Agency (FEMA) has been using the Agri-Civic Center as a Disaster Recovery Center since the hurricanes. He presented a proposed Facility Use Agreement with FEMA for approval. Staff is recommending approval of the agreement and the acceptance of payment in the Tax Collector's office from FEMA with a credit card. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

4. Proposed Agreement for Florida Disaster Relief Funding

Carl Cool presented a proposed agreement between the State of Florida Department of Community Affairs and Highlands County Board of County Commissioners, to provide for funding reimbursements to the County for dollars spent during the recent hurricanes. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

5. Discussion on Debris removal

Carl Cool stated that the November 15th deadline for putting storm debris by the roadways for pickup is acceptable to county residents, but they are asking that the waiver of the tipping fees at the landfill be extended until December 1, 2004. Staff is recommending approval of the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to continue waiving the tipping fees at the landfill until December 1, 2004.

7. COMMISSIONERS

Commissioner Maxcy thanked the public for their votes last Tuesday, and stated he looked forward to working with the Board and Staff for another four years.

Commissioner Bullard commented on working on the Canvassing Board, and extending a commendation to Supervisor of Elections, Joe Campbell, and his Staff for all of their hard work during the elections.

Commissioner Jackson presented outgoing Chairman Flowers with a plaque, in appreciation for his continued commitment to the community and furtherance of the public trust in government for his service as Chairman.

Commissioner Flowers thanked the public for placing him in the position of public trust, and thanked the Board and County Staff for their dedication to serving the public.

8. ADJOURN

The meeting adjourned at 11:16 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD NOVEMBER 16, 2004

1. Swearing-in ceremony by Clerk of Courts Luke Brooker
- **A. Commissioner C. Guy Maxcy**
- **B. Commissioner Andrew B. Jackson**
- **C. Commissioner Barbara A. Stewart**

2. Break 9:10 - 9:25 A.M.

3. The meeting was called to order at 9:25 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Andrew Jackson	**Carl Cool**
C Guy Maxcy	**Bob Jamison**
Bob Bullard	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**
Barbara Stewart	

4. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Board Attorney, Ross Macbeth.

5. Election of a Chair and Vice-Chair

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to nominate Commissioner Jackson as Chairperson to the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to appoint Commissioner Jackson as Chairperson to the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

The gavel was passed to the new Chair, Commissioner Jackson.

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to nominate Commissioner Bullard as the Vice-Chairperson to the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried. Motion by Commissioner Stokes, seconded by Commissioner Stewart to appoint Commissioner Bullard as Vice-Chairperson to the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

6. Call for "Citizens not on the agenda: forms to be turned in

7. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending November 16, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended November 12, 2004 and a report of Jury Trial Week for November* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 117.

C. Upcoming County meetings were presented into the record by County Administrator, Carl

Cool. Additional meetings were announced for the benefit of the public.

8. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy , to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the October 19 and 26, 2004 board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits November 16, 2004

General	**548,321.18**
County Transportation Trust	**7,486.09**
E911 Operations Fund	**1,652.03**
Local Govt Infra Surtax	**9,100.19**
Sebring Parkway Maintenance	**8,292.63**
Solid Waste	**55,583.10**
Placid Utilities	**4,126.45**
Highway Park Utility	**683.42**
Risk Retention Fund	**.80**
Employee Benefit Fund	**2.40**

C. Request approval of transfer or sale of several Tax Certificates per attached list for The Eugene Longo Rev. Liv. Trust (Dated January 4, 2002). See SMB 46 Page 118.

D. Request approval of transfer or sale of a Tax Certificate for Bernard Wolkove. See SMB 46 Page 119.

E. Request approval to Release Lien, Case # 0307-0092, 17 East Palm Circle, Lake Placid, FL 33852. See Subdivision file.

G. Request approval to appoint Debra Worley to the Highlands County Library Advisory Board. See SMB 46 Page 120.

H. Request approval to designate Parcel as Surplus and place Parcel into the Affordable Housing Land Bank. See SMB 46 Page 121.

I. Request approval to accept Donated Parcels, designate Parcels as Surplus and Place Parcels into the Affordable Housing Land Bank. See SMB 46 Page 122.

J. Request approval of Resolutions and Budget Amendments 04-05-37 and 04-05-40. See Res. Book 17 Page 220.

K. Request approval of Budget Amendment 04-05-38

L. Request approval of Resolution and Budget Amendment 03-04-375. See Res. Book 17 Page 221.

M. Request authorization to Release Additional Funds for Clerk of Courts Finance Software Upgrades. See SMB 46 Page 123.

N. Request approval of Interlocal Agreement with the City of Sebring on Recreation Funding for FY 2004/05. See file for copy.

9. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Stewart to set action agenda as amended, removing Item C-3 from agenda, and addition of Item B-3 under Board Attorney. Upon roll call, all Commissioners voted aye. Motion carried.

A. County Engineer, Ramon Gavarrete: Request approval of Budget Amendment to Purchase Software to Interface Engineering Department's Plan Review Process, Driveway Permits, and Concurrency Reviews with the Building Department and Planning and Zoning Processes.

County Engineer, Ramon Gavarrete, presented the request. Commissioner Stewart questioned if this process is used across the state. Mr. Gavarrete stated it is used in a lot of cities and counties. Deputy Clerk, Bob Jamison, inquired about the interfacing process. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated, including the budget amendment. Upon roll call, all Commissioners voted aye. Motion carried.

B. Board Attorney

1. Request for Direction on Department of Juvenile Justice Litigation - Hearing and Administrative Procedures on CFO's Withholding.

Board Attorney, Ross Macbeth, gave an update on the Department of Juvenile Justice litigation, stating that the circuit court ruled in favor of the counties, and entered an injunction against both collection and enforcement by DJJ for non-payment. Unless the decision is overturned or the injunction lifted, no county needs to make any further payments to DJJ. He stated that the Board will be kept informed of any further developments. See SMB 46 Page 124.

2. Request to consider Amendment to Franchise Agreement with Reliable Sanitation

Board Attorney, Ross Macbeth, stated the Board recently considered a revision to the franchise agreement with Reliable Sanitation, with renewal of their contract at a different rate. The new rate was approved and the contract has been signed by Reliable Sanitation. Commissioner Bullard requested more time to study the contract prior to taking action on it. Mr. Macbeth stated that is can be put on next week's agenda as an action item.

C. County Administrator

1. Consideration and Request for Approval of a Resolution Proclaiming a Local Emergency

County Administrator, Carl Cool, presented the resolution for approval. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the resolution extending the local state of emergency for Highlands County. Commissioner Jackson inquired how much longer we would need to do this. Mr. Cool stated the main reason for the resolution is to continue the debris clean up. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 222.

2. Request approval of Budget Amendment 04-05-34 Decreasing Fund 401 Reserve for Contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried.

~~3. Request approval of Lease for DeSoto City Off Road R.C. Park, Inc~~

4. Discussion on Legislative Delegation Priorities

County Administrator, Carl Cool, stated that our legislative delegation will be here on Wednesday, December 8, 2004 at 9:30 A.M., to hear priorities that the County Commission would like them to consider in the next legislative process. They are requesting to have any suggestions or issues the Commission would like addressed, in writing by Friday, December 3rd. He presented the following issues for discussion and direction from the Board:

Water Management District Boundaries

Last year, House Bill 373 was proposed and approved by legislation, but was vetoed by the Governor. He stated that a meeting has been scheduled for next Monday with David Moore, Executive Director of SWFWMD, Henry Dean, Executive Director of SFWMD, a representative from the Governor's office, Commissioner Bullard, and himself, to talk about this issue. Some positive comments are needed from the Governor's office in order to move forward and get it passed through legislation again.

Gas Tax Indexing

This has been proposed for the last two years, but never went very far in the legislation process. He is recommending that the Board attempt to once again get the Florida Association of Counties to make this a state wide priority.

Unfunded Mandates regarding the Department of Juvenile Justice (DJJ)

Commissioner Bullard stated the unfunded mandates are not limited to DJJ, but the entire principal. We need to re-emphasize that we stand with the people of Florida and the Counties in opposition to this.

Commissioner Bullard brought up the need for more hurricane shelters in Highlands County, and wind compliant shelter in Lake Placid. He stated that the Town of Lake Placid has done some preliminary work on the proposed construction of a community/civic center for the town that could also be used as a hurricane shelter. He encouraged Staff to work with the Town of Lake Placid on this issue. Carl Cool stated that there are some buildings in Lake Placid that could be retro-fitted to become a wind compliant shelter. Commissioner Steward questioned if an analysis has been done of the facilities, including their deficiencies and the costs associated with upgrading them. Mr. Cool stated Staff does have that information.

Carl Cool also suggested considering asking the FAC ask the State to impose stronger wind standards on all homes and buildings. Commissioner Bullard stated that we need to look at the damage caused by the hurricanes, and do an in-depth analysis, and encourage the FAC to assist, of the homes that were built under the new building codes put into effect a few years ago, and compare those homes with the homes built under the old codes. Commissioner Maxcy added that there is always going to be some fascia, soffit, and shingle damage no matter what the standards are. Ross Macbeth added that the state is now working on tie-down standards, which do not exist right now, to make them uniform for the industry.

Staff was instructed to work on these issues and bring them back at next week's meeting for further discussion.

10. CITIZENS NOT ON AGENDA

No participants.

11. COMMISSIONERS

Commissioner Bullard announced that the Salvation Army will be having their annual Community Thanksgiving Dinner on Thursday, November 25th at the Salvation Army Center of Worship at 120 N. Ridgewood Drive in Sebring, between 11 A.M. and 2 P.M., and it is free to the public.

Commissioner Maxcy welcomed Commissioner Stewart to the Board.

Commissioner Stewart thanked the Board, and expressed her appreciation for their patience.

Commissioner Jackson stated that committee assignments will need to be done soon. Carl Cool stated that a list of all existing assignments will be put in each of the Commissioners' boxes today. Commissioner Bullard suggested appointing Commissioner Stewart as liaison to the committees that Commissioner Flowers was appointed to until such time a new liaison is appointed. Commissioner Jackson agreed with the suggestion. Ross Macbeth stated that some of the appointments require Board approval.

12. ADJOURN

The meeting adjourned at 10:50 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD NOVEMBER 23, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Andrew Jackson	**Carl Cool**
Bob Bullard	**Pam Cross**
C Guy Maxcy	**J Ross Macbeth**
Edgar Stokes	**Jodi Giguere**
Barbara Stewart	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Norma Stokes, representing the agriculture community of Highlands County. The Pledge of Allegiance was led by Commissioner Barbara Stewart.

3. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending November 23, 2004.

B. Clerk

No report.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits November 23, 2004

General	**721,104.84**
County Transportation Trust	**40,684.48**
E911 Operations Fund	**2,456.15**
Local Govt Infra Surtax	**126,766.87**
Community Development Block	**110,018.73**
Affordable Housing	**2,804.76**
HCISSRB Construction Fund	**3,237.22**
Solid Waste	**201,663.21**
Placid Utilities	**2,621.40**
Highway Park Utility	**935.38**

B. Request approval of Satisfaction of Mortgage for Isaac & Tess Walton. See Satisfaction file.

C. Request approval of Satisfaction of Mortgage for Ginger Shanklin. See Satisfaction file.

D. Request approval to appoint Sheriff-Elect Susan Benton as project manager on various

grant projects per attached list. See SMB 46 Page 125.

E. Request approval to Accept Donated Parcels, Designate Parcels as Surplus and Place Parcels into the Affordable Housing Land Bank

F. Request approval of transfer or sale of Tax Certificates per attached lists for Wilton Ventures, Inc. See SMB 46 Page 126.

G. Request approval of transfer or sale of Tax Certificates per attached list for George McKee. See SMB 46 Page 127.

H. Request approval of Contract for Installation of Refurbished Horizontal Baler at Recycling Center with Gary W. Musselwhite, d/b/a Re Quip. Reference ITB 04-066. See Landfill file.

I. Request approval of 05-CJ-L2-06-38-01-017/Law Enforcement Terrorism Prevention Program. See Grant file.

J. Request approval of Execution of the Recreation Interlocal Agreement Between City of Avon Park and Highlands County Board of County Commissioners. See file for copy.

K. Request approval of Budget Amendment 03-04-376

L. Request approval of Budget Amendment 03-04-377 and 04-05-47

M. Request approval of Resolution and Budget Amendment 03-04-378. See Res. Book 17 Page 223.

N. Request approval of Resolutions and Budget Amendments 04-05-42, 43, 44, and 45. See Res. Book 17 Page 224.

O. Request approval of Federal Equitable Sharing Agreement

12. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to set action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Ann O'Neal: Request approval of National Farm-City Week Proclamation

Norma Stokes, on behalf of the agriculture community, presented the proclamation for approval. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to adopt the proclamation, declaring the week of November 19 -25, 2004 as *National Farm-City Week*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 225.

B. Ben Walker, P.E., FDOT Planning Manager, Florida Department of Transportation: Discussion of Tentative Work Program FY 2005/06 - 2009-10

Ben Walker, Planning Manager for the Florida Department of Transportation, presented their Tentative Work Program for FY 2005/06 - 2009/10 for Highlands County. He added that funding for the turn lane at the new Georgia Pacific facility has been made available for the 2004/05 fiscal year, and the U.S. 27 southbound Weigh in Motion Station has been approved, with construction scheduled to begin in 2008/09. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to adopt and approve FDOT's Tentative Work Program as presented. Upon roll call, all Commissioners voted aye. Motion carried. Mr. Walker informed the Board and the public that DOT has set December 4th as the final date to put storm debris out for pickup by their contractors. See file for copy.

5. PUBLIC HEARING: Public Hearing to Request to place a Lien on Case # CE04030113

Code Enforcement Officer, Tommy Turnbull, presented the request to place a lien on the property located at 1915 N. Lake Sebring Drive, in Lake Sebring Acres, in the amount of $6,425.00. Motion by Commissioner Maxcy, seconded by Commissioner Stewart to approve the request as stated. Upon roll

call, all Commissioners voted aye. Motion carried. See Subdivision file.

6. PUBLIC HEARING: Public Hearing to consider Adoption of a Resolution to Vacate the Easement Described as the South 10.00 Feet of Lot 19, Blk E, Lake Jackson Heights, According to the Plat Thereof Recorded in Plat Book 7 Page 52, of the Public Records of Highlands County, Florida. Less and Except the East 10.00 Feet Thereof.

Proof of Publication was entered into the record. See SMB 46 Page 128. County Engineer, Ramon Gavarrete, presented the request. Rick Whidden spoke on behalf of the petitioners. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the resolution vacating the easement as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 226.

7. PUBLIC HEARING: Public Hearing to consider the Adoption of a Resolution to Vacate the Easement Described as the Southerly 7.50 Feet of the Westerly 170.00 Feet of Lots 29 and 30, Blk 394 and the Northerly 7.50 Feet of the Westerly 170.00 Feet of Lots 30 and 31, Blk 394 Sun N' Lakes Estates of Sebring, Unit 18, as per Plat Recorded in Plat Book 10 Page 27, of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 46 Page 129. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the resolution vacating the easement as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 227.

8. PUBLIC HEARING: Public Hearing to consider a Resolution to Vacate the Easement Described as a Utility Easement Along the Northerly 15 Feet of Lot 16, Blk G, Spring Lake Village, VIII, According to the Plat Recorded in Plat Book 11, Page 8, of the Public Records of Highlands County, Florida

Proof of Publication was entered into the record. See SMB 46 Page 130. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the resolution vacating the easement as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 228.

9. PUBLIC HEARING: Public Hearing to consider a Resolution to Vacate the Twenty (20) Foot Wide Drainage and Utility Easement, Lying 10 Feet to the North of the Southerly Lot Line of Lot 12 and 10 feet to the South of the Northerly Lot Line of Lot 11, and West of the Rear 10 Foot Utility and Drainage Easement Being Across Both Lots 11 and 12, Blk 249, Placid Lakes, Section Twenty, According to the Plat Thereof, as Recorded in Plat Book 9, Page 31 of the Public Records of Highlands County, Florida.

Proof of Publication was entered into the record. See SMB 46 Page 131. County Engineer, Ramon Gavarrete, presented the request. Jerry Hill spoke on behalf of the petitioners. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the resolution vacating the drainage and utility easement as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 229.

10. PUBLIC HEARING: Public Hearing to consider County Administrator Ordinance

Proof of Publication was entered into the record. See Proof of Pub. Ord. Book 3 Page 69. County Administrator, Carl Cool, presented the ordinance for the Board's consideration and approval. Board Attorney, Ross Macbeth, read the caption of the ordinance into the record. Commissioner Bullard commented on some language changes. Motion by Commissioner Bullard, seconded by Commissioner

Stokes to adopt the ordinance as presented. Upon roll call, all Commissioners voted aye. Motion carried.

11. PUBLIC HEARING: Public Hearing for a proposed Zoning change and Workshop for LDR amendment and one discussion

Proof of Publication for the following hearing was entered into the record. See SMB 46 Page 132.

(1) HEARING #1766 - RONALD & REBECCA MAPLES

Nine (9) Lots located in Sunny Pines Mobile Home Rental Park, north of Bayberry Drive, East of Sweetie Street, and South of Pam Lane, Sebring, Florida, and legally described as follows: Nine (9) Lots inside Sunny Pines Mobile Home Rental Park, located in Sec. 26, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from CG-1 (Campground district) to M-2 (Mobile Home Parks district). Applicant desires to eliminate nine (9) RV spaces for three (3) mobile home spaces.

Development Services Director, Jim Polatty, presented the request. Commissioner Stewart inquired if there were septic tanks on these nine lots. Ron Maples, petitioner, stated there are no septic tanks, adding that the entire property is serviced by a private sewer system. Motion by Commissioner Bullard, seconded by Commissioner Stewart, in accordance with the recommendations of the Planning and Zoning Commission and Local Planning Agency, move to approve and adopt by Resolution, P&Z 1766, changing the Zoning Atlas for approximately 0.367 acre from CG-1 (Campground district) to M-2 (Mobile Home Parks district), after entering into the record and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 230.

2) BRIEF DISCUSSION OF PROVISION OF CENTRAL WATER AND SEWER REQUIREMENTS THAT EXIST IN THE:

1. Existing LDRs;
2. Comprehensive Plan requirements;
3. Requirements in July Transmittal to DCA for Large Scale Comp. Plan amendments; and
4. Requirements in September Transmittal to DCA for Large Scale Comp. Plan amendments.

Development Services Director, Jim Polatty, briefly discussed the issue of central water and sewer requirements. He stated that the Planning & Zoning Board are about to recommend a revision of the Land Development Regulations (LDR's) that will merge all LDR's into Chapter 12. Staff is now preparing a response to DCA for the comp plan amendments that were transmitted in July and September. The problem is there are three different versions of both water and sewer requirements. P&Z has recommended to amend the LDR's to adopt was is contained in the comprehensive plan. Board Attorney, Ross Macbeth, stated the Board needs to try to adopt regulations, comp plans, and LDR's that are economically feasible for those projects that are coming into the county. Commissioner Bullard expressed his agreement with Staff's approach, adding that they need to come up with a uniform standard that is consistent within the LDR's and comp plan. Mr. Polatty stated that Staff can bring this issue back before the Board the first meeting in December, to allow the members of the Board to review the information and come to a decision.

12. ACTION AGENDA (Cont'd)

C. Human Resources Director: Request approval of Tourist Development Council recommendations concerning the Tourism Director and Administrative Secretary

Human Resources Director, Freddie Carino, presented a request from the Tourist Development Council to adopt the job description for the Tourism Director, and the adjustment to the salary for the Tourism Director and Administrative Secretary. Commissioner Bullard questioned if the job description and salaries are consistent with the structure of the County. Mr. Carino stated this is consistent with the County's compensation levels. Commissioner Stewart requested information on the qualifications and responsibilities of these positions and their comparability to County positions. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 133.

D. Board Attorney:

1. Request approval of Amendment to ITB #00-022 Franchise Solid Waste Collection Services Solid Waste Collection Franchise Contract

Board Attorney, Ross Macbeth, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stewart to approve the amendment to the Solid Waste Collection Franchise Contract with Reliable Sanitation. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

2. Request approval of Tourist Development Council Cable Television Advertising Agreement

Board Attorney, Ross Macbeth presented a recommendation from the Tourist Development Council to approve two agreements with Comcast and Florida Media Inc, for advertising. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the contract with Comcast for cable television advertising as presented. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the contract with Florida Media Inc, for advertising in an annual publication, as presented. Upon roll call, all Commissioners voted aye. Motion carried.

3. Request approval of Agreement for Guest House

Ross Macbeth presented a request to approve an agreement between the County and Randolph Giller, property owner, for the purpose of allowing the property owner to construct a guest house on his land. The property owner has been granted a special exception by the Board of Adjustment allowing a guest house on the property, with an agreement being a condition of the approval. Mr. Macbeth briefly explained the agreement and the restrictions included. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the agreement. Randolph Giller, property owner, expressed his opposition to the agreement presented, stating that additional restrictions have been added since he originally signed it. Commissioner Bullard withdrew his motion, suggesting tabling the issue till Staff can work it out, and draft an agreement that is acceptable to both parties. Commissioner Stokes withdrew his second. Staff was instructed to review and amend the agreement, and bring it back in a form that is acceptable and appropriate for the Board to take action on.

4. Presentation

Ross Macbeth presented the Chairman with a check, in the amount of $30,544.62, from Adventist Health Systems, to make up the difference between the bank qualified and non-qualified rates, for the Water and Sewer Bond that was recently issued.

Break 11:20 - 11:30 A.M.

E. County Administrator

1. Consideration and Request for approval of a Resolution proclaiming a Local Emergency

County Administrator, Carl Cool, presented the resolution for approval. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the resolution, extending the local state of emergency for Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 231.

2. Discussion and approval of proposed items to be presented to the Legislative Delegation.

County Administrator, Carl Cool, presented a list of items to be presented to the Legislative Delegation on December 8th, including gas tax indexing, water management district issues, additional hurricane shelters, and Department of Juvenile Justice cost shifts and unfunded mandates. He stated that gas tax indexing needs to be made a high priority at the Florida Association of Counties (FAC) conference next week. Commissioner Bullard agreed that the issue to be aggressively pursued at the conference. Mr. Cool stated the proposed legislation is a bill that would allow the Counties to make the choice if they want to index their gas taxes.

Mr. Cool stated that he, and Commissioner Bullard, met with the executive directors of SFWMD and SWFWMD and two representatives from the governors' office yesterday to discuss the legislation proposed for the water management district boundaries. He believes that the governor's office understands that the voters of Highlands County voted in favor of having the district boundaries amended. He added that this issue needs to be pushed again this year, and there is a possibility of getting the legislation approved. He recommended proposing the same bill that was submitted last year concerning the water management districts. The Florida Association of Counties is asking all of the Counties to address the issue of the Department of Juvenile Justice cost shifts with their legislative delegation, and encourage them not to vote for it.

3. Discussion on Tipping Fee Deadline for Storm Debris

Carl Cool requested the Boards' direction on the waiving of landfill tipping fees for storm debris. The deadline was set for December 1, 2004, but some citizens have come forward requesting that the deadline be extended. He stated that the Board needs to set a final date and hold to it. Commissioner Jackson stated he did not have a problem with extending the deadline to the first of the year. Commissioner Stokes said he is still waiting for a tree company to come and remove the trees from his backyard. Motion by Commissioner Bullard, seconded by Commissioner Stokes to set December 31, 2004 as the final deadline for waiving the tipping fee for storm related debris at the landfill. Mike Carr, who owns a tree service company, requested the Board to consider extending the deadline to January 31, 2005, due to the upcoming holidays. Upon roll call of the motion, all Commissioners voted aye. Motion carried.

L. OMB Director: Request approval of Resolution and Master Lease Agreement for Landfill Equipment

OMB Director, Rick Helms, presented the request to approve the Resolution and Master Lease Agreement for the lease of a Caterpillar Waste Handling Tractor for the landfill. The original lease that was offered through Ring Power Corporation included an interest rate of 8.0% and a buyout provision of $70,000 at the end of the lease. The Florida League of Cities/Bank of America Leasing & Capital, LLC, is offering

a lease with an interest rate of 3.35% and a $1.00 buyout provision at the end of the lease. Staff is recommending approval of the lease through the Florida League of Cities/Bank of America Leasing & Capital, LLC, which will result in savings in excess of $70,000, based on the change in the interest rate and buyout provision. Commissioner Bullard commended Rick Helms for his communication with and awareness of the Florida League of Cities program. Solid Waste Director, Jerry Leszkiewicz, thanked Rick Helms and Jed Secory for their awareness of the program, and saving the Solid Waste Department money. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the Resolution, Master Lease Agreement, and authorize the Chair and county staff to sign the appropriate documents for the lease of the equipment. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 232 and Landfill file.

13. COMMISSIONERS

Commissioner Maxcy wished everyone a Happy Thanksgiving, and encouraged everyone to be safe.

Commissioner Stewart reminded everyone that the Avon Park Christmas Parade is Monday evening, November 29th.

Commissioner Bullard also wished everyone a happy and safe holiday.

14. ADJOURN

The meeting adjourned at 12:26 P.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD DECEMBER 7, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Andrew Jackson	**Carl Cool**
Bob Bullard	**J Ross Macbeth**
C Guy Maxcy	**Bob Jamison**
Edgar Stokes	**Jodi Giguere**
Barbara Stewart	

2. Opening Invocation with prayer in remembrance of Pearl Harbor, December 7, 1941, and Pledge of Allegiance

The meeting opened with a special prayer, in remembrance of Pearl Harbor, by Veterans Services Officer, Joseph Dionne. The Pledge of Allegiance was led by Col. Roy Whitton.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending December 7, 2004. The Farm Report for November was also given.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended December 3, 2004 and a Monthly Report of Business Services for November* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 134.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits December 7, 2004

General	**745,674.64**
County Transportation Trust	**19,537.05**
E911 Operations Fund	**34.37**
Local Govt Infra Surtax	**52,067.99**
Community Development Block	**19,166.18**
Affordable Housing	**29,484.34**
Sebring Parkway Maint	**850.00**
HCISSRB Construction Fund	**226,161.67**
Solid Waste	**57,347.34**
Placid Utilities	**14,387.78**

Highway Park Utility 164.13
Risk Retention Fund 4.49
Employee Benefit Fund 13.47

B. Approval of minutes of the November 2, 2004 board meeting minutes
C. Request approval of transfer or sale of several Tax Certificates - William C. Dailey. See SMB 46 Page 135.
D. Request approval of transfer or sale of Tax Certificate - Danielle R. Coleman #1367. See SMB 46 Page 136.
E. Request approval of a Satisfaction of Mortgage for Kenya N. Rich. See Satisfaction file.
F. Request approval of a Satisfaction of Mortgage for Susan Juliano. See Satisfaction file.
G. Request approval of a Satisfaction of Mortgage for Enid DeJesus. See Satisfaction file.
H. Request approval of a Guesthouse Agreement - Giller.
I. Request approval of a conveyence of County-owned land, Parcel-ID S-29-070-0160-0021, at 620 located Pomegranate Avenue to Sandhill Enterprises, Inc., per award of ITB 04-054.
J. Request approval of Dori Slosberg Driver Education Safety Act Quarterly Receipts & Disbursements. See file for copy.
K. Request approval of a settlement offer on an EMS bill. See SMB 46 Page 137.
L. Request approval to write off an EMS bill. See SMB 46 Page 138.
M. Request approval to place a Nuisance on Case #CE04060022 - 407 W. 4th Street, Avon Park. See Subdivision file.
N. Request approval of the Highlands County Fair Association, Inc.'s request for 14 loads of shell rock and 3 loads of sand for the fairgrounds. See SMB 46 Page 139.
O. Request amendment of Sheriff's office's prior request (approved by the board on 11/23/04) changing project management responsibilities on federal grants to reflect an effective date of December 29, 2004. See SMB 46 Page 140.
P. Request to accept into the record the Quarterly Summary of Funds Collected per Florida Statute 939.185 & Ordinance #03-04-23
Q. Request to accept into the record the Monthly Summary of Funds Collected per Florida Statute 318.18 & Ordinance 03-04-23 for July '04 through October '04
R. Request approval of contract for Fiscal Funding Year FFY 2004 CDBG ED Program Administration Services. See grant file.
S. Request approval of an Agreement with FEMA for space at 4509 George Boulevard. See file for copy.
T. Request approval of EMS County Grant Resolution & Application. See file for copy.
U. Request approval of recordation of Warranty Deed from Smoak Partnership to Highlands County for Pendarvis Road Extension Right of Way, Project #02060
V. Request approval of recordation of Temporary Easement from Town of Lake Placid for the construction of Pendarvis Road, Project #02060
W. Request to approve Federally Funded Sub-grant Agreement between Highlands County and the State of Florida Department of Community Affairs for $198,271.00 to purchase equipment to enhance hazardous materials incident response and mass casualty incident response & Resolution & Budget Amendment 04-05-55. See Grant file and Res. Book 17 Page 233.
X. Request approval of Funding Agreement between Highlands County and the State of Florida Department of Community Affairs for expenses incurred from

Hurricane Charley, Hurricane Frances and Hurricane Jeanne. See Grant file.

Y. Request approval of extension to Agreement for Bond Counsel Services and Financial Advisory Services. See file for copy.

Z. Request approval of Budget Amendments 04-05-53 & 54

AA. Request approval of Resolution and Budget Amendment 04-05-51. See Res. Book 17 Page 234.

6. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

A. EMS Director: Request approval of two Provisional Paramedic positions

EMS Director, Rick Weigand, presented the request for approval of two additional Provisional Paramedic positions, on a one time basis. He stated that they currently have four employees that have completed their Paramedic training. Of the four, two have received their certification, and are working in the two provisional positions. The other two employees are either waiting on their results from, or scheduled to take their state certification board tests. He is requesting the two additional positions to allow these two employees to work at the same level as the others. Commissioner Bullard made a motion to approve the request as stated, and expressed his congratulations to the four employees that have completed their training. Commissioner Stokes seconded the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 46 Page 141.

B. Insurance Specialist: Request approval of Section 125 Cafeteria Plan Services Agreement

Insurance Specialist, Sherri Bennett, presented a request to approve an agreement with Cornerstone for the administration of the County's Section 125 Cafeteria Plan. Commissioner Maxcy questioned if this was put out for bids. Mrs. Bennett advised it did, and Cornerstone came in under the NCT Group, who has administered the plan in the past. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

C. Parks & Recreation Director: Request approval of Recreation & Parks Advisory Committee's recommendation - Town of Lake Placid, and Budget Amendment #04-05-52

County Administrator, Carl Cool, presented a recommendation from RPAC to approve a budget amendment for the funds to replace batting cages for the Town of Lake Placid. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

D. Extension Director: Request approval & adoption of 4-H Shooting Sports Policy and use of Avon Park Marl Pit for use as a shotgun practice range

Extension Director, Gary Mikulecky, presented a request for the adoption of the 4-H Shooting Sports Policy and Use of the Avon Park Marl Pit for use as a shotgun practice range. Commissioner Stewart expressed concern about a conflict with other users of the property for fishing, and the safety of others. Mr. Mikulecky stated the property is supposed to be restricted, is fenced, and is not to be used for fishing. If approved, the 4-H club would like to start after the first of the year, and signs will be posted. Commissioner Bullard questioned what type of shooting will occur, and in what direction. Mr. Mikulecky stated that the shooting will be over the lake, using biodegradable targets. County Administrator, Carl

Cool, advised the Board will also need to waive Board policy restricting the discharge of firearms on County property for this site. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

E. Development Services Director: Request approval of water & sewer requirements

County Administrator, Carl Cool, briefly discussed the issue. He stated that the County Engineer, the Development Services Director, and himself, are in agreement with the Planning and Zoning Commissions' recommendation to amend the Land Development Regulations (LDR) to meet the Comprehensive Plan, making the requirements for water and sewer less stringent. Development Services Director, Jim Polatty, added that there are approximately 55 large scale comp plan amendments scheduled for public hearings at the end of December, and public hearings to adopt LDR amendments are scheduled for January. Both concepts conflict with each other. Commissioner Bullard spoke in agreement with P&Z's recommendation. The Chair opened the floor to the public.

Curtis DeYoung spoke in agreement to making the LDR's and comp plan consistent, but suggested making the threshold 20 units for water and sewer. Don Linton and Jack Ritchie spoke in opposition to P&Z's recommendation. Commissioner Stewart spoke in support of adopting the LDR requirements, and suggested bringing in representatives from other counties that have been faced with this issue. She also asked if it would create a problem to leave the requirements as they are, or is a definitive number needed for the large scale developments that are coming before the board. Board Attorney, Ross Macbeth, stated there would be no problem, because there have been inconsistencies between the LDR's and comp plan for some time. Commissioner Bullard made a motion to approve the recommendations of the P&Z, and direct staff to amend the LDR's to be consistent with the comprehensive plan. Commissioner Stokes seconded the motion. Upon roll call, all Commissioners voted aye, except Commissioners Stewart and Maxcy, who voted nay. Motion carried.

F. Board Attorney

No report.

G. County Administrator: Request approval of Legislative Delegation package

County Administrator, Carl Cool, presented the Legislative Delegation package to the Board for their consideration and approval. He summarized the items that will be presented tomorrow morning to the Delegation. He also presented a draft Resolution, for approval, stating the Board's opposition to any proposed legislation that attempts to shift the cost of juvenile detention to the Counties. Commissioner Bullard spoke in opposition to adopting the resolution. Commissioner Maxcy stated the County needed to continue the battle for gas tax indexing and hurricane shelters. The Board instructed Staff to present the items as listed.

7. CITIZENS NOT ON THE AGENDA

Ray Napper, on behalf of Channel 17, offered to televise the County Commission meetings live, once they are back on the air. The station has agreed to donate the air time, but would require the Board to purchase a transmission system for the government center.

8. COMMISSIONERS

Commissioner Stokes reported on the Florida Cattlemen's Association meeting he attended Friday, where representatives from St. Johns Water Management District and South Florida Water Management District gave a report on the effects of the recent hurricanes and what they learned from them.

Commissioner Maxcy reported on the FAC conference he attended last week.

Commissioner Bullard commented on a letter the County has received from Comcast Cable.

9. ADJOURN

The meeting adjourned at 11:16 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD DECEMBER 14, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Andrew Jackson	**Carl Cool**
Bob Bullard	**J Ross Macbeth**
C Guy Maxcy	**Bob Jamison**
Edgar Stokes	**Jodi Giguere**
Barbara Stewart	

2. Invocation and Pledge of Allegiance

The meeting opened with a prayer by Board Attorney, Ross Macbeth. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending December 14, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended December 10, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 142.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve agenda as amended, removing one budget amendment from Item 5-P, and addition of item for approval to Item 5-I. Commissioner Bullard requested more detail in the future for plat recordings. The motion carried unanimously.

A. Request approval to pay all duly authorized bills and employee benefits December 14, 2004

General	**489,446.45**
County Transportation Trust	**21,929.96**
E911 Operations Fund	**15,995.60**
Conservation Trust Fund	**219.00**
Local Govt Infra Surtax	**876,932.80**
Community Development Block	**8,777.14**
HCISSRB Construction Fund	**100.00**
Solid Waste	**19,586.00**
Placid Utilities	**1,401.59**
Highway Park Utility	**394.44**
Risk Retention Fund	**331,638.00**

Employee Benefit Fund 2,988.16
Highlands Hosp Pass Thru 287,000.00

B. Request from the Lake Placid Festival Association to waive the tipping fee for the Lake Placid Craft Fair on February 5 & 6, 2005. See SMB 46 Page 143.
C. Request approval of transfer or sale of a Tax Certificate – Laurie Bass. See SMB 46 Page 144.
D. Request approval of transfer or sale of several Tax Certificates – Wilton Ventures. See SMB 46 Page 145.
E. Request approval of transfer or sale of several Tax Certificates – The Eugene Longo Rev Liv Trust Dated 01/04/02. See SMB 46 Page 146.
F. Request approval of Notice of Nuisance on CE 03060052, 216 Douglas Ave., Sebring. See Subdivision file.
G. Request approval of Notice of Nuisance on CE 03060050, 220 Douglas Ave., Sebring. See Subdivision file.
H. Request approval of Final Plat Recordation – US 27 Commercial Center Replat of Lots 5, 6, and 7
I. Request approval of Final Plat Recordation and Improvement Agreement – Lake Regency Woods
J. Request approval of Final Plat Recordation – Fish Hawk Reserve
K. Request approval of Addendum to Contract for 1430 S. Highlands Avenue, also known as Golf View Sub PB 1- Pg 100 Lot 6 less N. 45 feet and all Lots 7-8-9 less Road Right of Way Block 226 extending closing date to March 31, 2005. See file for copy.
L. Request approval to approve the "Home Again" Disaster Relief Program. See Housing file.
M. Request approval and execution of FY04-05 Health Department Core Contract. See Grant file.
N. Request approval of a Freshwater Fish and Wildlife Conservation Commission (FFWCC) Amendment to Contract N. 03068 – Windy Point Park. See file for copy.
O. Request approval of Budget Amendment 04-05-62
P. Request approval of Resolution and Budget Amendments ~~04-05-57~~; 58; 59; 64; 66. See Res. Book 17 Page 235.

6. WORKSHOP: Presentation on Code Enforcement activity since June 1, 2004, and to request the review of a budget amendment for 2004/2005 fiscal year for a full time Code Enforcement Secretary

County Administrator, Carl Cool, stated that last March, the Board discussed several options for implementing pro-active code enforcement in the county. Staff recommending hiring a temporary code enforcement clerk, which would allow the code enforcement officers more time in the field. The Board approved the recommendation for a six month time period, and requested Staff report back on the effects the temporary clerk had on code enforcement's level of service to the County. The hiring of a full-time code enforcement clerk was submitted in the 04/05 budget, but was not approved. Staff is now recommending the same position for the remainder of the fiscal year. Mr. Cool stated he saw no problem with funding the position for the remainder of the fiscal year. Zoning Supervisor, Gary Lower, gave a brief report on the code enforcement activities since June 2004. He stated that the number of complaints registered and inspections completed has increased, and the code enforcement officers have increased the amount of time they spend in the field, and increased their response times to complaints. Commissioner

Jackson inquired about the costs associated with the position. Mr. Cool stated the amount requested in the budget was $26, 892 including benefits. Commissioners Bullard, Stewart, and Stokes all spoke in support of funding the position for the remainder of the fiscal year. OMB Director, Rick Helms, requested that the Board review all of the positions that were requested during the budget process before making a decision. Commissioner Jackson expressed his support of the funding, and requested to see the numbers associated with funding the position for one year. Carl Cool stated budget amendments could be brought back before the Board next week, one showing the figures for funding for the remainder of the fiscal year, and one with the figures for one full year. See tape for further detail.

7. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy to set action agenda as amended, with addition of item under County Administrator. The motion carried unanimously.

A. County Administrator

1. Request approval of Resolutions & budget amendments 04-05-56 and 61 also increasing fund 005 Reserve for Contingency & increasing fund 110 Reserve for Contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the resolutions and budget amendments as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 236.

2. Annual Report

County Administrator, Carl Cool, presented his annual report to the Board. He stated that the County's Calendar will be coming out with the Annual Report in it.

8. COMMISSIONERS

Commissioner Stewart requested more information on the Transportation Disadvantaged program, and suggested the possibility of each Commissioner giving periodic briefings about the different committees they sit on, in order to keep everyone informed of the issues. Commissioner Jackson advised her that she has been appointed to that committee.

Commissioner Bullard agreed with the suggestion, adding that he could have Marsha Stasko, Coordinator of the Transportation Disadvantaged program, come and give the Board a brief overview of the program.

9. ADJOURN

The meeting adjourned at 10:32 A.M.

_____
Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD DECEMBER 21, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Andrew Jackson	**Carl Cool**
Bob Bullard	**Tom Portz**
C Guy Maxcy	**J Ross Macbeth**
Edgar Stokes	**Pam Cross**
Barbara Stewart	**Jodi Giguere**

2. Invocation and Pledge of Allegiance

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. Call for "Citizens not on the agenda" forms to be turned in

4. ANNOUNCEMENTS

A. Sheriff

Lt. Frank Worden presented the daily jail log of inmate count for the period ending December 21, 2004.

B. Clerk

Deputy Clerk, Pam Cross, presented *a report of Weekly Court Services for week ended December 17, 2004 and a report of Jury Trial Week for December* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker.

C. Upcoming County meetings were presented into the record by County Administrator, Carl Cool.

5. CONSENT AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve agenda as amended, removing Item 5-B from agenda. The motion carried unanimously.

A. Request approval to pay all duly authorized bills and employee benefits December 21, 2004

General	**2,486,059.69**
County Transportation Trust	**15,865.27**
E911 Operations Fund	**41.30**
Legal Aid	**2,975.04**
Local Govt Infra Surtax	**13,015.94**
Community Development Block	**25,682.00**
Affordable Housing Asst	**2,309.20**
Recording Fees	**1,438.00**
HCISSRB Construction Fund	**2,919.55**
Solid Waste	**15,996.45**
Placid Utilities	**5,606.89**
Highway Park Utility	**1,299.91**

Employee Benefit Fund 6.89
Highlands Hosp Pass Thru 3,860.67

B. ~~Request approval of recording instruments when signed and funds have been provided for recording costs accepting Panther Place and Rooster Lane Right of Way and maintenance~~
C. Request approval of a Notice of Nuisance, Case #04060065, 4619 High Avenue, Sebring. See Subdivision file.
D. Request approval of a Notice of Nuisance, Case # CE0408-0023, 107 Main Street, Lake Placid. See Subdivision file.
E. Request approval to declare a nuisance code case # CE0410-0074, 1579 Spring Lane, Lake Placid. See Subdivision file.
F. Request approval of Addendum No. 1 to PBS&J, Inc., Task Authorization No. 14 for consulting services for design and permitting of the leachate storage basin expansion. See Landfill file.
G. Request approval to reappoint Kevin Roberts to the Polk County Opportunity Council, Inc. See SMB 46 Page 148.
H. Request approval of annual leave request. See SMB 46 Page 149.
I. Request approval of codification of charter for the Sebring Airport Authority, as required by FS 189.429
J. Request approval of EMS Rural Matching Grant. See Grant file.
K. Request approval of Resolution and Budget Amendment 04-05-68. See Res. Book 17 Page 238.

6. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as amended, with addition of item under County Administrator. The motion carried unanimously.

A. Commissioner Bob Bullard: Request approval of a Proclamation in recognition of Mr. Jim Wilkins for his dedication and work on behalf of Highlands County's Lakes

Commissioner Bullard presented the request and read the proclamation into the record. He presented the proclamation to Mr. Jim Wilkins, recognizing him for his dedication and work on behalf of Highlands County's Lakes. He also presented a plaque to Mr. Wilkins, on behalf of the Highlands County Lakes Association, recognizing him for his service to the County. Mr. Wilkins thanked the Board and the Lakes Association for their recognition. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the proclamation, recognizing Mr. Jim Wilkins for his dedication and work on behalf of Highlands County's Lakes. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 239.

B. Emergency Operations Director: Presentation of Firefighter 1 certificates

Emergency Operations Director, Tim Eures, along with Chairman Jackson, presented Certificates of Completion of the Firefighter I Class to the following: Randy Britnell, Dale Conrad, Sandra Daughtrey, Brad Hicks, Wesley Newton, and Ed Smith (Sun'n Lakes Fire Department - Lake Placid), Eric Conklin (Highlands Park Fire Department), Josh Cordero, Robert Singles, and Matt Wentz (West Sebring Fire Department), Gerald Romig (Leisure Lakes Fire Department), and Robert White (Desoto City Fire Department). Tim Eures stated the Ken Jorgensen also passed the class but was unable to take his exam due to being called up for duty in Iraq. Chairman Jackson expressed his thanks for their dedication and

hard work in completing the course and serving their communities. Commissioner Bullard expressed his appreciation and thanks to all of them for their commitment to completing the class.

C. Arrival of Santa Claus

D. William Ockert, P.E., Project Manager, DKS Associates: Request approval of the Functional Classification/Urban Boundary Maps

County Engineer, Ramon Gavarrete, introduced William Ockert, a Professional Engineer hired by the Florida Department of Transportation, to do a review and revision of the Functional Classification/Urban Boundary Maps. He added that the maps are used primarily to determine the eligibility of various highway facilities to receive federal funds. Mr. Ockert, Project Manager for DKS Associates, gave a brief presentation on the purposes of the project, and the guidelines used for classification. He requested the Board to review and approve the three maps: the County map and the two cluster maps of Sebring/Avon Park and Lake Placid. Commissioner Bullard suggested revising the maps to reflect all of the street name changes that have taken effect in the County. Mr. Gavarrete stated he will have his staff review the name changes and pass the corrected information on to Mr. Ockert. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the Functional Classification/Urban Boundary Maps, subject to street name changes being included. Upon roll call, all Commissioners voted aye. Motion carried.

E. Board Attorney

No report.

F. County Administrator: Report on possible purchase of a sewer system

County Administrator, Carl Cool, advised the Board of an offer to consider the purchase of a sewer system and sewage treatment plant in Sebring that serves Fairmount Mobile Estates. He stated this is something the County should look into, but not spend a lot of money on at this point in having a detailed analysis made. He added he has already talked with the County Engineer's office to have an initial review done, and will report back to the Board with additional information. Commissioner Maxcy requested information on the long term benefits of this purchase to the County.

7. CITIZENS NOT ON THE AGENDA

No participants.

8. COMMISSIONERS

All the Commissioners wished everyone a Merry Christmas.

Commissioner Bullard encouraged everyone to remember those military personnel that are serving overseas.

9. ADJOURN

The meeting adjourned at 9:59 A.M.

_____

Chairperson

Attest: _____

Clerk

REGULAR MEETING OF THE BOARD DECEMBER 28, 2004

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Andrew Jackson	**Tom Portz**
Bob Bullard	**J Ross Macbeth**
C Guy Maxcy	**Bob Jamison**
Edgar Stokes	**Jodi Giguere**
Barbara Stewart	

2. Invocation and Pledge of Allegiance

The meeting opened with a prayer by Board Attorney, Ross Macbeth. The Pledge of Allegiance was led by Commissioner Bob Bullard.

3. ANNOUNCEMENTS

A. Sheriff

Sgt. Paula Weeks presented the daily jail log of inmate count for the period ending December 28, 2004.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a report of Weekly Court Services for week ended December 22, 2004* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 46 Page 150.

C. Upcoming County meetings were presented into the record by Assistant County Administrator, Tom Portz.

4. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as listed, with a correction to Item 4-G. The motion carried unanimously.

A. Request approval to pay all duly authorized bills and employee benefits December 28, 2004

General	**132,363.77**
County Transportation Trust	**3,984.22**
E911 Operations Fund	**4,527.30**
Local Govt Infra Surtax	**14,919.31**
Affordable Housing Asst	**1,094.37**
HCISSRB Construction Fund	**125,464.77**
Solid Waste	**11,806.44**
Placid Utilities	**6,598.16**
Highway Park Utility	**1,151.95**
Employee Benefit Fund	**2,036.50**

B. Request approval of Satisfaction of Mortgage for Corrine Ingalls. See Satisfaction file.

C. Request approval of transfer or sale of Tax Certificates for JNA Associates. See SMB 46 Page 151.

D. Request approval to amend lease between Board of County Commissioners and Central Florida Glass and Mirror extending termination date through August 31, 2005. See file for copy.

E. Request approval of Resolution to set Public Hearing date to consider the closing of Oak Park Avenue from its intersection with CR 17 A North to its intersection with the northern boundary of the petitioner's land, encompassing the common boundary line of the Southeast Quarter of Section 10, and the Southwest Quarter of Section 11, both in Township 33 South, Range 28 East, Highlands County, Florida. See Res. Book 17 Page 241.

F. Request approval of Resolution and Budget Amendment 04-05-73. See Res. Book 17 Page 242.

G. Request approval of Resolution and Budget Amendment 04-05-74. See Res. Book 17 Page 243.

H. Request approval of Resolution and Budget Amendment 04-05-72. See Res. Book 17 Page 244.

5. Don Hansen from the Water Advisory Board address BCC in reference to his resignation as a member of this board.

Don Hansen informed the Board of his resignation from the Water Advisory Board, adding that it has been an enjoyable experience working with the Commissioners.

10. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set action agenda as listed. The motion carried unanimously.

A. Artie McIntrye, General Manager, Highlands County Fair Association: Requesting support for a grant to be used for a convention center/hurricane shelter

Artie McIntrye, representing the Highlands County Fair Association, requested the Board's support for a grant that the Association wrote to the Florida Department of Agriculture, for funding for a 38,000 square foot multi purpose facility, to be used as a convention center/hurricane shelter. He stated that this is the same grant request that they have submitted for the past three years, but feels that, due to the recent hurricanes, they might have a better chance at getting it this year. The budget request has already been sent to the House of Representatives through Representative Grimsley's office. Commissioner Maxcy questioned if Rep. Grimsley is going to support and present the request. Mr. McIntyre stated he did not know which Representative will present it, but they do have letters of support from Rep. Troutman and Rep. Alexander. Commissioner Stewart requested an updated copy of the grant submittal. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to support the Highlands County Fair Association's grant request, and instruct the Chairman to write a letter expressing their endorsement. The motion carried unanimously. See SMB 46 Page 152.

8. PUBLIC HEARING: Public Hearing of a motion to consider a Resolution to vacate plat described as removal of that dashed line appearing on the West 30 feet of Lot 1, Block A, Breezy Point Park Subdivision, as said line erroneously represents a purported extension of Hickory Street South from Lake Stearns Drive to the shoreline of Lake Stearns

Proof of Publication was entered into the record. See SMB 46 Page 153. County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy

to approve the resolution vacating the plat as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 17 Page 245.

9. PUBLIC HEARING: Request to place lien on Case #CE04020100 - 3170 W. Shula Road, Avon Park

Code Enforcement Officer, Tommy Turnbull, presented the request to place a lien on the property located at 3170 W. Shula Road, Red Hill Farms Subdivision in Avon Park, in the amount of $600.00. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

6. PUBLIC HEARING: Public Hearings for proposed Large Scale Plan Amendments, County Initiated Large Scale Plan Amendments, and Text Amendments

Forty-one (41) large scale plan amendments, six (6) County initiated large scale plan amendments, and four (4) text amendments. Proof of Publication was entered into the record for the following hearings. See Proof of Pub. Ord Book 3 Page 69.

Commissioner Maxcy entered a Memorandum of Voting Conflict form into the record for the following hearings due to the applicants being clients, business associates, or family members: Hearings # 6-2, 6-3, 6-4, 6-5, 6-10, 6-11, 6-12, 6-13, 6-14, 6-19, 6-35, 7-2, 7-5, and 7-6. Commissioner Bullard entered a Memorandum of Voting Conflict form into the record for the following hearings due the applicant being a relative: Hearings # 6-25, 6-26, 6-27, and 7-3. See SMB 46 Page 154.

6 -1) <u>HEARING # CPA-04-229LS (A) - SOUTH FLORIDA WATER MANAGEMENT DISTRICT - C/O JEFF MCLEMORE - COUNTY INITIATED</u>

Approximately 37.36 acres located in Sec.2, Twp.36S, Rge.32E, Highlands County, Florida.

Request: A large-scale plan from (Existing Designation) to (Conservation Management Lands). Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance CPA-04-229(A)LS, including referencing the mandatory findings contained in the Staff Report. Upon roll call, all Commissioners voted aye. Motion carried.

6 -2) <u>HEARING #CPA -04-256LS - DAVIS CITRUS MANAGEMENT, INC. - C/O RICK WHIDDEN</u>

Subject property is located on the south shore of Lake Glenada, adjacent to Lake Glenada Mobile Home Park, and abbreviated legal as follows: Approximately 40.00 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential). Applicant desires single family residences.

Development Services Director, Jim Polatty, presented the request. Joe Davis, petitioner, stated he agrees with P&Z's recommendation, limiting the dwelling units to 49 with central water and septic tanks. Commissioner Bullard commended the applicant for his willingness to limit the density on the property, adding that the ordinance will have to be amended to reflect the lower density. Commissioner Stewart suggested that higher density with central sewer would be more appropriate for this property. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency/ Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-256LS after

referencing the mandatory findings contained in the Staff Report, amending the ordinance to reflect the changes in the conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart, who voted nay, and Commissioner Maxcy who abstained. Motion carried.

6 -3) HEARING #CPA-257LS - DAVIS ENTERPRISES, INC. - C/O RICK WHIDDEN

Subject property is located on the west side of SR 17 across from the intersection with Arbuckle Creek Rd., and abbreviated legal as follows: Approximately 139.24 acres located in Sec. 18, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) and (Low Density Residential) to (Medium Density Residential) and (High Density Residential). Applicant desires single family residences and multiple family housing.

Development Services Director, Jim Polatty, presented the request, stating that an additional condition has been added to the ordinance, allowing for the future purchase of right-of-way for the Sebring Parkway Phase Four. Joe Davis, petitioner, stated his disagreement with the additional condition. He added that they would be willing to accept Staff's conditions upon approval of the comp plan amendment. Commissioner Maxcy suggested the possibility of re-aligning Phase Four of the Parkway. Commissioner Bullard agreed, but added that any re-alignment would still affect the outcome of a sector plan. Commissioner Stewart questioned the original purpose of the sector plan, adding that the County needs to work with the property owner, and take the time to do the plan correctly. Commissioner Bullard suggested deleting condition #9 from the ordinance. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance CPA-04-257LS, as amended, deleting condition #9, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained. Motion carried.

Break 11:10 - 11:25 A.M.

6 -4) HEARING #CPA-04-258LS - DAVIS CITRUS MANAGEMENT INC., DAVIS ENTERPRISES, DAVIS SAVANNAH JUSTINE TRUST & DAVIS ASHLEY MAUREEN TRUST (C/O J L & PATRICIA M DAVIS TRUST) - C/O RICK WHIDDEN

Subject property is located on the northwest, southwest, and southeast corners of SR 17 and Downing Rd., and abbreviated legal as follows: Approximately 26.89 acres located in Secs. 7 and 18, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial). Applicant proposed uses are stated in the attached in the application.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance CPA-04-258LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

6 -5) HEARING #CPA-04-259LS - JOE L. DAVIS, SR. - C/O RICK WHIDDEN

Subject property is located on the southeast corner of CR 64 and Cr 17A, east of Avon Park, and abbreviated legal as follows: Approximately 9.05 acres located in Sec. 24, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial). Applicant proposed uses are stated in the attached in the application.

Development Services Director, Jim Polatty, presented the request. Joe Davis stated all of the conditions are acceptable. Commissioner Stewart expressed concerns about putting commercial in this area. Rick Hayes stated he has been looking for commercial property in Avon Park, but has not found any. Louise England, IDA/EDC, stated a study determined this property to be a good location for a commercial business park. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-259LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye, except Commissioner Stewart, who voted nay, and Commissioner Maxcy who abstained. Motion carried.

6 -6) <u>HEARING #CPA-260LS - LORI CHANEY - C/O THOMAS L. NUNNALLEE</u>

Subject property is located on the east side of CR 64 at the Polk County Line, and abbreviated legal as follows: Approximately 18.76 acres located in Sec. 3, Twp. 33S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Existing) to (Agriculture). Applicant desires to construct a single family dwelling with agricultural uses.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stewart, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-260LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye. Motion carried.

6 -7) <u>HEARING #CPA-04-261LS - SAXON GROVES, INC. - C/O RICK WHIDDEN</u>

Subject property is located on the west side of US 27, south of The Reflections on Silver Lake Mobile Home Park, and abbreviated legal as follows: Approximately 116.844 acres located in Sec. 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential). Applicant desires to construct single family residences.

Development Services Director, Jim Polatty, presented the request. Jim Brooks, representing the applicant, stated they will limit the maximum number of lots to 75 on the property, with septic tanks and central water. Commissioner Stewart requested that an additional condition be included in the ordinance, requiring a minimum lot size of one acre. Motion by Commissioner Stokes, seconded by Commissioner Stewart, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-261LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, including the changes in the conditions as discussed. Upon roll call, all Commissioners voted aye. Motion carried.

6 -8) <u>HEARING #CPA-04-262LS - SAXON GROVES, INC. - C/O RICK WHIDDEN</u>

Subject property is located on the west side of US 27, north of The Reflections on Silver Lake Mobile Home Park ,and adjacent to The Silver Lake Wildlife and Environmental Area, and abbreviated legal as follows: Approximately 52.108 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential). Applicant desires to construct single family residences.

Development Services Director, Jim Polatty, presented the request. Jim Brooks, representing the applicant, stated they are willing limit this development to 49 lots, with septic tanks and central water. Commissioner Stewart expressed concerns about putting in residential next to commercial property. Mr.

Brooks stated they will work with the adjacent property owner to make it work for both of them. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, in accordance with the Local Planning Agency/ Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-262LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, including the changes in the conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart, who voted nay. Motion carried.

6 -9) HEARING #CPA-04-263LS - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the west side of US 27, just north of the entrance to The Reflections on Silver Lake Mobile Home Park, and abbreviated legal as follows: Approximately 41.353 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agricultural) to (Commercial). Applicant desires commercial development and permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Jim Brooks stated the applicant has no objections to Staff's recommendations. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-263LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye. Motion carried.

7-1) HEARING #CPA-04-264LS - SAXON GROVES, INC. - C/O RICK WHIDDEN

Subject property is located on the east side of US 27 just north of College Dr, and abbreviated legal as follows: Approximately 9.91 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A small scale plan amendment from (High Density Residential) to (Commercial). Applicant desires commercial development and permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Jim Brooks stated the applicant has no objections to Staff's recommendations. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve Staff recommendation and adopt by Ordinance CPA-04-264LS. Upon roll call, all Commissioners voted aye. Motion carried.

Lunch Break 12:45 - 1:45 P.M.

6 -10) HEARING #CPA-04-266LS - CRUTCHFIELD GROVES, INC.; CRUTCHFIELD, JOHN THOMAS; TAYLOR, CHRISTINE, C. TR.; CAPO, KATHLEEN C. HALEY TR.; CRUTCHFIELD, H. EARL; HENRY CRUTCHFIELD, INC.; CLAGETT TAYLOR INC.; J. H. CRUTCHFIELD; KNIGHT, ALBERT A.; MCKENNA, MARTIN J.; MCKENNA, MARTIN J. AND KAREN N.; CRUTCHFIELD, GLORIA S.; AND HARSHMAN HOLDINGS, INC. - C/O RICK WHIDDEN

Subject property is located east of SR 17, north of Arbuckle Creek Rd.,and is surrounding Basket Lake, and abbreviated legal as follows: Approximately 409.0 acres located in Secs. 7, 8, and 17, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential). Applicant desires to construct a private gated single family dwellings development.

Development Services Director, Jim Polatty, presented the request. Commissioner Bullard questioned the

applicants objection to one of the conditions. Mr. Polatty stated since the P&Z meeting, Staff and the applicant have worked out their differences. Augie Fragala, representing the applicant, stated they are now in agreement with all of Staff's recommendations. Commissioner Stewart questioned if the applicant will be providing central water and sewer. Mr. Fragala stated the project will be developed with central water and sewer, and a letter of commitment has been received from the City of Sebring to provide adequate capacity. Commissioner Stewart suggested a language change to condition #9. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency/ Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-266LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended condition as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

6 -11) <u>HEARING #CPA-04-267LS - HENRY CRUTCHFIELD INC. - C/O RICK WHIDDEN</u>

Subject property is located on both sides of SR 17, north of Downing Rd, and south of Power Line Rd, and abbreviated legal as follows: Approximately 29.4 acres located in Sec. 7, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial) and (Low Density Residential). Applicant desires the permitted uses in the B-3 zoning district and single family residences.
Development Services Director, Jim Polatty, presented the request. Commissioner Stewart suggested a language change to condition #7. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-267LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended condition as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

6 -12) <u>HEARING #CPA-04-269LS - HENRY CRUTCHFIELD INC. - C/O RICK WHIDDEN</u>

Subject property is located on the west side of SR 17 at the intersection of Arbuckle Creek Rd, and abbreviated legal as follows: 12.0 acres located in Sec. 18, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (High Density Residential). Applicant desires to construct multiple family dwellings.
Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-269LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, including the amended condition as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

6 -13) <u>HEARING #CPA-04-271LS - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN</u>

Subject property is located on the southwest corner of US 98 and CR 17, and abbreviated legal as follows: Approximately 1.93 acres (comprising Lots 6 through 11, of Town of Desoto City, PB 1, PG 39) located in Sec. 22, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial). Applicant desires the permitted uses in the B-3 zoning district.
Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-271LS, including referencing the mandatory

findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

6 -14) HEARING #CPA-04-272LS - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on both sides of US 27 south of Hughes Supply, and abbreviated legal as follows: Approximately 34.91 acres located in Secs. 15 and 22, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial). Applicant desires the permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Tom Crutchfield spoke in support of the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-272LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

6 -35) HEARING #CPA-04-306LS - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on the southwest corner of US 27 and SR 66, and abbreviated legal as follows: Approximately 69.27 acres located in Sec. 16, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Industrial) to (Commercial). Applicant desires all the permitted uses in B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-306LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

7-2) HEARING #CPA-04-273LS - CRUTCHFIELD GROVES INC. - C/O RICK WHIDDEN

Subject property is located on the northwest corner of US 27 and SR 66, and abbreviated legal as follows: Approximately 41.68 acres located in Sec. 16, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial) and (Industrial). Applicant desires industrial uses.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve Staff recommendation and adopt by Ordinance Case # CPA-04-273LS, including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried

6 -15) HEARING #CPA-04-274LS - GAPWAY GROVE CORPORATION - C/O JOHN W. STRANG

Subject property is located along both sides of Scenic Highway and continues around the south

and east shores of Little Redwater Lake, and abbreviated legal as follows: Approximately 323 acres located in Secs. 12 and 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) and (Low Density Residential) to (Medium Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. He pointed out some changes that need to be made to the conditions in the ordinance. John Strang, represented the applicant, stated they have no objections to the conditions. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-274LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, including the amended conditions as discussed. Upon roll call, all Commissioners voted aye. Motion carried.

6 -16) <u>HEARING #CPA-04-275LS - PIONEER GROVE, INC. - C/O CLIFFORD M. ABLES, III</u>

Subject property is located on both sides of Oak Park Ave, north of Snyder Rd on Lake Pioneer, and abbreviated legal as follows: Approximately 59.36 acres located in Secs. 10 and 11, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Cliff Ables, representing the applicant, stated they are willing to reduce the maximum number of dwelling units to 75, with minimum one half acre lots, with septic tanks and central water. Commissioner Bullard questioned if the applicant would consider central sewer if it is available, within one quarter mile, at the time of development. Mr. Ables stated they would consider central sewer if the City of Avon Park will provide it to the site. Ned Hancock stated that central sewer has not been extended out that far at this time. Commissioner Stewart asked the applicant if they would be willing to put in sewer lines for future hookup when central sewer is available. Mr. Ables stated he would have to consult with an engineer to determine how to lay out the lines and preserve them. He did not see any advantage to putting in the lines prior to development. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to approve and adopt by Ordinance Case # CPA-04-275LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried.

6 -17) <u>HEARING #CPA-04-276LS - HEARTLAND HOLDINGS CO. LLC</u>

Subject property is located on the north shore of Lake Pythias, adjacent to River Greens Golf Course, and abbreviated legal as follows: Approximately 318 acres located in Sec. 2, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Rick Hayes stated no objections to Staff's recommendations. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-276LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye. Motion carried.

6 -18) <u>HEARING #CPA-04-277LS - CHARLES J. WADE & NICOLE P. WADE - C/O ROGER</u>

DALE POLSTON, POLSTON ENGINEERING, INC.

Subject property is located on the east side of US 27 south of The Sun' n Lake - Lake Placid Golf Course, and abbreviated legal as follows: Approximately 79.33 acres located in Sec. 28, Twp. 37S, Rge. 30E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential) and (Commercial). Applicant desires single family residences, GAIA Center with lodge, coffee shop, Learning Center, Wellness Center, Spa, parking, various recreational, meditation and gardening uses.

Development Services Director, Jim Polatty, presented the request. Dale Polston, representing the applicant, stated no objections to Staff's recommendations. Commissioner Bullard expressed concerns about the potential square footage of development. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-277LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye. Motion carried.

6 -19) HEARING #CPA-04-278LS - GOSE GROVES, INC. / LELIA LAKE GROVE, LLC. - C/O L. C. SMITH AND DALE POLSTON

Subject property is located on the north shore of Lake Lelia, and abbreviated legal as follows: Approximately 20 acres located in Sec. 27, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-278LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

6 -20) HEARING #CPA-04-279LS - DP PARTNERS, LTD, DANIEL L. PHYPERS, PGP PARTNERS, LTD, PAUL G. PHYPERS, AND LEX AND KAREN CAUFFIELD - C/O ROGER DALE POLSTON

Subject property is located on the east side of CR 17, just north of the intersection with US 27 South, on Lake Simmons, and abbreviated legal as follows: Approximately 34 acres located in Sec. 24, Twp. 36S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Drew Phypers stated they are restricting the development to a maximum of 49 dwelling units. P&Z approved the maximum number of dwelling units, allowing for septic tanks and wells. Mr. Phypers stated that if central water and sewer are available at time of development, within one quarter mile, they will agree to tie into the lines. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-279LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried.

6 -21) HEARING #CPA-04-280LS - DP PARTNERS, LTD, DANIEL L. PHYPERS, PGP

PARTNERS, LTD, PAUL G. PHYPERS, HHD PARTNERS, LTD, HAYWARD H. DAVIS, CONSOLIDATED-TOMOKA LAND COMPANY - C/O ROGER DALE POLSTON

Subject property is located between Old State Road 8 and the east shore of Lake Placid, and abbreviated legal as follows: Approximately 253.5 acres located in Sec. 18, Twp. 37S, Rge. 30E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Drew Phypers stated no objections to Staff's recommendations. Motion by Commissioner Stokes, seconded by Commissioner Stewart, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-280 LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye. Motion carried.

6 -22) HEARING #CPA-04-282LS - MARK, INC. AND SEBRING GROUP - C/O ROGER DALE POLSTON

Subject property is located north of Skipper Rd just west of the intersection with US 27, and abbreviated legal as follows: Approximately 21.83 acres located in Sec. 21, Twp. 35S, Rge. 28 E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-282LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried.

6 -23) HEARING #CPA-04-289LS - JOHN P. BARBEN AND JEAN D. HANCOCK, J. NED HANCOCK AND TAMMY S. HANCOCK - C/O ROGER DALE POLSTON

Subject property is located west of US 27 north of The Reflections on Silver Lake Mobile Home Park, and abbreviated legal as follows: Approximately 74.6 acres located in Secs. 28 and 33, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial). Applicant desires the permitted uses in B-3.

Development Services Director, Jim Polatty, presented the request. Commissioner Bullard expressed concerns about not limiting the amount of potential square footage for the commercial development. Commissioner Stewart suggested the applicant limit the development to forty (40) percent of the property. John Barben stated that they would be willing to limit the development if needed. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency/ Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-289LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, including the amended conditions as discussed. Upon roll call, all Commissioners voted aye. Motion carried.

6 -24) HEARING #CPA-04-290LS - ROGER AND SUSAN GURGANUS - C/O DALE POLSTON

Subject property is located east of Avon Park on the north side of Winthrop St at Lotela, and

abbreviated legal as follows: Approximately 34.54 acres located in Sec. 14, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. He stated the applicant is requesting to increase the development to 150 maximum dwelling units. Dale Polston, representing the applicant, added that water and sewer will be provided to the development. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-290LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye. Motion carried.

Break 3:55 - 4:10 P.M.

6 -25) <u>HEARING #CPA-04-291LS - REYNOLDS FARMS INC. - C/O RICK WHIDDEN</u>

Subject property is located at the southeast corner of US 27 and SR 70, and abbreviated legal as follows: Approximately 73.11 acres located in Sec. 4, Twp. 38S, Rge. 30E, Highlands County, Florida.

Request: A large scale plan amendment (Agriculture) to (High Density Residential) and (Commercial).

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-291LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye, except Commissioner Bullard who abstained. Motion carried.

6-26) <u>HEARING #CPA-04-292LS - GREGORY SCOTT REYNOLDS - C/O RICK WHIDDEN</u>

Subject property is located on the west side of Placid View Dr south of Jersey St, and abbreviated legal as follows: Approximately 36.93 acres located in Sec. 26, Twp. 37S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. He added that the applicant had no objections to Staff's recommendations and conditions. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-292LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye, except Commissioner Bullard who abstained. Motion carried.

6 -27) <u>HEARING #CPA-04-294LS - REYNOLDS PROPERTIES LTD. - C/O RICK WHIDDEN</u>

Subject property is located between CR 621 and the south east shore of Lake Istokpoga, and abbreviated legal as follows: Approximately 26 acres located in Sec. 20, Twp. 36S, Rge. 31E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Commissioner Stewart inquired if anyone from Emergency Services commented on the location of this development. MR. Polatty stated that neither Fire Services or EMS commented on this. Motion by Commissioner Maxcy, seconded by

Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-294LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay, and Commissioner Bullard who abstained. Motion carried.

7-3) HEARING #CPA-04-295LS - IAN AND LEIGH ANNE TAYLOR, REYNOLDS PROPERTIES, CL REYNOLDS, TERRY REYNOLDS, REYNOLD FARMS, BULLARD -C/O RICK WHIDDEN

Subject property is located on both sides of Lake Francis Rd, south of Lake Persimmon, and abbreviated legal as follows: Approximately 253.57 acres located in Secs. 14 and 15, Twp. 36S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Low Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve Staff recommendation and adopt by Ordinance CPA-04-295LS. Upon roll call, all Commissioners voted aye, except Commissioner Bullard who abstained. Motion carried.

6 -28) HEARING #CPA-04-296LS - KAHN CITRUS INC. - C/O BEN CROSBY

Subject property is located on the east side of Scenic Highway, north of Sebring Parkway, and abbreviated legal as follows: Approximately 19.43 acres located in Sec. 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (High Density Residential). Applicant desires to construct multiple family dwellings.

Development Services Director, Jim Polatty, presented the request. Ben Crosby, representing the applicant, stated no objections to Staff's recommendations and conditions. Commissioner Stewart questioned if they could still hold the property owner to the sector plan, since he already has his zoning on the property. Mr. Polatty stated the land use change takes precedence over the zoning, and the Board can require him to participate in the sector plan. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-296LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye. Motion carried.

6 -29) HEARING #CPA-04-297LS - KAHN CITRUS INC. - C/O BEN CROSBY

Subject property is located on the northeast corner of Sebring Parkway and Scenic Highway, and abbreviated legal as follows: Approximately 8.0 acres located in Sec. 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Commercial). Applicant desires the permitted uses in B-3.

Development Services Director, Jim Polatty, presented the request, adding that the ordinance will need to be amended, adding the legal description of the property. Motion by Commissioner Bullard, seconded by Commissioner Stewart, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-297LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amendments to the ordinance as discussed. Upon roll call, all Commissioners voted aye. Motion carried.

6 -30) HEARING #CPA-04-298LS - CREWS GROVES, INC. AND C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located on the east side of US 27, south of The Sunpure Plant, and abbreviated legal as follows: Approximately 75.03 acres located in Sec. 4, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Industrial) and (High Density Residential). Applicant desires an industrial development and high density residential.

Development Services Director, Jim Polatty, presented the request. Mike Gallagher, representing the applicant, stated no objections to Staff's recommendations and conditions. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-298LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried.

6 -31) HEARING #CPA-04-299LS - LETTA-BONNETT GROVES, INC. AND C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLP - C/O JACK P. BRANDON

Subject property is located to the east and south of The Pinecrest Golf Course, and abbreviated legal as follows: Approximately 296 acres located in Secs. 25, 35, 36, Twp. 33S, Rge. 28E, and Sec. 1, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) and (Low Density Residential) to (Medium Density Residential) and (High Density Residential). Applicant desires single family and multi-family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-299LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried.

6 -32) HEARING #CPA-04-301LS - C. ELTON CREWS FAMILY LIMITED PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located between the south shore of Lake Viola and The Avon Park City Limits, and abbreviated legal as follows: Approximately 75.02 acres located in Secs. 14 and 15, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case #CPA-04-301LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried.

6 -33) HEARING #CPA-04-302LS - CREWS GROVE, INC. AND C. ELTON CREWS, INC. - C/O JACK P. BRANDON

Subject property is located north of Lake Denton and south of Phase 3 of The Sebring Parkway, and abbreviated legal as follows: Approximately 184 acres located in Sec. 35, Twp. 33S, Rge. 28E, and Sec. 2, Twp. 34S, Rge. 28E, and Sec. 1, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agricultural) to (Medium Density Residential) and (Industrial). Applicant desires to construct single family dwellings and the permitted uses in the I-2 zoning district.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-302LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004, and including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried.

6 -34) HEARING #CPA-04-304LS - ROBERT C. CREWS, II AND CHRISTY F. CREWS

Subject property is located on The Polk County Line west of Lake Adelaide, and north of The Avon Park Lakes Subdivision, and abbreviated legal as follows: Approximately 59.31 acres located in Sec. 5, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Medium Density Residential). Applicant desires to construct single family dwellings.

This Plan amendment has been withdrawn.

7-4) HEARING #CPA-04-300LS - ROBERT C. CREWS, II AND C. ELTON CREWS FAMILY PARTNERSHIP, LLLP - C/O JACK P. BRANDON

Subject property is located on both side of SR 17 between Lake Angelo and The Avon Park City Limits, and abbreviated legal as follows: Approximately 175.51 acres located in Secs. 24 and 25, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) and (Low Density Residential) to (Medium Density Residential). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve Staff recommendation and adopt by Ordinance CPA-04-300LS, including the amended conditions as discussed. Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried.

7-5) HEARING #CPA-04-305LS - LETTA - BONNET GROVES, INC. AND DAVIS ENTERPRISES, INC. - C/O JACK P. BRANDON

Subject property is on the south side of the Avon Park Airport, and abbreviated legal as follows: Approximately 215.25 acres located in Sec.28, Twp. 33S, Rge. 28E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Industrial). Applicant desires to operate an industrial park.

Development Services Director, Jim Polatty, presented the request. Robert Crews II stated they are working with the adjacent property owners for an alternate access for the property. Louise England, EDC/IDA, stated this site was chosen as a good site for industrial development. Commissioner Stewart expressed concern about the proposed access point for the property. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve Staff recommendation and adopt by Ordinance CPA-04-305LS, including the amended condition, allowing for an alternate access to the property. Upon roll call, all Commissioners

voted aye, except Commissioner Maxcy who abstained. Motion carried.

7-6) HEARING # CPA-04-309LS - LATT MAXCY CORP.

An approximate 300 acre Parcel located on the East side of U.S. 27, South of Skipper Road, and abbreviated legal as follows: Located in Sec. 27, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A large scale plan amendment from (Agriculture) to (Industrial). Applicant desires an industrial park.

Development Services Director, Jim Polatty, presented the request. Janet Kovach, representing the applicant, stated no objections to Staff recommendations. Louise England stated that the EDC is in support of this request. Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve Staff recommendation and adopt by Ordinance CPA-04-309LS. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy who abstained. Motion carried.

7-7) HEARING # CPA-04-314LS - GLORIA S. MCNORTON, LEONARD C. SMITH III, JULIA A. FINNIGAN AND TRACY L. FITCH - C/O ROGER DALE POLSTON

An approximate 12 acre Parcel located on the Southwest corner of S.R. 66 and Sparta Road, and abbreviated legal as follows: located in Sec. 20, Twp. 35S, Rge. 29E, Highlands County, Florida. Containing approximately 11.55 acres.

Request: A large scale plan amendment from (Agriculture) to (Commercial). Applicant desires the permitted uses in the B-3 uses.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve Staff recommendation and adopt by Ordinance CPA-04-314LS. Upon roll call, all Commissioners voted aye. Motion carried.

6 -36) HEARING #CPA-04-318LS - COUNTY INITIATED FUTURE LAND USE ELEMENT TEXT AMENDMENTS: Amendments to the Future Land Use Element Policy 1.11 to implement the FLU Text changes listed in agenda items 6-1 through 6-35 listed above.

This item has been withdrawn

6 -37) COUNTY INITIATED FUTURE LAND USE MAP CHANGES - DISTRICT No. 3... CPA-04-240LS - Various parcels within the unincorporated areas of the County between the Cities of Avon Park and Sebring.

Request: A large scale plan amendment changing the FLUM or amending the Zoning Atlas or both to bring the land use and the implementing zoning into consistency.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-240LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye. Motion carried.

6 -38) COUNTY INITIATED FUTURE LAND USE MAP CHANGES - DISTRICT No. 5...CPA-04-244LS - Various parcels within the unincorporated areas of the County, primarily within the immediate areas of Lakes Letta, Bonnet, Little Red Water, Sebring and vicinity.

Request: A large scale plan amendment changing the FLUM or amending the Zoning Atlas or both to

bring the land use and the implementing zoning into consistency.
Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-244LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye. Motion carried.

6 -39) <u>COUNTY INITIATED FUTURE LAND USE MAP CHANGES - DISTRICT No. 6... CPA-04-245LS</u> - Various parcels within the unincorporated areas of the County primarily within West Sebring and vicinity, south of Schumacher Road.

Request: A large scale plan amendment changing either the FLUM or the Zoning Atlas or both to bring the land use and the implementing zoning into consistency.
Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-245LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye. Motion carried.

6 -40) <u>COUNTY INITIATED FUTURE LAND USE MAP CHANGES - DISTRICT No. 7...CPA-04-248LS</u> - Various parcels within the unincorporated areas of the County primarily within the Sun'N Lakes estates of Lake Placid and vicinity.

Request: A large scale plan amendment changing the FLUM or amending the Zoning Atlas or both to bring the land use and the implementing zoning into consistency.
Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Local Planning Agency / Planning and Zoning Commission, move to adopt by Ordinance Case # CPA-04-248LS, including referencing the mandatory findings contained in the attached Staff memo dated December 22, 2004. Upon roll call, all Commissioners voted aye. Motion carried.

7. PUBLIC HEARING: Consideration of adoption of 04-02 Comprehensive Plan Amendments as Follows:

7-8) <u>HEARING #CPA- 04-229LS (B) - (ISTOKPOGA PARK) HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR</u>

A portion of Spring Lake Village X as per plat recorded in Plat Book 11, Page 10 of the Public Records of Highlands County, Florida, being more particularly described as follows: Lake Istokpoga County Park on the North shore of Lake Istokpoga. The Park entrance is South of U.S. 98 at the East end of Spring Lake Subdivision, located in Sec. 12, Twp. 35S, Rge. 30E, Highlands County, Florida.

Request: A large scale plan amendment from "Mixed Use" to "Public/Quasi-Public Facility and Institutional Lands." Applicant desires a County Park.
Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve Staff recommendation and adopt by Ordinance CPA-04-229LS. Upon roll call, all Commissioners voted aye. Motion carried.

7-9) <u>HEARING #CPA-04-326LS - COUNTY INITIATED FUTURE LAND USE ELEMENT</u>

TEXT AMENDMENTS: Amendments to the Future Land Use Element to FLU Text changes listed in agenda items 7-1 through 7-8 listed above.

This item has been withdrawn

7-10) PUBLIC HEARING #CPA-04-307LS-B, COUNTY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

Amending FLU Policy 1.3: LAND USE CATEGORIES, DENSITIES AND INTENSITIES, pertaining to Accessory Uses within selected land use categories.

Development Services Director, Jim Polatty, presented the request. Board Attorney, Ross Macbeth, pointed out some language changes that need to be made to the ordinances. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve and adopt by Ordinance CPA-04-307LS-B, as amended. Upon roll call, all Commissioners voted aye. Motion carried.

7-11) PUBLIC HEARING #CPA-04-307LS-C, COUNTY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

Amending FLU Policy 1.3.E.7: COMMERCIAL, providing for commercial residential facilities ranging from permanent full time, transient and time share, including assisted living facilities.

Development Services Director, Jim Polatty, presented the request. Board Attorney, Ross Macbeth, pointed out some language changes that need to be made to the ordinance. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency/Planning and Zoning Commission, move to approve and adopt by Ordinance CPA-04-307LS-C, as amended. Upon roll call, all Commissioners voted aye. Motion carried.

11. COMMISSIONERS

Commissioner Stokes reported on a meeting he had with Henry Dean, Executive Director of South Florida Water Management District.

Commissioner Maxcy wished everyone a Happy New Year.

Commissioner Jackson announced the Board is invited to a luncheon with EDC/IDA on January 11, 2005, following the Board meeting.

12. ADJOURN

The meeting adjourned at 6:04 P.M.

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Chairperson

Attest: ________________________
Clerk

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