

REGULAR MEETING OF THE BOARD, JANUARY 4, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Engineer, Rick Lilyquist.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Jim Rodgers gave a brief report on the progress of Col. Bill Jones, Lamar Rittenour, Sondra Sheffield, Johnny Freeland and Bob Lamar.

Mr. Rodgers also presented the Jail Inmate Population for the period ending 01/04/94. See SMB 20 Page 22.

The Chair commented on the Air Traffic Control report given by Mr. Rodgers at the December 21st meeting. She reminded the Commission of the Safety Committee meeting on January 5, 1994 at 9:30 A.M. with the involvement of the Sheriff's Department and the Department of Transportation.

**CLERK**

The Clerk reported that the collection on the \$12.50 surcharge has produced approximately \$8,000 in revenue per month and he estimates \$100,000 on an annual basis. Other reports will be given periodically.

**MEETINGS:**

The County Administrator read the reported meetings into the record.

Hank Kowalski noted that his calendar listed the NARC meeting scheduled for January 12, 1994. The County Planner advised that the correct date was January 5, 1994.

**ACTION:**

**PROCLAMATION: "TONY BUONO DAY"**

The Board Attorney read the Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Summers to adopt Proclamation honoring Tony Buono as the official Sports Ambassador for Highlands County and proclaiming that January 29, 1994 shall be known as "TONY BUONO DAY" in the county. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 90.

**PUBLIC HEARING TO CONSIDER VACATION OF VENUS PARK PLAT I**

County Engineer: Proof of Publication entered into the record. See SMB 20 Page 23. Exhibit "A" read into the record listing description of the Plat to be vacated. All letters received from utility Companies stating "no objection" to the vacation. Attorney James Livingston, representing the petitioner, spoke in favor. Motion by Commissioner Gentry, seconded by Commissioner Summers to adopt the Resolution and accept the recommendation of the Engineering Department to vacate portions of Venus Park Plat I.

Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 91.

**LEWIS DIXSON: REQUEST FROM VENUS SUBDIVISION**

Mr. Lewis Dixson, representing the residents from Venus Subdivision, requested the county take over and maintain the unimproved roads in the Subdivision.

He stated that most of the roads are in need of base fill and grading and are almost impassable. A petition was received into the record from all twenty seven (27) residents requesting action as soon as possible. See SMB 20 Page 24 for copy. The County Administrator explained the maintenance history and the criteria for accepting roads for county maintenance. Mr. Dixson stated that there are only about two miles in the Subdivision that needs work to become passable. They have access to marl to fill in the spots. They are requesting partial maintenance and grading once a month. A discussion regarding creation of a Special District was held. Dan Jockmil questioned why the county required the residents to pay for permits for culverts and drive-ways when they refused to maintain the roads. The Board Attorney explained that these are platted roads and have been dedicated to the public. That does not mean that these roads have been accepted by the county. If the county does any kind of work on these dedicated roads, that is then deemed as acceptance for county maintenance and the county has a responsibility for maintaining. If injuries result, they can be held legally responsible.

Homer Wilson spoke to the Board regarding street signs and pot holes. He requested the county bring in shell and repair pot holes.

John Guard requested that he be allowed to put his own stop sign up if the county would not be responsible for placing signs. The Board Attorney stated that he did not have an answer to the question.

The Chair suggested that Commissioner Maxcy get with the residents to set a time and date to meet with him and the Special Tax District Coordinator for a solution to the problem.

Recess 10:03 A. M. - 10:15 A. M.

**DOUG LEONARD, CENTRAL FLORIDA REGIONAL PLANNING COUNCIL: DISCUSSION OF OVERALL ECONOMIC DEVELOPMENT PROGRAM**

The Chair announced that this item has been postponed until the February 1, 1994 meeting.

**CITIZENS NOT ON AGENDA:**

Mr. Keith Renish, a member of the water and sewer study committee stated that he was denied attendance of the Water Management District meetings, although they had admitted that water quality was their responsibility. He requested that the public get involved and demand that the District take care of the water pollution problem. Mr. Renish suggested that the county should have plenty of money if they are considering buying into the Placid Utilities operation in Tomoka Heights.

The Chair advised that Commissioner Summers will head up a Task Force on Water, Sewer and Solid Waste. He will be meeting with staff. A report will be forthcoming.

Don Scholsser of Tomoka Heights presented a prepared statement in opposition to the purchase of the water system. He stated that it is not a good deal for the people of Tomoka heights and a worse deal for the county. He suggested further investigation into the matter.

The Chair stated that the Placid Utilities System will be an agenda

item for discussion on January 18, 1994.

Mr. Mark Campbell of Market Reality, representing the American Legion Post #25, stated that he has entered into a contract for sale and purchase of surplus parcel belonging to the Legion. The parcel is located on U.S. Highway 27 between the Legion Complex and Tomoka Heights Subdivision. The problem is that their B-3 Zoning no longer matches the new Land Use Map. If the Comprehensive Plan was in compliance this action would not require DCA review. Their request is to make the property conform with B-3 commercial zoning.

The County Planning Director advised that the Settlement Agreement is not in effect and no amendments may be processed until we get closure on the Comp Plan. The consensus of the Commission is to consider this as an amendment for discussion at the workshop Monday evening, January 10, 1994 at 6:00 P. M.

Mr. Preston Colby spoke to the Commission on Fl. Statutes 125.74 (2) and County Ordinance #92-37; which prohibits the County Administrator from promulgating policy that solves problems. He suggested that there is an absence of delegation of specific authority to enter into negotiations for the Tomoka Heights Water System. Mr. Colby stated that he has asked for a status report and was not provided this report. The Chair advised that the County Administrator was on vacation and did not have sufficient time to prepare this report.

Mr. Colby also discussed the Monthly Progress Report of Chastain Skillman, Item #8 - Water System negotiation. The Chair suggested that these questions will be answered on January 18th agenda item. See SMB 20 Page 25 for copy of agenda slips.

Clarification of Florida Department of Transportation Safety Committee meeting with local agencies on 1/5/94 at 9:30 A. M.

Mr. Fred Tagtmeier suggested that a recommendation be presented to the State that all trucks remain in the right lane.

**COMMISSIONERS:**

Commissioner Gose requested permission of the Chair's signature on the Youth Bill Grant application.

Motion by Commissioner Gose, seconded by Commissioner Gentry to support the Youth Bill Grant application and permission for the Chair to execute the application. Upon Roll call, all Commissioners voted aye. Motion carried.

The Chair noticed the public that the Commissioners will be discussing the Charter Form of Government as an agenda item very soon.

**RECESS 10:55 A. M.**

The meeting reconvened at 1:00 P. M. with Bob Germaine sitting in for the Clerk of Court.

**ACTION:**

**CONSENT AGENDA**

The County Administrator read into the record the items of the Consent Agenda.

**ITEM #5 - APPROVAL OF SUPPORT FOR CENTRAL FLORIDA RESOURCE CONSERVATION**

This item will be placed back on the agenda for discussion when personnel is available to attend.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Consent Agenda items as follows:

Approval of Litter and Marine Debris Prevention grant application. See SMB 20 Page 26.

Authorization of Charlotte County Shellpit position and budget amendment. See SMB 20 Page 27.

Approval to pay invoices without purchase orders to the following vendors:

Roy's R.V. Center - Repairs to the Bookmobile. See SMB 20 Page 28.

Electronic Maintenance - for the repair of reprogramming the radios for the Venus VFD. See SMB 20 Page 29.

Lawyers Co-OP Publishing for payment of \$77.45. See SMB 20 Page 30.

Approval of Budget Amendments #39-40-41-42.

Approval to record county-maintained road map.

Approval to pay the following duly authorized warrants:

Law Library	25.00
General	1,273,984.03
County Transportation Trust	19,819.10
"E911" Operations	18,164.81
Law Enforcement Education	274.00
Local Govt Infrastructure Surtax	1,638.52
Community Development Block Grant	11,498.69
Affordable Housing Assistance Trust	2,250.00
Risk Retention	8,226.30
Employee Benefit	114,353.53
Special Payroll	120,293.60

Upon roll call, all Commissioners voted aye. The motion carried.

**PERSONNEL DIRECTOR:**

**APPROVAL OF ARCHIVIST/PUBLIC RECORDS SPECIALIST**

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve the recommendation of the Personnel Director for **the** position of the Archivist/Public Records Specialist with the approval of the Job Description, Pay Grade and Organizational Chart Revision.

Howard Crawford, President of the Historical Society, thanked the Board for their commitment to the Society.

Clayton Womer questioned the Board on continued grant funds for the commitment.

Upon roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. The motion carried. See SMB 20 Page 28 for copy of Job Description.

The Chair suggested that the Board Attorney report back on an Interlocal agreement.

**APPROVAL OF WELLNESS ASSESSMENT CONTRACT**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to enter into an agreement with Walker Memorial Hospital for the approval of the Wellness Assessment Contract. Upon Roll call, all Commissioners voted aye. Motion carried.

**APPROVAL OF LABOR ATTORNEY CONTRACT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to enter into an agreement with Akerman, Senterfitt & Eidson, P.A. Labor Attorney engagement for counsel to the county. Upon Roll call, all Commissioners voted aye. Motion carried.

Fred Tagtmeier questioned the Commission on the cost involved to retain the attorney firm.

**BUDGET OFFICER: REVIEW OF CAPITAL IMPROVEMENT PLAN**

Rick Helms presented a review of incorporated new projects as well as the changes to the existing projects in the Capital Improvements Plan. He reminded the Board that F.Y. 94-95 and 95-96 are overloaded with projects requiring substantial use of fund balance. He suggested a workshop be scheduled to discuss the plan and project priorities with the Commission. The County Administrator to massage the agenda on January 18th and to devote one hour for discussion on these projects. See SMB 20 Page 29 for copy of changes to the CIP Plan.

The Chair requested the County Administrator coordinate an agenda with all agencies involved for an evening meeting on January 31, 1994 at 6:00 P. M. to discuss overall plans for a Downtown Complex.

**BOARD ATTORNEY: INTERLOCAL AGREEMENT WITH TOWN OF LAKE PLACID FOR RECREATION MAINTENANCE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve an Interlocal Agreement for recreation funding to the Town of Lake Placid with the inclusion of Exhibit "A", Bicentennial Park; Stuart Park; Spruce/Myrtle Park and Lake June Park. Upon Roll call, all Commissioners voted aye. Motion carried.

**ASSISTANT COUNTY ADMINISTRATOR: REVIEW OF REVENUE ENHANCEMENT STUDY**

Overview of the work product by Mr. Portz includes an Executive Summary; Non-Ad Valorem Assessments; Impact Fees and Other Alternative Revenue Sources. The Budget Officer stated that this is a draft copy of the report and David M. Griffith and Associates will be glad to come and give a full presentation on the work product. After a check with the firm it was noted that they have reserved January 18, 1994 for the presentation.

**OLAF R. PEARSON: HANDOUT ON CABLE TV RATE REGULATIONS.**

See SMB 20 Page 30.

Motion by Commissioner Gentry, seconded by Commissioner Summers to waive the agenda to consider approval of Law Enforcement Trust Funds and Fairway Lakes Phase I Plat Recording. Upon Roll call, all Commissioners voted aye. Motion carried.

**LAW ENFORCEMENT TRUST FUNDS  
PLAT RECORDING FAIRWAY LAKES PHASE I**

Motion by Commissioner Gose, seconded by Commissioner Summers to approve the request to obligate \$10,007.44 of the forfeiture funds for purchase and installation of Special Operations Unit equipment, and the approval of Plat Recording Fairway Lakes Phase I, Spring Lake. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 31.

**COUNTY ADMINISTRATOR: DISCUSSION OF MATCHING FUNDS FOR TRANSPORTATION GRANT**

Marcia Staszko, Senior Program Manager for the CFRPC addressed the Board regarding application for funds to be used for the capital expenses (vehicles, radios, etc.) for providing transportation services to elderly persons and persons with disabilities in the county. The application will be made by the CFRPC and any vehicles received through the grant will be leased to the Coordinator at a nominal fee. The Coordinator will then contract with an operator to lease and operate the vehicles. Commissioner Summers questioned Ms. Staszko regarding replacement of the vehicles and the funding impact on the Transportation Disadvantaged Program.

The County Administrator stated that there was a lot of unanswered

questions; however he would recommend approval of the project due to the benefits received for the taxpayers of the county.

Eric Annett spoke in opposition to the grant due to the poor coordination of the organization. He stated that the group will not operate in Highlands County exclusively. Mr. Annett also presented information relative to the cost of the vehicles. Ms. Staszko suggested that the Commission set a workshop to find out how the program will work and how the services are provided to the county. After discussion by the Board, the Chair ask for a motion to approve the Program. No motion was made.

**COUNTY ADMINISTRATOR: RECYCLING OF CHRISTMAS TREES**

The County Administrator requested the participation of the Commission at the designated areas as specified on Saturday, December 8, 1994 at 9:00 A. M.

Commissioner Gentry at the Museum in Avon Park  
Commissioner Summers in the Lake Placid Area down by the Tower  
The Chairperson and Commissioner Gose at the Sebring Walmart Store

The Chair thanked the Tax Collector for his memo regarding the three (3) Tax Distributions made to the Board in 1993. It was a sign of good economic growth for Highlands County. She also thanked staff for the Actuarial Review and Certification of the Employee Benefit Plan and remarked that it was also good information.

Commissioner Summers announced that the NAACP, in the observance of Dr. Martin Luther King's Birthday/National Holiday, the Annual Prayer Breakfast will be held at the Holiday Inn of Sebring, January 17, 1994 at 7:30 A. M. This function will be co-sponsored with the Men of Vision Social Club.

The County Administrator announced that the NARC committee meeting has been postponed until January 12, 1994 at 4:00 P. M.

The meeting adjourned at 3:15 P. M.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, JANUARY 18, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Phil Jones, Church of the Brethren, Lorida Florida.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Jim Rodgers, Sheriff's Department, presented the Daily Jail Log of Inmate County for the period ending January 18, 1994. See SMB 20 Page 33.

**CLERK**

The Clerk reported that the request for proposals for Jail Financing in the amount of \$5,000,000.00 will be mailed out on 1/19/94. He anticipates that staff will close on the line of credit around March 15, 1994 with Board approval.

**MEETINGS**

The Chair read the reported meetings into the record.

**ADDITIONAL MEETINGS**

County Administrator - meeting of the Transportation Disadvantaged Local Coordinating Board on 1/25/94 at 2:00 P. M. at the SFCC Cafeteria.

The County Administrator also reported that a Traffic and Intersection analyses report was received from the Department of Transportation on the US 27 from the intersection of State Road 64 North to the Polk County Line. This report is available for inspection by the public.

**ACTION:**

**PUBLIC HEARING TO CONSIDER CLOSING A PORTION OF HAWTHORNE AVE AND STRATFORD ROAD**

County Engineer: Proof of Publication entered into the record. See SMB 20 Page 34. Legal Description read into the record. Attorney Mike Swaine, representing the petitioner, stated that the vacation was necessary to expand the facilities for Walker Memorial Junior Academy.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve vacating a portion of Hawthorne and Stratford Road and adopting the Resolution authorizing the vacation. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 92.

**PUBLIC HEARING TO CONSIDER AN ORDINANCE REGULATING THE TOWING OF MOTOR VEHICLES**

County Administrator - Proof of Pub entered into the record. See SMB 20 Page 35. Members of the Towing Committee were recognized by the County Administrator. Captions of the Ordinance read into the record by the Board Attorney. Public input was received from Nat Dankel of Professional Wrecker Operators of Florida, Dawn Hall and

Ted Best of Best Insurance Company speaking in favor. Frank Celentano, owner of Buck-Eye Automotive, presented the Commission with a petition signed by twenty (20) vendors who were against the ordinance. See Petition File for copy. Mr. Paul Brown of Brown Auto also spoke against the adoption. Howard Godwin, Sheriff, presented the legal opinion that his office should not involve itself with the enactment of any ordinance that has the effect or perceives to have the effect that imposes or regulates price controls on a private lawful business. The Chair entered a Memo into the record from the Zoning Supervisor, Development Director and Code Enforcement Officer in opposition to the enactment. A copy of the Highway Patrols latest Wrecker Rules were provided along with the Towing Rate Structure. See SMB 20 Page 36.

Motion by Commissioner Summers, seconded by Commissioner Gentry to adopt the Ordinance regulating towing of motor vehicles. Upon Roll call, Commissioner Summers and Gentry voted aye. All other Commissioners voted nay. The motion did not carry.

**PUBLIC HEARING TO CONSIDER NON-AD VALOREM ASSESSMENT FOR ORANGE BLOSSOM COUNTRY CLUB COMMUNITY SPECIAL BENEFIT DISTRICT**

County Administrator - Proof of Publication entered into the record. See SMB 20 Page 37. Bill Stephenson read into the record the purposes for the non-ad valorem assessment of the District. Irene Knutson, representing Leucadia Inc. and Parker Inc., the two largest landowners, stated that both are in favor of the non-ad valorem assessment. Joan Pflueger, lot owner, spoke in opposition.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve Resolution #94-1; to proceed with the non-ad valorem assessment. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 93.

**PUBLIC HEARING TO CONSIDER PURCHASE OF LAND**

Bill Stephenson - Proof of Publication entered into the record. See SMB 20 Page 38. County Administrator - purchase pursuant to the Interlocal Agreement with the City of Sebring to seek the right of way along Highlands Avenue. Lot purchase owner is Mr. L. E. Selph. Purchase request is for four (4) lots.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the purchase agreement for Lot #1; Lot 2; Lot 3, Block 228 and Lot 1, Block 229 of East Palmhurst at a purchase price of \$5500.00 per lot. Commissioner Gentry amended her motion to include subject to the Board Attorney's editing. Commissioner Gose seconded the amendment. Upon Roll call, all Commissioners voted aye. Motion carried.

**CONSENT AGENDA:**

County Administrator - read into the record the Consent Agenda with the deletion of Item #8 - Approval to release performance bond-Lake Josephine RV Park.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows with the deletion of Item #8:

1. Approval of minutes of meeting 12-21-93 and 1-4-94.
2. Approval for trade-in of mail machines-Property Appraiser. See SMB 20 Page 39.
3. Approval of budget amendments - #93-94-44;45;46;47;48;49 and 50.
4. Approval for Public Health Unit to pay fee for Rural Health Network. See SMB 20 Page 40.
5. Approval for Public Health Unit to pay for a needs assessment.

6. Approval of EMS standby request-Lake Placid Country Fair. See SMB 20 Page 41.
7. Approval to waive filing fee for Housing Authority's zoning application. See SMB 20 Page 42.
8. Approval to pay bills without purchase orders as listed. State Attorney's office - payment to Lawyers Cooperative Publishing - \$77.45  
State Attorney's office - payment to Shepards McGraw Hill - \$777.60  
State Attorney's office - West Publishing Co. - \$33.00  
See SMB 20 Page 43.
9. Approval of Landscape Ordinance appeal. See SMB 20 Page 44.
10. Approval of License Agreements for Urban Transportation Software.
11. Approval of additional Provider for Preferred Provider Option  
Luis Pena, M.D.,P.A.
12. Approval to pay the following duly authorized warrants:
 

Law Library	2,863.53
General	558,527.89
County Transportation Trust	28,264.77
"E911" Operations	83.53
Local Govt Infrastructure Surtax	61,674.28
Community Development Block Grant	7,327.80
Affordable Housing Assistance Trust	2,250.00
Employee Benefit	55,254.21
Special Payroll	54,724.27

Upon Roll call, all Commissioners voted aye. Motion carried.

**LAURA UWANAWICH: FORTUNETELLING**

Laura Uwanawich, formerly known as Mrs. Clair, Fortuneteller appeared before the Board distressed over the adoption of the county ordinance that prohibits her continuing with this occupation.

**HUBERT KIKER: REQUEST FOR ACCESS ROAD**

The consensus of the Board was to request that Mr. Kiker's attorney prepare a written statement with necessary information and reagenda this item on February 1, 1994.

**FORD HEACOCK: WORKMEN'S COMPENSATION SPECIALTY COVERAGE OPTIONS**

Recommendation to drop the assigned risk policies for the volunteers and fold that coverage into the Risk Retention Plan. Commissioner Maxcy suggested that this recommendation first go before the Insurance Committee. The Chair informed Mr. Heacock that action will be considered on February 1, 1994 after the Insurance Committee has time to review.

**RECESS 11:00 A.M - 11:10 A. M.**

**DAVID M. GRIFFITH AND ASSOC: REPORT ON REVENUE ENHANCEMENT**

Recommendations include a full cost and a cost allocation plan, as well as the implementation of a non-ad valorem assessment for Emergency Medical Services in conjunction with a service cost evaluation.

Mr. Robert M. Sheets, representing David M. Griffith and Associates stated that his objective was to assess the feasibility of utilizing non-ad valorem assessments as alternative financing.

Service areas of interest in the county include corrections, fire, EMS, roads, parks and recreation and human services. However corrections, parks and recreation and human services do not meet the specific benefit to property requirements needed for a non-ad valorem assessment. Corrections and parks and recreation can be partially funded by impact fees. Roads, fire and EMS are viable options for alternative financing. Roads could provide a mix of revenues in concert with impact fees, such as gas tax, etc. The county would need to ascertain the real needs in road construction and determine the related impact of those roads.

A non-ad valorem assessment for fire could provide approximately \$554,00 in ad-valorem tax relief to the county but the county would need to decide a level of service it desires for a five year plan.

A non-ad valorem assessment for EMS could provide approximately \$1.4 million of ad valorem tax relief. Vacant and agricultural property would be exempt. Kris Delaney stated that he did not agree with exemptions because agricultural laborers can get hurt and need medical attention. Therefore groveowners should also pay their fair share. Accurate identification of calls for service to property classification would be necessary.

Other alternative non-ad valorem sources include franchise fees, cost allocation plan, user fees and interim service fees. Sheets suggested that the county could shorten its cable franchise agreement from 15 years at three percent of gross revenues to five years and increase the fee to five percent. He further suggested the county could implement an electric and/or a telecommunications franchise fee.

The consensus of the Commission was to request the firm return on February 1, 1994 with cost estimates for further work to be completed on the proposals.

**LUNCH BREAK - 12:06 P. M.**

The meeting reconvened at 1:10 P. M.

**COUNTY ADMINISTRATOR:  
SEWER AND WATER DISCUSSION**

The County Administrator presented an outline of issues regarding the purchase of the Tomoka Heights Placid Utilities Water and Sewer System and the compatibility of the Comp Plan. Ron Cauthan from Chastain-Skillman presented information based on his firm's evaluation of the Utility Company. He suggested that the Placid Utilities system is not a bad place to start if the county intends to get into the water business. The system is sound, has more than enough reserve capacity to serve a fully-built Tomoka Heights development plus another 400 homes. The County Administrator stated that he has negotiated a purchase price of \$741,771; which is less than the depreciated book value for the system. Cauthan said that no matter what the purchase price and the revenue projection, it would have to expand and serve more than just the Tomoka Heights development.

Mr. Roger Christopher, Environmental Health Director, stated that a serious threat to public health exists in the Cloverleaf/Lake Francis area due to contaminated drinking water from private potable wells. The Florida Department of Environmental Protection recognizes this and is committed to fund an expansion of this drinking water system to areas of contamination. See SMB 20 Page 45 for copy of memo.

Chief Deputy Clerk Ivy McKenzie arrived at the meeting at 2:15 P.M.

Rick McCleery, Southwest Florida Water Management District, Government Affairs, gave a presentation on their involvement in the contaminated water problem.

Bruce Teeters, President of Placid Utilities answered questions presented by the Board. He stated that other utility operators are interested in purchasing the system; but he would prefer to sell to the county.

**Break - 3:05 P. M - 3:15 P. M.**

The County Administrator summarized the pro's and con's related to the purchase. The liability issue was addressed. Public input was received from Don Schloesser, Keith Renish, Kris Delaney, Don French, Daniel Johnson, Harold Owen, Ralph Miner and Jim Fisher. See SMB 20 Page 46 for copy of agenda slips. The County Engineer presented for the record fax received from the Florida Department of Environmental Protection, and Polk County Board of County Commissioners, Utility Division with information regarding the purchase of the water system. See Placid Utilities Water System file for copies.

Motion by Commissioner Summers, seconded by Commissioner Gentry to authorize staff to proceed with the purchase of the Tomoka Heights Water System. Upon Roll call, Commissioner Vickers voted nay. All other Commissioners voted aye. The motion carried. The Board members concluded that other information will be needed.

**CITIZENS NOT ON THE AGENDA**

Mr. Hank Kowalski suggested the Board consider a county lobbyist.  
Mr. Kris Delaney - remarks to Commissioner Summers.

**COUNTY ENGINEER:**

**HIGHLANDS PARK ESTATES 1993 ROAD IMPROVEMENTS/BETTER ROADS CONTRACT DOES NOT INCLUDE ASPHALT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Highlands Park Estates 1993 Road Improvements Better Roads Contract. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 48.

**CSI SUPPLEMENTAL AGREEMENT #11 - DEVELOPMENT AND ENGINEERING DEPARTMENT DESIGN**

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept the recommendation of the County Engineer to approve the CSI Supplemental Agreement #11 with Chastain-Skillman, Development and Engineering Department Design with the codicil that Mrs. Hunnicut suggested, using the sliding scale, and the Engineer to be the Project Manager. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 47.

**CSI SUPPLEMENTAL AGREEMENT #13 - CONSERVATION OVERLAY MAP**

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept the recommendation of the County Engineer and approve the CSI Supplemental Agreement #13 with Chastain Skillman for the Conservation Overlay Map. Upon Roll call, all Commissioners voted aye. Motion carried.

**BUDGET OFFICER: CAPITAL IMPROVEMENT PLAN UPDATE  
CHANGES TO THE PLAN**

1. Item 3-C Development Department Funding reduced to \$800,000. Funding applied to these two items.
2. Item 3-F. Conservation Overlay Map
3. Item 3-G Courthouse Abatement and Renovations

DISCUSSION ON ITEM D. EMS STATION IN F.Y. 94-95.

DISCUSSION ON ITEM E. AGRI-CIVIC CENTER PARKING LOT IN F.Y. 94-95.

DISCUSSION ON COUNTY ENGINEER WEED CONTROL BUILDING

Motion by Commissioner Gentry, seconded by Commissioner Summers to accept the Capital Improvements Plan Update changes. Upon Roll call, all Commissioners voted aye. Motion carried. See Budget File for copy.

The Assistant County Administrator reminded the Board of the RFP that will be mailed out identifying the payment schedule for the Jail.

**ASSISTANT COUNTY ADMINISTRATOR: CABLE TV REGULATION DISCUSSION**

Information presented by Mr. Portz with an overview on how the process works. Mr. Trammell, Storer Cable answered questions presented by the Commission on regulations. Mr. Olaf Pearson spoke in favor of local regulations. The Chair noted that complaints were received by residents who lived within a block and did not receive cable. The Chair suggested that a decision will be reached on February 1, 1994. See SMB 20 Page 49 for agenda slips.

**COUNTY ADMINISTRATOR:**

**APPOINTMENTS TO HOSPITAL DISTRICT BOARD**

The Chair recommended that this item be tabled to allow staff to furnish specific dates of the commissions.

**VOTING SYSTEM PURCHASE REQUEST - SUPERVISOR OF ELECTIONS**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to find that there has been a single source by which suitable equipment can be obtained which is a certified system that includes both the ballot layout, ballot election definition and ballot tabulation. The certification has been received from the Department of State, Division of Elections, that certifies this system as having all these features. The situation and conditions require an exception to the competitive sealed bid requirement as directed by Section 101.293 Fl. Statutes. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 50 for copy of certification. The County Administrator presented suggestions for more Elections space.

**PERSONNEL DIRECTOR:**

**HEALTH INSURANCE PLAN AMENDMENTS**

The Board Attorney presented a review of the amendments. Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the Resolution amending the Plan of Benefits for employees of the county. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 94.

**BOARD ATTORNEY: NON-AD VALOREM PUBLIC HEARING INFORMATION**

The Board Attorney suggested that staff re-advertise and prepare another Resolution specifically referring to the things that we are contemplating assessing. He informed the Board that there is sufficient time to advertise and this would put all fears to rest. The Chair suggested that in the future the Board Attorney place needed information in writing. The Attorney recommended that the Public Hearing date be set for February 21, 1994 at the Agri-Civic Center.

**BOARD ATTORNEY: BID ON TAX NOTICES**

The Attorney informed the Commission that a problem exists that has to do with qualification for second class mailing privileges. The statute requires that the bidder must qualify for these privileges in the county where published. There is an old

Attorney General Opinion - 1974 - that was part of a decision that the writer said that the statute required that second class mailing privilege be in existence for one year prior to their ability to print legal notices. He believes this to be incorrect and has prepared a request for an attorney general opinion on that point. Its a very important point, irrespective to whether they get the bid because some of the time the statutory language requires that if a daily newspaper is available you use that newspaper for publication of legal notices. He does not want to find out a year from now that the county should have been using them and he does not want to use them for a year and find out that we shouldn't have been.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to authorize the Board Attorney to seek an Attorney General opinion in the case of tax notice publication. Upon Roll call, all Commissioners voted aye. Motion carried.

**ASSISTANT COUNTY ADMINISTRATOR:**

Mr. Portz requested that the Board Attorney identify the correct vendor that will receive the bid as the Tax Collector is requesting this information. The Board Attorney advised that at the time of the bid the Tampa Tribune was the low bid; but did not meet that statutory requirement. The conclusion will be decided on the February 1, 1994 agenda.

The County Administrator advised that a very good meeting was held with staff dealing with vesting issues. A proposed Resolution will be coming before the Board on February 1, 1994 and if approved, most of the problems with vesting issues will disappear.

The meeting adjourned at 6:36 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, FEBRUARY 1, 1994**

The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Eugene Fernsler of the Atonement Lutheran Church.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Jim Rodgers, Sheriff's Department, presented the Daily Jail Log of Inmate Count for the period ending February 1, 1994. See SMB 20 Page 51.

**CLERK:**

The Clerk reported on the RFP for the Jail Financing. Approximately twenty RFP's were mailed out and the Pre-bid Conference was held on 1/26/94. Issues of concern were addressed. The written responses are due back on February 10, 1994 and recommendations will be presented to the Board on March 1, 1994.

**RECOMMENDATION ON POLICY DEALING WITH INVOICES WITHOUT PURCHASE ORDERS**

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept the recommendation of the County Administrator and the Clerk of Courts to approve the policy for payment of invoices without purchase orders with the addition of the \$3,000 limit. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 52 for copy of policy.

**MEETINGS:**

The County Administrator read the reported meetings into the record.

**ADDITIONAL MEETINGS:**

County Administrator - Childrens Service Council - February 10, 1994 at 7:30 A. M. Health Department Conference Room.  
Gose - LDR Task Force - February 14, 1994 at 6:30 P. M. - Agri-Civic Center.

**ACTION:**

**RESOLUTION: "ENGINEERS' WEEK" IN HIGHLANDS COUNTY**

County Administrator - read into the record.

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to adopt Resolution 94-2 proclaiming the week of February 20, 1994, through February 26, 1994 as "Engineers Week" in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 95.

**PROCLAMATION: FEBRUARY IS FAIR MONTH**

Commissioner Gose read the Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Gentry to adopt the Proclamation recognizing the month of February as Fair month. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 96.

**DOUG LEONARD, CENTRAL FLORIDA REGIONAL PLANNING COUNCIL: DISCUSSION**

**OF OVERALL ECONOMIC DEVELOPMENT PLAN**

Update. See Economic Development File for copy of Executive Summary hand-out. Mr. Leonard requested a combined counties workshop.

The County Administrator was called out of the meeting for an emergency at 9:30 A. M.

The Assistant County Administrator arrived at the meeting at 9:50 A. M. as replacement to Mr. Cool.

**BREAK 10:00 A. M. - 10:12 A. M.**

**ROBERT RUTLEDGE; REQUEST TO CLOSE CULVERT OPENING**

Mr. Rutledge appeared before the Board requesting authorization for the County Engineer to close the opening in the culvert running between Lake Mirror and Lake Placid. He stated that the Homeowners are prepared to pay the cost for the materials to restore the structure. Petitions entered into the record requesting that the Culvert leaking water from Lake Placid into Lake Mirror across Lake Mirror Drive be returned to its original construction as of 1974. Vaden Pollard, Operations Director, suggested that the impact from closing the hole could destroy docks on the lake.

Motion by Commissioner Maxcy, seconded by Commissioner Summers to seek a permit from the Water Management District to plug the hole. Public input was received from Fred Tagtmeier, Bill Dassinger, Al Trammel, Frank McCormick, Ray Clement, Sam Hall and Bill Radcliff. Mr. Pollard advised that in order to obtain a permit the structure should be restored to its original construction. Commissioner Maxcy withdrew his motion and Commissioner Summers withdrew his second.

Motion by Commissioner Maxcy, seconded by Commissioner Summers to seek a permit to reconstruct the structure to its original site. Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Nick Sudzina, Court Administrator for the 10th Judicial District introduced Judge Randall McDonald, Chief Judge for this District. Judge McDonald spoke to the Board regarding solutions to problems of Highlands County.

**ROBERT SHEETS: REVENUE ALTERNATIVE PROPOSALS**

At the request of the Commission, Mr. Sheets provided a brief discussion on the six (6) recommendations identified in the report (Alternate Financing Study-Phase I) that was presented on January 19, 1994. He outlined the basis for the fee and what deliverables the County can expect. He stated that a detailed work plan will be provided to the County with the hours broken down by task, an itemization of those hours and expenses and a guaranteed not to exceed fee on very single project. He also presented a **SCOPE OF SERVICE** for the Development of Franchise Agreements for Selected Utilities Operating in the Unincorporated Areas of the County.

Motion by Commissioner Summers, seconded by Commissioner Gentry to instruct staff to seek a supplemental agreement with the Consultants for recommendations #1 and #2, authorizing the Consultant to prepare a Work Product and Scope of Services to equalize the tax burden. Upon roll call, all Commissioners voted aye. Motion carried.

**INTRODUCTION OF NEW BUDGET ANALYST**

Rick Helms, Budget Officer introduced the new Budget Analyst, Bernis Gainer, who hails from the Eustis area. He was welcomed on board by the Commission.

**CITIZENS NOT ON AGENDA**

Mr. Bob Terrell, representing the Highlands County Fair Association, requested the assistance in surfacing with shell rock, a parking lot on Magnolia Avenue, a dirt road leading from

Kenilworth Avenue through the midway area to the livestock gate and approximately 28 yards of shell rock for the entrance at Kenilworth and Highlands Avenue.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the request as presented. Upon Roll call, Commissioner Gose abstained. All other Commissioners voted aye. Motion carried. See SMB 20 Page 53.

Richard McClain thanked the Sheriff's Department for the assistance of the Work Release Program at the Fairgrounds.

Ms. Joan Pflueger questioned the Board regarding payment for Docks at Buttonwood Bay, Special Tax District Public Hearing Appeal, Grant for dredging of Jackson Creek Canal and forming a committee to save the Lakes. Commissioner Gentry suggested that Ms. Pflueger meet with her regarding the lakes issue.

See SMB 20 Page 54 for copy of agenda slips.

**RECESS 11:40 A. M.**

The meeting reconvened at 1:00 P. M. with all members present:

**COMMISSIONERS:**

Commissioner Maxcy stated that the action to help the Fair was a positive move.

Commissioner Gentry requested a workshop with the City of Avon Park on February 7, 1994 at 6:30 P.M. at the newly renovated Civic Center. The County Administrator was instructed to place the advertisement in the newspaper.

Commissioner Gose thanked the Board for the support to the Fair Board.

**DISCUSSION ON APPOINTMENTS TO BOARDS**

The Chair instructed the County Administrator to research the policy and bring a copy of the minutes to the next meeting for a decision by the Commission.

**CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record. Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Consent Agenda as follows:

**Approval of minutes of 1-18-94**

**Accept into record-December Monthly Reports**

Approval to pay bills without purchase orders to the Desoto Sun Herald in the amount of \$118.60. See SMB 20 Page 55. Payment to the Orlando Sentinel in the amount of \$360.00. See SMB 20 Page 56. Payment to Cauffield and Sons in the amount of \$156.00. See SMB 20 Page 57.

Approval of additional physician, Michael J. Doyle, as a Preferred Provider.

Approval of plat recording and maintenance agreement-First Addition to Country Walk with changes as noted by the Board Attorney.

Approval of variance request to Land Development Regulations American Home Service Corporation. See SMB 20 Page 58.

Request to record Release of Notice of Nuisance, Cases 93-119 and 93-128. See SMB 20 Page 59.

Request to declare nuisance in Cases 93-132 and 93-135. See SMB 20 Page 60.

Approval of Budget Amendments #92-93-300-301; #93-94-59-60-61-62.

Approval to pay invoices for the Community Development Block Grant to Century 21 for temporary relocation units; December rent to Nathaniel Hawthorne; December rent to Louretha Randolph and January

rent for Cherlyn Claitt. See SMB 20 Page 61.

Approval to pay the following duly authorized warrants:

Law Library	347.52
General	1,256,070.59
County Transportation Trust	125,792.39
5th/6th Cent Gas Tax	94.08
"E911" Operations	18,301.50
Law Enforcement	1,501.00
Local Govt Infrastructure Surtax	54,657.29
Community Development Block Grant	648.75
Risk Retention	10,316.86
Employee Benefit	116,363.76
Special Payroll	169,969.03

Upon roll call, all Commissioners voted aye. The motion carried.

**EMERGENCY MANAGEMENT DIRECTOR: REQUEST TO ESTABLISH SPECIAL NEEDS COMMITTEE**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to authorize the Emergency Management Director to go forth to establish a Special Needs Committee. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 62 for back up information.

**SOLID WASTE MANAGER: REQUEST TO AMEND SOLID WASTE ORDINANCE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to draft language and instruct the County Administrator to set the Public Hearing date to amend the Solid Waste Ordinance. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 63.

**PERSONNEL DIRECTOR: APPROVAL OF P.R.I.D.E. EVALUATION PROGRAM**

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to approve the recommendation of the Personnel Director for the establishment of a new "Special Merit" evaluation program named P.R.I.D.E. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 64 for copy of rules.

**OPERATIONS DIRECTOR:**

**WEAPONS TRAINING FACILITY REPORT**

Michelle Roberts, Dean of Applied Science and Sheriff Howard Godwin presented a plaque to Vaden Pollard in acknowledgement to the Road and Bridge Department contributions to the Weapons Training Facility. Individual Certificates were also available to any members who participated on the project. See SMB 20 Page 65 for copy of report.

**DISCUSSION OF ROAD MAINTENANCE POLICY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the new Road Maintenance Policy as presented by the Operations Director. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 66.

**ASSISTANT COUNTY ADMINISTRATOR:**

**APPROVAL OF MUTUAL AID AGREEMENT WITH POLK COUNTY**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Mutual Aid Agreement with Polk County. Upon Roll call, all Commissioners voted aye. Motion carried.

**INSURANCE RECOMMENDATION**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the recommendations of the Insurance Committee as follows:

1. *The County not apply to the assigned risk pool for coverage and fold volunteer firemen coverage into the Risk Retention Plan.*
2. *The Staff was instructed to jointly advertise both Health Insurance and Liability Insurance meetings. Additionally, to seek information on insurance coverage via questionnaire to other counties.*

See SMB 20 Page 67.

Upon Roll call, all Commissioners voted aye. Motion carried.

#### **DISCUSSION OF CABLE T.V. REGULATION**

Overview by the Assistant County Administrator.

Motion by Commissioner Gentry to proceed to embark on T.V. Regulations. The Chair passed the gavel to the Vice-Chairman and seconded the motion. Mr. Olaf Pearson approached the Board in support of the regulation. He pointed out that the current freeze on cable rates will end on February 15, 1994, and Highlands County is served by only one TV carrier, which operates without any competition.

Upon roll call, Commissioners Gentry and Vickers voted aye. All other Commissioners voted nay. The motion did not carry.

The Vice-Chairman passed the gavel back to the Chair.

#### **ADVERTISEMENT OF BID AWARD-DELINQUENT TAX LIST**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the low bid from the Tampa Tribune; contingent upon the Attorney General's opinion and their being qualified to publish the Tax Notice. If the Attorney General does not rule in their favor the News Sun, as the second low bidder, will receive the bid. Richard Birt, representing the News Sun, spoke to the Commission regarding the bid specs. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 20 Page 68 for copy of bid.

**BREAK 2:50 P. M. - 3:00 P. M.**

#### **BOARD ATTORNEY: TERMINATION OF UNIFORM COMMERCIAL CODE-HOME HEALTH**

Motion by Commissioner Gentry, seconded by Commissioner Summers to terminate the Highlands Home Health Agency Form UCC-3 Agreement. Upon Roll call, all Commissioners voted aye. Motion carried.

The Board Attorney thanked Dr. Montsdeoca and the Home Health Agency for effectively taking care of this problem. The Chair instructed the Board Attorney to proceed with a review of the Indigent Home Health Contract. See SMB 20 Page 69 for copy of Form UCC-3.

#### **COUNTY ADMINISTRATOR:**

##### **REQUEST FROM THE CITY OF AVON PARK FOR EXTENDED BUILDING INSPECTIONS**

Request to continue to review plans and make inspections for an additional 180 days beginning February 1, 1994. The consensus of the Board was to continue until next Monday's workshop with the City and then discuss options.

#### **RECOMMENDATION ON GRANT APPLICATIONS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the County Administrator or the Chairman to be allowed to sign a grant application for regional, State or Federal funds, with the understanding that no obligation will be made on behalf of the County and the final agreement will come back before the Board. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator reported that monthly meetings will be held with the cities and other agencies and reports will be presented back to the Commission.

Another meeting that was initiated by the Chair that included all elected officials and the Chairperson brought good reviews.

The County Administrator reported that the County has collected \$33,600 in mitigation fees in the Conservation Trust Fund. This is a part of the Comprehensive Plan that requires payment of a mitigation fee when single family homes are constructed.

The meeting adjourned at 3:13 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, FEBRUARY 15, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Recycling Coordinator, Christy Reed.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Jim Rodgers, Sheriff's Department, presented the Daily Jail Log of Inmate Count for the period ending February 15, 1994. See SMB 20 Page 72.

**CLERK**

The Clerk reported that written bids were received on the Jail Financing last week. Recommendations will be presented to the Commission on March 1, 1994 for the financing. Mr. Brooker stated that a record was almost set with the Clerk's office for the marrying of couples last week but the four O'clock appointment did not show. The record would have been seven.

**MEETINGS:**

The County Administrator read the reported meetings into the record.

**ADDITIONAL MEETINGS:**

County Administrator - February 16, 1994 - 9:30 A. M. - Insurance Committee Meeting in Conference Room #50.

February 17, 1994 - 5:00 P. M. - Historic Preservation Commission Meeting in Conference Room #50.

February 17, 1994 - 8:30 A. M. USF Institute on Aging - Public Health Auditorium in Tampa.

February 21, 1994 - 2:30 P. M. Eucalyptus Parkway Committee meeting at the Intersection of Ridgewood and Eucalyptus Drive.

March 2, 1994 - 3:00 P. M. - Pesticide Recycling Operations at the Recycling Center.

Assistant County Administrator - February 17, 1994 - 1:00 P. M. Building Use Committee Meeting - Lorida Schoolhouse.

February 24, 1994 - 7:00 A. M. Public Safety Coordination Council - Courtroom at the Jail.

**ACTION:**

**PUBLIC HEARING TO CONSIDER VACATING AN EASEMENT-PLACID LAKES SECTION 7**

County Engineer - Proof of Publication entered into the record. See SMB 20 Page 73. Legal Description read into the record. All policies and procedures adhered to as adopted by the Board for vacating easements.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution vacating easement for the Southwesterly 2.0 feet of the Northeasterly 10.0 feet of Lot 32, Block 74, Placid Lakes Section Seven. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 97.

**DON HANSEN: RESOLUTION - "KEEP FLORIDA BEAUTIFUL MONTH"**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to adopt Resolution and hereby claim the month of April as "Keep Florida Beautiful Month". Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 98.

**DON HANSEN: KEEP AMERICAN BEAUTIFUL INCORPORATED, SYSTEM GRANT APPLICATION**

Presentation and Explanation by Don Hansen and Christy Reed, Recycling Coordinator.

Consensus of the Commission was to request that staff bring back recommendations on the Grant Application. See SMB 20 Page 74 for information as presented by Ms. Reed.

**MONICA GRIFFITH: REQUEST FOR ASSISTANCE ON LEMON PATCH ROAD POSTPONED**

**STEVE MILLER, NATURAL RESOURCES ADVISORY COMMITTEE: RESOLUTION OF PRESERVATION 2000 POSTPONED**

**CITIZENS NOT ON AGENDA:**

Mr. George Peard suggested that the Board amend the Resolution giving the Airport Authority funding and assist residents on Lemon Patch Road. The County Administrator advised that there is a fundamental legal problem in the fact that this is a private road. He has spoken with Mrs. Griffith and there is a possibility that right-of-way may not be obtained. The Chair suggested discussion on this item when it is placed back on the agenda.

Mr. Fred Tagtmeier read into the record a favorable statement taken from the Monthly Report of the Veterans Service Office regarding the assistance of the Chairperson on the behalf of a client.

See SMB 20 Page 75 for copy of agenda slips.

**COMMISSIONERS:**

Commissioner Maxcy reported that on Thursday, January 27, 1994, the Commission on Ethics met in executive session and considered a complaint for legal sufficiency as filed by Preston Colby in regards to the Hospital Board bidding of funds personally. The complaint was dismissed for failure to constitute a legally sufficient complaint.

Commissioner Summers reported a return visit of the B-17 and B-24 Bombers on March 2, 3, and 4th, 1994. He stated that these planes have been restored from their original confirmation.

Commissioner Gentry reported that ABC News will be in the area on 2/16/94 to interview families on Healthy Kids.

Commissioner Gose requested that staff research the option to purchase a Sound System for the Agri-Civic Center or possibly Lapel Mikes. Commissioner Maxcy suggested the Board access the Civil Infraction monies. The Assistant County Administrator will explore the idea with the Clerks office.

The Chair requested the Assistant County Administrator prepare a summarization of the meeting that involved the County and Cities where the State wanted to hire their own Meteorologist for the Emergency Management Department.

The Chair read a letter into the record from Robert A. Butterworth, Office of Attorney General, requesting that all local franchising authorities becomes certified by the Federal Communications

Commission in order to regulate the basic level of cable television service and programming. See SMB 20 Page 76 for copy.

**BREAK 10:AM - 10:15 P. M.**

**BOARD ATTORNEY - TIME REFERENCE ON AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to remove the time reference from the Agenda as suggested by the Board Attorney. The Chairperson shared information regarding the length of Board Meetings. She advised that only one meeting went over eight hours and that was the Water and Sewer discussion.

Upon Roll call, all Commissioners voted aye. Motion carried.

**CONSENT AGENDA:**

The County Administrator read the consent agenda items into the record.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as follows:

- Approval of minutes of meeting 1-31-94 and 2-1-94
- Accept into record-January Monthly Reports
- Approval to spend surplus funds for capital equipment-EMS. See SMB 20 Page 77.
- Approval of agreement with SFCC for use of Sheriff's Shooting Range.
- Approval to dissolve Towing Committee
- Accept into record-Audits from Garbage Franchisers
- Approval of budget amendments #93-94-63;#93-94-64;#93-94-67
- Approval to record Nuisance Release. Case #93-090, David P. Pettit. See SMB 20 Page 78.
- Approval of plat recording - Shangri-La Subdivision by the American Home Service Corporation.
- Approval of Change Order No. 1 - Istokpoga Park Site. See SMB 20 Page 79.
- Approval to add the Medical Center Pharmacy to the Preferred Providers list.
- Approval to pay the following duly authorized warrants as listed:

Law Library	3,250.50
General	217,350.57
County Transportation Trust	142,775.27
Law Enforcement Education	433.00
Local Govt Infrastructure Surtax	98,435.00
Community Development Block Grant	31,816.25
Affordable Housing Assistance Trust	12,472.00
Law Enforcement Trust	376.34
1966 Certificates of Indebtedness	850.00
Risk Retention	12,189.13
Employee Benefit	85,761.52
Special Payroll	58,959.05

Upon roll call, all Commissioners voted aye. The motion carried.

**PERSONNEL DIRECTOR:**

**REQUEST APPROVAL OF TRAINING AGREEMENT WITH SFCC**

Motion by Commissioner Summers, seconded by Commissioner Gose to approve the Training Agreement with SFCC for the county's supervisory and management staff. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 80 for copy of schedule.

**REQUEST APPROVAL OF DRUG-FREE POLICY**

Motion by Commissioner Summers seconded by Commissioner Maxcy to approve the request of the Personnel Director to approve the County Drug-Free Policy. Upon Roll call, all Commissioners voted aye. Motion carried.

**COUNTY ENGINEER: EXECUTION OF AGREEMENT WITH DOT ON U.S. 27 ALTERNATE CORRIDOR STUDY**

Motion by Commissioner Summers, seconded by Commissioner Gose to execute the Agreement with the DOT, adopt the Resolution and approve the budget amendment entering into a Joint Project Agreement for the U.S. 27 Alternate Corridor study. Upon Roll call, all Commissioners voted aye. Motion carried. See Res.#94-3 Book 8 Page 99. The County Administrator requested public participation for this project.

**ASSISTANT COUNTY ADMINISTRATOR: REQUEST APPROVAL OF AGREEMENTS DAVID M. GRIFFITH**

Motion by Commissioner Gose, seconded by Commissioner Summers to enter into Supplemental Agreement No. 1 and 2 with David M. Griffith and Associates to provide Revenue Enhancement and Cost Management Services and develop the County's Emergency Revenue Medical Services (EMS) Municipal Services Benefit Units Rates. Upon Roll call, all Commissioners voted aye. Motion carried. Mr. Harold Owen asked if this action could provide relief for the Ad-Valorem Tax Payer. He was advised that it could.

**TOM PORTZ - HAND-OUT OF THE REVISED CIP PLAN**

**COUNTY ADMINISTRATOR: DISCUSSION OF BOARD POLICY ON APPOINTMENTS**

Motion by Commissioner Gose, seconded by Commissioner Summers to waive the agenda to vote on filling the Board vacancies. Upon Roll call, Commissioners Gose, Gentry and Summers voted aye. Commissioners Vickers and Maxcy voted nay. The motion carried.

Motion by Commissioner Gose, seconded by Commissioner Summers to reappoint Bruce Lybarger and Pat Graff to the Hospital Board for a four (4) year term. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Summers to reappoint Sam Leonor, J. W. Jones and Jim Ridley to the Board of the Industrial Development Authority. Upon Roll call, all Commissioners voted aye. Motion carried.

**RECOMMENDATION TO GOVERNOR FOR HOUSING AUTHORITY APPOINTMENT**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to recommend Mr. James N. McGee to the Governor for appointment to the Highlands County Housing Authority. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 81 for copy of Resume.

**RECOMMENDATION ON HIGHLANDS AVE RECONSTRUCT SCHEDULE**

The County Administrator reported on the new policy of reconstruction of roads for county maintenance. The recommendations was to pave this road after school is out. Staff will schedule and bring back to the Board for approval with the City paying for the materials.

**REVIEW OF THE BOARD ATTORNEY CONTRACT**

The County Administrator reviewed with the Board the rate provision

of the Contract. He stated that no recommendation for an increase has been proposed. The Chair stated that she was totally happy with the Attorney; but she realized that he was being asked to participate in several different meeting forums. She suggested that the Board review the contract periodically. All Board members agreed that the Attorney is doing a great job and his response time is exemplary. No action was taken.

**DISCUSSION ON DEPARTMENT HEAD REVIEWS**

**RECOMMENDATION ON HYDRANTS T'S;**

Motion by Commissioner Gose, seconded by Commissioner Summers to waive the agenda to discuss recommendations of the County Administrator. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve a budget amendment and an expenditure of funds in the amount of \$11,800 for the placement of forty (40) T's out of the Fire Coordinator's budget. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator acknowledged that he received a real nice letter from John R. Russ, Assistant Principal of Sebring Middle School thanking Keith Albritton for the work provided.

The County Administrator also received a nice letter thanking Richard Gordon for his help to a family obtaining a building permit.

The County Administrator thanked all employees for their participation in helping the United Way reach its goal.

The meeting adjourned at 11:56 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, MARCH 1, 1994**

The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**Ivy "Buddy" McKenzie  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. James Rich of the Sunridge Baptist Church.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending March 1, 1994. See SMB 20 Page 84. Mr. Rodgers also presented an update on the Airborne Traffic Control Program.

**CLERK**

The Chief Deputy Clerk, Buddy McKenzie, introduced Michael Eastman, Accounting and Finance Director. Mr. Eastman presented the recommendations for the Jail Expansion Financing. See SMB 20 Page 85 for copy. The Board reviewed the recommendations of Sun Bank's variable rate of 51% of prime, First Union's variable rate of 78.35% and First Union's fixed rate of 4.25%. The consensus of the Commission was to place back on the agenda March 15, 1994 for action.

**MEETINGS:**

The County Administrator read the reported meetings into the record.

**PROCLAMATION: FLORIDA CRACKER TRAIL ANNUAL RIDE**

The Board Attorney read the Proclamation into the record. Ms. Julie Hinote gave an update on the history of the Trail Ride and the events scheduled for this years ride. Motion by Commissioner Gentry, seconded by Commissioner Maxcy to adopt Proclamation, proclaiming March to be Florida Cracker month in Highlands County and designating the dates of March 6 through 12, 1994 to be Cracker Trail Ride Days along with other recognitions. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 83.

**PUBLIC HEARING TO CONSIDER AN ORDINANCE REPEALING SECTION 7-3.1 OF THE CODE OF ORDINANCES:**

County Administrator - Proof of Publication entered into the record. See SMB 20 page 86.

Board Attorney - read the proposed Ordinance into the record.

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve an Ordinance repealing Section 7-3.1 of the Code of Ordinances. Upon Roll call, all Commissioners voted aye. Motion carried.

**PUBLIC HEARING TO CONSIDER THE VACATION OF AN EASEMENT-SUN'N LAKE ESTATES OF SEBRING: MIGUEL F. BELTRE AND RAISA D. CAMILO**

The County Engineer entered the Proof of Publication into the record. See SMB 20 page 87. Letters from the applicable Utility Companies and staff recommendations with no objection to the vacation were presented for review. Anne Bond, representing the petitioners, spoke in favor. Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution approving the vacation

of Sun'N Lake Estates, Unit 13, Lot 72, Block 266. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 84.

**J.T. LANDRESS: OCCUPATIONAL LICENSING SUGGESTIONS**

Mr. Landress recommended that the Board adopt all changes in Florida Statutes Chapter 205 as it relates to local control over county occupational licenses, including a ten percent increase in the revenue base. He suggested a local commission of seven to nine people should be appointed no later than May 1, 1994. The Commission should complete their work by August 1, 1994. The Board would then review the study, make any necessary changes, and go through the legal process of creating a new county occupational license ordinance. The process should be completed by January 1, 1995 in order for the Tax Collector's office to have enough time to get computer programs in place for issuing the 95-96 licenses. The Chair recommended that Commissioner Gose and the County Administrator work with the Tax Collector's office and to place back on the agenda for April 5, 1994 for review. See SMB 20 page 88 for copy of request.

**BREAK 10:10 A. M. - 10:20 A. M.**

**STEVE MILLER, NATURAL RESOURCES ADVISORY COMMITTEE: RESOLUTION FOR PRESERVATION 2000: UPDATE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution #94-5, urging the continued appropriation of funding for preservation 2000. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 85.

**JOE CLARKE: GOVERNMENT REORGANIZATION REQUEST**

Mr. Clarke presented three (3) items for consideration to the Board.

1. Comprehensive Plan Deficiencies and public participation
2. Hiring of a Community Development Director
3. Alternate solution to a Charter form of Government

See SMB 20 page 89 for copy. Each Commissioner responded to the items with their suggestions.

**JACK CLARK: REQUEST EXEMPTION ON GARBAGE**

Mr. Clark presented a request from the Property Owners Association of Camp Florida Resort for an exemption to the Solid Waste Tax Assessment. The Chair appointed Commissioner Gentry to meet with the Board of Directors and try to settle issues, to coordinate with staff and bring back a possible solution on March 15, 1994. The Chair suggested that the Board Attorney place in writing what zoning codes or solid waste codes effect the Camp Florida Resort, and if it is something other than an RV Park. See SMB 20 page 90 for copy of request.

**MONICA GRIFFITH: REQUEST FOR LEMON PATCH ROAD**

Cliff Rhoades, Attorney representing Paul and Monica Griffith and George Garcia requested the Commissioners consider placing materials on the granted easement of Lemon Patch Road to make it passable. Mr. Gary Phelps has built a fence denying access to the road. The Operations Director presented requirements for bringing the road up to standards. The Board Attorney stated that it was unlawful to do work on private property. Commissioner Gentry reminded the Board of all the impassable roads that are dedicated public roads. Commissioner Maxcy suggested that he intervene and meet with Gary Phelps and try to work out the differences with the parties. The Chair requested that the County Administrator, the

Operations Director and Commissioner Maxcy gather facts and try to find a solution to this problem.

**CITIZENS NOT ON AGENDA**

Mr. Joe Clarke presented a request for exemption to Resolution #93-49 regarding vesting fees for applicants that filed prior to the adoption of the schedule of fees. The Chair suggested that the County Administrator bring back a recommendation for the Board.

Mr. George King read a prepared statement regarding the Comprehensive Plan and the losing of property. The Chairperson committed to researching issues of the Comp Plan that involves property rights.

Mr. Clayton Womer, speaking as a taxpayer, requested that the Board not change the garbage ordinance. He feels that the residents at Camp Florida should be required to pay the same assessment as everyone else.

Mr. Hank Kowalski stated that he is in total agreement with Commissioner Summers regarding Joe Clarke, Government Reorganization request. Mr. Kowalski also requested a clarification on written material or photos presented at Zoning Hearings. The Board Attorney responded that he is working on recommendations or procedures and will bring before the Commission.

See SMB 20 Page 91 for copy of agenda slips.

**LUNCH BREAK 1:00 P. M. - 1:45 P. M.**

**CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Consent Agenda as follows:

- Approval of minutes of meeting 2-15-94
- Approval to execute Memorandum of Understanding for Extension Services
- Approval to execute agreement - Pesticide Container Recycling Project
- Approval of budget amendment #93-94-72
- Approval to pay the following duly authorized warrants:

Law Library	155.64
General	1,349,548.92
County Transportation Trust	51,459.59
"E911" Operations	18,383.40
Local Govt Infrastructure Surtax	59,127.07
Community Development Block Grant	302.55
Affordable Housing Assistance	10,970.32
Risk Retention	3,121.65
Employee Benefit	129,282.06
Special Payroll	134,403.59

Upon Roll call, all Commissioners voted aye. Motion carried.

**BUDGET OFFICER:**

**PROPOSED FY 94-95 BUDGET CALENDAR**

Rick Helms, Budget Officer, reviewed with the Commissioners the 1994-95 Fiscal Year Budget Calendar. Change in dates from July 26th to August 4, 1994 to advise the Property Appraiser of its proposed millage rate. The regular Board meeting to also be moved from August 2nd to August 4, 1994. Changes on June 21, 1994 Public

Hearing to include EMS Services in place of Public Safety. The Chairperson reminded staff to continue with the hiring of a Special Master for the Property Appraisers Adjustment Board Hearings. See Budget File for copy.

**FY 94-95 BUDGET DIRECTION**

The Budget Officer requested direction on percentage to use for a tentative pay increase for county personnel for fiscal year 94-95. The consensus of the Commission was to utilize the same format for the tentative FY 94-95 as used in FY 93-94. Specifically a 0-1-2-3 merit with the Operating Departments capped at 2% effective October 1, 1994 and a 3% cost of living to be effective April 1, 1995.

The Budget Officer recommended that informal budget sessions be held in the Commission Chambers with the Budget Analyst and the Budget Officer. These sessions would be conducted in similar manner to previous years.

Commissioners and public invited for all sessions. A schedule will be provided in advance. A recommended budget would then be developed and presented to the Board on July 12, 1994. Department Appeals would be resolved prior to presentation to the BCC by the Assistant County Administrator and/or the County Administrator. Elected officials appeals would continue to be directed to the BCC. Workshops on the recommended budget could be scheduled if needed. The Board directed the Budget Officer to prepare mylars for overhead projection and a prioritization schedule for the Commission to sign off on.

**MEETING SCHEDULE SUGGESTION ON COUNTY GOVERNMENT WORKSHOP**

The consensus of the Commission was to set the Workshop for March 22, 1994 from 9:00 A. M. to 11:00 A. M. If needed another workshop will be held on March 29, 1994 from 6:00 P. M. to 8:00 P. M.

**EMERGENCY MANAGEMENT DIRECTOR:**

**APPROVAL OF EMERGENCY MANAGEMENT ASSISTANCE GRANT FOR \$18,132.**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Emergency Management Assistance Grant in the amount of \$18,132. Upon Roll call, all Commissioners voted aye. Motion carried.

**UTILIZATION OF NEW STATE EMERGENCY MANAGEMENT GRANT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to execute the new State Emergency Management Grant and to allow staff to proceed with the purchase of the new generators for the CPHU and the Agri-Civic Center and bring recommendations back to the Board. Upon Roll call, all Commissioners voted aye. Motion carried.

**BOARD ATTORNEY: APPROVAL TO FILE SUIT AGAINST EAGLE DEMOLITION CO.**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the request from the Board Attorney to file suit against Eagle Demolition Company. See SMB 20 page 92. Upon Roll call, all Commissioners voted aye. Motion carried.

The Board Attorney reported on the proposed Intervenor Hearing for March 7, 1994 at 11:00 A. M.

**ASSISTANT COUNTY ADMINISTRATOR:**

**INSURANCE COMMITTEE RECOMMENDATION**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to follow the recommendation of the Insurance Committee to raise the life insurance rate from \$5,000 to \$10,000 effectively immediately. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 93.

**BUILDING USE COMMITTEE RECOMMENDATIONS**

REMOVED FROM THE AGENDA. ITEM TO BE DISCUSSED ON 3/15/94.

**APPROVAL OF ASBESTOS CONTRACT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Asbestos Contract and waive the purchasing policy and piggy-back on to Manatee County School's contract. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 94.

**EMS STANDBY COVERAGE FOR AMERICAN CANCER SOCIETY WALK-A-THON**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the request from JoAnn Walz for EMS Stand-by coverage at Highlands Hammock State Park for the American Cancer Society Walk-A-Thon. Upon Roll call, all Commissioners voted aye. Motion carried.

RECESS 3:07 P. M - 3:17 P. M.

**COUNTY ADMINISTRATOR:**

**DEPT OF COMMUNITY AFFAIRS RESPONSE TO COMP PLAN AMENDMENT PROPOSAL**

The County Administrator advised that the Comp Plan Hearing will be held on March 2, 1994 at 5:30 P. M.

Each Board member commented on the Department of Community Affairs response to the County's proposed Comprehensive Plan. See SMB 20 Page 95 for copy of response.

**RECOMMENDATION ON "KEEP FLORIDA BEAUTIFUL"**

The County Administrator suggested that a letter be mailed out to approximately fifty (50) places of business seeking support for this project. Commissioner Maxcy requested that Don Hansen be contacted for his recommendations. The County Administrator will report back. See SMB 20 Page 96 for copy of letter.

**REQUEST TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS ON LOT-SOUTH SIDE OF LAKE SEBRING**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the Board Attorney to begin eminent domain proceedings on the lot-south side of Lake Sebring - John F. Mathews Trust. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 97 for copy of boundary survey.

**APPROVAL TO ASK TOWN OF LAKE PLACID TO VACATE ROAD**

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to allow the County Administrator to ask the Town of Lake Placid Town Council to vacate the unimproved street named Grove Street that is located within the bounds of the area where the library is to be built. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 98 for description.

**CRA VARIANCE REQUEST TO ALLOW OPEN CUTTING OF LAKEVIEW DR FOR UTILITY CROSSING**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive county policy and allow the City of Sebring and the CRA to open cut one area of Lakeview Drive for utility crossings. Upon Roll call, Commissioners Gentry and Summers voted nay. All other Commissioners voted aye. Motion carried. See SMB 20 Page 99 for copy of request.

**REQUEST LETTER OF RECOMMENDATION/RESOLUTION ON MEDICAL AIR TRANSPORT**

Postponed until March 15, 1994

The County Administrator reported that the final plans for the Jail Addition have been received for your perusal.

The County Administrator advised that the Sebring News now has available a call-in number for the general public. They may call the newspaper and hear a recorded message of the Agenda.

**COMMISSIONERS:**

Commissioner Maxcy requested a workshop for the EDC Element. Commissioner Gose advised that it will be scheduled after adoption of the Comp Plan.

Commissioner Summers thanked Christy Reed for an outstanding presentation on Recycling at the AARP meeting. He also announced that the Humane Society is holding an auction on 3/5/94 at the Lakeshore Mall.

Commissioner Gentry reminded the Commission of the meeting 3/4/94 regarding the establishment of a Federal Enterprise Fund.

Commissioner Gose thanked the Commission on behalf of the Fair Board for the support received.

Commissioner Vickers reported on a meeting in Palm Beach County with Consulting Engineers regarding the Lake Istokpoga Lake Levels. She read a letter into the record from the Highlands County Lakes Association pertaining to this subject.

The meeting adjourned at 4:05 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**JAIL FINANCING MEETING OF THE BOARD, MARCH 9, 1994**

The meeting was called to order at 8:00 A.M. with the following members present:

**Audrey Vickers**  
**James L. Gose**  
**Archie Summers**  
**Doris Gentry**

**L.E. 'Luke' Brooker**  
**Carl Cool**  
**J. Ross Macbeth**  
**Louise Graham**

Also present was the Chief Deputy Clerk, I. V. "Buddy" Mckenzie, Director of Accounting and Finance, C Michael Eastman and the Assistant County Administrator, Thomas Portz.

Commissioner Maxcy arrived at the meeting at 8:05 A. M.

1. Chairperson Vickers states that the purpose of the meeting is to review bank proposals.
2. C. Michael Eastman - presents Jail Financing Proposal Comparisons as follows:

	FIRST UNION		SUN BANK
	4.25% FIXED	LIBOR X .7835	PRIME X .51
<b>TOTAL INTEREST</b>	<b>\$1,147,038.63</b>	<b>\$894,420.20</b>	<b>\$854,039.34</b>
<b>CAP RATE FEE</b>	<b>0.00</b>	<b>30,000.00</b>	<b>64,000.00</b>
<b>BANK LEGAL FEES</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>9,500.00</b>
<b>TOTAL COST</b>	<b>\$1,157,038.63</b>	<b>\$934,420.20</b>	<b>\$927,539.34</b>

Based on the above figures, the Clerks office recommendations, with the conditions stated before, remain as follows:

- RECOMMENDATION NO. 1: SUN BANK'S VARIABLE RATE OF 51% OF PRIME**  
**RECOMMENDATION NO. 2 FIRST UNION'S VARIABLE RATE OF 78.35% OF LIBOR**  
**RECOMMENDATION NO. 3: FIRST UNION'S FIXED RATE OF 4.25%**

- A. Commissioners - questions to the Finance Director
- B. John Shoop - Senior Vice President of Sun Bank - speaking on tax rates
- C. Robert Dodd - First Union Bank - standard gross up language
- D. Board Attorney - questions should be addressed to Bond Council on tax opinion. All bids required documentation be prepared by Bond Council retained by the County. Bond Council represents the borrower in these transactions. The Bank usually has Bond Council on retainer and the services may be provided to the County.
- E. Clerk of Courts, Luke Brooker, stands by recommendations.
- F. Commissioner Maxcy - suggestion to divide the bid.
- G. Chairperson - Bid Proposal did not provide for this option.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to support the recommendations of the Clerk of Court to accept the bid from Sun Bank with the variable rate of 51% of prime with the conditions as follows:

1. The total amount of \$750,000 that is included in the

County's Capital Improvement Plan be used to service the debt.

- 2. The Bank will place a cap on the prime used to compute our rate of 9.5% for a fee of \$64,000 and the expiration date of March 11, 1994.

Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the Board to enter into an agreement with Bond Council through Sun Bank with the fees not to exceed \$9500. Upon Roll call, all Commissioners voted aye. Motion carried.

The meeting adjourned at 8:40 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, MARCH 15, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Courts, Luke Brooker.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Bill Jones presented the Daily Jail Log of Inmate Count for the period ending March 15, 1994.

**CLERK**

The Clerk reported that the Security Workshop Committee met last week. The Committee was chaired by Judge Dale Durrance. Out of the Committee meeting, a Sub-Committee was appointed. The Committee is made of Chief Deputy Clerk, Buddy Mckenzie, the Bailiff, John Watson and the Assistant County Administrator, Tom Portz. This Committee will meet and make recommendations from the U.S. Marshall's report to the Security Committee and then back to the Board of County Commissioners for their approval.

**MEETINGS:**

The County Administrator read the reported meetings into the record.

**ADDITIONAL MEETINGS:**

Commissioner Gose reported a meeting of the LDR Committee on March 28, 1994 at 6:30 P. M. Room #3 at the Agri-Civic Center.

**ACTION:**

**RESOLUTION: IN SUPPORT OF FLORIDA HIGHWAY PATROL: CPL. HARTT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution supporting the Department of Highway Safety and Motor Vehicles, Division of Florida Highway Patrol, Budget Initiative, fiscal year 1994/95. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 86.

**PUBLIC HEARING TO CONSIDER THE FOLLOWING ZONING CHANGES:**

**HEARING #1324-BOARD OF COUNTY COMMISSIONERS:**

Requesting a zoning change from AU (Agriculture) to PU (Public Use District). Desire for office buildings and wastewater treatment facility. Gary Lower, Zoning Supervisor presented the request. Proof of Publication entered into the record. See SMB 20 Page 102. The County Administrator presented recommendations. The Chair suggested a restriction on the wastewater treatment facility. Commissioner Gose spoke in favor of the facility.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution granting zoning change from AU (Agriculture) to PU (Public Lands) with uses for office buildings, waste water treatment facility, riding stables and keeping and pasturing of animals. Upon Roll call, Commissioner Vickers voted nay. All other Commissioners voted aye. Motion carried. See Res. Book 8 Page 87.

**HEARING #1325-JAMES WOHL C/O HIGHLANDS COUNTY HOUSING AUTHORITY**

TABLED BY THE PLANNING AND ZONING COMMISSION UNTIL APRIL 12, 1994 AT 6:00 P. M. AT THE AGRIC-CIVIC CENTER. TO BE HEARD BEFORE THE BOARD OF COUNTY COMMISSIONERS ON APRIL 19, 1994.

**HEARING #1326-WILLIAM PELHAM C/O JAMES F. MCCOLLUM**

Requesting a zoning change from 1-2 (Industrial District) to B-4 Business District). Desire for a teenage recreation center. Gary Lower, Zoning Supervisor presented petition. Proof of Publication entered into the record. See SMB 20 Page 103. Attorney Jim McCollum spoke in support of the petition. Public input was received from Dave Eckbert, owner of an RV Park to the Southeast, in opposition. Clayton Womer asked a question regarding access on Tractor Road. Motion by Commissioner Summers, seconded by Commissioner Gentry to adopt Resolution upholding the recommendations of the Zoning Board to approve the zoning change. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 88.

**RICHARD DASHER: REQUEST TO RESCIND LAKE MIRROR CULVERT CLOSING**

Mr. Dasher presented forty-three (43) signatures opposing the decision of the Board of County Commissioners on February 1, 1994 regarding the closing of the culvert on Lake Mirror Drive. He gave a history of events beginning in the 1940's involving the natural waterway of Lake Placid and Lake Mirror. He requested that the decision to obtain a permit from SWFWMD to close the culvert be rescinded. The Operations Director stated that to remove the structure would cause a change in the lake levels and would require a Public Hearing. Mr. Bill Dasher, who resides on Lake Placid, informed the Commission that he has the 1944 U.S. Army Aerials. He also produced the original plans from the DOT Drainage Study.

**RECESS 10:26 A. M - 10:40 A. M.**

The Chief Deputy Clerk, "Buddy" Mckenzie, arrived at the meeting at 10:40 A. M. sitting in for the Clerk of Courts.

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to rescind the motion of February 1, 1994. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to request that the SWFWMD complete their study in this particular matter as soon as possible and to do nothing until then. Commissioner Gentry amended the motion to request that the District give the County specific directions regarding the relationship between the two lakes. Commissioner Gose accepted the amendment. Upon Roll call, all Commissioners voted aye. Motion carried.

**STEVE LARE: REQUEST VARIANCE FOR RIDGE LOUNGE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the request for a variance from Stephen R. Lare for Ridge Lounge for the elimination of Improvement/Drainage Plan. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 104.

**SARA KELLER, CAMP FLORIDA: REQUEST EXEMPTION FROM SOLID WASTE ASSESSMENT**

Sara Keller, representing the board of directors of Camp Florida requested removal of the solid waste assessment from the property tax bills. She advised that Camp Florida Resort is an RV Park restricted in development to RV's. All RV Parks within Highlands County are exempted from the assessment by Ordinances #89-11 and #90-1. She requested that the Board of County Commissioners apply

this exemption uniformly to include Camp Florida Resort.

The Board Attorney stated that it would be legally improper for the county to grant an exemption from the Solid Waste Assessment. The request was not proper since the residents are owners of their property. Mr. Macbeth stated that the only recourse would be to change the Ordinance and would open the door for homeowners associations all over the county to get out of mandatory garbage collection. Mr. Clayton Womer objected to changing the Ordinance for a small group of people. The County Administrator suggested that the resort allow BFI to collect the garbage twice weekly for individual property owners, and let the commercial part of the resort continue to pay for commercial hauling. The assessment of the homeowners association could be reduced to those paying the county's assessment and would not be billed twice for the same service. After repeated discussions, the Chair asked if the Board wished to make a motion to amend the Ordinance. No action was taken. See SMB 20 Page 113 for copy of Board Attorney recommendations.

**CITIZENS NOT ON AGENDA**

Mr. Hank Kowalski addressed the issue of the time allowed between Zoning Hearing's that are heard before the Zoning Board and then the Board of County Commissioners.

Mr. Don Schloesser reported that he represents a group called "Tuff". His plans are to mail out a questionnaire to the Tomoka Heights residents seeking information on their interest in the purchase of the water system. He will then hold a meeting of the residents and gather information and report back to the Board of County Commissioners. The County Administrator suggested that he should present his information at the public hearing.

Mrs. Linda Crowder read a letter into the record on behalf of the Children's Museum of the Highlands Board of Directors and staff thanking the Board for their support of the **RECYCLEMANIA EXHIBIT**. See SMB 20 Page 105 for copy.

The Chairperson presented Commissioner Gentry with a T-Shirt that was made totally from recycled bottles.

Ms. Joan Pflueger requested the Board stop broadcasting Aquatic spray this time of the year as bass are spawning and it causes them to leave the area and not return for a month. The Chair stated that staff will call this to the County Engineer's attention. Ms. Pflueger also requested a sign be placed on Lake Josephine titled "Swim at your own risk". The Chair suggested that this request should be presented to the Health Department.

See SMB 20 Page 106 for copy of Agenda Slips.

**MONICA GRIFFITH; LEMON PATCH ROAD ACCESS**

Commissioner Maxcy reported that he spoke with Gary Phelps to find a solution to the access problem. Mr. Phelps related that his intentions were to build a road and because of that he was taken to Court. He won the Court Case and now he has no intentions of building a road or moving the fence. Commissioner Maxcy asked the Board Attorney if the County could help in any way on a private easement. The Board Attorney advised that the county can not use public funds on private property and they do not have sufficient right-of-way to qualify for the Board's established policies. Commissioner Maxcy questioned the possibility of free fill-dirt. The Operations Director advised that there is no free fill-dirt. There is debris but not enough room for the equipment to be brought in to spread the debris. Mr. Griffith requested an exemption from

the garbage assessment. The Chair advised that the County Administrator will meet with him and discuss the issue.

**RECESS 12:25 P. M. - 1:15 P. M.**

The meeting reconvened at 1:15 P. M. with all members present except Commissioner Maxcy. Sitting in for the Clerk was Bob Germaine, Deputy Clerk.

**BOARD ATTORNEY**

**BUILDING USE COMMITTEE RECOMMENDATION**

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve the recommendations of staff that for rental of facilities no reduction of fee be granted and that normal private party rates be charged for political candidates. Upon Roll call, all Commissioners voted aye. Motion carried.

**RESOLUTION TO RETAIN CURRENT LAW (FL STATUTE 768.81)**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Resolution from employees to retain section 768.81, Florida Statutes to prevent a liability insurance crisis in Florida. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 89.

**CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows:

1. Approval of minutes of Public Hearing 2-21-94, Regular Meeting of 3-1-94 and Comprehensive Plan hearing 3-2-94.
2. Accept into the record February Monthly Report.
3. Accept into the record Sun'n Lakes Annual Financial Report
4. Approval of expenditure request for leachate tank purchase. See SMB 20 Page 107.
5. Approval of variance request-Kissimmee Retreat. See SMB 20 Page 108.
6. Approval of variance request-Pfleger Subdivision. See SMB 20 Page 109.
7. Approval of variance request-Turnberry at the Country Club of Sebring. See SMB 20 page 110.
8. Adoption of Resolution to establish Public Hearing date for April 19, 1994 for Church Street vacation. Request presented by the School Board. See Res. Book 8 Page 90.
9. Approval of Amendment to Community Development Block Grant.
10. Approval of Removal of Equipment from Inventory. See SMB 20 Page 111.
11. Approval of Budget Amendments #93-94-76;77;78;79 and 80.
12. Approval to pay the following duly authorized warrants:

Law Library	746.56
General	704,594.81
County Transportation Trust	226,840.66
Law Enforcement Education	274.60
Local Govt Infrastructure Surtax	165,651.01
Community Development Block Grant	18,146.17
Affordable Housing Assistance Trust	21,705.35
Special Law Enforcement Trust	31.90
Risk Retention	75,344.90
Employee Benefit	85,271.87
Special Payroll	73,017.53

Upon Roll call, all Commissioners voted aye. Motion carried.

**COUNTY ENGINEER:**

**ARBUCKLE CREEK RESTORATION PROJECT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the recommendation of the County Engineer to reject the low bid and request termination of the MOA with the District pursuant to Item 16 of the MOA for the following reasons:

1. At this time Mr. Mock is unable to come up with his portion of the funds, and unsure when this may occur.
2. The FDER permit expiration date is May 8, 1996.
3. The Issue concerning low levels do not seem to be the problem it once was, prior to revising the lake regulation schedule several years back.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 112.

**US 27 LAKE JOSEPHINE DRIVE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the County Engineer to enter into an agreement with the FDOT to install a flashing beacon and street lighting at the intersection of US 27 @ Lake Josephine Drive with the county to be responsible for maintenance of the improvement and the Department to supply all equipment as well as the design and installation of the street lighting. Upon Roll call, all Commissioners voted aye. Motion carried.

**BINDING AGREEMENT EXECUTION WITH FDEP-ISTOKPOGA PARK**

Motion by Commissioner Gentry, seconded by Commissioner Gose to execute the Binding Agreement with the Florida Department of Environmental Protection for the Istokpoga Park Permit. Upon Roll call, all Commissioners voted aye. Motion carried.

**SUNSHINE GAS PIPELINE PROJECT**

The County Engineer reported on the Sunshine Gas Pipeline Project amendments. Amendments to the proposed corridor would delete the Highlands County area. See SMB 20 Page 114 for copy of amendments.

**COUNTY ADMINISTRATOR**

**DISCUSSION OF THE TOMOKA HEIGHTS WATER SYSTEM**

Motion by Commissioner Gentry, seconded by Commissioner Gose to set a Public Hearing date for April 19, 1994 at 1:00 P. M. at the Agri-Civic Center to consider purchase of the Placid Utilities Water System. Public input was received from Harold Owen, Richard Conover and Don Schloesser. Upon Roll call, all Commissioners voted aye. Motion carried.

**DISCUSSION ON EMPOWERMENT ZONE AND ENTERPRISE COMMUNITY**

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve an appropriation of \$8,000 out of the General Fund to allow IDA to take the lead and participate in the Empowerment Zone and Enterprise Community Grant. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator reported that the Mall Festival will be held on April 2, 1994. The Board of County Commissioners are invited to participate at an Orange Juice Squeezing contest at 10:30 A. M.

**DESOTO CITY WATER LINE INSTALLATION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to transfer \$5,000 within the Fire Budget for ten Hydrant T's to be installed at the Desoto City Area. Upon Roll call, all Commissioners voted aye. Motion carried.

**DISCUSSION ON JAIL RFP-GENERAL CONTRACTOR-CONSTRUCTION MANAGER**

The County Administrator will bring back information.

**COMMISSIONERS**

Commissioner Summers requested that the Board consider researching an ordinance that would control vendors selling fruits or vegetables on the county right-of-ways.

Commissioner Gose reported on the progress of the LDR committee.

The Chairperson gave a brief report on the NACo meeting.

The Chair informed the public that the Agenda Category number will be listed in the News Sun. If the number is dialed, the upcoming Board of County Commissioners Agenda will be read.

The meeting adjourned at 2:26 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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WORKSHOP MEETING OF THE BOARD, MARCH 22, 1994  
COUNTY GOVERNMENT ORGANIZATION

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool.

**CHAIRPERSON PRESENTS GUIDELINES FOR WORKSHOP**

**1. COUNTY GOVERNMENT:**

- A. WHAT IS IT?
- B. WHAT PART ARE WE HERE TO TALK ABOUT?

The County Administrator presented a synopsis of the history of our county and the role of the County Commissioner. Discussion was received on how County Government works. Mr. Cool listed three ways to adopt a charter:

- 1. The first method is to have the Board appoint a charter commission to study the issue and put together a county charter. The Charter would then go before the voters in a referendum.
- 2. The second is to have proponents of the Charter get 15 percent of the registered electorate in the county to petition to have a charter put before the voters.
- 3. The third is to have the local legislative delegation submit a special act in the form of a charter to the public.

Commissioner Maxcy presented questions on changing the county government format.

Commissioner Gentry discussed prioritizing Road Maintenance and providing service to the public.

**II. STRATEGIC CHOICES**

- A. WHAT IS IT?
- B. HOW DOES IT WORK?

The County Administrator discussed Procedure - Vision - Strategy Tactics - Implementation - Operations - Strategic Advantage. Mr. Cool addressed the Tomoka Heights water purchase as a choice. The Chairperson listed Economic Element - Tax Users - Tax Generators.

**III. REINVENTING GOVERNMENT**

- A. WHAT IS IT?
- B. HOW DOES IT WORK?

The County Administrator addressed Budgets, Justification and Expenditure Budget Control. Commissioner Summers - impact on the Clerks office. Crisis Government Situations.

**BREAK 10:05 A. M. - 10:15 A.M.**

IV. CHARTER GOVERNMENT

A. SUMMARY OF KURT SPITZER'S ANALYSIS

County Administrator - Discussion on Kurt Spitzer's analysis of Charter Government.

Chairperson opens meeting to public input.

Joe Clarke - County Administrator Form of Government. Suggestion to make it an elective position. Discussion on a second option in place of the Charter Form of Government.

Preston Colby - Kurt Spitzer's report - lack of attention to detail. Payment of invoice - Violation of Chapter 112. No back up documentation.

Commissioner Gentry - review of the Water System vote.

Chairperson - Improvement of Communications.

Harold Owen - not in favor of an elected County Administrator.

Kris Delaney - not in favor of a charter form of government. In agreement with Mr. Joe Clarke's proposal.

Hank Kowalski - agrees with Mr. Delaney.

Clayton Womer - commended Board Members for their decisions.

John Barrett - request the Board consider all alternatives.

Bob Pollard - would require 51% of the vote to change to a charter. A charter would lend stability and a road map to the direction that government will go.

Chairperson - closes Public Discussion

Commissioner Gentry - To review again in thirty (30) days.  
Commissioner Gose - Comp Plan has caused some citizens not to be happy with Government. The majority of citizens are happy.  
Commissioner Maxcy - would prefer the Board to be unified in their vote for a charter if that is what the citizens want.

Chairperson Vickers suggested a straw vote be taken at one of the regular elections. The question to simply state, "Do You Want to Change Our Form of Government"?

The consensus of the Commission was to instruct staff to place back on the Agenda in approximately thirty (30) days with the discussion on a possibility of a straw vote and to proceed with new ideas on budgets, working toward better ways to organize.

The County Administrator requested that the public participate at the upcoming budget hearings and to bring along new ideas.

The meeting adjourned at 11:50 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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SPECIAL MEETING OF THE BOARD, MARCH 29, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

- |                       |                            |
|-----------------------|----------------------------|
| <b>Audrey Vickers</b> | <b>L.E. 'Luke' Brooker</b> |
| <b>James L. Gose</b>  | <b>Carl Cool</b>           |
| <b>Archie Summers</b> | <b>J. Ross Macbeth</b>     |
| <b>C. Guy Maxcy</b>   | <b>Louise Graham</b>       |
| <b>Doris Gentry</b>   |                            |

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Courts, Luke Brooker.

**COUNTY ADMINISTRATOR - NOTICE OF MEETING - ENTERED INTO THE RECORD.**

See SMB 20 Page 116.

**CONSIDERATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Mr. Stephen Weeks, Consultant for the CDBG Grant requested approval of the following Change Orders and Fund Approval:

1. Reduction in the CDBG Administration \$15,460.00 to be transferred into the rehab line items.
2. Ada Anderson, 4518 High Avenue, Sebring Florida, approval of \$2,407.00 as a change order.

Original Contract Price	\$15,985.00
Install HCAV	\$958.00
Install Dry Wall	\$1,449.00
New Contract Price	\$18,392.00
3. Claretha Evans, 104 Bethune Street, Lake Placid, Florida, Approval without a purchase order and work change order.

Original Contract Price	\$9,580.00
Install Hot Water Heater and Cabinet	\$700.00
New Contract Price	\$10,280.00
4. Change Order on Robinson to install Drainfield, Fill and Water Tank

	\$2,823.00
--	------------
5. Change Order on Andrews to install Tank and Fill

	\$1,780.00
--	------------
6. Transfer \$11,000.00 of General revenue funds for above.
7. Client payment approval without Purchase Order Demolition/Relocation

Warren Andrews, 113 Zion Street	\$25,000.00
Judy Robinson, 119 Taylor Street	\$25,000.00

The Assistant County Administrator advised that the major point of the issue was that the grant has rules that identifies procurement practices that apparently were not followed in the majority of these expenditures. Mr. Weeks responded that there is no violation of any CDBG rules in regards to this. The procurement procedures is the County rule and the Board does have the authorization to release these funds.

Mike Eastman, Director of Accounting and Finance for the Clerks Office reminded the Commission of the Clerks function in regard to

payment of expenditures. Proper back-up documentation must be presented to substantiate the payment. Another function of the Clerks office is to make sure that the budget is not overspent. At this point there is a deficiency. The function regarding purchasing procedures has not been followed. These conditions must be met in order for the Clerk to issue the checks for payment.

After a lengthy discussion, the Chair suggested that this matter be addressed on the agenda of April 5, 1994.

Mr. Preston Colby requested information regarding the grant. The Chair suggested that staff will provide the documentation.

The meeting adjourned at 9:20 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**COMPREHENSIVE PLAN WORKSHOP OF THE BOARD MARCH 29, 1994**

The meeting was called to order at 9:21 A.M. with the following members present:

- |                       |                               |
|-----------------------|-------------------------------|
| <b>Audrey Vickers</b> | <b>I. V. "Buddy" McKenzie</b> |
| <b>James L. Gose</b>  | <b>Carl Cool</b>              |
| <b>Archie Summers</b> | <b>J. Ross Macbeth</b>        |
| <b>C. Guy Maxcy</b>   | <b>Louise Graham</b>          |
| <b>Doris Gentry</b>   |                               |

The Chairperson read the agenda issues for discussion. She thanked the Planning and Zoning and Zoning Board of Adjustment members for their presence.

**A. EXPLANATION OF CURRENT COMP PLAN STATUS - BOARD ATTORNEY**

**1. REQUEST PENDING ON ATTORNEY GENERAL OPINION CONCERNING PUBLICATION REQUIREMENTS.**

The Board Attorney stated that he has received the Attorney General ruling for publication requirements. The Tampa Tribune must have their second class mailing privilege in effect for one year to qualify to publish legal notices. In order to have the assurance that the latest amendments of the Comp Plan are valid, the Board Attorney is recommending that the Commission re-adopt. The consensus of the Board is to request that the County Administrator set a public hearing for consideration of re-adoption possibly on April 19, 1994 after 5:30 P. M.

**B. REVIEW OF THE HISTORY OF COMPREHENSIVE PLANNING IN HIGHLANDS COUNTY - CARL COOL**

**C. DISCUSSION OF HOW THE PROCESS IS SUPPOSED TO WORK - CARL COOL**

**D. VISIONING - CARL COOL**  
Board participation.

**BREAK - 10:00 A. M. - 10:10 A. M.**

**NOTICE OF MEETING ENTERED INTO THE RECORD. COUNTY ADMINISTRATOR.**

SEE SMB 20 PAGE 115.

**E. AMENDMENT PROCESS - COUNTY PLANNER-JEFF LUDWIG**

Economic Visioning - Rural Village Plans  
Changes to the Plan require Amendments.

**F. VESTING PROCESS - JEFF LUDWIG**

Small Plan Amendments  
Carl Cool - Vested Rights - Statute Law and the Common Law  
Difference.

The County Administrator suggested the Board adopt a county ordinance to change zoning. He questioned the Board Attorney on this issue. Comments were received from Board Members.

The Chairperson requested input from the Planning and Zoning Board Members Jim Brooks, Lew Carter, C. B. Jones, Jim Osborne, and Glen Hunter.

Public input was received from Joe Clarke, Jackie Fauls, Irene Knutson, Bruce Sherwood, Attorney Wendell Whitehouse, Jack Clark, James Harrison and Harold Owen.

**BOARD DISCUSSION:**

The consensus of the Board was to individually prepare a list of suggestions and give to staff and to place on the agenda for April 19, 1994 and the Board to then prioritize the list. The County Administrator was requested to place on the agenda the Southern Water Use Caution Area, Draft Management Plan for April 5, 1994.

The meeting adjourned at 12:21 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, APRIL 5, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Leo Rosenbaum from the Temple Israel Church.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending April 5, 1994. See SMB 20 Page 117. Commissioner Maxcy questioned the Board regarding an Interlocal Agreement with other Counties for Jail Facilities.

**CLERK**

Mr. Luke Brooker, Clerk presented the Board with a copy of the Comprehensive Annual Financial Report for the fiscal year ending September 30, 1993. Mr. Brooker reported that the CAFR was filed March 31, 1994 and is subject to an award.

**MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record.

The Chair requested a consensus of the Commission for a Town Meeting in the Lorida area on April 26, 1994 at 5:30 P. M. This will be the last meeting of the Lorida Community Club. The invitation will extend to residents from Kissimmee River area to the Spring Lake area.

**ACTION:**

**A. PUBLIC HEARING TO CONSIDER PLAT VACATION-SUN'N LAKES OF SEBRING**

The County Engineer entered the proof of publication into the record. See SMB 20 Page 118. Legal Description of the Plat Vacation was read into the record. The County Engineer reported that letters were received from the Utility Companies and the Road and Bridge Department stating "no objection" to the vacation. Amber J. Johnson, Attorney, representing the School Board, spoke in favor of the vacation and the construction of the school. She also listed safety concerns for the frontage road. The Board was invited to attend discussion with the Site Committee. John McClure, Attorney, representing Sun'n Lakes of Sebring spoke in support of the school.

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve the recommendations of the County Engineer to vacate the Plat and approve the Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 90.

**B. PUBLIC HEARING TO CONSIDER PROPERTY PURCHASE FOR HIGHLANDS AVE. PROJECT**

Bill Stephenson, Special Projects Coordinator, presented the proof of publication. See SMB 20 page 119.

**CONSIDERATION OF THE WITHERS AND HARSHMAN PROPERTY-SEVEN PARCELS**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to move forward with the purchase of the seven (7) parcels of property; to accept the donation of the property with an agreement that the county construct a six-foot chain link fence with the attendant gates as part of the agreement. Total cost of the fence, \$16,934.00.

Preston Colby questioned the Commission regarding the disclosure requirements.

Upon Roll call, all Commissioners voted aye. Motion carried.

**CONSIDERATION OF THE MAC-VAIL PROPERTY**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the contract as submitted by the Special Projects Coordinator for a reduction of \$1800 off of the \$6,000 asking price for their part of the erection of the chain link fence. The total price of the property listed at \$4,125. Upon Roll call, all Commissioners voted aye. Motion carried.

**CONSIDERATION OF PARCEL III-TAYLOR FAMILY**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the agreement as presented in the amount of \$15,600. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator gave an update on the Sidewalk Construction.

Suggestions were received from the Board regarding use of the vacated Minute Market. No action was taken.

**C. PUBLIC HEARING TO CONSIDER PROPERTY PURCHASE FOR EUCALYPTUS PARKWAY PROJECT: KAHN GROVES, INC.**

Proof of Publication entered into the record. See SMB 20 Page 120. Purchase price of the Property listed at \$62,400. The Board Attorney read the Addendum to the Purchase Agreement. There were reservations on items #4; 5 and 6. The consensus of the Commission was to re-notice the hearing and allow Mr. Macbeth and Mr. Rhoades to clarify the details. No action was taken regarding the purchase. Hank Kowalski addressed the issue of the easement and placing the pipe under the road.

**BREAK 10:20 A.M - 10:30 A.M.**

**D. PERRY NEWPORT AND JAN FULTZ: REQUEST TO UNIFY STREET NAMES**

Mr. Newport requested the Board direct the E911 Coordinator to cooperate with the Post Office to rename certain street addresses. A petition was entered into the record from all residents of Bayview Street or Lakeview Mobile Home Court asking the county to adopt street names and numbers shown on maps that are common use for Sebring and other Highlands County area. See SMB 20 page 121. Jan Fultz, Postmaster of the Lakeland Post Office introduced Marie Steele, AIS Clerk. Mrs. Steele works directly with the zip codes and the four digit add-on codes. Ms. Fultz suggested that the problem that Mr. Newport is experiencing begins in Lakeland with the addition of a new computer that automatically sorts mail. The problem in Sebring is with the Trailer Parks that have common addresses with Lot Numbers. Ms. Fultz suggested that Nancy Lowe, E911 Coordinator be allowed to work with the AIS Clerk in a cooperative manner and look at all of the addressing in Sebring, to make any corrections on duplicate street names, duplicate number ranges and common addresses. The County Administrator apologized for the problem and advised that Ms. Lowe will be glad to coordinate with Mrs. Steele for a solution. The Board gave a consensus for the coordination.

**E. RESOLUTION ON U.S. 27 SAFETY**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Florida Department of Transportation U.S. 27 Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 91.

**F. BOARD ATTORNEY: EXECUTION OF AGREEMENT WITH SEBRING HISTORICAL SOCIETY**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Sebring Historical Society, Inc. Agreement with Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried.

**CITIZENS NOT ON AGENDA**

Mr. Preston Colby requested the Board remove any language from legal descriptions of property that is insensitive to citizens' races, creeds or colors.

Mr. Colby also spoke regarding the Attorney General opinion in the case of legal notices published in the Tampa Tribune. He suggested that the Board file a Declaratory Judgment in the Circuit Court. The Chair advised that she will write a personal letter, with the assistance of the Attorney, requesting clarification.

Harold Owen of Lake Placid announced the Heritage Day Celebration and the Lake Placid Library Brunch.

Richard Conover of Avon Park suggested that the Commissioners revert back to the weekly meeting schedule.

See SMB 20 Page 122 for copy of Agenda Slips.

**COMMISSIONERS**

**A. COMMISSIONER GOSE: MISSION STATEMENT ON OCCUPATIONAL LICENSING**

The first step in taking control over occupational licenses is to form the committee called for in Florida Statutes, Chapter 205. The recommendation is that five members and two alternates be appointed. The members should be chosen from the business community, with each representing a different field. The Commissioners accepted the following categories for appointment to made at the next meeting:

1. Commissioner Maxcy - Small Retail
2. Commissioner Gose - Banking and Finance; Large Retail and Wholesale.
3. Commissioner Gentry - Professional Services; Repair and Services.
4. Commissioner Summers - Restaurant and Vending
5. Chairperson Vickers - Hotel and Motel

The County Administrator to coordinate these names to the Administrative Aide. See SMB 20 Page 123 for a copy of the Mission Statement.

**COMMISSIONER GOSE: FINANCIAL DISCLOSURE FORMS**

Motion by Commissioner Gose, seconded by Commissioner Gentry that the Chairman be authorized to contact the legislators regarding the Ethics Commission decision on financial disclosure for Advisory Boards, especially the L.D.R. Board. Upon Roll call, all Commissioners voted aye. Motion carried.

**COMMISSIONER MAXCY: REQUEST TO WAIVE POLICY FOR ELLIOTT'S FISH CAMP**

The consensus of the Board is to agenda this item for April 19, 1994.

COMMISSIONER SUMMERS: PREPARED STATEMENT REGARDING VISION IN REGARDS TO THE COMPREHENSIVE PLAN

B. COMMISSIONER VICKERS:

1. SENATE RESOLUTION ON BANKRUPTCY CODE

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Senate Resolution on Bankruptcy Code. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 92.

2. RESOLUTION IN OPPOSITION TO THE SCIENCE SUB-GROUP ECOSYSTEM RESTORATION PLAN

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve Resolution in opposition to the Science Sub-Group ecosystem restoration plan. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 93.

RECESS 12:10 P.M - 1:16 P.M

A. CONSENT AGENDA:

Motion by Commissioner Maxcy, seconded by Commissioner Summers to approve the Consent Agenda as follows:

1. Approval of minutes of meeting 3-9-94, 3-15-94 and Workshop 3-22-94.
2. Approval of equipment trade-in - Clerk. See SMB 20 Page 124.
3. Approval of budget transfer - Tax Collector. See SMB 20 Page 125.
4. Approval of grant expenditure - Sheriff. See SMB 20 Page 126.
5. Approval of Landscape Ordinance Appeal-Church of Jesus Christ of Latter Day Saints. See SMB 20 Page 127.
6. Approval to execute Conservation Easement-Istokpoga Park.
7. Approval to execute Interlocal Agreement with Glades County and FDEP Grant.
8. Approval of bid #94-62 for semi-tandem tractor. See SMB 20 Page 128.
9. Approval of Drug-Free Policy Modifications.
10. Approval of Budget Amendments 93-94-83; 93-94-90 through 98 and 93-94-100.
11. Approval of Cell No. 1 earthwork and liner installation bid #94-34. See SMB 20 Page 129.
12. Approval of request to waive tipping fee-Avatar Leisure Lakes. See SMB 20 Page 130.
13. Approval to purchase disk drive - Tax Collector's office. See SMB 20 Page 131.
14. Approval of Housing Incentive Plan.
15. Approval of variance request - Pier 1 Center. See SMB 20 Page 132.
16. Approval to participate - Anti-Drug Abuse Grant. See SMB 20 Page 133.
17. Approval to support Central Florida RC&D Council, Inc.
18. Approval to pay the following duly authorized warrants:

Law Library	398.49
General	1,327,526.81
County Transportation Trust	154,064.09
"E911" Operations	18,456.69
Law Enforcement Education	1,380.00
Local Govt Infrastructure Surtax	436,143.74
Community Development Block Grant	413.51
Employee Benefit	243,733.76

Risk Retention  
Special Payroll

735.84  
91,953.42

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. CODE ENFORCEMENT OFFICER:**

**1. ACCEPTANCE OF PROPERTY IN LIEU OF NUISANCE ABATEMENT PROCEDURES**

Motion by Commissioner Gose, seconded by Commissioner Summers to accept deed in lieu of nuisance abatement procedures in the case of John Trubody, Lot 13, Harris, Sun'N Lake Mobile Estates. Upon Roll call, Commissioner Maxcy voted nay. All Commissioners voted aye. Motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Summers to authorize the Code Enforcement Officer to seek bids to clean the property. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. DISCUSSION OF POLICY ON ANONYMOUS RESPONSES**

This item to be discussed at the LDR meeting first.

**C. EMERGENCY SERVICE DIRECTOR:**

**1. REQUEST TO INCREASE EMERGENCY MEDICAL SERVICE FEE**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to authorize the increase in Emergency Medical Service fees in order to recoup the additional cost of the equipment. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 134 for copy of request.

**2. PETITION FOR DISCHARGE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the petition for discharge in the Estate of Rodney M. Durrance/Probate Court. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 135.

**3. REQUEST FOR EMS STANDBY COVERAGE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the request for EMS standby coverage for the Vietnam Era Veterans of the Heartland for their Classic Car and Truck Show on June 25, 1994 from 2:00 P. M. until dusk at the National Guard Armory in Avon Park. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. FIRE COORDINATOR: REQUEST FOR BID WAIVER**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve request for bid waiver and piggy-back the Manatee County School Board bid for the asbestos abatement contractor for the Courthouse. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. PERSONNEL DIRECTOR: APPROVAL OF DRUG TESTING VENDOR**

After discussion, the Chair directed the County Administrator to bring back direction on policy for accepting Drug Testing Vendors.

**F. COUNTY ADMINISTRATOR:**

**1. APPOINTMENT TO NATURAL RESOURCES ADVISORY COMMITTEE**

Motion by Commissioner Gose, seconded by Commissioner Summers to appoint Pat Hogue, Livestock Extension Agent to the Natural Resources Advisory Committee to fill the unexpired term of G. Tim Hurner. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 136 for copy of resume.

**2. APPOINTMENT TO HISTORIC PRESERVATION COMMISSION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to reappoint Marie Boley and Bettie Lamb to the Historic Preservation Commission for a two year period. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 page 137 for copy of resume.

**3. ARCHITECTURAL/HISTORIC STUDY OF COURTHOUSE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept the report on the master plan for the Highlands County Courthouse and move toward modification and restoration. Upon Roll call, Commissioner Summers voted nay. All other Commissioners voted aye. Motion carried. The Clerk expressed a favorable reaction with a suggestion that the Security Committee have input.

**4. REQUEST FROM SEBRING AIRPORT AUTHORITY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to place the name of David L. Hickman and John Martz in nomination as members to the Sebring Airport Authority Board of Directors for a four-year term beginning May 1, 1994 through April 30, 1998. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 138.

**5. DISCUSSION OF SOUTHERN WATER USE CAUTION AREA DRAFT MANAGEMENT PLAN**

The Board Members expressed concern for the Draft Management Plan. The Chairperson suggested that input is very important. Jackie Fauls participated in the discussion. No action was taken.

**6. REQUESTED APPOINTMENT OF COMMITTEE-UPPER JOSEPHINE/JACKSON WATERSHED**

The County Administrator gave an update on the Upper Josephine Jackson Structures. He advised that Mr. Barben is recommending a new Committee with the task of bringing to the County Commissioners suggestions regarding the opening and closing of Structure #2 and Structure #3. A copy of the minutes of March 23, 1994 Soil Conservation Service meeting were presented for review. See SMB 20 Page 139. Commissioner Gose expressed extreme concern for the minute entries.

Motion by Commissioner Gose, seconded by Commissioner Gentry to request a committee be made up of one Landowner, a representative from the City of Sebring, Soil Conservation Service, Board of County Commissioners and the Natural Resources Advisory Committee. The Committee to meet and make recommendation back to the Board of County Commissioners.

Mr. Fred Juliano spoke to the Commission regarding the importance of regulating the Structures. He asked Commissioner Gose to allow the new Committee a chance to prove that they are trying to work toward a solution that will benefit all parties concerned. Commissioner Gose withdrew his motion with the understanding that later the Board can make changes if needed. Commissioner Gentry withdrew her second.

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the Committee make-up suggested at the meeting with the addition of a representative from the Natural Resource Advisory Committee, the City of Sebring and the Operations Director. The Committee to meet and discuss an Operations Schedule and bring back recommendations to the Commission. Upon Roll call, all Commissioners voted aye. Motion carried.

**BREAK 3:25 P.M. - 3:39 P.M.**

**7. DISCUSSION OF COMMUNITY DEVELOPMENT BLOCK GRANT**

The County Administrator reported that partial information has been received for the processing of payments. Other information will be forthcoming. Mr. Weeks will be contacting DCA for documentation in writing. Mr. Cool requested that the Board not deal with this issue today but consider the extension of the Grant deadline.

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize staff to seek an amendment to the Grant to extend the deadline to July 28, 1994. Upon Roll call, all Commissioners voted aye. Motion carried.

The Consultant reminded the Commission that a S.H.I.P. Program meeting is scheduled for Monday, April 11, 1994 at 8:00 A. M. in the Conference Room.

**RE-ZONING REQUEST-SUN'N LAKES OF SEBRING-WAIVER OF APPLICATION FEE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the Clerk to notify the property owners of a Public Hearing to consider the rezoning request and to waive the \$450.00 application fee for Block 251 Sun'n Lakes of Sebring. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 140.

**PUBLIC HEARING TO CONSIDER ZONING ORDINANCE-CLEAN-UP OF CHAPTER 12 CODE OF ORDINANCES**

The consensus of the Commission was to set the public hearing dates for May 5, 1994 and May 19, 1994 at 5:30 P. M.

**SHERIFF DEPARTMENT REQUEST-TRANSFER 1982 DODGE RAM**

Motion by Commissioner Gentry, seconded by Commissioner Gose to transfer a 1982 Dodge Ram from the Highlands Animal Control to the Highlands County Sheriff's Inmate Program. Upon Roll call, all Commissioners voted aye. Motion carried.

The meeting adjourned at 3:51 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, APRIL 19, 1994**

The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool.

The Chairperson advised that this week is National Volunteer's week and she recognized Highlands County volunteers for the assistance shown by them. She also recognized the anniversary week of Highlands County's Foundation and the two year mark away from the County's 75th Anniversary.

**ANNOUNCEMENTS:**

Proof of Publication entered into the record for the advertised meeting at the Agri-Civic Center. See SMB 20 Page 152 A.

**SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending April 4, 1994. See SMB 20 Page 142. Mr. Rodgers advised that the Sheriff's Department is continuing to work airborne traffic operations in the county.

**Clerk:**

L. E. "Luke" Brooker, Clerk of Courts, reported to the Commission on the Florida Association of Clerks and Comptroller Finance Seminar in Tampa. He stated that Highlands County, unlike other counties, is in the position of having relatively very little debt. Our county has fully funded the payroll compensated absences. Because of the soundness of Highlands County, we are in the position of being able to borrow at the rate of 75 to 80% of prime. Secondly, the Clerk presented statistics in regards to the percentage increase of instruments and cases filed by the departments over the first quarter of 1993.

The Clerk reported that an official day of prayer will be observed by the Clerks office on May 5, 1994 at 10:00 A. M. in recognition of the National Day of Prayer as adopted by Resolution in 1952 by congress and amended in 1988. The United States is the only nation that observes an official day of prayer.

**MEETINGS**

The County Administrator read the reported meetings into the record.

**ACTION:**

**PUBLIC HEARING TO CONSIDER ZONING CHANGES:**

**HEARING #1317-LAKE PLACID FLORIDA RESORT, INC.**

Requesting a zoning change from CG-2 (Campground District) to R-2, FUD (Two Family Dwelling District with a Flexible Unit Development). Construct and sell zero lot line duplex residential units. This hearing requires no Board action as it was tabled by the Zoning Board for six (6) months to allow them to comply with the Comprehensive Plan.

**HEARING #1325-HIGHLANDS COUNTY HOUSING AUTHORITY**

Requesting a zoning change from M-2 (Mobile Home Park District) to

R-3, FUD (Multiple Dwelling including Motel and Hotel District with a Flexible Unit Development). Desired for triplexes, day care center, central laundromat and administrative offices. Proof of Publication entered into the record. See SMB 20 Page 144.

Attorney Mike Disler, representing the petitioner, called witness David Heacock, Chairman of the Housing Authority. Mr. Heacock was sworn in by the Deputy Clerk, Louise Graham. Attorney Disler questioned witness to establish location of property and unit description. Board members also questioned witness. Loretta Stevens, Florida Non-Profit Housing, sworn in and questioned. Jeff Ludwig, County Planner, sworn in by the Deputy Clerk. Mr. Ludwig presented staff reports with findings of fact. Exhibit A entered into the record. See SMB 20 Page 143. Keith Hunnicutt, Project Architect presented the project design and information regarding the Ball Park. Commissioner Gose suggested a commitment for a buffer around the Ball Park. Public input was received from Robert Stafford, Jimmy Wohl and Santos De La Rosa in favor of the project. Mr. Eugene Adler questioned the Board on the use of the property to the East of Youth Care Lane. Bruce Braswell, owner of Braswell Heritage Mobile Home Park presented a portfolio of Farm Worker Housing units in other areas, and spoke in opposition to the proposed development. Attorney Mike Swaine, representing Bruce Braswell, presented questions on the location of the site.

**BREAK 10:30 A.M - 10:45 A.M.**

**HOUSING AUTHORITY HEARING CONTINUED**

Public input was received from Richard Greenwald, David Summers, Hank Kowalski, Bill Williams, Harold Seamen and Emil Jakim in opposition to the proposed site. Ruth Handley, representing the Childrens Services Council, spoke in favor of the project.

The Zoning Supervisor entered into the record a total of 98 replies and one petition with fifty (50) names. Eight-seven were received from Oakridge and Braswell Mobile Home Park. The petition and eleven names came from Sebring Mobile Home Park. See SMB 20 Page 144 A for copy of names.

Closing arguments were briefly heard from Attorney Mike Disler in favor and Attorney Mike Swaine in opposition to the project.

After a discussion by the Commission, a motion was made by Commissioner Summers to uphold the Zoning Board's decision to approve Hearing #1325, Highlands County Housing Authority. Commissioner Gose seconded the motion. Upon roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. The motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Resolution that includes the four findings of fact. Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. The motion carried. See Res. Book 8 Page 94.

**HEARING #1327-ROBERT & WANDA S. WILSON, REPRESENTED BY A & V LAND SURVEYING**

Requesting a zoning change from AU (Agriculture) to M-I-S (Mobile Home and Residential Subdivision District. Desire to provide home for buyer who already has a mobile home. Proof of publication entered into the record. See SMB 20 Page 145.

Bill Aliff, speaking for the petitioners Ernest and Christine Hale, requested the zoning to allow the division of three half acre lots that would allow a mobile home or a single family residence on each of the three (3) lots.

Motion by Commissioner Gose, seconded by Commissioner Summers to

override the decision of the Planning and Zoning Board and approve the Resolution granting the zoning for Hearing #1327. Upon Roll call, Commissioners Gentry and Vickers voted nay. All other Commissioners voted aye. The motion carried. See Res. Book 8 Page 95.

**HEARING #1328-TURNER FURNITURE CO.INC. A FLORIDA CORPORATION REP. BY J. WENDELL WHITEHOUSE, ATTORNEY**

Requesting a zoning change from B-1 (Neighborhood Business District) to B-3 (Business District). Desire to build furniture store. Proof of publication entered into the record. See SMB 20 Page 146. Staff reports presented as a part of the record. Attorney Wendell Whitehouse, representing the Petitioner spoke in favor.

Motion by Commissioner Gose, seconded by Commissioner Summers to uphold the Zoning Boards decision to approve the Resolution with the Unity Title and to make a part of the record the staff reports and the findings of fact. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 96.

**HEARING #1329-ADVENTIST HEALTH SYSTEMS/SUNBELT D/B/A/ & CELIA & LUIS LOPEZ**

Requesting a zoning change from B-1 (Neighborhood Business District) to B-2 (Limited Business District). Desire for professional offices and hospital-related uses. Currently being used for medical/dental office, professional offices and fitness center. Request to withdraw Lots 6 thru 10 and Lots 28 and 29. Proof of Publication entered into the record. See SMB 20 Page 147. Mr. John Negley, representing Walker Memorial Hospital, stated that he has no problem with the Declaration of Unity Title.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Resolution granting the Zoning request with the exclusion of lots 6 through 10 and lots 28 and 29 and to execute a unity of title agreement for lots 23 to 27 inclusive. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 97.

**PUBLIC HEARING TO CONSIDER ROAD CLOSING - CHURCH STREET**

The County Engineer presented the proof of publication. See SMB 20 Page 149. The Board Attorney advised that petitioners have requested to reschedule and readvertise this Hearing. Eula and Neil Caswell, Property Owners, requested information as to the location of the property. Attorney Wendell Whitehouse, representing Industrial Consultants and Managements Co. apologized for the inconvenience. The Chair requested that the record reflect that this Hearing was withdrawn and will be readvertised.

**COMMENTS AND QUESTIONS**

**CITIZENS NOT ON AGENDA**

Ms. Betty Neale, by direction of Jim Crawford, Chairman of the IDA, gave a brief status report on the Enterprise Community Project. She requested a workshop be scheduled at the earliest possible date to address specific issues critical to the IDA's participation in the strategic plan development. The Chair suggested that this discussion be continued under Commissioners.

**RECESS 12:35 P.M.- 1:05 P.M.**

**1:00 P.M. - PUBLIC HEARING TO CONSIDER THE PURCHASE OF PLACID UTILITIES WATER/WASTEWATER SYSTEM**

1. Chairperson Vickers convenes public hearing.
  - A. County Administrator presented the Proof of Publication into the record. See SMB 20 Page 152.

- II. General discussion by the County Administrator:
  - A. Comprehensive Plan Policies related to water and sewer
  - B. Formation and purpose of the Sewer and Water Committee
  - C. Public Meetings held on the Placid Utilities System
- III. Discussion by Ron Cauthan of Chastain Skillman, Inc. on:
  - A. Placid Utilities System Study
  - B. Water Conservation Rate Structure
  - C. Water Use/Consumptive use Permit (CUP)
- IV. Discussion by Richard E. Lilyquist, County Engineer
  - A. Response to F.S. 125.3401 (see March 4, 1994 memo)
  - B. Memorandum of Agreement between Highlands County and the Florida Department of Environmental Protection
- V. Discussion by Board Attorney on Agreement for Purchase and Sale of Water and Sewer Systems
- VI. Discussion by the County Administrator on:
  - A. Suggestions to System Purchase financing
  - B. Reduced rate of Service Connection fee at time of system expansion
  - C. Operations Plan (meter reading/billing/maintenance)
- VII. Public Input:
  - A. The County Administrator enters 34 letters into the record in favor of the purchase. Eighty-Seven replies were received to confirm that they will connect to a county water system if made available to home owners. See Placid Utilities File for copy.

**BREAK 2:30 P.M. - 2:45 P.M.**

- B. Public Questions and Answers:

Bruce Teeters, representing the present owners of the Water System explained answers to questions regarding expansion of the Sewer System, cost of infrastructure, development, personnel, and accounting procedures. Harold Owen questioned if the \$110,000 Operations and Maintenance cost would include the billing. The County Administrator noted that it would.

Earl Pickett entered a letter into the record in favor of the purchase. David Johnson, Vice-President of the Board of Directors of Tomoka Heights spoke in support of the Water System. Pat Schloesser, representing her husband, presented information in opposition. Suzanne Sauls presented a petition with thirty (30) signatures in favor of the System Purchase. Harold Owen, representing the Twin Lake Property Owners, reviewed a chart describing potable water consumption. Hank Kowalski suggested that all environmental and regulatory concerns have not been addressed. Clyde Mitchell advised the Commission that the present Tomoka Heights lot residents have already paid for the water system. Keith Renish stated that he was not for or against the purchase but he would like to see the polluted wells cleaned up. Mr. Renish presented cost figures per household unit. Shelagh

Byatt spoke in favor.

- VII. Chairperson Vickers closes Public hearing for Board discussion and action.
- A. Response by Ron Cauthan on Water Audit question.
  - B. County Administrator answers questions on how residents will be impacted financially.
  - C. Bruce Teeters addressed the \$1,000 impact fee to lot owners.
  - D. Ron Cauthan - projected improvements to water and sewer, comparable rates.
  - E. Steve Hodges - explanation of projected income and expansion issues.
  - F. Commissioner comments

Motion by Commissioner Gose, seconded by Commissioner Gentry to purchase the Placid Lakes Utilities, Water and Wastewater System and to set up an Enterprise Fund for the specific purpose of the utility. Upon Roll call, all Commissioners voted aye. Motion carried.

- IX. Chairperson Vickers adjourns the Public hearing at 4:15 P.M.

**BREAK 4:15 P.M.- 4:30 P.M.**

**PROCLAMATION: NATIONAL COUNTY GOVERNMENT WEEK**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to adopt proclamation recognizing County Government Week and designating the week of April 16-23, 1994. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 98.

**CITIZENS NOT ON AGENDA-CONTINUED**

Mr. Richard Conover from Avon Park spoke regarding the action on Zoning Hearing #1325. Mr. Conover also requested that the Commissioners consider returning to the weekly meetings.

**RECONVENE-ACTION:**

**CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Consent Agenda with the exclusion of Item #6 - Approval of Budget Amendment-Property Appraiser and with an addition to budget amendments, to include Budget Amendment #94-95-120:

1. Approval of minutes of special meeting 3-29-94, workshop 3-29-94 and meeting 4-5-94.
2. Accept into the record-March Monthly Reports.
3. Approval of Chastain-Skillman Supplemental Agreement #16-Arbuckle Landfill.
4. Approval of street names: Abbate Terrace, Anthony's Way and Lomonico Road. See SMB 20 Page 148.
5. Approval to execute contract-Arbuckle Landfill earthwork and liner construction.
6. Approval to record Plat-Kissimmee Retreat. See SMB 20 Page 151.
7. Approval of Country Club of Sebring DRI Annual Monitoring Report.
8. Approval of budget amendments #93-94 - 107 through 113.
9. Approval to pay the following duly authorized warrants:

General	244,502.66
County Transportation Trust	230,642.62
"E911" Operations	690.59
Local Govt Infrastructure Surtax	114,006.37
Community Development Block Grant	8,709.70
Affordable Housing Assistance	14,765.00
Risk Retention	21,491.26
Employee Benefit	97,369.16
Special Payroll	305.02

Upon Roll call, all Commissioners voted aye. Motion carried.

**ATTORNEY GENERAL OPINION ON READVERTISEMENT FOR COUNTY ORDINANCES:**

The Chair advised that Jerry Hammond from the Attorney General's office, per a phone conversation, suggested that the Board did not need to readvertise public notices. The Board Attorney has advised us in good faith and she will back the advice up with a letter from his office. If the Board desires to seek a Declaratory Judgement that would offer a resolution to this opinion. The Chair was not in favor of spending the money for this action.

**COUNTY EXTENSION AGENT: REQUEST FOR FUNDING - HOME ECONOMICS/4-H POSITION - POSTPONED**

**COUNTY ENGINEER:**

**1. APPROVAL OF SR 66/SPARTA RD LIGHTING AGREEMENT AND RESOLUTION**

Motion by Commissioner Gose, seconded by Commissioner Gentry approve the recommendation of the County Engineer to adopt the Resolution for the SR 66 Sparta Road Intersection Improvements and to execute the Highway Lighting Joint Project Agreement with the Department of Transportation. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 99.

**2. EXECUTION OF JOINT PROJECT AGREEMENT WITH FDOT AND ADOPTION OF RESOLUTION-CR17**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the recommendation of the County Engineer to adopt the Resolution and approve the execution of the JPA amendment with FDOT for improvements to CR-17 at Smoak Bridge. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 100.

**3. ADOPTION OF RESOLUTION-WAYSIDE PARK AT LAKE GLENADA**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution conveying Wayside Park at Lake Glenada from the DOT to the Board of County Commissioners of Highlands County for the use of a public facility. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 101.

**PERSONNEL DIRECTOR:**

**1. APPROVAL OF DRUG TESTING CONTRACT**

The Board gave the County Administrator direction to follow the ordinary purchasing procedures in procuring the Drug-Free Workplace Testing.

**2. PERSONNEL REPORT-LOUIS NANCE EEO INVESTIGATION**

The Personnel Director presented a report derived from an investigation into the claims made by Mr. Louis Nance upon his termination per Section A-13.05 of the Board's Personnel Rules and Regulations.

Mr. Louis Nance addressed the Board objecting to having his accuser in the room while other witnesses were being interviewed for the

investigation. The Personnel Director indicated that there were no specific requirements as to how the interviews are conducted.

The Board Attorney advised that the Commission may request additional information from the Personnel Officer or they may uphold this discharge.

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the findings of the Personnel Director to uphold the termination of Louis Nance from County employment, effective February 17, 1994. Upon Roll call, all Commissioners voted aye. Motion carried. See Personnel File for copy of report.

**APPROVAL OF BUDGET AMENDMENT-PROPERTY APPRAISER**

Motion by Commissioner Gose, seconded by Commissioner Summers to grant request for Ray McIntyre, Property Appraiser to approve a budget amendment for the employment of a full-time programmer/analyst. Upon Roll call, Commissioner Gentry voted nay. All other Commissioners voted aye. The motion carried. See SMB 20 Page 150 for copy of request.

**ASSISTANT COUNTY ADMINISTRATOR:ADDITIONAL RESPONSIBILITY-INSURANCE COMMITTEE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to grant the request of the Assistant County Administrator to abolish the Health and Liability Committee and combine the three areas, Health, Liability and Safety under one umbrella for review of all items related to the county's insurance portfolio as well as addressing issues related to work-place safety requirements. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 154.

**REQUEST APPROVAL OF BID FOR BUILDING CONTRACTOR-LAKE PLACID LIBRARY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the execution of the Contract, and to accept the low bid from Hollenberg and Wolfe, Inc. for the Lake Placid Library construction. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 20 Page 153.

**APPROVAL OF CONTRACT WITH TOMOKA HEIGHTS FOR PURCHASE OF WATER SYSTEM.**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the execution of the Contract, pursuant to the Public Hearing for the Placid Utilities Water and Wastewater System. Upon Roll call, all Commissioners voted aye. Motion carried.

**H. 5:30 P.M. - PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CERTAIN POLICES AND MAPS IN THE HIGHLANDS COUNTY COMPREHENSIVE PLAN AND TO CONSIDER A REMEDIAL AMENDMENT TO THE PLAN**

**1. CHAIRPERSON VICKERS CONVENES THE PUBLIC HEARING**

- A. ROLL CALL BY THE DEPUTY CLERK TO ESTABLISH A QUORUM FOR THE RECORD.**
- B. PLANNING DIRECTOR LUDWIG ENTERS PROOF OF PUBLICATION INTO THE PUBLIC RECORD. SEE SMB 20 PAGE 155.**
- C. BOARD ATTORNEY MACBETH EXPLAINED THE PURPOSE OF THIS PUBLIC HEARING AND THE MEETING PROTOCOLS.**

**II. CHAIRPERSON VICKERS OPENS THE PUBLIC HEARING ON THE**

**PROPOSED PLAN AMENDMENT AND AMENDING ORDINANCE.**

- A.** Motion by Commissioner Gose, seconded by Commissioner Maxcy to incorporate verbatim into the record of this public hearing the Board minutes, audio tapes and agenda; the transcripts; the proof of publication; the correspondence; and documents filed with the Clerk of Courts for the March 2, 1994 remedial amendment public hearing.
- B.** Public Testimony was received from Jackie Fauls and Joe Clarke in support of comments made on March 3, 1994. Attorney Wendell Whitehouse, representing Sebring Development Corporation, objected to the adoption of the Comp Plan without the designated changes requested. Jimmy Wohl, representing the Cattlemens Association, would like to go on record not supporting the Comp Plan but not objecting to the Commissioners adopting the Plan so that the County may proceed with the Plan Amendment Process and developing something more suitable. John Tallent, representing Lykes Bros. Inc. supports the Board in readopting the Plan in order to move the process forward. Jeff Futch, representing Highlands County Farm Bureau, reiterated comments from March 2, 1994 into the public record.

Upon Roll call, all Commissioners voted aye. Motion carried.

- C.** Motion by Commissioner Maxcy, seconded by Commissioner Gose to amend the Comprehensive Plan in accordance with Ordinance #94-3, to adopt the proposed Ordinance for this Remedial Plan amendment, and to transmit the Remedial Plan amendment packet for this hearing to DCA for compliance review and approval. Upon Roll call, all Commissioners voted aye. Motion carried.
- D.** **CHAIRPERSON VICKERS ANNOUNCES THAT RIGHTS OF APPEAL RE ESTABLISHED BY STATE LAW AND THAT THIS INFORMATION MAY BE OBTAINED FROM THE BOARD ATTORNEY.**

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to adjourn the Comprehensive Plan Public Hearing at 5:51 P. M. Upon Roll call, all Commissioners voted aye. Motion carried.

**CHAIRPERSON RECONVENE REGULAR MEETING AT 5:52 P.M.**

**G. COUNTY ADMINISTRATOR:**

- 1. REQUEST APPROVAL TO RETAIN SPECIAL MASTER FOR VALUE ADJUSTMENT BOARD**

Motion by Commissioner Gentry, seconded by Commissioner Summers to waive the Purchasing Policy and proceed to retain a Special Master for the Value Adjustment Board. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 155.

- 2. DISCUSSION OF OCCUPATIONAL LICENSING COMMITTEE**

Recommendations to be presented to the County Administrator and placed on the May 3, 1994 agenda for finalization of the committee appointment.

- 3. REPORT ON TRAFFIC STUDY AT US 27 AND GEORGE BLVD.**

The County Administrator reported that the Department of Transportation is moving ahead to do a study to see if a signalization on George Blvd. and US 27 is warranted. He will advise the Board what the study reveals.

**4. RECOMMENDATION ON PUBLIC INPUT ON BUDGET**

The County Administrator presented information regarding budget presentation that would allow input from the citizens with the use of the budget computer. The Board gave a consensus to move ahead.

**5. REPORT DESIGNATION OF OFFICIAL BULLETIN BOARD**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve request of the County Administrator to adopt by motion the bulletin board located on the northwest side of the Board building, 411 S. Eucalyptus Street as the official bulletin board for all County Commission business. Upon Roll call, all Commissioners voted aye. Motion carried.

**6. REQUEST FOR COMMENTS ON HENDRICKS FIELD CONTROL TOWER-NATIONAL REGISTER OF HISTORIC PLACES**

Motion by Commissioner Gentry, seconded by Commissioner Summers to instruct the Chairman to send a letter of support for the designation of the Control Tower for the nomination of the National Register of Historic Places. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 156.

**DESIGNATION OF CULTURAL CENTER**

Motion by Commissioner Maxcy, seconded by Commissioner Summers to transfer \$1,000 from the Contingency Fund to participate in the joint signage for the Allen Altwater Cultural Center. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator reported that the Governor will be in Highlands County at the Health Department on 4/27/94 at 2:15 P. M.

**COMMISSIONERS:**

**COMMISSIONER MAXCY: LIABILITY INSURANCE**

The Board gave Commissioner Maxcy a consensus vote to bid out the County Liability Package.

**COMMISSIONER GENTRY: ECONOMIC DEVELOPMENT WORKSHOP**

**4/28/94 5:00 P.M. BOARD OF COUNTY COMMISSIONERS BUILDING**

**DISCUSSION ON ENTERPRISE COMMUNITY INTERFACE WITH COUNTY COMMISSION AND ECONOMIC DEVELOPMENT.**

**GOSE: REPORT ON PEACE RIVER BASIN BOARD-JACKSON CREEK**

**MELALEUCA PILOT PROJECT ERADICATION PROGRAM**

The Board Attorney was directed to prepare a Resolution to send to the Peace River Basin Board requesting that they accept SWFWMD recommendations and fund the project. The Resolution to be placed on the agenda for May 3, 1994.

**MANDATORY SEWER HOOK-UP CITY OF SEBRING**

The Board Attorney was requested to attend the meeting and determine what options are available for the Commission and outline these options. The Chair advised that the Board would be willing to workshop with the City to express these concerns if determined feasible.

The Chair advised that she earned her Crossbars from riding on "Operation Lifesaver" and studying the Grade crossings from Sebring to Ft. Lauderdale.

The meeting adjourned at 6:36 P. M.

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Clerk

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WORKSHOP MEETING OF THE BOARD, APRIL 28, 1994  
ECONOMIC DEVELOPMENT COMMISSION

The meeting was called to order at 5:00 P.M. with the following members present:

**Audrey Vickers**  
**James L. Gose**  
**Archie Summers**  
**C. Guy Maxcy**  
**Doris Gentry**

**Carl Cool**  
**Louise Graham**  
**Rick Helms**

1. Chairperson Vickers called Workshop to order.
  - A. County Administrator entered Notice of Meeting into the record.
2. Discussion-Economic Element of Highlands County Comprehensive Plan
  - A. County Administrator-Cost of Economic Analysis
  - B. Discussion on detail study of the LDR's-David M. Griffith and Associates.
  - C. Consensus to look at Manatee County's study prepared by the Consultants.
3. Public comments received
  - A. Jackie Fauls, Highlands County Citrus Growers Association  
If the Comprehensive Plan is economically unfeasible, Local Government does not have to implement.
  - B. John Tallent-County must develop economic data.
4. County Administrator-speaking in favor of the Economic Element.
  - A. J.W. Jones-charges of the EDC Board was to put together document that would bring jobs and prosperity to the County. The document sets up a process that involves the County Commission. He strongly suggest that the Board look at the complete document and when the time comes, adopt the document and start to build experience. Its time to move ahead.
  - B. Betty Neale-document sets out a road map calling for specific direction from the Board of County Commissioners with reference to the budgeting process. It sets forth a method so that a report is made to the Board with recommendations for what is determined to be priorities and the Board in turn gives the EDC suggested priorities. Industry Recruitment Funding and Promotional monies were cut from the budget. Counties may divert a portion of occupational tax toward funding for the EDC. Ms. Neale also reported that the Commission was given a perfect audit.
  - C. Jim Crawford, Chairman of the EDC, presented information on the development of the document and the goals and objectives of the EDC.
5. Commissioner Gose-Priorities-are we committed to the Economic Development? Are we going to support the IDA? Are we going to take into consideration the economic impact of the Comp Plan? Its time to make a commitment.
  - A. County Administrator-can the Board give to staff a commitment that this is a priority item for budget purposes.
  - B. Betty Neale response to Commissioner Maxcy's question. EDC needs to know what kind of marketing program the Board wishes to develop.

- C. Commissioner Gentry-committed to making it a priority for the Board to be able to give the EDC an opportunity to create dollars in our county.
  - D. Commissioner Gose-committed to giving them a chance.
6. Chair-Summation- EDC has a price tag on it and the Board must commit to funding it if we are considering adopting it.
  7. John Payne-positive comments to fund this program.

RECESS 6:50 P.M. - 7:00 P.M.

**ENTERPRISE COMMUNITIES PROGRAM**

1. Chairperson called the Workshop back to order with Chief Deputy Clerk, I.V. "Buddy" McKenzie present.
  - A. County Administrator-Explanation of the Grant.
  - B. Commissioner Gentry-Water for Highway Park-money can come from grant.
  - C. Betty Neale, EDC Coordinator-must match funds-water lines must be identified. Time is a factor. A symbolization of organization has been established in order to meet this process. The Steering Committee has been chosen to be the governing body. The consultant has only two weeks to come up with the first draft. We need everything that has been identified in the form of a "Commitment" from the County.
  - D. Commissioner Gentry-Drug Rehab Needs. Will not be able to address now. The best we can offer is programs. The County owns lots in Lake Placid. Would the Board be willing to donate this property as their part of the financial contribution. The Commission gave a nod of confidence.
  - E. Betty Neale-The application must be out by June 10th in order to be in Tallahassee by June 13th and Washington by June 30, 1994 at 4:00 P. M. The Consultant to advise the Board who will be the sponsor.
  - F. Chairperson-To place on the Agenda for May 17, 1994.
  - G. Jim Crawford-comments on behalf of Betty Neale. Letter read into the record from Don Bates commending Betty Neale in her work with the Enterprise Community Program.
2. Chairperson adjourned meeting at 7:37 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, MAY 3, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Board Attorney, J. Ross Macbeth.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending 5/3/94. See SMB 20 Page 158.

**CLERK**

Mr. Luke Brooker, Clerk, presented an updated figure of the increases in statistics in the Clerks office over the first quarter ending 1993. Mr. Brooker also announced the National Day of Prayer observance on Thursday May 5, 1994 at 12:20 P. M. on the Courthouse Steps.

**MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record.

The Assistant County Administrator introduced Vernon Malloy, Jr. to the Commission. He is the new Custodial Services Supervisor and is the replacement for Mr. Bill Gentis.

**ACTION:**

**A. PROCLAMATION: NATIONAL PRESERVATION WEEK**

The Proclamation was read into the record by the Board Attorney. Motion by Commissioner Gentry, seconded by Commissioner Maxcy to adopt Proclamation, recognizing the week of May 8-14, 1994 as National Preservation Week. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 102.

**B. PROCLAMATION: TOURISM WEEK 1994**

The Chair recognized the delegation from the Highlands Hospitality Group and requested that the President, Dave Hazelett, read the Proclamation into the record.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Proclamation designating the week of May 1-7, 1994 as "Tourism Week" and requesting the citizens of Highlands County observe the appropriate ceremonies and activities. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 103.

**C. PUBLIC HEARING TO CONSIDER VACATING EASEMENT-VACATION ESTATES LLOYD C. AND VELMA T. GOODMAN**

County Engineer - Proof of Publication and location map entered into the record. See SMB 20 Page 159. Howell Scott, representing the Petitioners, spoke in favor of the vacation.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the vacation of the easement and the Resolution as presented. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 104 A.

**D. TAMPA GENERAL HOSPITAL REPRESENTATIVE: HELICOPTER SERVICES**

Presentation by the Tampa General Hospital Team of Beth Walker, David Duke and Barbara Cordell. Dr. Geldart and Gaye Williams presented positive comments for the implementation of the Trauma Care Agreement.

Motion by Commissioner Gentry, seconded by Commissioner Gose to execute the Certificate of Public Convenience and Necessity. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 160.

**E. MIKE SWAINE: DISCUSSION OF SEBRING SEWER PROJECT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve variance request of the Road Cut Policy to allow the City of Sebring three (3) road cuts across Fairmount Drive for the Sewer Project.

Mr. Swaine discussed the City of Sebring's Sewer project and explained how the City is trying to have as little impact as possible on traffic during the construction of the project.

Joe Clarke spoke to the Commission regarding the City of Sebring accepting maintenance of certain roads.

Upon Roll call, all Commissioners voted aye. Motion carried.

**BREAK 9:50 A.M.- 10:04 A.M**

**F. DAN DORRELL: PRESENTATION OF AUDIT-FY 1992-93**

Mr. Dorrell gave a short presentation and introduced Mike Carter, Audit Manager from Nunez Collins and Touchton of Lakeland. Mr. Carter commended the Finance Department for an outstanding job in maintaining county records. He presented an overhead transparency projecting audit findings. Mr. Carter gave the County a clean audit opinion.

Mr. Dorrell suggested that the only problem area would be the Grants Area. He strongly recommended that the Board consider hiring a Grants Officer or one person that could devote a major part of their time to the Grants area. He listed compliance as a major issue. Mr. Dorrell introduced Robin Gose and she presented the report schedules and identified any weakness in those areas. Staff discussed with the Board the area of concern and made suggestions for the next fiscal year. The Commission requested that the Clerks Office move toward setting up an Enterprise Fund to record the Solid waste Department.

**F. TOM PORTZ: AUDIT RESPONSES**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to authorize the Chairman to sign the Audit Response for fiscal year 1992-93, as presented by the Assistant County Administrator. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 161.

**CITIZENS NOT ON AGENDA:**

Mr. Harold Seaman, representing the Federation of Mobile Home Owners, stated that the meetings were better organized and shorter when they were held on a weekly basis. Mr. Richard Conover suggested that he would like to spend only one-half day at the meeting rather than all day and half the night. Mr. Hank Kowalski spoke favorable regarding the completion of the Istokpoga Park facility. Mr. Joe Clarke stated that he supports four meetings per month or three meetings and a workshop.

**COMMISSIONERS:**

**A. COMMISSIONER SUMMERS: DISCUSSION OF WEEKLY BOARD MEETINGS**

Commissioner Summers requested that the Board change their meeting schedule back to four meetings per month. He suggested that the meetings have gotten too long and there seems to be dissatisfaction

from constitutes. For the benefit of the County and the County Administrator, he feels it is the best thing that the Board can do. The other Commissioners made statements to the fact that if proven beneficial they would have no problem with the change. The Chair related that more time is needed to investigate the meeting record of the Commission. She also suggested that the Board Members list Workshop issues that needs to be discussed. The issue will be revisited on the Action Agenda on May 17, 1994 when more information can be reviewed.

Mike Johnson complemented the Board on the completion of the Istokpoga Park.

Mr. Johnson made a statement to the Board in support of the return back to weekly meetings. See SMB 20 Page 162 for copy. Clayton Womer also spoke in support of Commissioner Summers weekly meeting agenda.

**COMMISSIONER GENTRY-HEALTHY KIDS PROGRAM:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Chairman to send a letter to the Hospital Board indicating support for the Healthy Kids Program.

Mrs. Ruth Handley, Childrens Services Council, gave an update on the Program and requested a commitment by the Hospital Board for matching funds to continue the program.

Sonny Stalls, a member of the Hospital Board, suggested a letter of support from the Board of County Commissioners.

Upon Roll call, all Commissioners voted aye. Motion carried.

Commissioner Gentry gave an update on the meeting held at the Bombing Range. The purpose of the meeting was to appoint a committee to bring together all the branches of the Armed Services to be able to produce exercises to generate revenue for the county. The Chairperson empowered Commissioner Gentry to serve as a member from the Board of County Commissioners. Commissioner Gentry also presented information on the Enterprise Community meeting.

Commissioner Gose advised that the State requires that any State entity such as H.R.S. must rent from their own State Buildings at \$15.00 per sq. foot. If there is no state buildings available, they will then only allow the entity \$5.00 or \$6.00 per sq foot for rental space in their budget.

The Chairperson instructed the County Administrator to review and clean up the application for the Historic Preservation Grant for the Courthouse Renovation and to bring back before the Commission before submitting to the State.

**BREAK 12:00 A.M-1:00 P.M.**

**PLANNING DIRECTOR:**

**1. NATURAL RESOURCES ADVISORY COMMITTEE SITE REPORT**

Stephen Miller introduced members, John Fitzpatrick, Donald Bates, John McClure, Fred Loherer and Jimmy Livingston. Dr. John Fitzpatrick reviewed with the Board the Committee's Site Report. The report site included the following:

Avon Park Lakes; Avon Park Pines, Sun-N-Lake Sebring, West Sections; 7-Lakes Ranch, Sebring; Lake Francis (SE) Bayhead; Lake Francis (SW) Bayhead; Bumblebee Island, Lake Istokpoga and Parker Island Hammock. The County Administrator suggested an additional site that would include a section of Arbuckle Creek.

The County Planner requested that the Board grant a motion to accept the Report. Commissioner Summers advised that he needed to know more about the cost of the project. Jimmy Livingston related to the Commission information regarding the purchase of the Sun-N-

Lake site. The acreage lies west of Balboa Boulevard on the west end of the subdivision, northwest of Sebring. It is now owned by the Improvement District. Due to foreclosure proceedings on the original developer, the District has no use for the property. Mr. Livingston stated that the county could take over ownership of the 1,400 acre tract if it applies for state matching funds available through the Florida Communities Trust, which helps local officials buy land designated for preservation. The District will be willing to give the property to the county if they can secure funds that nets as much as \$500,000. The Chair stated that the property is close to Highlands Hammock State Park and if the county acquires it could tie in with lands managed by the SWFWMD and the park, if it is expanded to the north. The Board requested that the NRAC report back on 6/7/94.

Motion by Commissioner Gose, seconded by Commissioner Summers to accept the NRAC Report. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. RESOLUTION ON NRAC PROTOCOLS**

Motion by Commissioner Summers, seconded by Commissioner Maxcy to approve Resolution on NRAC Protocols. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 104.

**3. APPOINTMENT OF NRAC MEMBERS**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve appointment of the NRAC members with an amendment to the motion to switch Pat Hogue and Lew Carter in terms of their representation. Upon Roll call, all Commissioners voted aye. Motion carried. Jimmy Wohl suggested that the switch should not be made until the decision of the NRAC. The Board will readdress on 5/17/94.

**4. REAPPOINTMENT OF PAUL EBERSBACH**

Motion by Commissioner Summers, seconded by Commissioner Gentry to reappoint Paul Ebersbach to the Natural Resources Advisory Committee. Upon Roll call, all Commissioners voted aye. Motion carried.

**COUNTY ADMINISTRATOR:**

**4. DISCUSSION OF DEVELOPMENT DEPARTMENT BUILDING**

The County Administrator reviewed with the Board Chastain-Skillman's Building Space Program for the Community Development Building. See SMB 20 Page 163. Sandra Kuhn, Administrator of the Health Department presented a letter in opposition to the separation of the Environmental Health Division and the testing laboratory from the Public Health unit to achieve the idea of a "one stop permit shop". See SMB 20 Page 164. The Chairperson requested that the Commission listen to a presentation that involves exchange of properties between the County, YMCA Kmart store and the Max Long Complex.

John Shoop addressed the Board regarding the Max Long Complex. Jeff Ludwig, County Planner, explained the design of the ball field and the shortage of space. He advised that the YMCA has entered into a 35-year lease on 2.6 acres in the northwest corner of the Complex. This lease is interfering with construction plans for the expansion of the ballfields. Jeff spoke with the YMCA principals to see what options or commitments they would expect. Their needs are more critical to build a facility in the downtown Sebring area east of the highway. He explored possible locations. The next question is does the Commission wish to explore the idea of using the Kmart site as the potential site for the Development Department? Before making any kind of move in that direction, the Commission requested that staff provide comparative figures showing

how much it will cost to build, from the ground up, additional office space adjacent to the county's government center in downtown Sebring as well as the Road and Bridge Complex. Eleene Fields suggested that the Commission explore the options to see if it would be cheaper than building a new building. Joe Clarke addressed the issue based on cost. He suggested the Builders Association lend a hand in evaluating the Kmart Building. Rick Lilyquist expressed concern for the separation of departments. The County Administrator listed the three options that the Board wished staff to explore as:

1. Staff to proceed with the new building next to the Health Department.
2. Investigate the renovation of the Y.M.C.A.
3. Explore the option of bringing the same group to some of the lands now owned by the Board of County Commissioners, southeast of this complex. If minor professional assistance is needed, staff may pursue.

Commissioner Gose reminded the Commission that the County Engineer feels that it is critical that he work closely with the Departments at the Road and Bridge Complex. The Operations Director also reiterated that statement. The County Administrator will bring back a report on June 7, 1994.

**BREAK 3:00 P.M-3:10 P.M.**

**CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Consent Agenda as follows.

- Approval of minutes of meeting 4-19-94.
- Approval of budget amendment #93-94-124,125,126,127 and 129.
- Acceptance of bequest to Avon Park Library. See SMB 20 Page 165.
- Approval of contract for automated library system-Gaylord Bros.
- Acceptance of property-Lot in Orange Blossom. Risley Rodney See SMB 20 Page 166.
- Accept into the record-Annual Local Government Financial Report. See SMB 20 Page 167.
- Approval of contract for fill dirt-Excavation Point.
- Approval to pay the following duly authorized warrants:

Law Library	518.73
General	1,323,030.29
County Transportation Trust	34,652.14
"E911" Operations	8,768.72
Local Govt Infrastructure Surtax	333,829.16
Affordable Housing Assistance Trust	5,370.00
Risk Retention	14,706.10
Employee Benefit	168,301.45
Tax Deed Surplus	1,919.93
Special Payroll	84,196.39

Upon Roll call, all Commissioners voted aye. Motion carried.

The meeting recessed at 3:11 P. M.

The meeting was called back to order at 3:52 P. M. by the Chairperson.

**SOLID WASTE DIRECTOR: PERSONNEL POSITION REQUEST-GERALD EARNEST**

1. Assistant County Administrator - other options are available such as closing Avon Park C & D Landfill.

2. Operations Director - Discussion on anticipated loss of revenue at the Avon Park Landfill.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the mandated position of the Landfill Spotter and the OPS Position. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 168 for copy of request.

**COMMISSIONER MAXCY: STAYWELL PROGRAM**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to authorize \$5,000 expenditure from the Health Department budget and execute the proper contract for the rest of the fiscal year to hire a coordinator on an OPS basis to help facilitate and monitor the activities of the non-profit Highlands Staywell Clinic. The motion was amended to instruct the Board Attorney to prepare the proper contract. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 169.

**PERSONNEL DIRECTOR: DISCUSSION OF MERIT INCREASES**

Mr. Wickstrom presented a memo at the direction of the Chairperson regarding the feasibility of awarding a flat-rate merit increase to all employees. After discussion, the Commission directed the Personnel Director to put together several approaches to the whole pay package and review again. SMB 20 Page 170.

**ASSISTANT COUNTY ADMINISTRATOR:**

1. **JAIL PROJECT REPORT**

See SMB 20 page 171.

2. **JAIL PROJECT ADMINISTRATION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to follow the recommendations of staff for a reorganization as presented by the Assistant County Administrator. See SMB 20 Page 172 for copy of realignment.

Upon Roll call, all Commissioners voted aye. Motion carried.

3. **CABLE TELEVISION FRANCHISE TRANSFER**

Request for a postponement until May 17, 1994. Comments received from Commissioner Gose in opposition to the Franchise.

4. **REQUEST TO WAIVE MITIGATION FEE FOR MR. BAKER-MOBILE HOME REPLACEMENT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to waive the \$100 mitigation fee for Mr. Baker for the replacement of a mobile home. Upon Roll call, all Commissioners voted aye. Motion carried.

5. **LAKE PLACID HIGH SCHOOL-REQUEST AMBULANCE SERVICE FOR WRESTLING MATCH ON 5/7/94**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve stand-by ambulance coverage for a wrestling match at the Lake Placid High School. Upon Roll call, all Commissioners voted aye. Motion carried.

**BOARD ATTORNEY:**

1. **RESOLUTION PROVIDING FOR CRITERIA FOR VESTING EXISTING SUBDIVISIONS**

Motion by Commissioner Maxcy, seconded by Commissioner Summers to approve the Boiler-Plate Vesting Criteria for Subdivisions Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 105.

2. **REQUEST PERMISSION TO FILE INTERPLEADER ACTION-LAKE JOSEPHINE RV PARK ROAD BOND**

Motion by Commissioner Gose, seconded by Commissioner Gentry to grant the Board Attorney permission to file interpleader action-

Lake Josephine RV Park road bond. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 page 173.

**3. RESOLUTION ON UPPER JOSEPHINE-JACKSON CANAL STUDY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt the Resolution seeking funding on the repair project for the Upper Josephine-Jackson Canal. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 106.

**4. HIGHLANDS SOIL AND WATER CONSERVATION DISTRICT LETTER**

Report by Commissioner Gose. The Chair will draft a letter to the Soil Conservation. See SMB 20 page 174 for copy.

**COUNTY ADMINISTRATOR:**

**1. APPOINTMENT TO HISTORIC PRESERVATION COMMISSION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to appoint Arlene Commings to the Historic Preservation Commission . Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 20 Page 175 for copy of Resume.

**2. DISCUSSION OF HYDRANTS ON TOWN OF LAKE PLACID WATER LINES**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the recommendation of the County Administrator for the hydrants for the Town of Lake Placid water lines. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. POLICY ON STAFF-CHAired MEETINGS**

The County Administrator presented procedures for staff-chaired meetings for the Commission to review. The Chairperson suggested that the record reflect that the procedures pertained to only staff-chaired meetings. See SMB 20 Page 176 for copy.

**4. PLANS FOR U.S. 27 WIDENING**

The County Administrator reported that the U.S. 27 Widening Plans are available for the public to see. They are now 30% complete.

**5. CONSTRUCTION LICENSING COMMITTEE-OCCUPATIONAL**

Motion by Commissioner Gose, seconded by Commissioner Gentry to appoint the following members to the Construction Licensing Committee as designated.

- A. Lance Padgett - member - Lodging and Real Estate
- B. Justine Devlin - member - Service and Repair
- C. Steve Libby - member - Contractor
- D. Hal Berry - member - Manufacturing
- E. Tommy Lovett - member - Finance
- F. Mike O'Meara - alternate - Restaurant
- G. Richard McClain - alternate - Flea Market

Commissioner Summers was requested to present his appointment from the Lake Placid area at the next meeting.

Upon Roll call, all Commissioners voted aye. Motion carried.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, MAY 17 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

I. V. "Buddy" Mckenzie  
Carl Cool  
J. Ross Macbeth  
Louise Graham

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a special prayer by Judge David Langford in memory of Virginia Brooker and her family.

**E. TOM PORTZ: JUDGE DURRANCE: COURTHOUSE SECURITY PROPOSAL**

The Chair recognized Circuit Judges, Dale Durrance, David Langford, Bob Pyle and County Judge, Olin Shinholser. The Court Security Committee presented recommendation to the Board.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the plan: to accept the Sheriff's offer to fund the two Bailiffs and prepare a budget to buy the equipment for the implementation of the plan and to explore the Infrastructure funds, probably plug a third Bailiff in next years budget.

Mr. Jim Fitch, Historic Preservation Commission, suggested that the Committee consider the aesthetics of the Courthouse, when implementing the plan.

Upon Roll call, all Commissioners voted aye. Motion carried. Commissioner Maxcy suggested that staff explore the Civil Infraction Fund. See SMB 20 Page 178 for copy of recommendations.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending 5/17/94. See SMB 20 page 179.

**CLERK**

Mr. I.V. "Buddy" McKenzie, Chief Deputy Clerk, presented an update on the hiring of the Special Master for the Property Value Adjustment Board Hearings. Mr. McKenzie also gave a report on the success of the National Day of Prayer headed up by the Clerk of Courts.

**MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record.

**ACTION**

**A. PUBLIC HEARING TO CONSIDER THE FOLLOWING ZONING CHANGES:**

**HEARING #1331 - HIGHLANDS RIDGE ASSOC. INC. JOHN B. JUVE, PRES. C/O CHASTAIN-SKILLMAN:**

Requesting a zoning change from M-2 (Mobile Home Parks District) to R-1, FUD (Residential District with Flexible Unit Development) Customers have expressed a desire for site built homes within the same setting.

Gary Lower, Zoning Supervisor, presented staff reports and the Proof of Publication into the record. See SMB 20 Page 180. Ron Cauthan presented the request for the petitioner.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to uphold the recommendation of the Zoning Board and approve the Resolution for Hearing #1331. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 107.

**HEARING 1332-ROBERT E. SEVERINO AND DARRYLIN D SEVERING-DID NOT MEET PUBLICATION REQUIREMENTS**

**HEARING #1333-RIDGE RESORT MANAGEMENT CORP. AND LANTANA PROPERTIES, INC**

Requesting a zoning change from B-1 (Neighborhood Business District) to B-2 (Limited Business District). Desire for professional offices.

Gary Lower, Zoning Supervisor, Proof of Publication entered into the record. See SMB 20 Page 181.

Public input was received from Anne Bond in favor of the zoning request. Bjoh Chatterpaul and one other resident spoke in opposition to the change in zoning. The County Planner presented a letter from the Sun'N Lake of Sebring Improvement District Attorney correcting the staff reports regarding mitigation requirements. See SMB 20 Page 182 for copy. He advised that the Planning Department has no problem with the B-2 rezone.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to grant the zoning change from B-1 to B-2 with a conditional use restricted to professional offices only.

Upon Roll call, Commissioners Maxcy and Summers voted aye. Commissioners Gentry, Gose and Vickers voted nay. The motion did not carry.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Zoning request from B-1 to B-2 and to approve the Resolution. Upon roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. The motion carried. See Res. Book 8 Page 108.

**B. PUBLIC HEARING TO CONSIDER VACATING EASEMENT-GRESHAM HEIGHTS**  
County Engineer-Proof of Publication entered into the record. See SMB 20 Page 182. Staff reports and letters of no objection from various utility companies entered into the record.

Motion by Commissioner Gose, seconded by Commissioner Gentry to grant the vacation of the Easement and adopt the Resolution for Robert and Roberta Moody, Petitioners. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 109.

**C. PUBLIC HEARING TO CONSIDER PURCHASING RIGHT-OF-WAY-OLEANDER DRIVE**

County Engineer-Proof of Publication entered into the record. See SMB 20 Page 183. The Description of property and purpose of acquisition was explained to the Commission by the County Engineer. Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the acquisition of the right-of-way purchase, to execute the Agreement and approve the Budget Amendment. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. PUBLIC HEARING TO CONSIDER PURCHASING RIGHT-OF-WAY FOR ARBUCKLE CREEK ROAD**

The County Engineer presented the proof of publication and explained the history of the right-of-way acquisition. See SMB 20

Page 184 for copy.

Motion by Commissioner Gose, seconded by Commissioner Gentry to acquire the sixteen (16) parcels at the total cost of \$139,920 for the widening of Arbuckle Creek Road, and to execute the Agreements with the conditions as presented. See SMB 20 Page 185 for copy.

The Board Attorney stated that he has an indirect interest in parcel No. 105 but has not been involved in negotiations for the purchase.

Upon Roll call, Commissioner Maxcy abstained. All other Commissioners voted aye. The motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to instruct the Board Attorney to start Condemnation Hearings on Lot #106 and Lot #119, the two parcels not included in the two mile area. Upon Roll call, Commissioners Vickers voted nay. All other Commissioners voted aye. The motion carried.

**BREAK 10:45 A.M - 11:00 A.M.**

**F. MATTHEW MATHEME, DAVID M. GRIFFITH & ASSOC: DRAFT EMS STUDY**  
Mr. Robert Sheets from David M. Griffith and Associates presented a briefing on the funding for an EMS Non-Ad Valorem Assessment. See SMB 20 Page 186 for copy of presentation.

Motion by Commissioner Summers, seconded by Commissioner Gose to adopt recommended assessments; tables 23-33 with the 98-99 FY recommended assessment. Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried. The Tentative Rate Resolution to be brought back on June 7, 1994.

**CITIZENS NOT ON AGENDA**

Mr. Richard Conover spoke regarding the rules of the Flag.

Mr. Don Schloesser suggested that the minutes regarding the Public Hearing on the purchase of the Water System contained an incorrect title.

Mr. Joe Clarke, representing CCPR, requested information on the position of the Board of County Commissioners in the case of the Heartland Environmental Council proceedings and the Comp Plan. The Board Attorney explained the status of the proceedings. The Chair suggested a wrap up from the Board Attorney on June 7, 1994.

Mr. Clarke also spoke on the County Administrator Government options. The Chair advised that discussions will be held on June 7, 1994 on Charter, Ballot and Tourist.

Mr. Clarke requested information on the feasibility study for the purchase of the Kmart facility. The Chair suggested that this topic will be discussed under Commissioners.

**RECESS 12:30 P.M.-1:31 P.M.**

**CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record. Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as following:

1. **Approval of minutes of workshop 4-28-94, meeting 5-3-94, and public hearing 5-5-94, with a correction to minutes of April 19, 1994 public hearing; Book 15 Page 533, to read Motion by Commissioner Gose, seconded by Commissioner Gentry to purchase**

- the Placid Utilities Water and Wastewater Co. and to set up an Enterprise Fund for the specific purpose of the utility. Upon roll call, all Commissioners voted aye. The motion carried.
2. Accept into record-April Monthly Reports.
  3. Approval of agreement with Polk Community College for students in EMS.
  4. Approval of change order-Highlands Park Estates road improvements. See SMB 20 Page 187.
  5. Approval of street names-Skyview Street, Skyview Loop, Hurst Road.
  6. Approval of variance request-Tradesmen Commons Subdivision. See SMB 20 Page 188.
  7. Approval to execute FDOT grant application for Highway Safety funds.
  8. Approval of Budget Amendments 93-94-131 through 135.
  9. Approval of plat recording-Pfleger Subdivision subject to the Board Attorney's final review.
  10. Adopt resolution to establish Public Hearing date for closing Church Street on June 21, 1994. See Res. Book 8 Page 110.
  11. Approval to pay the following duly authorized warrants:

Law Library	1,712.72
General	281,550.74
County Transportation Trust	45,034.34
"E911" Operations	1,640.10
Conservation Trust	100.00
Local Govt Infrastructure Surtax	98,725.15
Community Development Block Grant	660.48
Affordable Housing Assistance Trust	23,032.00
Risk Retention	2,070.17
Employee Benefit	78,870.03
Special Payroll	17,630.39

Upon Roll call, all Commissioners voted aye. Motion carried.

1:45 P. M. Charles Lairsey, Accounting Manager, sat in for the Clerk the remainder of the meeting.

**B. PLANNING DIRECTOR:**

**1. SUN'N LAKE ACQUISITION UPDATE/MANAGEMENT COST ESTIMATES**

Jimmy Wohl presented an overview from the NRAC. See SMB 20 Page 189 for copy of the report.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the appraisal up to \$5,000.00 and earmark the funds to come from the Conservation Trust Fund. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Planner presented the recommendations from the NRAC for the Board to appoint a member as a direct liaison. No action was taken.

Motion by Commissioner Gose, seconded by Commissioner Gentry to proceed with the Florida Communities Trust Proposal. Upon Roll call, all Commissioners voted aye. Motion carried.

The Commission directed the Committee to refer to the District or Dr. Fitzpatrick for assistance in applying for the Grant.

**2. RESOLUTION FOR PLAN AMENDMENT AND FEE SCHEDULE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution for Plan Amendment and fee schedule with changes to Exhibit "A" as specified. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 111.

**C. OPERATIONS DIRECTOR: DISCUSSION OF LAND OPTION AGREEMENT**

Motion by Commissioner Gose, seconded by Commissioner Summers to enter into an option agreement between Marvin Boney and the Board of County Commissioners for the purpose of a marl pit. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. ASSISTANT COUNTY ADMINISTRATOR**

**1. JAIL PROJECT REPORT**

Update. See SMB 20 Page 190. Mr. Portz advised that the RFP opening was held on 5/16/94. Five responses were received. The Professional Services Acquisition Committee will meet and (a) certify as qualified; (b) prioritize and shortlist; (c) conduct interviews (unless the Board specifies a different course of action).

**2. DISCUSSION OF PURCHASING PROCEDURES**

The Chairperson suggested a clear policy from this Board on the acquisition of printing and specifically on the annual Tax Roll. She listed three (3) issues of concern. (1) Whether to pursue local preference. (2) Policy and schedule on the Tax Roll (3) How and when to use the Professional Services Acquisition?

Commissioner Summers stated that he is against using anything other than the low bid. Going with the low bid is the county's current policy but the county likes to do business locally when possible.

Commissioner Gentry suggested if an issue is not clearly delineated with existing policy, then it comes back before the Board. The County Administrator related that he refers any questions to the Board Attorney. The Chair requested that the minutes reflect three conclusions by the Commission. (1) The Board is not interested in a local preference option. (2) That staff shall determine the use of professional standards acquisition committee. (3) Staff will determine the Tax Roll acquisition.

Mark Delaney, representing the Tampa Tribune, presented concerns regarding the Tax Roll. The Board Attorney stated that the Tribune must have the second class mailing permit in Highlands County in existence for more than one year. Mr. Delaney stated that another matter of concern was the legal publication that was placed for a Public Hearing and the Board Attorney has refused payment. The consensus of the Commission was to inform Mr. Delaney to bring forth documentation stating that the legal was published in Highlands County and the newspapers has a second class mailing permit for this county, the Board will pay the bill.

**3. REQUEST FOR CABLE FRANCHISE SALE**

Paul Scott, representing USA Cablesystems, requested a transfer to Sunstate Cablesystems, Inc. He stated that his Company does not have the infrastructure to provide the quality service in this area. Mr. Bill Roberts, a representative of Sunstate Cable Systems, seems to think that his Company will provide this. Commissioner Gose stated that he is concerned about the transition, simply because it is the third or fourth time it has been done since he took office. Commissioner Gose suggested the new company have an office in Highlands County to handle complaints. Mr. Roberts stated that he did not plan to have an office opened, but would find a current business to act as an agent's office. He promised to revisit the Commission one year after the transition and if the agent's office is not satisfactory at that time, he would consider opening an office. He also agreed to present the Board with a regular report on service complaints. The Board Attorney suggested an ordinance with provisions spelled out. The Commission directed the Board Attorney get with Mr. Roberts and try to prepare a

workable solution.

**4. DISCUSSION OF INSURANCE RECOMMENDATION**

Mr. Bill Jones, representing the Committee, requested direction from the Board involving the Risk Manager portion of the Property and Casualty portfolio. The recommendation from the Committee is to place the RFP on the street as it exist with Mr. Heacock as the Risk Manager or the Agent of Record.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to accept the RFP as bid for one year for the Property and Casualty package and after that time look into a Risk Manager or change the RFP. Upon Roll call, all Commissioners voted aye. Motion carried.

**5. JAIL BID-ARCHITECT OF RECORD SUPPLEMENTAL AGREEMENT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to waive the agenda to discuss the detailed cost for the Jail Project. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Chairperson to execute supplemental agreement #2 for architectural services for a detailed cost estimate to be prepared by a professional cost and construction consultant increasing the fee by \$14,740. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. BOARD ATTORNEY: APPROVAL OF LINE OF CREDIT AGREEMENT WITH SUN BANK AND RESULTING RESOLUTION, REVENUE BOND, CERTIFICATION AS TO PUBLIC MEETINGS, AND NON-ARBITRAGE AGREEMENT**

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve the Line of Credit Agreement with Sun Bank and resulting Resolution, Revenue Bond, Certification as to Public Meetings, and Non-arbitrage Agreement Certificate and to authorize execution. Upon Roll call, all Commissioners voted aye. Motion carried.

**COMPREHENSIVE PLAN PROCEEDINGS: HEARTLAND ENVIRONMENTAL COUNCIL**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to waive the agenda to discuss the HEC Hearing in Tallahassee. Upon Roll call, all Commissioners voted aye. Motion carried.

The Board Attorney explained the process of the Hearing and requested direction on the County's participation level. He stated that the Board needs to determine the scope and intervene in the Hearing if they wish to participate.

Jackie Fauls, representing the Highlands County Citrus Growers Association, stated that they are committed to continuing with this process until completion. Other agencies are also committed. Commissioner Gentry requested a meeting of all Intervenors.

Motion by Commissioner Summers, seconded by Commissioner Gentry to intervene in the DCA Comp Plan matter with HEC. Upon Roll call, all Commissioners voted aye. Motion carried. The Commission directed the Board Attorney to only spend minimal resources in the defense of this Hearing.

**COUNTY ADMINISTRATOR**

**1. APPOINTMENT TO OCCUPATIONAL LICENSE COMMITTEE**

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to approve the appointment by Commissioner Summers of Ms. Marcheta Stayer to the Occupational Licensing Committee as an Alternate. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. DECISION ON LICENSE PLATES - "HIGHLANDS COUNTY" OR "SUNSHINE STATE"**

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to not take the option of "Sunshine State" to replace "Highlands County" on the License Plates unless the citizens objected in mass media. Upon Roll call, all Commissioners voted aye. Motion carried.

Clayton Womer suggested that citizens be given an opportunity to state their views in this matter.

**3. DISCUSSION OF POLICIES ON BOARD MEETING SCHEDULE POLICY**

The County Administrator presented a survey of the last five (5) years of Board Meetings, including Workshops and special Board Meetings. See SMB 20 Page 191.

Mr. Clayton Womer presented a prepared statement in favor of changing the meeting schedule back to weekly meetings.

Mr. Richard Conover also spoke in favor of the change.

Motion by Commissioner Summers, seconded by Commissioner Gose to go back to meeting once a week. Upon Roll call, Commissioners Summers, Maxcy and Gentry voted aye. Commissioner Gose and Vickers voted nay. The motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Gose to hold three Board Meetings and one Workshop on the fourth Tuesday. The fifth Tuesday will be off unless there is a need for a Workshop. Upon Roll call, Commissioners Vickers voted nay. All other Commissioners voted aye. The motion carried.

A Motion was made by Commissioner Gose to meet every Thursday also. The Chairperson passed the gavel to the Vice-Chair and seconded the motion. Upon Roll call, all Commissioners voted nay. The motion did not carry.

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to start the new arrangement August 9, 1994. Upon Roll call, Commissioners Summers and Gose voted nay. All other Commissioners voted aye. Motion carried.

**COMMISSIONERS:**

The Chair spoke regarding the zoning issue and the lack of action from the strip of US 98 from Arbuckle Creek to the CSX Crossing at Bluff Hammock and Cowhouse Road. Another concern was Commercial Development on the Highway. The Comp Plan did not address this issue. The Chairperson questioned the memo from the County Administrator and the removal of the Planner from the Rural Village Node concept. Commissioner Gose suggested that the Planning Department should be working toward the completion of the LDR's.

The Chair reported that the CRA was concerned about the directive that the Planner was not spending time on the Max Long Field with the Recreation Committee or the Kmart alternative. The third concern was the NRAC liaisonship.

The County Administrator responded to these comments and requested that the Commission take a look at the memo and if not in agreement with the prioritizing, to please advise. See SMB 20 Page 192 for copy of memo. Mr. Cool reported on the meeting with the Builders and advised that a report will be forthcoming.

The Chair reported on the meeting with the Development Department, the US 27 Safety Committee and the Recreation Sub-Committee.

**BOARD DISCUSSION-INTERVIEWS FOR THE DEVELOPMENT DIRECTOR**

The consensus of the Board was to continue with the committee with the Chairperson as the liaison from the Board.

Chair Vickers suggested that the Charter, Ballot, and Tourist discussion be placed on the agenda for June 7, 1994.

She also requested that the Board be notified if any meeting is held regarding the purchase of the Kmart facility.

The meeting adjourned at 6:25 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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WORKSHOP MEETING OF THE BOARD, MAY 31, 1994  
CENTRAL FLORIDA REGIONAL PLANNING COUNCIL  
TRANSPORTATION DISADVANTAGED PROGRAM

The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers**  
**James L. Gose**  
**Archie Summers**  
**C. Guy Maxcy**  
**Doris Gentry**

**Carl Cool**  
**Louise Graham**

Also present was Doug Leonard, AICP Executive Director and Marcia Staszko, Senior Program Manager, Central Florida Regional Planning Council.

1. Chairperson called Workshop meeting to order.
2. Commissioner Gentry - update on the Enterprise Community Project.
3. Chairperson - reported on the Medal of Honor Park Memorial Services.
4. Doug Leonard - discussion on overall Budget Issues with a focus on the TD Program.
5. County Assessments - based on the University of Florida's population estimates.
  - (a) The 1993 population figure is 73,203. The assessment figure is \$14,640.60. These monies are primarily used for local match for the Federal programs; the Economic Development Administration and Transportation Disadvantaged. The money also provides some technical service for local governments.
6. Hazardous Waste Assessments - The Council currently has a contract with the County for professional and technical services to verify and determine that all small quantity generators of hazardous waste in the county are in compliance. The Contract shall not exceed \$39,065 annually and expires July 1, 1995.
7. Transportation Disadvantaged Assessments - Planning - The County contributed \$10,735 towards planning activities for transportation services for senior, disabled, and economically disadvantaged citizens during FY 93-94. The CFRPC is requesting the same amount of funding for this year.
8. Transportation Disadvantaged Assessments - Trips - The Governor and Legislature have approved an increase in the 94/95 trip/equipment allocations. Last year the State funding was \$113,336 and the 10% local match was \$12,593. This year the state funding has increased to \$211,506 and the local match needed is \$23,501. COMSIS is the designated Community Transportation Coordinator (CTC) and they will request the renewal of the financial commitment.
9. Transportation Disadvantaged - Capital Grant - The CFRPC has been awarded a Section 18 Capital Grant for Rural Transit for Highlands County for the FY 94-95. \$9,000 in local funding is needed to secure \$81,000 in Federal and State funding. The Council will use these funds to purchase vehicles for the TD

system. Through a contractual agreement, the CFRPC will lease these vehicles to the Coordinator for \$1, who in turn lease the vehicles to an operator in Highlands County for \$1.

Board discussion and comments were received. Total increase in assessments for all programs included \$20,329. Ms. Jan Parm, Department of Transportation, Project Manager, requested a commitment of funds for Section 18 Capital Grant by the latest, August or September. The Chairperson suggested that she did not feel any great dissatisfaction for the program from the Board Members.

The meeting adjourned at 10:10 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, JUNE 7, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham  
Stephanie Layton

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Mr. Jim Rodgers of the Sheriff's office.

**ANNOUNCEMENTS:**

**SHERIFF**

Mr. Rodgers presented the Daily Jail Log of Inmate Count for the period ending June 7, 1994. See SMB 21 Page 1.

**GRANT PARTICIPATION: BUREAU OF JUSTICE - COL. BILL JONES**

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Chairman to execute the Grant with the Bureau of Justice, Department of Community Affairs for the Drug Abuse Reduction Education Program. Upon Roll call, all Commissioners voted aye. Motion carried.

**NATURAL RESOURCES ADVISORY COMMITTEE:**

**1. COST ESTIMATE FOR MANAGEMENT OF SUN'N LAKE PROPERTY**

Dr. John Fitzpatrick presented a basic management and cost estimate. See SMB 21 Page 2 for copy of Handout. Attorney John McClure, representing the District, spoke on the maintenance of the Water Control Structures. The Board discussed the issues of grant management.

**4. REQUEST FOR \$5,000 FOR FLORIDA COMMUNITIES TRUST GRANT CONSULTANT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to earmark \$5,000 from the Land Acquisition Trust Fund to match with the Sun'N Lakes North Taxing District to secure a Grant Consultant and to waive the Purchasing Procedures. Upon Roll call, all Commissioners voted aye. Motion carried.

Commissioner Maxcy arrived at the meeting at 9:37 A. M.

**2. CRITERIA FOR PRIORITIZATION NATURAL RESOURCE AREA SITES**

Dr. Fitzpatrick presented a report on the development of criteria for prioritizing Natural Resource area sites.

**3. PROPOSED OPTION AGREEMENT FOR SUN'N LAKE ACQUISITION**

Dr. Fitzpatrick advised that the Proposed Option Agreement is not ready for action at this time.

**4. REAPPOINTMENTS TO NATURAL RESOURCES ADVISORY COMMITTEE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to reappoint Mr. Lew Carter to the At-Large Seat and to reappoint Mr. Patrick Hogue to the Agriculture Seat on NRAC. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 4.

**CLERK:**

Mr. Brooker introduced Stephanie Layton, a member of the Clerk's office. Stephanie will be training to back up Louise Graham, Deputy Clerk.

Mr. Brooker thanked everyone for the concerns shown during the passing of his mother.

**ACTION:**

**PUBLIC HEARING TO CONSIDER SETTLEMENT OF LAWSUIT-LLOYD WILLIAMS VS BOCC-POSTPONED DUE TO INCORRECT PUBLICATION**

**PROCLAMATION: "CREDIT EDUCATION WEEK"**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Proclamation recognizing the Consumer Credit Counseling Service of Central Florida, Inc. for their work in delivering consumer credit education to the citizens of our community. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 112.

**RESOLUTION: COMMENDING RAFTER-T RANCH AND THE WOHL FAMILY, STATE WINNER OF ENVIRONMENTAL STEWARDSHIP AWARD FROM THE FLORIDA CATTLEMEN'S ASSOCIATION**

Introduction of family members-Bob Mayworth, Jerri Wohl and Casey Wohl. Commissioner Gentry read the Resolution into the record. Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the Resolution, honoring the Wohl family. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 113.

**RESOLUTION ON REDUCING TURNPIKE TRUCK TOLL RATES**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve Resolution #94-31 requesting a study be conducted by the FDOT in reference to turnpike tolls for truckers. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 114.

**RESOLUTION ON LAKE PLACID BEAUTIFICATION PROJECTS-BERT HARRIS, III**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve an Interlocal Agreement and Resolution allocating \$10,000 to the renovation of Main Street in Lake Placid. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 115.

**PROCLAMATION: CODE ENFORCEMENT OFFICERS' APPRECIATION WEEK**

Motion by Commissioner Gose, seconded by Commissioner Summers to waive the agenda and adopt the Proclamation expressing appreciation for the dedication and outstanding service provided by the individuals who serve as Code Enforcement Officers. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 116.

**MEETINGS:**

The County Administrator read the reported meetings into the record.

Additional announcements and meetings entered into the record by the County Administrator, Assistant County Administrator, Commissioner Maxcy and Commissioner Gentry.

**ENTERPRISE COMMUNITY PROJECT: COUNTY PARTICIPATION/COMMITMENT  
JIM CRAWFORD, CHAIRMAN OF IDA; BETTY NEALE, ENTERPRISE COMMUNITY COORDINATOR**

1. County Administrator number one priority is a Water System in Lake Placid.
2. Focus on a Community Center.
3. Move ahead with the Community Development Block Grant and the SHIP Program.

Motion by Commissioner Gentry, seconded by Commissioner Gose to

authorize the Chairman to draft a letter committing to the following if the county is successful in obtaining the Enterprise Community Grant:

- (a) Commitment to include \$200,000 annually for five years to improve Sebring Airport.
- (b) Commitment to fund \$200,000 annually to the Industrial Development Authority.
- (c) Commitment to continue \$625,000 annually in CDBG housing.
- (d) Commitment to \$225,000 annually in SHIP mortgage subsidies.
- (e) Commitment for site for a Building in Lake Placid.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 3 for copy of commitments.

**CITIZENS NOT ON AGENDA**

Mr. Richard Conover - Items of discussion

1. The upcoming budget hearings.
2. The Sinkhole and the hazard it poses.
3. County Employment and notification of unsuccessful candidate.
4. County Seat - moving the Constitutional Officers.

Mr. Hank Kowalski requested that mitigation money assessed against the developer of the Youth Care Lane Property be spent in Highlands County. The County Administrator was directed to write a letter in support of this issue.

Mr. Kowalski questioned the participation of the citizens of Lake Placid in the Budget Hearings. The County Administrator noted that the decision of live coverage was in the hands of the Cable Company. Staff will contact the Cable Company for an answer.

Mr. Don Schloesser spoke regarding the deficit with the Tomoka Heights Water System and the Bond Issue.

Mrs. Parthenia McMinns, Mrs. Rosa Lee Tillman and Mrs. Minnie Hall presented information regarding the problems of the Housing Consultant and the CDBG Grant.

**JOE CLARK-ITEMS OF DISCUSSION**

1. Suggested that problems with the Housing should be taken care of by someone who is knowledgeable.
2. Advised that there is movement toward the County Administrator position becoming an elected position.
3. Requested an update on the Community Development Director position. The County Administrator gave a report. See Tape for back-up information.
4. Questioned the resume of the County Planner.

**COMMISSIONERS**

Commissioner Gentry - Discussion on the future development of major highways. The Chair suggested the County Administrator set a workshop for late July.

Commissioner Gentry - Edna Pierce Lockett - SFWMD and the Water Management Plan. The Chair gave an update. This item will be placed on the agenda for discussion at the June 21st meeting.

Commissioner Gentry - Enforcement for irrigation valves.

Commissioner Gose advised that the LDR Committee is taking a few weeks off with their meetings.

Mr. John Barrett requested that the Board take no action on the Development Director position until after the November election. The County Administrator recommended that staff proceed. He will bring the successful candidate before the Board on June 21, 1994 for action.

RECESS - 11:50 - 1:00 P.M.

**CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Consent Agenda as follows:

1. Approval of minutes of meeting 5-17-94 and public hearing 5-19-94.
2. Approval to remove bar grates from inventory. See SMB 21 Page 5.
3. Approval to remove culverts from inventory. See SMB 21 Page 6.
4. Approval of street names: Gator Creek Road, Turkey Trail and Hurst Road. See SMB 21 Page 7.
5. Approval of payment without purchase order-SFCC. See SMB 21 Page 8.
6. Approval of contracts with Blue Cross/Blue Shield and Health Care Financing Administration.
7. Approval of Commissioner Summers' travel expenses.
8. Approval of EMS Certificate of Public Convenience and Necessity. See SMB 21 Page 9.
9. Approval of Change Order #2-Highlands Park Estates road improvements. See SMB 21 Page 10.
10. Approval of variance request-Strafford Oaks. See SMB 21 Page 11.
11. Accept into record-Clerk's audit response. See SMB 21 Page 12.
12. Approval to remove printer from inventory-Health Department. See SMB 21 Page 13.
13. Approval of DEP Contract Amendment #C-8306. See SMB 21 Page 14.
14. Approval of contract extension for Lake Olivia mowing-bid #92-40. See SMB 21 Page 15.
15. Approval of budget amendments #93-94-152 through-160 and 163.
16. Approval to pay the following duly authorized warrants:

Law Library	629.22
General	1,684,308.77
County Transportation Trust	267,304.55
"E911" Operation	17,041.47
Local Govt Infrastructure Surtax	147,892.50
Community Development Block Grant	512.51
Affordable Housing Assistance Trust	13,958.00
Special Law Enforcement Trust	5,247.05
Risk Retention	28,290.14
Employee Benefit	46,306.29
Special Payroll	163,567.24

Upon Roll call, all Commissioners voted aye. Motion carried.

**CODE ENFORCEMENT OFFICER:**

**1. APPROVAL OF PRELIMINARY ASSESSMENT ROLL FOR NUISANCE ABATEMENT**  
Motion by Commissioner Gose, seconded by Commissioner Summers to set a Public Hearing date for June 21, 1994 for Case #93-111; 93-132; and #93-135 for Preliminary Assessment Roll for Nuisance Abatement. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 16 for copy of cost.

**2. REQUEST TO DECLARE NUISANCE, CASES #94-035, 94-039, AND 94-040**  
Motion by Commissioner Gentry, seconded by Commissioner Maxcy to declare a nuisance in case #94-035; Tommie Watson. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 17 for copy.

Motion by Commissioner Maxcy, seconded by Commissioner Summers to declare a nuisance in case #94-039; Steven E. Safrans. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 18.

Motion by Commissioner Maxcy, seconded by Commissioner Summers to declare a nuisance in case #94-040; Clarence L. VanInwagen, Jr. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 19.

**COUNTY ENGINEER:**

**1. CHASTAIN-SKILLMAN SUPPLEMENTAL AGREEMENT #21-PLACID UTILITIES**  
Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve expending \$4200 for Phase I Environmental Site Assessment for the Placid Utilities Water and Wastewater Plants. Once the financing is secured the Enterprise Fund will reimburse the General Fund for monies expended. The motion also included a budget transfer to move the funds. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. FDOT TRANSPORTATION ENHANCEMENT PROGRAM**  
Motion by Commissioner Gentry, seconded by Commissioner Gose to execute as the sponsor on the US 27 and Lake Jackson Bike Path project, and to forward the other two projects, US 27 Beautification and the Hendricks Field to the FDOT to determine eligibility. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. EUCALYPTUS PARKWAY STUDY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution authorizing the execution of the JPA and to authorize the necessary budget amendment to allow disbursement of the advancement. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 20. See Res. Book 8 Page 117.

Commissioner Maxcy requested that the County Engineer review the size and angle of the Boat Ramp at the Istokpoga Park.

**LAKEVIEW DRIVE-FROM PINE STREET SOUTH TO THE INTERSECTION OF RIDGEWOOD AT THE LIBRARY**

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to waive the agenda in order to discuss a change order. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to commit to approximately \$7,000 if the City commits, to participate in the change order for additional construction on the Lakeview Drive Widening Project. Upon Roll call, all Commissioners voted aye. Motion carried.

**ASSISTANT COUNTY ADMINISTRATOR:**

1. **JAIL PROJECT REPORT. SEE SMB 21 PAGE 21.**

2. **TOM PINDER, SPRINT UNITED TELEPHONE: PHONE SYSTEM UPGRADE**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the phone system upgrade as presented by Mr. Tom Pinder of Sprint United Telephone System with an approximate savings of \$58,000 plus per year savings and an estimated installation cost of \$17,408. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 22 for copy of proposal.

**CORRECTIONAL PRIVATIZATION COMMISSION FACILITY SITES**

The consensus of the Commission was to request that they pursue land at the Bombing Range. See SMB 21 Page 23 for copy.

**BOARD ATTORNEY: DISCUSSION ON NON-AD VALOREM EMS ASSESSMENT AND TENTATIVE RATE RESOLUTION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt the Tentative Rate Resolution for purposes of Public Hearing setting for July 14, 1994 at 6:00 P. M. at the Agri-Civic Center for the non-ad valorem EMS assessment. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 118.

**JAMES MOORMAN- PUBLIC DEFENDER PROPOSAL**

The Chair requested that this item should be placed on the next meeting agenda with a letter of protest from the Board Attorney.

The Board Attorney advised that the Clerk has presented information on the Florida Communities Investment Trust that is designed to earn greater monies on the investable funds. This will be on the agenda for consideration at a later date.

**COUNTY ADMINISTRATOR:**

1. **DISCUSSION AND COST REPORT ON COMMUNITY DEVELOPMENT SERVICES OPTIONS**

The County Administrator presented a cost comparison of the three options regarding the Development Department. See SMB 21 Page 24 for copy of options with the advantages of each option. After repeated discussion with participation from the public it was a consensus of the Board to workshop with the CRA and the City Council on June 20, 1994 at 5:00 P.M.; to develop a mission study and a review of the space needs. The County Administrator to contact the Agencies and to invite the Constitutional Officers.

2. **BALLOT QUESTIONS**

The County Administrator presented possibilities for the kind of language that could be placed on the ballot regarding the Charter Government question. The Chair suggested a discussion of the bed tax at the July 5th meeting. The consensus of the Board was to place on the General Election. The Chair advised the Supervisor of Election that the Board will have something concrete by August. The concept will be discussed again at the next meeting.

3. **WRAP UP OF INFORMATION ON COMPREHENSIVE PLAN**

The County Administrator reported that the revised Comp Plan was found in Compliance.

4. **MOTION ON GRANT APPLICATION-CONSIDERED PREVIOUSLY**

5. **COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT**

The County Administrator reviewed with the Commission the problems with the CDGB Grant. His suggestions were to waive the purchasing procedures to allow payment for the renovation of two projects in Lake Placid. The Board Attorney advised that we are not ready for

any motions yet since the net amount of unresolved balance has not been determined. He recommended that the Board take no action today and wait to see if DCA will grant an extension. The Consultant has agreed to waive his fee of \$15,460 and reimburse the county for the additional over run of \$17,161.89. If coordination of the problems can be accomplished, then Finance can issue the checks at the next meeting if in order. See SMB 21 Page 25 for copy of back up documentation. Several Grant participants objected to the delays. The County Administrator stated that staff will go from house to house and clean up the problems.

**APPROVAL OF JOB DESCRIPTION - HOUSING COORDINATOR**

The County Administrator presented a job description that specified the duties and qualifications of a Housing Coordinator. Stephen Weeks, Consultant for the CDBG Grant advised that the SHIP Advisory Committee has recommended the Housing Coordinator position. See SMB 21 Page 26 for copy of recommendations. The consensus of the Board was to remove this item from the Agenda, and to bring back at a later date after the Grant experts appear before the Board with information.

**APPOINTMENTS TO NOMINEE QUALIFICATIONS REVIEW COMMITTEE**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to reappoint Doris Gentry and Charles Bryan to serve as members of the Nominee Qualifications Review Committee for District #14, HRS for an additional term of four (4) years. Upon Roll call, all Commissioners voted aye. Motion carried.

**DISCUSSION OF URBAN FORESTER POSITION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to pass a Resolution supporting the request of the Urban Forester position and to authorize an expenditure of \$750. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 119.

The County Administrator advised that the contract is underway to put the major earth moving work and the Liners in at the new Landfill.

The County Administrator reported that the Commission received a letter of commendation for Roy Carr, Veterans Service Director.

**RAILROAD LINE-EUCALYPTUS PARKWAY**

The Board Attorney advised that title work should be done prior to approval of the Agreement by the Board and that the title insurance commitment be in hand virtually simultaneously with that approval. There is no representation concerning environmental conditions on the property, and the County is being requested to waive and release the Seller from any and all such claims. A comprehensive environmental survey should be completed prior to approval by the Board. The Chairperson suggested that staff provide as much information as possible for discussion at the next Board Meeting. See SMB 21 Page 27 for copy of memo.

The meeting adjourned at 5:15 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, JUNE 21, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham  
Stephanie Layton

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts.

**ACTION:**

**A. CONSIDERATION OF COMMUNITY DEVELOPMENT BLOCK GRANT INVOICES**

Motion by Commissioner Gentry, seconded by Commissioner Gose to waive the purchasing policy on the Community Development Block Grant to pay contractor Mourer and Mourer for clients Warren Andrews and Judy Robinson for demolition and relocation. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 28.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Budget Amendment #93-94-184 to appropriate funds for CDBG grant overruns into the General Fund. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve a time of Extension for the CDBG Grant to August 1994 to allow for close out of the Grant. Upon Roll call, all Commissioners voted aye. Motion carried.

**ANNOUNCEMENTS:**

**A. SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending June 21, 1994. See SMB 21 Page 29.

The Assistant County Administrator gave an update on the Jail Construction. The Professional Services Acquisition Committee has shortlisted the Construction Management Firms. The number one ranked Firm is Peter Brown. A preliminary negotiation session with the Firm is scheduled for July 13, 1994 at 1:00 P.M. Groundbreaking could happen as early as August 15, 1994. See SMB 21 Page 30 for copy of update.

Commissioner Gose suggested that staff take a look at the Hardee County Jail.

**B. CLERK**

The Clerk entered into the record seven (7) submissions in response to the Request for Proposals for the appointment of Special Masters for the Value Adjustment Board. The Chairperson suggested that this item be placed on the agenda for July 5, 1994. See Value Adjustment File for copies.

The County Administrator reported on the success of the County's Recycling Program.

**C. MEETINGS**

Reported meetings were read into the record by the County Administrator.

**ACTION:**

**B. PUBLIC HEARING TO CONSIDER SETTLEMENT OF LAWSUIT-LLOYD WILLIAMS V. BOCC**

The County Administrator presented the Proof of Publication into the record. See SMB 21 Page 36.

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve the settlement of \$50,000 upon the recommendation of the Board Attorney, with the proper releases in place. Upon Roll call, Commissioner Gose voted nay. All other Commissioners voted aye. Motion carried. See SMB 21 Page 31.

**C. PUBLIC HEARING TO CONSIDER VACATING PLAT-RIVER RIDGE ESTATES**

The County Engineer entered the Proof of Publication and staff reports into the record. See SMB 21 Page 32. Petitioners for the Plat Vacation are Ryan K. and Pat A. Setters and William H. and Patricia J. Scott.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Resolution vacating the Plat subject to recording the easement and a Unity of title on lots 47 through 63 and 9 through 27 with a review by the Board Attorney. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 120.

**D. PUBLIC HEARING TO CONSIDER THE FOLLOWING ZONING CHANGES:**

**HEARING #1332-ROBERT E SEVERINO AND DARRYLIN D. SEVERINO, c/o James McCollum:**

Requesting a zoning change from B-1 (Neighborhood Business District) to B-2 (Limited Business District). Desire for a real estate office.

Proof of Publication entered into the record by the Zoning Supervisor. See SMB 21 Page 33.

Public input was received from Attorney Jim McCollum in favor of the petition.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the rezoning request and the subsequent Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 120 A.

**HEARING #1334-FRANK SAUNDERS, ROBERT SEVERINO, LOUIS AND GRETA ZAKA, KATHERINE KISER AND HILDA F. TUCKER, MARIA D. DEYA, FRANCES AGOSTO VEZQUEZ, RICHARD P. AND JOYCE E. WARSACK, SUN'N LAKE IMPROVEMENT DISTRICT, KATHERINE KISER, AGENT**

Requesting a zoning change from R-3 FUD (Multiple Dwelling including Motel and Hotel district with Flexible Unit Development) to R-3 (Multiple Dwelling including Motel and Hotel district), Property owners desire to construct dwellings on their property. Proof of Publication entered into the record. See SMB 21 Page 34. Public input was received from Attorney Jim McCollum, representing the petitioner.

Motion by Commissioner Gose, seconded by Commissioner Gentry to uphold the Zoning Board's recommendation and adopt the Resolution approving the zoning change. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 121.

**HEARING #1335-PATRICIA J. TUMBLESTON WHITE:**

Requesting a zoning change from B-3 (Business district) to B-4 (Business district). Property owner desires to open a feed store and permitted uses in B-4.

Proof of Publication entered into the record by the Zoning Supervisor. See SMB 21 Page 35. Mrs. White presented the request before the Board.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to uphold the recommendation of the Zoning Board and adopt the Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 122.

**E. PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING A NON-ADVALOREM ASSESSMENT FOR EMERGENCY MEDICAL SERVICES**

Proof of Publication entered into the record by the County Administrator. See SMB 21 Page 37 A. The Board Attorney read the captions of the Ordinance. Public Input was received from Mike Johnson, Chairman of the Homeowners Association in support of the assessment. Richard Conover, spoke regarding the categories of assessments. Hank Kowalski presented concerns for assessment of churches. Bruce Sherwood spoke regarding the proposed millage. Commissioner Summers expressed opposition to the Ordinance.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Ordinance as received at the Hearing. Commissioner Gose amended the motion to remove schools, governmental agencies and churches from the assessment. Commissioner Maxcy seconded the amendment. Upon roll call of the amendment. Commissioners Gose, Maxcy and Summers voted aye. Commissioners Gentry and Vickers voted nay. The motion carried. Commissioner Gentry made a motion to exclude the categories of schools, churches, governmental agencies and colleges. Commissioner Gose seconded the motion. Upon roll call, Commissioner Summers voted nay. All other Commissioners voted aye. The motion carried.

**E. BOARD ATTORNEY: PUBLIC DEFENDER'S APPELLATE CASELOAD**

The Board Attorney explained the letter from Mr. J. Marion Moorman, Public Defender, Tenth Judicial Circuit, requesting each county contribute funding toward an alternative to paying private counsel for handling cases in the District. He presented a cost estimate for hiring 10 additional attorneys and 2 additional secretaries with a greater use of computerized network. See SMB 21 Page 37.

The Commission welcomed Senator Rick Dantzler and Representative Bert Harris. Both spoke on the possible solutions to the Public Defender problem and the mandates by the state. The Chair requested that the County Administrator set up a meeting with Mr. Moorman's office to negotiate for a better solution.

**BREAK 11:17 A.M. - 11:35 A.M**

**F. PUBLIC HEARING TO CONSIDER ROAD CLOSING-CHURCH STREET**

The County Engineer presented petition and proof of publication into the record. See SMB 21 Page 38. A map depicting a portion of Church Street to be vacated was presented. See SMB 21 Page 39. Staff reports were entered into the record. Amber J. Johnson, Attorney, representing the Highlands County School Board presented her petition for the closing. Attorney Wendell Whitehouse, representing Industrial Consultants Management Co., presented the defense for not closing the road.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to deny the request for the closing. Upon Roll call, Commissioners Maxcy, Gose and Vickers voted aye. Commissioners Gentry and Summers voted nay. The motion carried.

**PUBLIC HEARING TO CONSIDER NOTICE OF NUISANCE ABATEMENT**

The County Administrator presented proof of publication for the Public Hearing. See SMB 21 Page 40.

Motion by Commissioner Gentry, seconded by Commissioner Gose to assess the lien in the amount of \$1,910 in Case #93-111; Robert and Mary Plott. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 41.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the assessment for notice of lien ; Case #93-132, Francis S. Neptune, Jr. in the amount of \$2,189. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 42.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the notice of lien in Case #93-135 for Steven E. Safrans in the amount of \$3,085. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 43.

**COMMENTS AND QUESTIONS:**

**A. FRED FOX: COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Presentation. No action taken. Discussion will be continued in the afternoon

**LUNCH BREAK 12:30 P.M - 1:30 P.M.**

The meeting was called back to order at 1:30 P. M. by the Vice-Chairman, Archie Summers.

**E. PUBLIC DEFENDER'S APPELLATE CASELOAD-CONTINUED FROM A.M.**

Mr. Marion Moorman, elected Public Defender, stated that the proposal that was presented has shown no interest by certain counties. His intention is to work with Polk, Highlands and Hardee counties. He will be willing to talk to the County Administrator regarding funding and work out solutions to the problem. Commissioner Gentry questioned the 70% rate of Public Defender cases.

The Chair received the gavel back at 1:50 P. M.

Judge Randall McDonald, Chief Judge, invited the Board to attend Court and review the Indigence procedure. He explained the qualification for appointment of a Public Defender to represent a defendant and their right of appeal.

The County Administrator was directed to proceed with the elected Public Defender and bring information back in writing for the Commission.

**G. RESOLUTION-"SAFE BOATING WEEK"**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution designating July 3-9, 1994 as "Safe Boating Week" in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 123.

**H. PROCLAMATION-"AMATEUR RADIO WEEK"**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Proclamation in recognition of Amateur Radio Week and to declare the week of June 20 - 26, 1994 to pay tribute to the operators of Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 124.

**COMMENTS AND QUESTIONS**

**B. CITIZENS NOT ON AGENDA**

1. Stephen Weeks-CENTRO CAMPESINO FARMWORKER CENTER, INC. Motion by Commissioner Gentry, seconded by Commissioner Gose to support the SHIP recommendation and enter into the contract, using the SHIP funds as a match for the Wetherization Assistance Program Grant, contingent upon the Clerk's investigation and the Clerk's legal authority to advance the \$10,000. Upon Roll call, all Commissioners voted aye. Motion carried.

2. Ms. Joan Pflueger spoke regarding the following issues:
- (a) EMS Assessment and the increase in Taxes and Property Values. See SMB 21 Page 44.
  - (b) Chastain-Skillman Continuing Contract
  - (c) Request for a shelf to be placed in the Ladies Bathroom.
  - (d) Information read into the record describing the external features and internal anatomy of fish. See SMB 21 Page 45.
  - (e) Request for mandatory boating license.

(f) Request to the County Engineer regarding Istokpoga Boat Ramp.

3. Mr. John Ames - Criminal's Anonymous-Building Use Request Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive the fee for the use of the Old Desoto Community Center. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 46.

4. Mr. Hank Kowalski - Natural Resources - regarding fishing.

5. Mr. Carl Spurlock suggested that Istokpoga Park Boat Ramp is poorly designed. Request that it be corrected. The County Administrator responded.

6. Harold Seaman, District President of the Florida FMO, advised that 72% of the over 300,000 members are registered voters in the State of Florida. Mr. Seaman also spoke regarding the article in the Heartland Section referring to payment of taxes by Mobile Home residents.

**A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as read by the County Administrator:

1. Approval of minutes of workshop meeting 5-31-94 and regular meeting 6-7-94.
2. Accept into the record-May monthly reports.
3. Approve Chastain-Skillman Supplemental Agreement #17-Landfill.
4. Approve write-off of EMS bill-Loretta Williams. See SMB 21 Page 47.
5. Approve execution of Memorandum of Understanding-Sebring Fire Dept.
6. Approve Chastain-Skillman Supplemental Agreement #22-Zoning Map/Analysis.
7. Approve Personnel Manual revisions. See SMB 21 Page 48.
8. Approve Budget Amendments #93-94-173 through 179; and 181.
9. Approve requisition for vendor - Hollenberg & Wolfe. See SMB 21 Page 59.
10. Approve landscape appeal - Pier One. See SMB 21 Page 49.
11. Approve landscape appeal - Georgetown Industrial Park. See SMB 21 Page 50.
12. Approve the Governor's appointments to Housing Authority. Appointment of Mr. Marvin Hunt and the reappointment of the Reverend Willie Holden. See SMB 21 Page 51.
13. Approve refund of vesting fee - Orangewood Acres. See SMB 21 Page 52.
14. Approve to pay the following duly authorized warrants:

Law Library	664.89
General	597,233.75
County Transportation Trust	28,783.91
"E911" Operations	2,056.93
Conservation Trust	200.00
Law Enforcement Education	4,695.60
Local Govt Infrastructure Surtax	641,106.40
Community Development Block Grant	40,681.36
Affordable Housing Assistance Program	5,132.50
1966 Certificates of Indebtedness	2,550.00
1973 Refunding Certificates of Indebtedness	107,337.50
Risk Retention	9,202.64
Employee Benefit	54,185.49
Special Payroll	59,551.92

Upon Roll call, Commissioners Vickers voted nay. All other Commissioners voted aye. The motion carried.

**B. DALE MILITA, CRAIG SMITH & ASSOC.: COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Mr. Milita, representing Craig Smith & Associates, addressed the Board regarding the Community Development Block Grant Program. He explained the services offered by his Company and requested consideration in the future.

**C. PERSONNEL DIRECTOR: WELLNESS AWARD POLICY REVISION**

Motion by Commissioner Gentry, seconded by Commissioner Summers to implement the new Wellness Award Policy revision as presented by the Personnel Director. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 53.

**D. COUNTY ENGINEER:**

**1. CHASTAIN-SKILLMAN SUPPLEMENTAL AGREEMENT #20-PLACID UTILITIES  
4. CONTRACT EXECUTION WITH FDEP/PLACID UTILITIES EXPANSION;  
BUDGET AMENDMENT #93-94-180**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Supplemental Agreement #20 with Chastain-Skillman for the Placid Utilities System and the Contract execution with FDEP/Placid Utilities expansion. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. CHASTAIN-SKILLMAN SUPPLEMENTAL AGREEMENT #23-MARL PIT**

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve the Chastain-Skillman Supplemental Agreement #23 for the Marl Pit. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. REORGANIZATION REQUEST OF AQUATIC WEED CONTROL AND PARKS DEPARTMENT**

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve the reorganization request of Aquatic Weed Control and Parks Department. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 54 for copy.

**5. REQUESTED STATE ROAD 70 IMPROVEMENTS**

The Chair gave a report on the meeting regarding the State Road 70 Improvements. A decision was made to form a collation to attempt to hasten the improvements. The County Engineer gave a presentation on the schedule of SR70 with the Department of Transportation. See SMB 21 Page 55 for copy. After discussion the consensus was to allow the Chairperson and the County Engineer to pursue these efforts.

**F. COUNTY ADMINISTRATOR:**

**1. APPOINTMENT/REAPPOINTMENT TO HEALTH FACILITIES AUTHORITY**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to appoint Jeffrey Olsen and to reappoint Chris Reilly to the Health Facility Authority. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 56 for copy of resume.

**2. DISCUSSION OF STATEMENT OF WORK-LOCKETT ESTATE**

The Chairperson requested that this issue be referred back to the Historic Preservation Commission for their July 9th agenda. The Commission suggested more cost analysis before approving the contract.

**3. REQUEST APPROVAL OF HOUSING COORDINATOR POSITION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Job Description for the Housing Coordinator Position and to proceed to fill the position. Upon Roll call, Commissioners Gentry, Gose and Maxcy voted aye. Commissioners Summers and Vickers voted nay. The motion carried. See SMB 21 Page 57 for

copy.

**4. PRESENTATION OF JAMES POLATTY AS PROPOSED DIRECTOR OF DEVELOPMENT SERVICES DEPT.**

Motion by Commissioner Gentry, seconded by Commissioner Gose to endorse the engagement by the Administrator of Mr. James Polatty as the Director of the Development Services Department. Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried.

**5. OPTIONS REGARDING DEVELOPMENT DEPARTMENT**

A general discussion was held pertaining to the Development Department options that came out of the joint meeting with the CRA and the City Council. Commissioner Gentry and Gose favored Option #4. The Commission directed the County Administrator to investigate the feasibility of a new building for the Board and the Constitutional Officers with the old Annex to be used for the Development and Engineering Departments.

**6. MUNICIPALITIES - WAIVING OF FEE FOR FIREWORKS DISPLAY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to waive the \$100 fireworks display fee for the municipalities. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. GOVERNMENT FUNDING SPECIALIST CONTRACT-STEPHEN WEEKS**

The Board Attorney advised that negotiations were not successful with the contract. There are items that should be stated for the record.

- (a) Mr. Weeks presented a check to the Clerk's office in the amount of \$17,161.89 to cover the overruns.
- (b) Mr. Weeks has agreed to waive his fee of \$15,460.
- (c) Mr. Weeks will pick up any additional overruns.
- (d) The contract is still in effect

**8. LETTERS OF COMMENDATION**

The County Administrator entered into the record two letters of commendation for Grayce Riel and Edgel Moore.

**COMMISSIONERS**

**A. COMMISSIONER GENTRY: SPOUSE ABUSE TREATMENT CENTER**

Motion by Commissioner Gentry, seconded by Commissioner Gose to advertise for request for proposals for Spouse Abuse Treatment Center as presented with correction to wording in paragraph #3. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 58.

Commissioner Gentry will report back on proposals.

**GOSE:**

Mr. Gose reported that he has been advised through the Elections Commission that all charges have been dismissed against him in regards to the allegations by Mr. Colby on signs.

**B. 1. VICKERS: WHAT ARE OUR LAKES WORTH?**

The document presented was a request from the Lakes Committee for information on the tax values for the property around the lakes. The Chair will present to the Property Appraiser to supply this information from the 1993 tax rolls.

See SMB 21 Page 44.

**2. ADMINISTRATOR CONTRACT**

The Chair called attention to the County's completion of three years with an Administrator Form of Government. The County Administrator spoke on his three year tenure.

The meeting adjourned at 4:41 P. M.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JULY 5 , 1994**

The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham  
Stephanie Layton**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Doris Gentry.

**ANNOUNCEMENTS**

**A. SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending July 5, 1994. See SMB 21 page 60.

Mrs. Vickers commended the D.O.T. Safety Committee and the Air Patrol for a fatality free weekend.

**B. MEETINGS**

Reported meetings were read into the record by the County Administrator.

Additional meetings scheduled are:

July 11, 1994 6:30 P.M. L.D.R. Committee - Ag Center #3  
July 20, 1994 3:00 P.M. Occ. Lic. Committee - BCC Rm. #50

**ACTION:**

**A. PUBLIC HEARING TO CONSIDER AN ORDINANCE AUTHORIZING THE INVESTMENT OF SURPLUS PUBLIC FUNDS**

The County Administrator presented the Proof of Publication into the record. See SMB 21 page 61.

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Ordinance for investing of surplus funds. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER VACATING PLAT IN SUN'N LAKE ESTATES OF SEBRING, UNIT 15**

The County Engineer entered the Proof of Publication and staff reports into the record. See SMB 21 Pg 62. Petitioner for the Plat Vacation is Sun'N Lake Estates of Sebring.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Resolution vacating plat in Sun'N Lake Estates of Sebring, Unit 15. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 125.

**C. PUBLIC HEARING TO CONSIDER SETTLEMENT OF SUIT REGARDING BINGO GAMES**

The Board Attorney entered the Proof of Publication and explained the suit. See SMB 21 page 63.

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Chairman to sign the Agreement and enter into the Stipulation. Upon the roll call, Commissioner Summers voted nay. All other Commissioners voted aye. The motion carried.

**D. OATH OF OFFICE: HOUSING AUTHORITY APPOINTMENT**

Mr. Marvin Hunt was unable to attend.

**E. ALL AMERICAN AMBULANCE: REQUEST CERTIFICATE OF PUBLIC NECESSITY AND CONVENIENCE**

Attorney Jim McCollum, representing All American Ambulance,

presented slides and a detailed description of the services of All American Ambulance. Mr. Rick Weigand, E.M.S. Supervisor, explained his concerns about the Certificate of Public Necessity and Convenience. Mr. Clayton Womer spoke of his concerns and requested that more research be completed. After discussion it was decided to place this on the Action Agenda on July 19, 1994.

**COMMENTS AND QUESTIONS**

**A. CALLI SHANNON: COMSIS**

Calli Shannon was unable to attend.

**B. CITIZENS NOT ON AGENDA**

1. Seth Plank spoke of his concerns that Highlands Utilities cannot provide adequate sewage service for 41 lots in Willow Gate. See SMB 21 page 64.
2. John McClure, Swaine and Harris representing Lakeshore Mall, stated his concern that adequate sewage capacity is available for processing the mall sewage by Highlands Utility.
3. The County Administrator was directed to attend a city council meeting to explain the concern of the Board for proper sewage service and to speak with Mr. Pugh.
4. Mr. Harold Seaman stated that a Public Utility Commission hearing is scheduled for July 28 concerning a 46% increase in rates by Highlands Utility.
5. Mr. Sonny Stalls suggested that the E.M.S. public hearing should be postponed until the Board has time to better organize its plans.

**BREAK 10:22 A.M. - 10:36 A.M.**

**COMMISSIONERS**

**A. COMMISSIONER GENTRY:**

Mrs. Gentry complimented the birthday calendar.

**B. COMMISSIONER VICKERS: EMS FUNDING EFFORT**

Mrs. Vickers read a prepared statement on the proposed EMS funding. See SMB 21 page 64A. Motion by Commissioner Maxcy, seconded by Commissioner Summers to cancel the public hearing on EMS funding. Upon Roll call, Commissioner Gentry voted nay. All other Commissioners voted aye.

Motion by Commissioner Gentry, seconded by Commissioner Gose to direct staff not to continue pursuing the non-advalorem tax for EMS services. Upon Roll call, all Commissioners voted aye. Motion carried.

**A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Consent Agenda as read by the County Administrator:

1. Approval of minutes of meeting 6-21-94 with correction as stated.
2. Accept into record - Supervisor of Elections' Audit Response. See SMB 21 page 65.
3. Approval to grant easement - Group III Management. See SMB 21 page 66.
4. Approval of budget amendments #93-94-191, 194, 195, 196, 198 and 199.
5. Approval of variance request - Tomoka Heights. See SMB 21 page 67.
6. Approval of plat recording - Country Club of Sebring. See SMB 21 page 68.
7. Approval to pay the following duly authorized warrants:

Law Library	514.22
General	1,246,074.86
County Transportation Trust	30,640.22
E911 Operations	16,822.50
Law Enforcement Education	3,460.03
Local Govt Infrastructure Surtax	29,096.84
Special Law Enforcement Trust	795.05
Risk Retention	14,327.02
Employee Benefit	86,545.57
Tax Deed Surplus	3,596.94
Special Payroll	153,531.95

Upon roll call, all Commissioners voted aye. Motion carried.

Mr. Clayton Womer asked for a brief explanation of the budget amendments for the benefit of the television audience.

**B: BUDGET OFFICER: 911 RESOLUTION**

Motion by Commissioner Gentry, seconded by Commissioner Summers to adopt the Resolution continuing the \$.50 per month per line for the purpose of defraying the cost of a 911 system. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 126.

**C: ASSISTANT COUNTY ADMINISTRATOR:**

**1. JAIL PROJECT UPDATE**

The Assistant County Administrator presented a Jail Project update with a correction to the date to read July 7, 1994 for all trades to tour the Jail to prepare bids. See SMB 21 Page 69.

**2. JAIL CONSTRUCTION MANAGER CONTRACT**

See SMB 21 page 70.

Motion by Commissioner Gentry, seconded by Commissioner Summers to authorize the negotiating team to negotiate a contract, both for the preparation of the bid document and for the continued construction project. Upon Roll call, Commissioner Vickers voted nay. All other Commissioners voted aye.

**3. PHYSICALS FOR VOLUNTEER FIRE DEPARTMENTS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to cover the cost of the physicals for the volunteer fire fighters and a transfer of funds per Division of Safety Violations. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator was asked to send a letter of protest to our state delegates regarding the mandate.

**D. BOARD ATTORNEY: RESOLUTION ON OUTLET TO LAKE SEBRING**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution condemning property needed to solve a problem on Lake Sebring. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 127.

**E. COUNTY ADMINISTRATOR**

**1. DISCUSSION OF TOURIST DEVELOPMENT TAX (BED TAX)**

The County Administrator discussed a survey of the CVB. See SMB 21 page 71. Discussion followed as to whether this bed tax should be on the November ballot. Jim Cash, manager of Lakeview Resort, voiced his opposition to this bed tax. The Board requested the County Administrator set up a workshop with the Florida Hotel & Motel Association and the CVB and the Economic Dev. Council.

**2. REQUEST FOR EXTENDED WARRANTIES-HEAVY EQUIPMENT PURCHASES**

See SMB 21 page 72.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to allow staff to sign requests for extended warranties on heavy equipment purchases. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. REQUEST TO LEASE MODULAR OFFICE SPACE**

See SMB 21 page 73.

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the rental of a modular office for the fire service. Upon Roll call, all Commissioners voted aye. Motion carried.

**4. ENTERPRISE COMMUNITY GRANT: JIM CRAWFORD**

Jim Crawford, Chairman of IDA/EDC, announced to the Board that the county's application for funding through the Enterprise Community Grant has been forwarded by the state to the U.S. Dept. of Agriculture.

The Chairperson read a letter from Secretary Shelly, of the Dept. of Community Affairs, announcing that the Grant is being forwarded to the U.S.D.A.

The meeting adjourned at 12:09 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**BUDGET MEETING OF THE BOARD, JULY 12, 1994**

The meeting was called to order at 9:00 A.M. with the following members present:

<b>Audrey Vickers</b>	<b>L.E. 'Luke' Brooker</b>
<b>James L. Gose</b>	<b>Carl Cool</b>
<b>Archie Summers</b>	<b>Thomas Portz</b>
<b>C. Guy Maxcy</b>	<b>Stephanie Layton</b>

Also present were Rick Helms, Budget Officer, and Bernis Gainer, Budget Analyst.

**FY 1994-95 BUDGET RECOMMENDATIONS**

The County Administrator entered the Proof of Publication into the record of this Special Meeting to present the recommended budget for the FY 1994-95. See SMB 21 Page 74.

Mr. Rick Helms stated that the proposed budget allows:

1. New Positions
2. Specific position upgrades
3. Reduced equipment purchases
4. Road improvements
5. Service levels at or above current levels
6. Modified annual pay adjustment
7. Comp Plan compliance

The Budget Officer explained that during the development of the budget this year he solicited public input at all phases of budget development. All budget hearings were televised and phone numbers were available for citizens to call meetings while budgets were being discussed. A total of 6 calls came in, but he felt the calls would grow as the public learned more about the procedure.

Commissioner Gentry arrived at the meeting at 9:43 A.M.

**SPECIFIC BUDGET HIGHLIGHTS**

New positions requested under Board operations totaled 25. Recommendation is to fund (6) six with specific explanation.

Utilities Inspector to be funded by new fees for utility use permits and concurrency clearance reviews.

Housing Director will be funded by grant administrative fees after the first year.

Remaining new positions are not revenue neutral and do impact operational budget.

A proposed realignment of Soil Conservation Services was discussed. No action was taken.

**BREAK 10:30 A.M. - 10:47 A.M.**

**OTHER SPECIFIC HIGHLIGHTS**

- 1) \$959,422 in equipment purchases for Board departments.
- 2) Increased funding for health services.
- 3) Merit raises effective 10/01/94, cost of living raises 3% effective 04/01/95.
- 4) Road construction and improvements.
- 5) Funding for elected Officials:

<b>Sheriff</b>	<b>\$ 9,963,164</b>
<b>Clerk</b>	<b>2,570,005</b>
<b>Property Appraiser</b>	<b>1,427,777</b>
<b>Supervisor of Elections</b>	<b><u>385,355</u></b>
<b>Total</b>	<b>\$14,346,301</b>

- 6) Funding of physicals for all volunteer firefighters. Fire hydrants for planned expansions to water systems.
- 7) Funding for agencies. See Budget File for copy.
- 8) Taxable value and Budget Summary. See Budget File for copy.

**FUNDING CONSIDERATIONS**

- 1) No millage increase.
- 2) Increase County Engineer's fees for new position.
- 3) Anticipated increases in major revenue sources.

**BERNIS GAINER - SLIDE PRESENTATION OF THE OVERALL BUDGET**

Commissioners discussed new positions requested under Board operations, position upgrades, and state mandates.

Commissioner Summers stated that under the Sheriffs Department he opposes the 3 vehicles from the State and the addition of 4 more personnel to regulate traffic on U.S. 27. Col. Bill Jones spoke about the traffic enforcement unit. These units will be on and off U.S. 27 and used to support other officers on routine calls.

Several budget issue items were also discussed including the closing of the Avon Park Landfill and the Urban Forestry position.

The Assistant County Administrator reminded the Commission of future considerations regarding the closing of the Avon Park Landfill and the realignment of the Soil Conservation Services.

The meeting adjourned at 12:32 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JULY 19, 1994**

The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Stephanie Layton**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool.

**ANNOUNCEMENTS:**

**A. SHERIFF**

Col. Bill Jones presented the Daily Jail Log of Inmate count for the period ending July 19, 1994.

The Sheriff's office is seeking ways to save money on medical care of inmates. A local physician has agreed to be a medical director at a salary of \$47,000.00. A package will be presented at the next Board meeting.

Don Hansen spoke against casino gambling in Highlands County. The County Attorney was asked to present a Resolution at the next Board meeting.

**B. CLERK**

The Clerk requested action on a budget amendment not on the agenda.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive the agenda. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Summers, seconded by Commissioner Gose to approve Budget Amendments 93-94-206, 207, 208, 209 to forward \$15,000.00 to Clerk's office. Upon Roll call, all Commissioners voted aye. Motion carried.

The Clerk swore in Marvin Hunt as the newest member appointed by the Governor of Florida to the Highlands County Housing Authority.

**C. MEETINGS**

Reported meetings were read into the record by the County Administrator.

**ACTION:**

**B. CITY OF SEBRING: SEWER CONSTRUCTION PROJECT**

Atty. Mike Swaine and Bob Hoffman discussed the sewer project impact on county roadways. Maps were shown of various routes to detour Lakeview Ave. See SMB 21 Page 75.

Motion by Commissioner Gose, seconded by Commissioner Gentry that the B.C.C. will join with what the City of Sebring Council decides tonight with the stipulation that access be maintained for the property owners. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to allow the City of Sebring to make a road cut on Hiawatha and Florida. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. NATURAL RESOURCES ADVISORY COMMITTEE:**

**1. APPOINT ENVIRONMENTAL REPRESENTATIVE TO NRAC**

Motion by Commissioner Summers, seconded by Commissioner Gentry to add Mr. Kurt Olsen as an environmental representative to the Natural Resources Advisory Committee. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. RESOLUTION SUPPORTING ADDITION OF 7-LAKES TO STATE PARK CARL SITE**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to have the Board Attorney draft a Resolution supporting an addition of 7-Lakes to the State Park CARL site. Upon Roll call, all Commissioners voted aye. Motion carried.

Amended motion by Commissioner Gose, seconded by Commissioner Maxcy to support a Resolution adding 7-Lakes to State Park CARL site with a letter of support by fax. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. UPDATE ON SUN'N LAKE ACQUISITION**

Fred Lohrer gave an update on Sun'n Lake acquisition. No action taken.

**4. ACCEPT FLORIDA COMMUNITIES TRUST GRANT WRITING PROPOSAL FROM THE NATURE CONSERVANCY**

Fred Lohrer stated that as soon as the guidelines to write the grant proposals are in TNC will be back for recommendations. No action taken.

**BREAK 10:30 A.M. - 10:45 A.M.**

**5. COMMENTS AND QUESTIONS:**

**Citizens not on agenda:**

1. Hank Kowalski stated that Don Hansen should have been heard at Citizens not on agenda.
2. Richard Conover suggested that a clock and county seal be placed on the wall on either side of the large map behind the podium.

**APPOINTMENTS TO LDR TASK FORCE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to make 2 appointments to the LDR Task Force, Don Bates and John Tallent. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 76.

Finance Director, Mike Eastman, arrived at the meeting at 11:15 A.M. sitting in for the Clerk.

**6. COMMISSIONERS**

Commissioner Gentry spoke about the availability of grant funds to study the economic impact on the Avon Park Bombing Range as it presently exists, what the potentials are to enhance the range and moving forward with both military activities and other uses not in conflict with what is there. She requested that this be on the agenda of the next Board meeting.

Mike Willingham, Executive Director of the Sebring Airport, spoke of operations going on at the airport and the tremendous impact on the community.

Commissioner Maxcy, Insurance and Safety Committee, discussed hiring an insurance consultant. See SMB 21 Page 77.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve waiving the purchasing manual procedures for entering into a contract such as this, approving the contract with Siver and Associates and approving a budget amendment. Upon Roll call, all Commissioners voted aye. Motion carried.

**8. ACTION**

**B. County Engineer: Ranking of FDOT Transportation Enhancement Projects. See SMB 21 Page 78.**

1. Atty. Bert Harris on behalf of the Greater Lake Placid Chamber of Commerce, asked for support of landscaping of Highway 27. Joe Rey, Town Councilman, voiced his support.
2. Mike Willingham, Sebring Airport Authority, expressed his desire to restore the Hendrix Field Control Tower.
3. County Engineer spoke about the sidewalk project around Lake Jackson.

Motion by Commissioner Gentry, seconded by Commissioner Summers to nominate Lake Placid, first; Hendrix Field, second; and sidewalk, third. Upon Roll call, all Commissioners voted aye. Motion carried.

**A. CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as read by the County Administrator:

1. Approval of minutes of meeting 7-5-94.
2. Accept into the record - June monthly report.
3. Approval of budget amendments 93-94-206,207,208,209.
4. Approval of Physician Agreement - Preferred Provider Organization. See SMB 21 Page 79.
5. Approval of release of Maintenance Agreement - Buttonwood Bay Phase II. See SMB 21 Page 80.
6. Approval of release of Maintenance Agreement - Buttonwood Bay Phase V. See SMB 21 Page 81.
7. Approval of variance request - New Life Holiness Church. See SMB 21 Page 82.
8. Approval of plat recording and execution of Maintenance Agreement - Orangewood Acres. See SMB 21 Page 83.
9. Approval of garden wall addition to Lake Placid Library. See SMB 21 Page 84.
10. Approve to pay the following duly authorized warrants:

Law Library	546.59
General	527,987.55
County Transportation Trust	60,704.51
"E911" Operations	222.63
Law Enforcement Education	2,496.00
Affordable Housing Assistance Trust	27,876.50
Risk Retention	16,681.18
Employee Benefit	81,393.01
Special Payroll	79,967.64
Local Govt Infrastructure Surtax	235,184.73
Community Development Block Grant	15,424.00

Upon roll call, all Commissioners voted aye. Motion carried.

**C. ASSISTANT COUNTY ADMINISTRATOR:**

**2. Building Use request**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the use request for the Desoto Community Center by the Brownies. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 85 for copy.

**3. Building Use Committee Recommendations**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to follow the recommendations of the Building Use Committee. Item 1 effective 10-1-94, the other two immediately. Upon Roll call, all

Commissioners voted aye. Motion carried. See SMB 21 Page 86 for copy.

**1. Jail Project Report**

Motion by Commissioner Gentry, seconded by Commissioner Summers to execute the contract. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 87 for copy.

**D. BOARD ATTORNEY: PUBLIC DEFENDER'S PROPOSED CONTRACT FOR PRIVATE COUNSEL ON APPEAL CASES**

Motion by Commissioner Gentry, seconded by Commissioner Gose to enter into a contract with Public Defender's Office to ease the excessive appellant caseload. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 88.

**E. COUNTY ADMINISTRATOR: DISCUSSION OF UTILITY FRANCHISE FEES**

County Administrator discussed franchise fees for utilities. It was the opinion of the Board that a workshop is needed to further discuss options. No date set.

**LUNCH BREAK 12:10 P.M. - 1:06 P.M.**

The meeting was called back to order at 1:06 P.M. The Board Attorney, J. Ross Macbeth, did not return to the meeting. Bob Germaine, Director of Civil Division, arrived at the meeting sitting in for the Clerk.

The Chairperson recognized the Constitutional officers and Agencies wishing to voice Budget Appeals. They were:

1. Jimmy Whitehouse, Supervisor of Elections
2. Raymond McIntyre, Property Appraiser
3. Linda Crowder - Children's Museum
4. Yvon Richard - Big Brothers/Big Sisters
5. Tim Hurner, County Extension Director
6. Robert Barben, Greg Hardy, Jackie Fauls, Rex Bond, Charlie Collins, Mike Tubbs - Soil Conservation Service
7. County Administrator read a letter from Virginia Henderson - City of Avon Park.
8. Jim Fulton, Supervisor of Town of Lake Placid
9. Dottie O'Dell, Sandy Kuhn - Sun Room
10. Beth Lamb - Historic Preservation
11. Vaden Pollard, Road & Bridge Operations Manager

Chairperson, Commissioner Vickers, left the meeting at 3:02 P.M. handing the gavel to Commissioner Summers. She returned to the meeting at 3:05 P.M. resuming her position.

The consensus of the Commission was to approve new positions to the Tax Collector, Property Appraiser, and the County Extension Agent, along with additional operating funds for the Tax Collector. The Soil Conservation Service will stay as it is. The Children's Museum, Big Brothers/Big Sisters, Sun Room, and Historic Preservation will not receive any money. The County Administrator will work with Mr. Pollard and come back next week with a recommendation.

Motion by Commissioner Gentry, Seconded by Commissioner Gose to hold the millage at 8.5. Upon Roll call, all Commissioners voted aye. Motion Carried.

Commissioner Gose met with the Firechief's Association and wishes to set up a night workshop with the Board. It was set for August 16, 1994.

The meeting adjourned at 5:58 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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BUDGET MEETING OF THE BOARD, JULY 26, 1994

The meeting was called to order at 9:00 A.M. with the following members present:

Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy

C. Michael Eastman  
Carl Cool  
Thomas Portz  
Louise Graham

CERTIFICATION OF TAXABLE VALUE/MILLAGE ADOPTION

1. Chairperson states purpose of meeting.
2. County Administrator entered Proof of Publication into the record. See SMB 21 Page 97.
3. Assistant County Administrator - Explanation of Certification of Taxable Value. See SMB 21 Page 98 for copy.
  - (a) First Public Hearing tentatively set for 9/6/94 at 7:00 P.M. in the Commission Meeting Room.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to set the millage rate at 8.5000% for fiscal year 1994-95.

Public input was received from Clayton Womer requesting that the Commission try to cut expenses rather than finding ways to increase revenue. He also requested a tracking of the funds given to the Airport Authority. The Chairperson suggested a liaison from the Board to review their monthly reports.

The County Administrator reviewed with the Commission carry over projects and how they impact the budget.

Upon Roll call, all Commissioners voted aye. The motion carried.

Commissioner Summers suggested that the Board consider the naming of the new Highlands Avenue Sidewalk Project as the "Mary Toney Pathway" for her dedication to the project. The Commission agreed to take this suggestion under advisement.

The meeting adjourned at 9:22 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, AUGUST 9, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

<b>Audrey Vickers</b>	<b>I.V "Buddy" McKenzie</b>
<b>James L. Gose</b>	<b>Carl Cool</b>
<b>Archie Summers</b>	<b>J. Ross Macbeth</b>
<b>C. Guy Maxcy</b>	<b>Louise Graham</b>
<b>Doris Gentry</b>	

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Chief Deputy Clerk, I. V. "Buddy" McKenzie.

**3. ANNOUNCEMENTS:**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending 08/09/94. See SMB 21 Page 104.

**A. UNDERSHERIFF: DISCUSSION OF MEDICAL DIRECTOR FOR JAIL**

In an effort to control cost of medical care for County Jail Inmates the Sheriff is proposing the Board fund the position of Medical Director for the Jail.

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve the proposal to employ John R. Caruso, D.O. as a Medical Director for the Jail with a realignment of funds. The Board requested that Mr. Jones monitor the program and present a report back. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 105.

The Undersheriff briefed the Commission on the Potts trial to be held in Highlands County.

**B. MEETINGS:**

Reported meetings and changes were read into the record by the County Administrator, Carl Cool.

**4. ACTION:**

**A. PUBLIC HEARING TO CONSIDER AN ORDINANCE REPEALING ORDINANCE 86-4, PERTAINING TO DDH FRANCHISE**

Proof of Publication entered into the record. See SMB 21 Page 106. The Board Attorney read the captions of the Ordinance into the record. The provisions of Ordinance No. 86-4 are no longer needed because its assets have been purchased by Comcast Cablevision which is operating a cable television system in the County, pursuant to an existing franchise. Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Ordinance #94-7 repealing Ordinance #86-4 pertaining to the D.D.H. Partnership Franchise. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. RESOLUTION IN OPPOSITION TO LEGALIZATION OF CASINO GAMBLING**

The Board Attorney read the proposed Resolution into the record. Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution #94-37 in opposition to legalization of casino gambling in Florida. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 128.

**C. PROCLAMATION - HEARTLAND PRIVATE INDUSTRY COUNCIL - JTPA ALUMNI MONTH**

Commissioner Maxcy, representative to the Council, read the proposed Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Gose to

approve the Proclamation recognizing JTPA Alumni Month in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 129.

**D. RESOLUTION HONORING VIRGINIA HENDERSON, CITY MANAGER OF AVON PARK**

Commissioner Gentry read the proposed Resolution into the record. Motion by Commissioner Gentry, seconded by Commissioner Maxcy to adopt Resolution commending Virginia A. Henderson on her retirement. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 130

**5. COMMENTS AND QUESTIONS**

**A. EILEEN GETZONE: CARE-A-VAN PRESENTATION.**

Ms. Getzone did not appear.

**B. AL NAVARRO: REQUEST FOR CHANGES TO FORTUNETELLER APPLICATION**

Mr. Navarro requested the Board consider modifying the existing Ordinance to prohibit the posting of a \$50,000 surety bond. No action was taken by the Commissioners.

**C. GINGER LEWIS: FLORIDA RANCH RODEO: REQUEST TO USE 4-H ARENA**

Ms. Lewis did not appear to address the Board.

**D. CITIZENS NOT ON AGENDA:**

There were no citizens to address the Board.

**6. COMMISSIONERS**

**A. COMMISSIONER SUMMERS: SUGGESTION ON NAMING "MARY TONEY PATHWAY"**

Motion by Commissioner Summers, seconded by Commissioner Gentry to designate the new Highlands Avenue Sidewalk as the "Mary Toney Pathway". The Chair directed the County Administrator to prepare a joint Resolution to include the City of Sebring and possibly a sign to erect at the site. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. COMMISSIONER VICKERS: BUSINESS/COMMERCIAL/INDUSTRIAL ON MAJOR HIGHWAYS**

The Consensus of the Commission was to set a Workshop on August 31, 1994 at 7:30 A. M. to 9:30 A. M. to discuss the proposed Bed Tax and to continue the Workshop for discussion on the Economic Development Transition.

**C. COMMISSIONER GENTRY: DISCUSSION OF GRANT FOR BOMBING RANGE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to designate by Resolution the I.D.A. as the lead agency in the application for the Grant and the Board commit to the 50% public portion of the matching funds. Commissioner Gentry to remain as the designated person from the Board. Hank Kowalski presented a newspaper legal giving information regarding an upcoming exercise by a National Guard Unit at the Avon Park Range. See SMB 21 Page 107. Upon Roll call, Commissioner Summers voted nay. All other Commissioners voted aye. The motion carried.

**D. COMMISSIONER GOSE: REPORT ON NACo WORKSHOP**

7. RECESS - 10:38 A.M - 10:50 A.M.

8. RECONVENE-ACTION:

A. CONSENT AGENDA:

The County Administrator read the Consent Agenda into the record Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as follows:

1. Approval of minutes of 7-12-94 and 7-26-94 budget meetings and 7-19-94 regular meeting.
2. Approval for Tax Collector to trade in magnetic tape drive equipment. See SMB 21 Page 98.
3. Approval of Budget Amendments #93-94-217; 227-231;233-234.
4. Adoption of Resolution and Joinder to Agreement and Declaration of Trust,creating and establishing the Florida Counties Investment Trust. See Res. Book 8 Page 129.
5. Approval of Street Name: Prescott Lane. See SMB 21 Page 99.
6. Approval of refund for H.L. Bishop Facility rental to the Lake Placid Youth Football Organization. See SMB 21 Page 100.
7. Approval to pay the following duly authorized warrants:

Law Library	1,153.46
General	1,427,133.54
County Transportation Trust	63,167.39
"E911" Operations	16,789.49
Local Govt Infrastructure Surtax	229,366.75
Affordable Housing Assistance Trust	14,582.35
Special Law Enforcement Trust	2,043.98
Risk Retention	6,734.89
Employee Benefit	104,253.94
Special Payroll	139,912.13
Law Enforcement Education	373.72

Upon roll call, all Commissioners voted aye. The motion carried.

B. CODE ENFORCEMENT OFFICER:

1. REQUEST TO DECLARE NUISANCE #94-057

Motion by Commissioner Maxcy, seconded by Commissioner Gentry, to declare a Nuisance in Case #94-057, Robert L. and Joyce E. Emerick. Upon Roll call, Commissioner Vickers voted nay, all Commissioners voted aye. Motion carried. See SMB 21 Page 101.

2. REQUEST TO RECORD NUISANCE RELEASE #94-040

Motion by Commissioner Gentry, seconded by Commissioner Gose, to record Nuisance Release in Case #94-040, Clarence Leon VanInwagen, Jr. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 102.

C. COMMUNITY DEVELOPMENT DIRECTOR: REQUEST PERMANENT POSITION

Motion by Commissioner Gose, seconded by Commissioner Gentry to waive the Personnel Policy Manual and approve a budget amendment to

create a permanent position for one year and then to review the Department at that time. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 103.

**D. COMMUNITY DEVELOPMENT DIRECTOR: REQUEST TO SET PUBLIC HEARING DATES FOR THE COMPREHENSIVE PLAN AMENDMENTS**

The Planning Department suggested the dates of Tuesday, September 13 at 5:30 P. M. for Planning and Zoning Commission Hearing and Tuesday, September 27 at 5:30 P. M. for the Board of County Commissioners Hearing. The Board directed the County Administrator to set the proper dates. See SMB 21 Page 108.

**D. COUNTY ENGINEER: INTERLAKE BLVD. ENHANCEMENT PROJECT-DOT JOINT PROJECT AGREEMENT**

Motion by Commissioner Summers, seconded by Commissioner Gentry to adopt the authorizing resolution, to execute the Joint Project Agreement with the FDOT, and to approve a budget amendment to allow dispersement of the matching funds to the FDOT. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 130.

The Commission thanked the County Engineer for all the help and support received while employed with Highlands County and wished him well in his new employment change.

**E. BUDGET OFFICER: PLACID UTILITIES FINANCING OPTIONS**

The Assistant County Administrator presented the Clerk's recommendation for the best financing option available for the acquisition of the Utility. The Clerks Finance Officer gave an analysis of the proposal with the recommendation to accept Barnett Bank's offer. See SMB 21 Page 109 for copy.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the recommendation of the Clerk's office and accept Barnett Bank's Option #1; to lock the rate in at 6.35%. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. ASSISTANT COUNTY ADMINISTRATOR:**

**1. JAIL PROJECT UPDATE**

See SMB 21 Page 110.

**2. INSURANCE SETTLEMENT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Chairman to execute the Insurance Settlement for the County to receive \$2,900.00 against \$5,796.75 in damages that were incurred in the Robert W. Wilson case. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 111.

**G. BOARD ATTORNEY:**

**1. REQUEST FROM STATE ATTORNEY TO SET ASIDE JUDGEMENT LIEN**

Motion by Commissioner Gose, seconded by Commissioner Gentry to set aside Judgement Lien for Michael Baker in Criminal Case CF-9262881 XX. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 112.

**2. LEASE FOR ANIMAL CONTROL FACILITY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve lease between the Sebring Airport Authority, the City of Sebring and Highlands County for the Animal Control Facility. Upon Roll call, all Commissioners voted aye. Motion carried.

**H. COUNTY ADMINISTRATOR:**

**1. APPOINTMENTS TO CHILDREN'S SERVICES COUNCIL**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the recommendations of the Human Services Director to appoint JoAnn Walz-Real Estate Broker and Ethel Ellis-Guidance Counselor, Lake Placid High School to the Childrens Services Council along with the acceptance of Ed Barron's resignation. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 113 for copy of full membership to the Board.

**2. APPOINTMENT TO HOSPITAL DISTRICT BOARD**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to appoint Mr. Jim Clinard to the Hospital District Board. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 114 for copy of Resume.

**9. ADJOURNMENT**

The meeting adjourned at 12:05 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**WORKSHOP MEETING OF THE BOARD, AUGUST 15, 1994  
EMERGENCY OPERATIONS/FIRE SERVICE**

The meeting was called to order at 7:00 P.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**Thomas Portz  
Carl Cool  
Tim Eures  
Stephanie Layton**

**OVERVIEW COMMENTS**

The Emergency Operations Coordinator spoke on behalf of the Firechief's Association, the various fire departments, fire fighters, and the emergency operations office. He feels they need to break down the division lines that separate the departments such as fire services, prevention, emergency and management to consolidate efforts and work together. Starting at the next S.O.P. meeting a 5-year plan will be developed to go to the year 2000. Knowing the level of service citizens want, how it can be provided, what it will cost, and a systematic approach to achieve it are all important questions to address.

**COMMENTS FROM FIRE CHIEF'S REPRESENTATIVES**

Jack Saceman, Assistant Chief from the Lake Placid Volunteer Fire Department, discussed achievements of the Highlands County Fire Chief's Association whose first meeting was February 21, 1983, and the future needs of Highlands County.

Joe Trainer, City of Avon Park Fire Chief, discussed combining EMS and the fire departments.

**OPEN DISCUSSION WITH COUNTY COMMISSIONERS**

Commissioner Gentry - do a survey to find out how happy citizens are with the level of service they are receiving, do they want to increase service, and are they willing to pay for this increase.

Commissioner Summers - wants to see an estimate of cost of the various departments.

Commissioner Gose - upgrade equipment, increase training and enhancement of 911 system.

Commissioner Maxcy - interested in a survey of Highlands County citizens to see if increased services are a priority.

County Administrator, Carl Cool, welcomed the Fire Service to schedule another meeting with the Board whenever necessary.

The meeting was adjourned at 8:15 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, AUGUST 16, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Courts, Luke Brooker.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Bill Jones presented the Daily Jail Log of Inmate Count for the period ending 8/16/94. He reported that Highlands County is at the capacity that will require transfers to Hardee County in order to comply with present standards. The Commission discussed the problems associated with the Violation of Probation inmates. Mr. Jones advised that the Medical Director Liability issues will be addressed at the next meeting.

- D. ASSISTANT COUNTY ADMINISTRATOR:**

- 3. JAIL UPDATE**

Mr. Portz reported that the Professional Services Acquisition Committee met with Peter Brown Construction on August 15, 1994 and brought to the table a guaranteed maximum price. They have agreed to rework their figures with the Architect from HOK and meet again on August 24, 1994 in hope to arrive at better figures.

- B. CLERK**

Mr. Brooker advised that upon suggestion he has observed the Cuban Laurel Tree and find it to be in good condition. He would suggest that the splits at the end should be pruned back and painted.

Mr. Brooker reported on the trial that is being held in Highlands County this week. This County is now holding trials two weeks out of the month.

- C. MEETINGS THIS WEEK:**

Reported meetings and additional meetings were read into the record by the County Administrator, Carl Cool.

4. **COMMENTS AND QUESTIONS**

**CITIZENS NOT ON AGENDA**

No citizens appeared before the Commission.

5. **COMMISSIONERS**

Commissioners Summers questioned the delay on the construction of the Lake Placid Library. The County Administrator reported a delay in the approval of the Shop Drawings on the Steel.

6. **ACTION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows.

- A. CONSENT AGENDA**

1. **Approval of minutes of Special Meeting 7-19-94 and Regular meeting 8-9-94.**
2. **Accept into record July Monthly Report.**

3. **Approval of Street name changes. See SMB 21 Page 115.**
4. **Approval of Radiological Emergency Preparedness Agreement.**

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. COUNTY ENGINEER: EXECUTION OF INTERLOCAL AGREEMENT**  
Motion by Commissioner Gose, seconded by Commissioner Summers to approve and execute an Interlocal Agreement with the City of Sebring to facilitate intergovernmental cooperation, pursuant to Florida Statutes, in the issuance of building permits and certificates of occupancies on developments where certain off-site improvements are required. Upon Roll call, all Commissioners voted aye. Motion carried.

The Board directed the County Administrator to send a letter to all three municipalities asking if they would be interested in accepting road maintenance of roads incorporated within the city boundaries.

**C. SOLID WASTE DIRECTOR: GARBAGE FRANCHISERS LANDFILL HOLIDAY CLOSING REQUEST**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the request of the Franchisers that the Landfill Schedule for this Christmas and New Years be set for Saturday and Sunday as opposed to Monday following the Holiday and in the future, authorize the County Administrator to make the change on special holidays. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. ASSISTANT COUNTY ADMINISTRATOR:**

**1. EMERGENCY MEDICAL SERVICE UPDATE**

Mr. Portz advised that the County has received a labor inquiry from the Division of Labor. A response is being prepared to send to the Labor Attorneys in Orlando. When the package is completed, recommendations will be brought back before the Commission to get their concurrence. A shift configuration is being analyzed. The idea is to reduce the hourly wage of the employees and begin paying overtime at the 40-hour mark with the net effect producing about the same results. The adverse effect would be if an employee worked a significant amount of overtime hours. At this point staff wishes to work through the Labor Inquiry and then the Board can look at the bigger policy decision if it so chooses on what to do with the agency in the future.

**2. INSURANCE RECOMMENDATIONS**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to accept the first four recommendations of the Insurance Committee and to utilize the same process for negotiations as used last year. Sonny Stalls questioned if the Board has a catastrophic plan above the self-insurance coverage. He was advised that we do. See SMB 21 Page 116 for copy of recommendations.

Upon Roll call, all Commissioners voted aye. Motion carried.

**3. U.S.A. CABLE UPDATE**

The Assistant County Administrator reported that U.S.A. Cable and Comcast is in significant negotiations for purchase of the Cable Company. It would be beneficial to the customers if Comcast would take over the Franchise to provide better service to the customers of the Spring Lake area.

**E. BOARD ATTORNEY**

**1. SUN'N LAKES OF LAKE PLACID SPECIAL RECREATION DISTRICT EXEMPTION RESOLUTION**

No action was taken as this item should have been advertised under the Special Tax District publication. Consideration will be given at the next meeting.

**2. ORANGE BLOSSOM COUNTRY CLUB COMMUNITY-TENTATIVE RATE RESOLUTION**

No action was taken as this item should have been advertised under the Special Tax District publication. It will be considered at the next meeting under the district.

**F. COUNTY ADMINISTRATOR**

**1. INTERLOCAL AGREEMENT WITH CITY OF AVON PARK FOR BUILDING INSPECTIONS**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Interlocal Agreement with City of Avon Park for Building Inspections by the County. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. DISCUSSION OF ANONYMOUS COMPLAINTS TO CODE ENFORCEMENT**

The County Administrator advised that staff will obey the wishes of the Board. If they prefer signed complaints they will respond to any level within the limitations of the Personnel. The following persons commented on the issue:

- (a) Mike Carr request the appointment of a committee to revisit the code.
- (b) Wendell Whitehouse, Attorney, There are three points on Anonymous Complaints. The Ordinance requires written complaints.
- (c) Hank Kowalski-In favor of changing the wording.
- (d) Mike Johnson, Spring Lake, supports Anonymous Complaints.
- (e) Clayton Womer-request to continue the way it is.
- (f) Bruce Sherwood-suggestion to allow Code Enforcement to investigate and then request signature from complainant.

After discussion the consensus of the Board was to take no action at this time. See SMB 21 Page 117 for copy of staff report.

**3. REVIEW OF PROPOSED LAND DEVELOPMENT REGULATION HEARING PROCESS**

The County Administrator advised that a meeting will be held at 5:30 P.M. 8/16/94 with the three Board's to become familiar with the process. Mr. Cool reviewed the process for the adoption of the LDR's and requested any questions or comments. Commissioner Gentry commended Commissioner Gose for his work on the project. The Chair suggested that if anyone has questions on the document it should be placed in writing and addressed to the County Administrator's office.

**4. REPORT ON THE SEBRING AIRPORT AUTHORITY**

The County Administrator reported that Mike Willingham will be here at the next meeting to present an in-depth report on the Airport Authority. There-after a monthly report will be presented on a monthly basis.

**5. MINUTE MARKET PROPERTY-SCHOOL BOARD**

The Board concurred with the County Administrator to attend the meeting of the School Board to discuss a swap of property for a Parking Lot and to report back the information.

**9. ADJOURNMENT**

The meeting adjourned at 11:21 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, AUGUST 23, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Chairperson Vickers.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending August 23, 1994. See SMB 21 Page 119. The Commission questioned Mr. Rodgers on guidelines for sentencing. The County Administrator reported on the success of the Work Release Program.

Mr. Rodgers also shared an update on the Traffic Control Program.

The Undersheriff reported back on the Medical Malpractice Insurance. Dr. Caruso currently carries coverage with an organization called SPL self-insurance trust fund. This currently insures at \$250,000 each claim and \$750,000 aggregate. They have agreed to increase the coverage to 1,000,000 each claim; 3,000,000 aggregate. The county is also insured for an additional \$2500, the premium he currently pays. He requested this amount be taken out of the Corrections Contingency. Mr. Jones also reported that Sovereign Immunity would extend to the Medical Director and to the Attorney. Commissioner Gose requested that Mr. Jones negotiate with all Health Care Providers for the best rates possible. The consensus of the Commission was to proceed with the request.

**DARE PROJECT PROGRAM REPORT**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to authorize the Chairman to execute the letters for the County's participation in the Dare Project Program in order to receive an additional \$12,480 in funds. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. CLERK**

The Clerk updated the Board on the "Potts" Trial.

- C. MEETINGS THIS WEEK:**

The County Administrator read into the record the reported meetings and additional meetings.

4. **ACTION:**

- A. PUBLIC HEARING TO CONSIDER THE FOLLOWING ZONING CHANGES**

**OLD BUSINESS:**

**JIM POLATTY - COMMUNITY SERVICES DIRECTOR**

**HEARING #1336 - M.E. VICKERS II C/O J. WENDELL WHITEHOUSE.** Tabled until after the Comp Plan Amendment scheduled for September 13, 1994 in the County Commission Chambers.

**HEARING #1337 - THE PALMS ESTATES OF HIGHLANDS COUNTY, INC WILLIS O. BOSSERMAN, PRESIDENT OF BOARD OF DIRECTORS.**

Requesting a zoning change from R-1 & M-2 (Residential district and

Mobile Home Parks district with Flexible Unit Development). Desired for newly constructed office/home and future RV Site F.U.D. Application should be approved to make zoning consistent to park use from previous years.

Proof of Publication entered into the record. See SMB 21 Page 120.

Motion by Commissioner Gose, seconded by Commissioner Gentry to uphold the recommendations of the Zoning Board and staff to adopt Resolution and approve the Hearing with an amendment to the Resolution as directed by the Board Attorney. See Res. Book 8 Page 131.

Upon Roll call, all Commissioners voted aye. Motion carried.

**NEW BUSINESS:**

**HEARING #1338 - AMERICAN HOME SERVICE CORP. JOHN WARE, AGENT**

Requesting a zoning change from AU & B-3 (Agriculture district and Business district) to B-2, B-3 and R-3 FUD (Limited Business district, Business district and Multiple Dwelling with Flexible Unit Development district). The FUD designation is required as the applicant needs the flexibility for the housing units to be either condominium ownership, rented or sold. Also, desire for professional businesses.

Proof of Publication entered into the record. See SMB 21 Page 121. Public input was received from Mr. John Ware, Agent in favor of the zoning.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the recommendations of the Planning and Zoning Board and to adopt the Resolution with changes as amended. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 132.

**HEARING #1339 - WILLIAM R. AND PATRICIA W. HANDLEY**

Requesting a zoning change from B-1 (Neighborhood business district) to B-2 (Limited Business district). For professional offices and retail stores.

Gary Lower - Planning and Zoning approved with B-2 and Condominium ownership.

Proof of Publication entered into the record. See SMB 21 Page 123. Motion by Commissioner Gose, seconded by Commissioner Gentry to approve recommendations of the Planning and Zoning Board to approve the Zoning change and adopt the Resolution with the requirement of a Unity of Title for Hearing #1339. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 133.

**HEARING #1340 - RIDGE RESORT MANAGEMENT CORPORATION**

Requesting a zoning change from R-3 and AU (Multiple Dwelling district and Agriculture) to R-3 FUD (Multiple Dwelling with Flexible Unit Development). The project is to be recorded with the state and county as a condominium and will not be platted. Maintained by the condominium association.

Proof of Publication entered into the record. See SMB 21 Page 124.

Motion by Commissioner Maxcy seconded by Commissioner Gentry to approve Hearing #1340 with adoption of the Resolution and an execution of Unity Title Agreement to assure set back lines and open spaces are maintained. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 134.

**HEARING #1341 - NORSTAR COVE CORP. REPRESENTED BY M.R. KROEGER**

Requesting a zoning change from R-3 and R-3 FUD (Multiple Dwelling district and Multiple Dwelling district with Flexible Unit

Development). **Desire zero lot line. Condominium development.**  
Proof of Publication entered into the record. See SMB 21 Page 125.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve recommendation of the Planning and Zoning Board to approve Hearing and to execute the Resolution with the change as stated in the Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 135.

**B. PUBLIC HEARING TO CONSIDER PLAT VACATION - CITY OF AVON PARK**  
Proof of Publication entered into the record. See SMB 21 Page 126 for copy. Public input was received from Debra Ruster in favor of the Plat Vacation. Motion by Commissioner Gentry, seconded by Commissioner Gose to approve request from the City of Avon Park for Plat Vacation-Airport in Avon Park Estates. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 136.

**C. NATURAL RESOURCES ADVISORY COMMITTEE: NATURE CONSERVANCY GRANT**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to uphold the recommendation on The Nature Conservancy's proposal for grant preparation work in the total amount of \$4,865, provided that the Sun'N Lake Improvement District contributes its half-share of \$2,432.50 for this grant work. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 127.

**5. COMMENTS AND QUESTIONS**

**A. MIKE WILLINGHAM, SEBRING AIRPORT: UPDATE PRESENTATION**

Mr. Willingham updated the Board as to the status of the Interlocal Agreement and other projects and activities at the Airport.

Mr. Dan Dorrell, CPA, presented an Accountant's Compilation Report and the schedule of forecasted cash flows for Grant Projects for the period beginning January 1, 1994 and ending March 31, 1996. See Airport Authority for copy.

Mr. Clayton Womer commented on the very good reports given regarding the Airport Authority.

**7. RECESS - 10:25 A.M.-10:37 A.M.**

**B. CITIZENS NOT ON AGENDA**

Mr. Richard Conover - questions regarding the Professional Services Acquisition Committee.

Mr. Don Reeves - New Fire Regulations requiring Automatic Fire Extinguisher System for kitchen type stoves in Recreation Halls and Club Houses. The Assistant County Administrator will get with Mr. Reeves and present a recommendation back to the Board.

Ms. Joan Pflueger - questions regarding Lake Olivia. The County Administrator suggested that questions should be placed in writing and answers will be presented back in writing.

Mr. Mike Johnson, Spring Lake Homeowners Association, spoke to the Commission regarding cable problems in that area. Motion by Commissioner Gose, seconded by Commissioner Maxcy to put the Franchise Holder, U.S.A Cable, on notice that they are in violation of the Franchise and allow staff to take appropriate measures. Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Hank Kowalski addressed the Board regarding the procedure requirement to fill out a form before appearing before the

Commission. The Chair informed Mr. Kowalski that a written policy will be considered.

Inspector Jim Rodgers presented answers to questions on the make-up of the Jail Population.

Mr. Ernie Rasmussen spoke regarding the Highlands Park Estates 1994 Road Construction request. He thanked the County Engineer and Road Department for the good work performed.

**6. COMMISSIONERS**

Commissioner Gentry discussed the August 31st Workshop and what issues she would like to address. She would like to sit down and discuss where the County is going. Doug Leonard has been requested to come and facilitate the Workshop. The Chair noted that she was in favor of the Workshop and would like to discuss the development of the main roads. Mr. Polatty has scheduled the Economic Development Commission as a first amendment to the Comp Plan. The Assistant County Administrator would like to seek direction as to the staffing issue with the Economic Development Commission. Commissioner Gose suggested that it is time to take the issue to Public Hearing. The Chair repeated that August 31st would be a long-range Workshop. Commissioner Gentry suggested that we invite the Sebring Airport Authority, EDC, Planning and Zoning and other special interest parties.

Commissioner Gose gave a report on the L.D.R. Committee, reminding the Commission that the Committee is not endorsing the adoption by the Board at this time.

Commissioner Gose also gave a report on the Peace River Basin Board meeting and the Lake Jackson-Josephine project. He stated that the \$150,000 funds that were designated by SWFWMD and the Board will not be used until the Soil Conservation and Peace River Basin Board are comfortable with the project that is to be done. Secondly, the Soil Conservation Service was in Highlands County to perform an "on site" inspection. Recommendations will be presented as to their findings.

Commissioner Maxcy suggested that the Commission discuss the EMS Privatization and a possible committee should be appointed for participation in any negotiations. The County Administrator advised that a committee was approved (Employee Awareness) Committee. Emergency Medical Service is represented by three employees. These three members will be included in any discussions. The Chair noted that this matter has never been publicly discussed by the Board and no policy decision has been made. The Chair directed the County Administrator to present an update on 9/6/94 Agenda.

**8. RECONVENE-ACTION:**

**A. CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as follows:

1. Approval of minutes of workshop meeting 8-15-94 and regular meeting 8-16-94.
2. Approval of street name change, Doc Sherwood Blvd. See SMB 21 Page 128.
3. Approval of EMS Grant Application and Resolution. See Res. Book 8 Page 137.
4. Approval of Budget Amendments #93-94-249,250 and 252.

5. Approval to pay the following duly authorized warrants:

Law Library	318.95
General	190,913.50
County Transportation Trust	21,513.21
"E911: Operations	16,870.21
Local Govt Infrastructure Surtax	186,108.42
Affordable Housing Assistance Trust	3,678.40
Risk Retention	13,307.06
Employee Benefit	129,573.92
Tax Deed Surplus	
	789.32

Upon roll call, all Commissioners voted aye. Motion carried.

**B. COUNTY ENGINEER:**

**1. HIGHLAND PARK ESTATES 1994 ROAD CONSTRUCTION REQUEST**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the list request of the Highlands Park Estates Homeowners Association to allow the Engineering Department to provide survey, design and permitting services, prepare all contract documents, handle the bidding and perform construction management for the construction of the requested roads. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 Page 129 for copy of listed roads.

**2. DOT WORK PROGRAM REQUEST: 1995/96 - 1999/00**

The County Engineer submitted the DOT's request and priorities for the Board's review and approval. He listed the single most important item on the list as the Eucalyptus Parkway - Phase II Right-of-Way Acquisition and Construction.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve and submit to the DOT the Work Program priorities with Eucalyptus Parkway Phase II as the number one project and to place as a number 7 priority a request that DOT identify in the five year plan the next step of studies on the Corridor Road. Upon Roll call, all Commissioners voted aye. Motion carried. See DOT file for copy.

**3. COOPERATIVE AGREEMENT WITH SWFWMD FOR MELALEUCA CONTROL PROJECT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve for execution the Cooperative Agreement with SWFWMD for the Melaleuca Control project on Lake Jackson on a 50% basis for the District and the County. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to instruct the Board Attorney to prepare an Interlocal Agreement with the City of Sebring for the Melaleuca control project. Upon Roll call, all Commissioners voted aye. Motion carried.

**4. TRAFFIC SIGNAL MAINTENANCE AND OPERATION ORDERS**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the FDOT Maintenance Agreement for intersection improvements for US 27 @ Lake Josephine Drive and SR 70 @ CR 721 between the Department and the County. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. ASSISTANT COUNTY ADMINISTRATOR: JAIL PROJECT UPDATE**

August 15, 1994-Contract negotiations session. Peter Brown Incorporated brought to the session a Guaranteed Maximum Price of

\$5,499,608.00. After several hours of discussion, the meeting adjourned with Peter Brown to come back August 24, 1994 at 1:30 P. M. Mr. Portz reviewed with the Board the Schedule of Values Bid Packages See SMB 21 Page 130 for copy of negotiations. The Chair and County Administrator will meet with Chief Judge McDonald to discuss Sentencing Guidelines.

**D. COUNTY ADMINISTRATOR:**

**1. REPORT ON INSURANCE NEGOTIATIONS**

See SMB 21 Page 131 for copy of minutes.

**2. REPORT ON PLACID UTILITIES ENVIRONMENTAL SITE ASSESSMENT**

See SMB 21 Page 132 for copy of report.

The County Administrator reported that the County population has increased 3,557 over last year according to the census, bringing the total up to 75,860.

**9. ADJOURNMENT**

The meeting adjourned at 12:30 P. M.

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Clerk

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WORKSHOP MEETING OF THE BOARD, August 31, 1994

The meeting was called to order at 7:30 A.M. with the following members present:

**Audrey Vickers**  
**James L. Gose**  
**Archie Summers**  
**C. Guy Maxcy**  
**Doris Gentry**

**Carl Cool**  
**Stephanie Layton**

1. Chairperson Vickers called Workshop to order. She explained that the workshop today is an informal discussion of the tourist tax and how it will affect the community and the economy of the tourism industry in Highlands County.
  - A. County Administrator entered Notice of Workshop into the record. Proof of Publication SMB 21 page 135.
2. Gary Smith, Florida Hotel & Motel Association, explained how a bed tax is imposed:
  - A. Appoint a Tourist Development Council:
    - 1) 3 Hoteliers
    - 2) 3 Government Representatives
    - 3) 3 Related Tourist Industry Representatives
  - B. The Tourist Development Council decides how the tax is to be used.
  - C. The Tourist Development Council puts together a plan which is put on the ballot.
3. Jim Brantley, Executive Director of the Tourist Development Council in Polk County, spoke about the history of the tourism tax in Polk County since it was established in 1986.
4. Various members of the Highlands Hospitality Committee gave their opinions on the tourist tax.
5. Chairperson Vickers summarized the meeting by asking the Highlands Hospitality Committee to return to the Board in about a month with 3 names for the Tourist Development Council.

The meeting adjourned at 9:18 A.M.

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**Chairman**

**Attest:** \_\_\_\_\_  
**Clerk**

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**REGULAR MEETING OF THE BOARD, September 6, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

<b>Audrey Vickers</b>	<b>L.E. 'Luke' Brooker</b>
<b>James L. Gose</b>	<b>Carl Cool</b>
<b>Archie Summers</b>	<b>J. Ross Macbeth</b>
<b>C. Guy Maxcy</b>	<b>Stephanie Layton</b>
<b>Doris Gentry</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Dr. Gene Bengston.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate County for the period ending September 6, 1994. See SMB 21 Page 136.

- C. MEETINGS THIS WEEK:**

The County Administrator read into the record the reported meetings and additional meetings.

4. **ACTION:**

- A. CHARLES GOUGH: REQUEST FOR RETIREMENT BENEFITS**

Mr. Gough was scheduled to retire June 30, 1994, but worked July 1, 1994. He was therefore unable to collect retirement benefits for the month of July. The Board decided to agenda a Determination Hearing for Benefits at the September 20, 1994, meeting. See SMB 21 page 137.

5. **COMMENTS AND QUESTIONS**

- A. CITIZENS NOT ON AGENDA**

1. Mr. Richard Conover - questions regarding the scheduling of Board meetings.
2. Mr. Luke Lirot - Adult Book Store - will speak when topic is on agenda.

8. **RECONVENE-ACTION:**

- A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Consent Agenda as follows:

1. Approval of minutes of 8-16-94 workshop, 8-23-94 regular meeting, 8-24-94 public hearing.
2. Approval of street name - Cockrell Road. See SMB 21 Page 138.
3. Approval to execute Recapitulation of Ad Valorem Tax Roll, 1993. See SMB 21 Page 139.
4. Approval to execute grant - Citrus Irrigation Scheduling Demonstration. See SMB 21 Page 140.
5. Approval to execute agreement with Consumer Credit Counseling Service. See SMB 21 Page 141.
6. Approval to execute EMS Agreement with South Florida Community College. See SMB 21 page 142.

7. Approval to sign release of EMS Claim #56849. See SMB 21 Page 143.
8. Approval to execute payroll deduction contracts for insurance providers. See SMB 21 Page 144.
9. Approval to execute Waste Tire Grant. See SMB 21 Page 145.
10. Approval to execute Agreement with Historic Property Assoc., Inc.
11. Approval of variance request - Cloverleaf Estates. See SMB 21 Page 147.
12. Approval to execute Aquatic Plant Control Grant contract forms.
13. Approval of Budget Amendments #93-94-254,261,269,273-276.
14. Approval to execute Memorandum of Understanding with Avon Park Fire Dept.
15. Approval of plat recording - Sun'n Lake of Sebring. See SMB 21 Page 151.
16. Approval to transfer title of pumper truck. See SMB 21 Page 152.
17. Approval of resolution modifying Housing Assistance Plan. See Res Book 8 page 138.
18. Approval to pay the following duly authorized warrants:

Law Library	264.00
General	1,342,390.89
County Transportation Trust	29,725.69
"E911" Operations	25.27
Local Govt Infrastructure Surtax	99,445.79
Affordable Housing Assistance Trust	13,752.00
Risk Retention	5,481.58
Employee Benefit	46,213.13
Special Payroll	97,395.28

7. RECESS - 9:50 A.M.-10:00 A.M.

Upon roll call, all Commissioners voted aye. Motion carried.

**E. BOARD ATTORNEY: DISCUSSION OF "SEBRING ADULT BOOKSTORE AND VIDEOS"**

The Board Attorney discussed the county ordinance prohibiting certain adult use businesses within 500 feet of certain zoning districts. Mr. Macbeth received a letter from Luke Lirot, attorney for the owner of this business, Mr. Robert Gluck. See SMB 21 Page 154 for copy of this letter. Today's agenda item is to acquaint the Board with the effect of the ordinance that appears to be applicable to the situation.

Luke Lirot spoke on behalf of the Sebring Adult Bookstore and Video Store. He stated that there have to be

locations available in this community for this type of business. Numerous citizens in attendance spoke against this type of business and one citizen spoke in favor. The County Administrator received 117 petitions opposed to this business opening and 92 phone calls opposed. The Board instructed Mr. Macbeth to enforce the Ordinance.

**RECESS - 11:05 A.M.-11:18 A.M.**

- B. OPERATIONS DIRECTOR: REQUEST FOR SHELL - CITY OF SEBRING**  
This request has been withdrawn.

**D. ASSISTANT COUNTY ADMINISTRATOR:**

1. Jail Project Update-See Peter Brown Construction file for copy.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to appoint Tom Portz as designated representative without limitation. Upon Roll call, all Commissioners voted aye. Motion carried.

2. Recommendation on Guaranteed maximum Price Contract. See SMB 21 Page 157.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the contract with Peter Brown Inc. Upon Roll call, all Commissioners voted aye. Motion carried.

3. Emergency Generator purchase-See SMB 21 Page 158.  
Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the bid as presented to purchase an emergency generator. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. FIRE MARSHAL: DISCUSSION OF COOKING APPLIANCE PROTECTION**

Ed Brown, County Fire Marshal, explained the fire codes to be enforced on cooking appliances where more than 50 people gather. Don Reeves discussed overregulation. See SMB 21 Page 159.

**RECESS - 12:40 P.M. - 1:30 P.M.**

**F. COUNTY ADMINISTRATOR**

1. Discussion of Lakes Placid-Mirror surface water connection. See SMB 21 page 160. Chairperson Vickers asked Commissioner Maxcy to inspect these lakes and report to the Board at the next meeting.

2. Request to renew BFI Franchise Contract. See SMB 21 page 161.

Motion by Commissioner Gentry, seconded by Commissioner Gose to extend the Solid Waste Collection Franchise Contract for Browning-Ferris Industries from October 1, 1995, through September 30, 2000. Upon Roll call, all Commissioners voted aye. Motion carried.

3. Request to renew Reliable Sanitation Contract. See SMB 21 page 162.

Motion by Commissioner Gentry, seconded by Commissioner Gose to extend the contract with Reliable Sanitation from October 1, 1995, through September 30, 2000. Upon Roll call, Commissioner Maxcy abstained from voting, all other

Commissioners voted aye. Motion carried.

4. Update on EMS privatization discussions. See SMB 21 Page 163. Steve Coltharp spoke on the future of EMS in Highlands County. The Board unanimously felt they did not want to do any more on EMS privatization. Chairperson Vickers asked the County Administrator to contact the Florida Assn. of Counties for a survey on fire rescue and update the Board at the September 20 meeting.
5. Chastain-Skillman change order #1 - Lake Placid Library.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the change order of \$1,355.32 and the accompanying budget amendment. Upon Roll call, all Commissioners voted aye. Motion carried.

6. Suggested policies from Board:

- a. Election of Chairman. See SMB 21 Page 165.

Motion by Commissioner Gose, seconded by Commissioner Summers to adopt page 1 of the Policy of Election of Chairman and Vice-Chairman of the Board. Upon Roll call, all Commissioners voted aye. Motion carried.

- b. Agenda items for discussion. See SMB 21 page 165.

Board decided to use pages 2 and 3 of memo as informal guidelines to be followed.

- G. Motion by Commissioner Gose, seconded by Commissioner Summers to waive the agenda to take up budget amendment. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Summers to authorize a budget amendment to add \$65,000 to detention and corrections medical for the balance of the fiscal year. Upon Roll call, all Commissioners voted aye. Motion carried.

## **6. COMMISSIONERS**

- A. Commissioner Gentry, as a member of the Florida's Heartland Rural Economic Development, asked for a letter of support for migrant farmworker housing in Highlands County.

Motion by Commissioner Gentry, seconded by Commissioner Gose to give a letter of support for migrant farmworker housing in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. Commissioner Gose gave update of a special meeting of the LDR committee last Friday.
- C. Commissioner Maxcy stated that last week the insurance committee entered into negotiations with regards to insurance contracts.
- D. Commissioner Vickers and Mr. Cool will be appearing on Tuesday before the Historic Preservation Advisory Council on behalf of the Grant for the Courthouse.

## **9. Adjournment**

The meeting adjourned at 3:05 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, September 13, 1994**

1. The meeting was called to order at 5:00 P.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Stephanie Layton**

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending September 13, 1994. See SMB 21 Page 167.

- B. CLERK**

In the 1993 calendar year over 600 marriage licenses were issued. So far in 1994 over 500 licenses have been issued. Approximately 1 out of 4 of these licenses are being married by the Clerk.

Chairman Vickers stated that they had a very positive response in Tallahassee for the request for the \$250,000.00 Grant for the Courthouse.

- C. MEETINGS THIS WEEK:**

The County Administrator read into the record the reported meetings and additional meetings.

4. **COMMENTS AND QUESTIONS**

- A. CITIZENS NOT ON AGENDA**

1. Richard Conover - local business says, "Thank you".

5. **COMMISSIONERS - no reports.**

6. **ACTION:**

- A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows:

1. **Approval of nominees to Insurance and Safety Committee. See SMB 21 Page 168.**
2. **Approval of Budget Amendments # 93-94-272,281,285.**
3. **Approval of addition to Preferred Provider Organization.**
4. **Approval of name change - Celebrity Court. See SMB 21 Page 170.**
5. **Approval to sign grant application - Florida Communities Trust.**  
Pulled from agenda. No action.

Upon roll call, all Commissioners voted aye. Motion carried.

- B. ASSISTANT COUNTY ADMINISTRATOR: PURCHASING RESOLUTION**

Mr. Portz presented for Board consideration the Purchasing Resolution. See Res Book 8 Page 142.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve Purchasing Resolution to handle the purchasing requirements

of the Highlands Count Jail Expansion. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. COUNTY ADMINISTRATOR:**

1. Discussion of Historic Preservation Commission members. See SMB 21 Page 171.

2. Report on Insurance Negotiations  
Mr. Cool discussed the proposed three year contract with Robey-Barber Insurance Services for the Third-party Administrator. The second contract for Health Advantage Network that goes along with the Third Party Administrator contract. The third contract is for Risk Manager/Agent of Record between Highlands County and Heacock Insurance.

Karen Adwell from Robey-Barber Insurance Services, defined the Third Party Administrator.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to accept the Insurance Agreements as defined by the County Administrator. Upon Roll call, all Commissioners voted aye. Motion carried.

**BOARD ATTORNEY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to waive the agenda to consider action on the non-ad valorem assessment to certify the roll of mandatory garbage collection to the tax collector. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to authorize the Chairman to certify the non-ad valorem assessment roll for Solid Waste Assessment. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. ADJOURNMENT**

The meeting adjourned at 5:30 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, September 20, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Stephanie Layton**

Also present were Jim Polatty, Development Services Director, and Gary Lower, Zoning Supervisor.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk, Luke Brooker.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending September 20, 1994. See SMB 21 Page 174.

County Administrator asked the Board to approve the retirement of Kaiwa, a drug sniffing dog, to take the dog off the Board inventory.

Motion by Commissioner Gose, seconded by Commissioner Summers to approve the retirement of Kaiwa, the drug sniffing dog. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. CLERK - speaking later on Value Adjustment Board.**

- C. MEETINGS THIS WEEK:**

The County Administrator read into the record the reported meetings and additional meetings.

4. **ACTION**

- A. DON HANSEN: PRESENTATION TO THE BOARD**

Mr. Hansen presented the Board with a signed print of the painting "View from Catwalk".

- B. PUBLIC HEARING TO CONSIDER VACATION OF PLAT - SUN'N LAKE UNIT 13**

Pulled from agenda.

- C. PUBLIC HEARING TO CONSIDER VACATION OF PLAT - HIGHLANDS RIDGE ON BONNET LAKE**

Proof of Publication entered into record SMB 21 Page 175. Mr. Cool explained that there is an error in the description of the plat vacation.

Mr. John Inglas, representing Highlands Ridge Associates, and Mr. John Juve, President of Highlands Ridge Associates, stated the reasons for this vacation.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the plat vacation, with the correction indicated by the Engineer, and adopt the Resolution. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. PUBLIC HEARING TO CONSIDER ZONING CHANGES:**

Hearing #1342 - Gustaitis, Ronald & Donna, represented by Lewis A. Tully, Agent. Sebring Lakes Units 4 A-B-C unrecorded replat by Thomas Svy, Tract II 11.70 acres. Requesting zoning change from R-1 (residential) to AU (agriculture). Desired because it is more liberal for owning animals and to facilitate a sale.

Proof of Publication entered into the record at SMB 21 page 176.

Richard Conover spoke in opposition to this zoning change.

Motion by Commissioner Maxcy, seconded by Commissioner Summers to approve Hearing #1342 and the Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res Book 8 page 144.

Hearing #1343 - Kenneth Michael Knox, individually and as Trustee and Bonnie L. Knox. A 20 acre parcel lying in Sections 27 and 34, Township 36 Range 30. Located at Highlands Lake Drive and Knox Lane. Requesting zoning change from M-2 (mobile home parks) to AU (agriculture). Desire a marina and boat storage facility. If approved, applicant will need a special exception from BOA, Sec. 12-82 (f).

Proof of Publication entered into the record at SMB 21 page 177.

Attorney Wendell Whitehouse, representing Mr. Knox, spoke in favor of this zoning change.

Hank Kowalski spoke in opposition to this zoning change.

Motion by Commissioner Gentry, seconded by Commissioner Summers to approve Hearing # 1343 with the findings of fact and the Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 page 145.

Motion by Commissioner Gose, seconded by Commissioner Gentry to waive the agenda to address a lien for code enforcement. Upon Roll call, all Commissioners voted aye. Motion carried.

County Administrator entered proof of publication into record. See SMB 21 page 178.

Motion by Commissioner Summers, seconded by Commissioner Gose to approve Notice of Lien Case No: 94-035. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 21 page 179.

**E. DETERMINATION HEARING FOR BENEFITS: CHARLES GOUGH**

Pulled from agenda. See SMB 21 Page 180.

**F. RESOLUTION: "LAKE ARBUCKLE APPRECIATION DAY"**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve a Resolution to observe October 8, 1994, as Lake Arbuckle Appreciation Day. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 146.

**G. PROCLAMATION: "INDUSTRY APPRECIATION WEEK"**

Motion by Commissioner Gentry, seconded by Commissioner Gose to proclaim the week of September 19-23, 1994, Industry Appreciation Week. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 153.

**I. DEDICATION OF MARY TONEY PATHWAY**

Motion by Commissioner Summers, seconded by Commissioner Gentry to adopt Resolution honoring Mary Toney. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 8 Page 147.

**H. GEORGE CORWIN: REQUEST FOR HIGHLANDAIRES ORCHESTRA**

Mr. Corwin requested a variance for the use of alcohol at the Agri-Civic Center during their dances. The Board decided to return this issue to the Building Use Committee with the idea of liability insurance and to see what other counties are doing and report back to the Board. See SMB 21 Page 182.

**5. COMMENTS AND QUESTIONS**

**A. CITIZENS NOT ON AGENDA**

1. Lee Wilder - Van Pelt Road drainage.
2. H.R. Scott McPhee - problems vesting property.  
See SMB 21 Page 183.

**RECESS 10:32 A.M. - 10:45 A.M.**

**6. COMMISSIONERS**

**A. Chairperson Vickers - Value Adjustment Board**

Motion by Commissioner Gose, seconded by Commissioner Gentry to elect Mr. Summers, Mrs. Vickers, and Mr. Maxcy to the Value Adjustment Board. Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Brooker announced a short meeting at 6:30 P.M. for the Value Adjustment Board. This will be for the 3 County Commissioners just elected and 2 School Board members elected last year.

**B. Commissioner Maxcy - Visioning Meeting**

**C. Commissioner Gose - Draft of Grant Application for Preserve**

**D. Commissioner Gentry - Selecting Initiative Committee Members**

**8. ACTION**

**A. CONSENT AGENDA**

Motion by Commissioner , seconded by Commissioner to approve the Consent Agenda as follows:

1. Accept into record - August Monthly Report.
2. Approval of minutes of 9-6 and 9-13-94, 9-6 and 9-7-94 public hearings.
3. Approval to transfer shelter supplies to Red Cross.  
See SMB 21 Page 184.
4. Approval to execute Labor Attorney contract renewal. Pulled from agenda.

- 5. Approval to execute Liability Insurance contracts. Commissioner Gentry asked Commissioner Maxcy to be on the Executive Committee.
- 6. Approval to execute Resolution and Agreement - US 27 and SR 70 signal. See SMB 21 Page 185 and Res. Book 8 Page 148.
- 7. Approval to appointment to Professional Services Acquisition Committee. See SMB 21 Page 186.
- 8. Approval to change order #1, Cell no. 1 earthwork and liner installation. See SMB 21 Page 187.
- 9. Approval of asphalt contract. See SMB 21 Page 188.
- 10. Approval of state aid application for libraries.
- 11. Approval of budget amendments 93-94-291, 299 and 300.
- 12. Approval to execute Solid Waste Recycling & Education Grant
- 13. Approval of Equipment trade with City of Sebring. See SMB 21 Page 189.
- 14. Approval to pay all duly authorized warrants:

Law Library	27.87
General	315,629.91
County Transportation Trust	38,041.45
"E911" Operations	222.62
Conservation Trust	100.00
Local Govt Infrastructure Surtax	127,741.97
Affordable Housing Assistance Trust	10,000.00
Special Law Enforcement Trust	648.84
Risk Retention	7,574.52
Employee Benefit	75,830.67
Special Payroll	19,383.86

Upon roll call, all Commissioners voted aye. Motion carried.

**B. OPERATIONS DIRECTOR: CITY OF SEBRING SANITARY SEWER PROJECT**

Pulled from agenda.

**C. COUNTY ADMINISTRATOR:**

- 1. Aquatic Plant Control Cooperative Participation Policy. Pulled from agenda. Board will take up at next weeks meeting.
- 2. Interlocal Agreement with City of Sebring for melaleuca control project.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Interlocal Agreement with the City of Sebring for the Melaleuca Control Project. Upon Roll call, all Commissioners voted aye. Motion carried.

3. Discussion of Christmas holidays.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Holiday Schedule in concurrence with the Judicial Schedule.

Richard Conover - a workshop should be scheduled the 4th Tuesday of each month.

Upon roll call, all Commissioners voted aye.

4. Library Strategic Plan 1994 - 97.

5. Discussion of Eucalyptus Parkway

- a. Accept into record - Study on railroad property.

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept into record the Environmental Study on Railroad Property. Upon Roll call, all Commissioners voted aye. Motion carried.

- b. Request to start Eminent Domain proceedings on Terry property. See SMB 21 Page 192.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the recommendation of the Committee and ask Mr. Macbeth to do what he can. Upon Roll call, Mr. Gose and Mrs. Gentry voted aye, all other Commissioners voted nay. Motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Gentry to halt work on the Eucalyptus Parkway Project. Upon Roll call, all Commissioners voted nay. Motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Gentry to follow the Committee recommendation in that before we start Condemnation proceedings against Mr. Terry we will also be entering into it on any other properties we have to condemn at the same time. Upon Roll call, Commissioners Gose, Gentry, and Summers voted Aye. Commission Vickers voted nay. Commissioner Maxcy abstained Motion carried.

County Administrator passed out coupons for Luby's. When you use this coupon, \$1.00 of your purchase will go to the County Library.

County Administrator also passed out a Space Need Study. See SMB 21 Page 193. Will be discussed at a later meeting.

**9. COUNTY ATTORNEY**

A. Comp Plan Hearings

1. H.E.C. - October 24, 1994.

B. LPA will not be ready with LDR's until mid October.

C. Purchase of Placid Utilities.

1. Barnett Bank wants financing agreement done in Ordinance form. Extend closing date to 11-1-94. Agenda next week.

**10. ASSISTANT COUNTY ADMINISTRATOR**

A. Jail project update.

- B. Miscommunication between county staff, property appraiser, and the Dept. of Revenue. Dept. of Revenue feels we need to fund the property appraiser another \$10,000.00. Will be discussed at Budget Meeting tonight.

**11. Adjournment**

The meeting adjourned at 12:25 P.M.

\_\_\_\_\_  
**Chairman**

**Attest:**

\_\_\_\_\_  
**Clerk**

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**REGULAR MEETING OF THE BOARD, September 27, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Stephanie Layton**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending September 27, 1994. See SMB 22 Page 1.

- B. CLERK**

Implementation of the Section 125 Cafeteria Plan will be delayed until January 1, 1995.

- C. MEETINGS THIS WEEK:**

The County Administrator read into the record the reported meetings and additional meetings.

4. **ACTION: DETERMINATION HEARING FOR BENEFITS: CHARLES GOUGH**

The County Administrator gave the Board an update of what he has done prior to this meeting. See SMB 22 Page 2.

Mr. and Mrs. Gough both spoke of their desire to be reimbursed for the lost retirement income to Mr. Gough.

Motion by Commissioner Summers, seconded by Commissioner Maxcy that the official retirement date of Charles Gough be 1 July, 1994, and that the payment on his retirement as figured by the state be approved.

Commissioner Summers withdrew his motion and Commissioner Maxcy withdrew his second.

Motion by Commissioner Summers, seconded by Commissioner Gose that the loss suffered by Mr. Gough was not caused by the County and cannot be reimbursed by the County.

Mike Johnson and Harold Seaman both suggested that the Board pay Mr. Gough his lost retirement.

Upon roll call Commissioners Summers, Gose, and Gentry voted aye. Commissioners Maxcy and Vickers voted nay. Motion carried.

5. **COMMENTS AND QUESTIONS**

- A. H.R. SCOTT MCPHEE: VESTING**

Mr. McPhee stated that he never anticipated using this property for a mobile home park as printed in the News-Sun Sentinel on Sunday. It is not zoned for a mobile home park. He wanted a home site and an investment. See SMB 22 Page 3.

- B. CITIZENS NOT ON AGENDA.**

No citizens on the agenda today.

7. **RECESS 10:23 A.M. - 10:45 A.M.**

**6. COMMISSIONERS**

Motion by Commissioner Gentry, seconded by Commissioner Gose to rescind the previous motion and continue to have meetings the first three Tuesdays of the month, and a workshop every month, but the workshop is scheduled at the discretion of the Chairman for date and need.

Chairman Vickers discussed the second Tuesday in November, which is election day. The Board decided to have this meeting as scheduled. There will be no workshop October 25, 1994.

Upon roll call Commissioners Gose, Gentry and Vickers voted aye. Commissioners Maxcy and Summers voted nay. Motion carried.

**8. ACTION:**

**A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows:

1. Approval of minutes of public hearing 9-14-94.
2. Approval to execute Interlocal Agreement with Town of Lake Placid.
3. Approval to execute Amendment to Agreement - Water and Sewer Systems.
4. Approval for ambulance coverage of "Heart Walk" at Highlands Hammock. See SMB 22 Page 4.
5. Approval of Budget Amendment #93-94-310.  
Pulled from agenda.
6. Approval to purchase non-budgeted Capital Equipment-Aquatic Plant Control. See SMB 22 Page 4.
7. Approval for sale of palms from right-of-way.  
Pulled from agenda.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. SHERRY CARVER, FDOT: US 27 BYPASS STUDY UPDATE**

Sherry Carver, Susan King, and Laura Turner came to update the Board on the US 27 Corridor Study. See SMB 22 Page 5.

**C. CODE ENFORCEMENT OFFICER: REQUEST TO DECLARE NUISANCES -CASES 94-055 AND 94-063.**

Motion by Commissioner Gentry, seconded by Commissioner Summers to declare case 94-055 a nuisance. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 6.

Case 94-063 was burned Sunday afternoon by the fire department. Pulled from the agenda.

**D. OPERATIONS DIRECTOR: APPROVAL OF NON-MAINTAINED ROADS**

**FOR COUNTY MAINTENANCE.**

Motion by Commissioner Gentry, seconded by Commissioner Summers for approval of non-maintained roads for County maintenance. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 7.

**E. DEVELOPMENT DIRECTOR: RECOMMENDATIONS ON SHIP PROGRAM PROCEDURES**

Jim Polatty, Development Services Director, reported changes in the processing of the SHIP loans. See SMB 22 Page 8.

**F. ASSISTANT COUNTY ADMINISTRATOR:**

1. Building Use Committee recommendation. See SMB 22 Page 9.

Motion by Commissioner Gose, seconded by Commissioner Summers to waive the new alcohol policy for Sun Bank on October 27, 1994, if they were not notified of the change in policy.

Chairperson Vickers requested that this issue be brought back before the Board next week to set perimeters for this policy.

Upon roll call, all Commissioners voted aye, except Commissioner Vickers who voted nay. Motion carried.

2. Labor Attorney Contract.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the contract for the Labor Attorney. Upon Roll call, all Commissioners voted aye. Motion carried.

3. Emergency Management Grant.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to enter into the Grant.

Commissioner Gentry suggested that Tim Eures replace Bruce Savage as Recipient's Contract Manager.

Upon roll call, all Commissioners voted aye. Motion carried.

4. Comcast franchise information. See SMB 22 page 10.

Motion by Commissioner Gose, seconded by Commissioner Gentry to cancel the Public Hearing on October 11, 1994, and readvertise the Public Hearing in November. Upon Roll call, all Commissioners voted aye. Motion carried.

5. Personnel update.

- a. Tentative jail breaking ceremony is set for Friday at 1:30 P.M. in the back of the jail.

- b. Update of the Functional Classification Fiscal Impact Task Force.

- c. "Thank you" from Brownies who use the Desoto City Building.

- d. Consideration to waive agenda for a transfer of funds to Placid Utilities Land Acquisition account.

Motion by Commissioner Gose, seconded by Commissioner Gentry to

waive the agenda. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Budget Amendment 93-94-311. Upon Roll call, all Commissioners voted aye. Motion carried.

**RECESS: 12:30 P.M. to 4:30 P.M.**

**F. ASSISTANT COUNTY ADMINISTRATOR:**

During the recess Mr. Portz checked with Jerry Bryant at the Agri-Civic Center. The Sun Bank reservation was booked July 15, 1994, the new policy went into effect July 19, 1994. It is her understanding that Sun Bank cancelled their reservation when they found out about the alcohol consumption policy. The Children's Services Council booked the room on that date. The Board requested that Mr. Portz hand deliver a letter to the President of Sun Bank explaining the situation and offer to help them find a facility.

**G. COUNTY ADMINISTRATOR:**

1. Agreement with HRMC for reduced rate.  
Pulled from agenda.

2. Agreement with SWFWMD on Lockett Estate.  
This is the third draft of the Agreement. Mr. Cool gave an update of negotiations. See SMB 22 Page 11.

3. Space Needs Study presentation.  
Mr. Cool presented the final conclusion of the Space Needs Study. It has been submitted to all the Constitutional Officers. They are all in agreement with the study. See SMB 22 Page 12.

4. The application for the Grant for the Florida Communities Trust for Sun'n Lakes of Sebring property went in on time.

5. Mr. Cool passed out tickets to a circus sponsored by the Sebring Sunrise Rotary Club. The profit from the circus will go to the Children's Library.

Deputy Clerk, Stephanie Layton left the meeting at 5:20 P.M. she was replaced by Deputy Clerk, Louise Graham.

**9. WORKSHOP: UPCOMING COMPREHENSIVE PLAN AMENDMENTS**

Jim Polatty and Jeff Ludwig requested that the Public Hearing dates for the Planning and Zoning Committee be December 12, 1994, for the fall Comp Plan Amendments. The Board of County Commissioners could meet either December 20, 1994, or January 10, 1995.

Discussion followed of what they expect to handle in the fall and spring Comp Plan Amendments.

**10. ADJOURNMENT:**

The meeting adjourned at 5:45 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, OCTOBER 4, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Guy Maxcy.

3. **COUNTY ADMINISTRATOR - RECYCLING GOAL**

The County Administrator recognized the Solid Waste Recycling Department and the outstanding goal of 32% that was met by Highlands County employees.

4. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending October 4, 1994. See SMB 22 Page 15. The Chair announced that the Public Safety Committee meeting will be held on October 20, 1994 at 7:00 A. M. with the Judicial Department present to discuss the problems of the Jail population.

5. **REQUEST TO WAIVE THE AGENDA TO CONSIDER TRANSFER OF FUNDS TO DETENTION AND CORRECTIONS FOR MEDICAL RENDERED SERVICES**

Motion by Commissioner Summers, seconded by Commissioner Gentry to waive the agenda to consider a transfer of funds. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Summers to approve a transfer of funds for Inmate Medical Services for the remainder of 93/94 fiscal year. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. **CLERK**

The Clerk thanked Carl Cool for the administration of the flu-shot program and the future benefits of decreased absenteeism.

The Clerk reminded the public to please get out and vote today. The polls were showing a very low turnout.

- C. **MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record. The Assistant County Administrator reported an additional meeting of the Department Heads on October 5, 1994 from 1:30 to 3:00 P.M. to meet the new Liability Carriers. The Carriers will instruct the Department Heads on how to file Workmans Comp Claims.

6. **ACTION**

- A. **RESOLUTION: "4-H WEEK IN HIGHLANDS COUNTY"**

Amy Young, 4-H member, gave a short speech on the benefits of the program and introduced other members of the Club. The Chair read into the record the proposed Resolution.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to adopt Resolution supporting the 4-H Program and proclaiming the week of October 2-8 as 4-H Week in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 2.

**B. PUBLIC HEARING TO CONSIDER PLAT VACATION-SUN'N LAKES UNIT  
13: ED KOCH**

The County Administrator presented the petition for the Plat Vacation. He advised that the applicant was not present and no Proof of Publication has been received. Public input was received from Clayton Womer requesting the Commission table the Hearing until more research can be completed. The Board continued the Hearing to the end of the agenda to allow Mr. Koch to be present and present proper advertisement notice.

**C. TIM MELLOH: REQUEST FOR GOLF CART CROSSING**

Motion by Commissioner Gose, seconded by Commissioner Gentry to grant request from Tim Melloh for a golf cart crossing on County Road "Duane Palmer Blvd." See SMB 22 Page 16 for copy of designated area. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. COMMISSIONERS**

Commissioner Gose reported on information for Mrs. Humphrey regarding paving. He advised that he has retained a schedule of road paving from the City of Sebring. Avalon and Gardenview were not listed. The County Administrator reported that the Contractor gave the City a list of the roads that would be paved and he inadvertently left these two roads off. Mr. McKenna will be getting back to provide a schedule for these roads.

**8. RECONVENE-ACTION:**

**A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows:

1. APPROVAL OF MINUTES OF 9-20-94 MEETING, PUBLIC HEARING OF 9-20-94, VALUE ADJUSTMENT BOARD MEETINGS 9-20-94 and 9-22-94.
2. APPROVAL TO EXECUTE TRANSAMERICA ASSURANCE CO. CONTRACT FOR PAYROLL DEDUCTION.
3. APPROVAL OF PRE-TRIAL RELEASE PROGRAM PROPOSAL.
4. APPROVAL OF AQUATIC PLANT CONTROL COOPERATIVE PARTICIPATION POLICY.
5. APPROVAL TO EXECUTE CONTRACT FOR MELALEUCA TREATMENT.
6. APPROVAL TO PAY THE FOLLOWING DULY AUTHORIZED WARRANTS AS LISTED:

Law Library	1,632.83
General	1,310,778.65
County Transportation Trust	69,051.45
"E911" Operations	25.27
Local Govt Infrastructure Surtax	169,668.94
Affordable Housing Assistance Trust	5,132.50
Solid Waste	15,000.00
Risk Retention	707,140.85
Employee Benefit	90,533.93
Special Payroll	85,842.75

Discussion regarding Hydrilla control in Highlands County.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. ASSISTANT COUNTY ADMINISTRATOR: APPROVAL OF PHYSICIANS FOR PREFERRED PROVIDER ORGANIZATION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Dean S. Haack, President of Speech Therapy Services of Winter Haven Inc., as a Preferred Provider member of the organization. Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Portz advised that staff was able to accommodate Sun Bank for rental requirements with the help of the Elk's Club.

The Assistant County Administrator reported that the Department of Revenue has informed staff that the notification of the entire TRIM process has been approved and the Chairman will be signing the final Certification of Taxable Value.

**C. COUNTY ADMINISTRATOR: REPORT ON JOINT EMS AND FIRE**

A report was given by the County Administrator regarding the meeting with Bob Hoffman, Kenny Haynes and Margie Rhoades relating to the Joint Fire Rescue.

**D. COUNTY ADMINISTRATOR: APPROVAL TO EXECUTE SUBDIVISION IMPROVEMENT AGREEMENT**

Motion by Commissioner Gose seconded by Commissioner Summers to execute an improvement agreement for Tomoka Heights Section IX subdivision contingent upon receipt of the letter of credit in the amount of \$506,485.65. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. PALM TREES LOCATED ON COUNTY RIGHT-OF-WAY**

Motion by Commissioner Gose, seconded by Commissioner Summers to accept the bid from Manor Hill Development for \$350.00 to remove Palm Trees located on right-of-way of proposed Eucalyptus Avenue by-pass. Upon Roll call, all Commissioners voted aye. Motion carried.

The Board Attorney gave a report on the Adult Book Store Law Suit.

The Commission took no action on Plat Vacation for Sun'N Lakes Unit 13, as the applicant was not available for comment on advertisement procedures or explanation of vacation.

The County Administrator received a letter from Jeff Macklin of Sprint United thanking employees for participating in the transition.

The meeting adjourned at 10:25 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, OCTOBER 11, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Mr. Don Hansen.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending October 11, 1994. See SMB 22 Page 17. Mr. Rodgers reported that the Department is providing security for an inmate at the Bartow Hospital and this is incurring expenses in the amount of approximately \$800.00 per day.

Commissioner Gentry requested a status on the Traffic Grant. Mr. Rogers reported that it was approved in the amount of \$80,800.00. It becomes effective 10/1/94. Mr. Rogers also gave an update on the Airborne Traffic Control operations.

- B. CLERK**

Mr. Brooker reported that on May 25, 1994, we closed on the line of credit with Sun Bank, drew down the full \$5,000,000.00, and invested it in Treasuries and Agencies. The intention was to invest the proceeds during the construction period of approximately ten months and realize a benefit of \$10,000.00 to \$12,000.00. To date we have earned close to \$14,000.00 in approximately four and one-half months.

- C. MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record.

The Planning and Zoning Commission meeting set for October 11, 1994 was cancelled. The Visioning Initiation Committee meeting was rescheduled. The Chairperson reported that the Department of Transportation Secretaries will be meeting in Okeechobee on 10/12/94 at 10:30 A. M. to discuss S.R. 70 Initiative regarding the 4-laning. The County Administrator gave an update on the Land Development Regulations. Inspector Rogers reported that the Highlands County Community Traffic Safety Program will meet on 10/12/94 at 10:00 A. M. at the Agri-Civic Center.

4. **CITIZENS NOT ON AGENDA**

Mr. Richard Conover questioned the Commission regarding the appointments to the S.H.I.P. Program. The County Administrator explained the process and stated that it was moving along very well.

Mr. Conover reported a meeting of the candidates for County Commission at the Crystal Lake Club House on 10/19/94 at 7:30 P. M.

5. **COMMISSIONERS**

Commissioner Gose stated that he wished to clarify that he in no way meant to say that the influx of Hydrilla into Lake Jackson was caused by the Mall. His intention was to say that the retention pond could be a possible source of new Hydrilla. The County Administrator reported that the Hydrilla in the retention area of

the Mall was treated on 10/5/94 and destroyed.

The Chairperson reported on a meeting to be held on 10/12/94 with the three mayors and the Chairperson regarding a County-wide Ordinance regulating Adult Book Stores. The Board Attorney presented information on the regulation. The Chair will report back to the Commission on the discussion.

**6. ACTION:**

**CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows:

1. **Approval of Minutes of 9-27-94 and 10-4-94 meetings, 9-17-94 Public Hearing, and 9-28-94 Value Adjustment Board meeting.**
2. **Accept into record-South Florida Water Management District 1994 Tax Levy.**
3. **Approval to terminate agreement with Highlands Home Health.**
4. **Approval to execute County Public Health Unit Core Contract.**
5. **Approval to execute Interlocal Agreement-Sun'N Lake Improvement District.**
6. **Approval of Job Descriptions. See SMB 22 Page 17.**
7. **Approval of budget amendments #93-94-316; 94-95-001-002-003.**

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. ASSISTANT COUNTY ADMINISTRATOR:**

**1. PROPOSED SETTLEMENT OF CLAIM**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the representative of the Board to negotiate a settlement up to the sum of \$125,408.47 for the Workers' Compensation claim, Eula Faye Bush. Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried. See SMB 22 Page 18.

**2. RESOLUTION ON PUBLIC RISK MANAGEMENT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution to authorize the Chairman of the Insurance Committee to be the Board's Public Risk Manager Representative. Upon roll call all Commissioners voted aye. Motion carried. See Res. Book 9 Page 3.

**C. COUNTY ADMINISTRATOR:**

**1. REQUEST TO NAME LAKE**

Motion by Commissioner Summers, seconded by Commissioner Gentry to approve request to name a lake that surrounds a lot owned by Nancy Henry at Unit 3 Block 69 Lot 3 of Sebring Country Estates to Lake Rachel. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 19.

**2. MAINTENANCE AGREEMENT FOR PLACID UTILITIES**

This item was withdrawn at the request of the County Administrator.

**3. BILLING FOR PLACID UTILITIES**

Motion by Commissioner Gose, seconded by Commissioner Gentry to

enter into an interlocal agreement with the City of Sebring for the billing of Placid Utilities at a cost of \$5,796 per year. Upon Roll call, all Commissioners voted aye. Motion carried.

**4. RESTRICTION OF NEWSPAPERS THROWN WITHOUT APPROVAL**

The County Administrator advised that Commissioner Maxcy has received several complaints regarding this issue. After discussion the Commission gave the Board Attorney a consensus to only pursue this issue if a small amount of time is involved.

The meeting adjourned at 9:57 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, OCTOBER 18, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**I.V. "Buddy" Mckenzie  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Mr. Jim Rodgers from the Highlands County Sheriff's office.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Rodgers presented the Daily Jail Log of Inmate Count for the period ending October 18, 1994. See SMB 22 Page 20.

Commissioner Gentry requested that Inspector Rodgers patrol an area in the Avon Park Lakes Subdivision for high speed drivers. Mr. Rodgers advised that he will bring the areas of concern to the attention of the Enforcement Unit.

The Assistant County Administrator presented a progress report on the construction of the Jail.

- B. CLERK**

The Chief Deputy Clerk gave an update from the Clerk's office.

- C. MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record. The Chairperson reported that the Public Safety Committee meeting has been moved up one week and there will be a round-table discussion from the Judicial System concerning the relief of the Jail strain.

4. **ACTION:**

- A. PUBLIC HEARING TO CONSIDER AND ORDINANCE PROVIDING FOR THE ISSUANCE OF A REVENUE NOTE TO FINANCE ACQUISITION, EXPANSION AND EXTENSION OF PLACID UTILITIES WATER AND SEWER SYSTEM**

Proof of Publication entered into the record. See SMB 22 Page 21. The Board Attorney read into the record the title paragraph, changes and deletions to the Ordinance. The Board Attorney advised that the Memorandum of Agreement from DEP MOA015 has not been properly executed.

Public input was received from Rev. W. C. Holden concerning the expansion to the Highway Park area. The Chair stated that the Board is committed to proceeding with alternatives and to address the need of a system.

Mr. Don Schloesser, resident of Tomoka Heights, addressed the issues of the revenue note. Letter from Raymond James and Associates entered into the record. See SMB 22 Page 22.

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Memorandum of Agreement with the Department of Environmental Protection for the Placid Utilities Company Water Line Extension. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt an Ordinance providing for the issuance of a water and sewer Utility Revenue Note for Placid Utilities in the principal amount of \$1,200,000 to finance the acquisition, expansion and extension of the System as amended. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve that the closing of the Revenue Bond occur at the November 1, 1994 Board of County Commissioner meeting. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING WATER AND SEWER UTILITY SERVICE POLICIES, RATES, FEES AND CHARGES FOR THE HIGHLANDS COUNTY WATER AND SEWER UTILITY SYSTEM**

Proof of Publication entered into the record by the County Administrator. See SMB 22 Page 23. The County Administrator reviewed with the Board the Ordinance establishing rates, fees and charges for the Water and Sewer System. Public input was received from Harold Owen, Shelagh Byatt and Don Schloesser. Letter from Roger Christopher, Environmental Health Director, entered into the record. See SMB 22 Page 24. Other participants speaking at the Public Hearing were William Kennedy, Martha Joe Hand and Vince Lloyd.

Motion by Commissioner Gentry, seconded by Commissioner Summers to adopt an Ordinance establishing water and sewer service policies, rates, fees and charges for the Highlands County water and sewer system as amended. The Chair made a statement that she would be voting against the motion, as she opposes the County getting into the utility system.

Upon Roll call, Commissioner Vickers voted nay. All other Commissioners voted aye. The motion carried.

**C. PROJECT RESOLUTION-PLACID UTILITIES**

The Board Attorney reviewed the changes with the Commission. The Chairperson read the Resolution into the record.

Motion by Commissioner Gentry, seconded by Commissioner Summers to adopt the Project Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 4.

**5. RECESS- 11:07 A.M - 11:20 A.M.**

**6. CITIZENS NOT ON AGENDA**

Rev. Holden questioned the Memorandum of Agreement regarding hook-ups in the Lake Francis and Cloverleaf area. The County Administrator read the proposed area from the DEP agreement and explained the expansion process. The Chair suggested that Rev. Holden continue to stay in contact with the County Administrator for future development of the project.

**7. COMMISSIONERS**

Commissioner Gose advised that the City of Sebring has concerns regarding the Lakeview Dr. Sewer Project. The City of Sebring's Engineer, John Noble, requested the Commission approve in concept the portion of Lakeview Drive, where the Sewer is being constructed, from Fairmount Avenue to Edgewater Point be narrowed from 30 feet existing to a 24 foot width road. The Engineer presented overhead transparencies with the recommendations that the County support the cost of the curbing in the amount of \$53,000. The City would provide the labor and the demucking and remove the old curbing.

C. Michael Eastman, Director of Accounting and Finance replaced the Chief Deputy Clerk at 11:30 A. M.

City Council Members Ellene Fields, Margie Rhoades and Administrative Assistant, Bob Hoffman spoke to the Commission regarding the project recommendations.

The Operations Director suggested that the County assume the labor and the demucking and the City support the cost.

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the City to go forward with the 24 foot road with the County assisting in the labor and removing the curb and the back field compact with the option that the City approves the 24 foot road. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 26 for copy of hand-out.

**8. BREAK - 12:57 P.M.-1:30 P.M.**

**9. 1:30 P.M. WORKSHOP ON LAKE ISTOKPOGA-HYDRILLA PROBLEM**

The Chair called back to order the Workshop at 1:30 P. M. with all members present except the Clerk and the Board Attorney.

- 1.) Carl Cool, Acting County Engineer addressed concerns with the existing conditions of the lakes in Highlands County where Hydrilla is concerned.

The aide for Senator Rick Dantzler, Lisa Pasquel, was recognized.

- 2.) Jeff Schardt, Environmental Administrator, Florida Department of Environmental Protection presented the current status of state funds for Hydrilla treatment - Question and answer period.

Representative Bert Harris spoke regarding the unsuccessful project with the Grass Carp and the lack of funding for Lake Istokpoga.

Jeff Schardt introduced his supervisor from the Bureau of Aquatic Plant Management, Tom Brown. Mr. Brown responded to Mr. Harris's comments on funding.

Lisa Pasquel, Senator Dantzler's aide, advised that he has been working with the Governor's office as well as the DEP to introduce legislation that will be known as "Save our Lakes" and will generate \$22,000,000 toward treating this problem.

Joe Agnoli presented comments regarding the DEP budget and the amount of dollars spent toward salaries and aquatic control.

Pauline White, Sebring City Council, comments on small infestations.

Kris Delaney - Are there any other biological control mechanisms available?

- 4.) Paul Thomas, Biological Administrator, Florida Game and Fish Commission gave a short presentation on the progression of the Integrated Hydrilla Program.

Rep. Bert Harris - biological regrowth questions

Wayne Fitzmorris - killing of hydrilla causes problems.

Jim O'Hara - request that taxpayers talk to representatives on the gas tax funding.

- 5.) Tori Kinsey, Biologist, Army Corps of Engineers gave a presentation of the Corps role in aquatic plant management.
- 3.) Kim Love, Government Representative, South Florida Water Management District, presented a Water Quality Report, Flood Protection Study, and Lake Level Study. Question and answer period.

The Board Attorney arrived at the Workshop at 3:35 P. M.

- 6.) Comments received from the following participants:  
Dave Deemy, Hank Kowalski, Debbie Powers, Bob Chapman and Leonard Hammer.

The Chairperson adjourned the Workshop at 3:45 P.M.

**10. RECESS - 3:45 P.M. - 4:00 P.M.**

**11. COMMISSIONERS:**

Commissioner Gose presented a draft copy of the Josephine-Jackson Watershed Reconnaissance report. He requested that the Soil Conservation and SWFWMD perform a survey on the probability of the County flooding. He would like the state to review the need for the canal, based on specific criteria as it applies to the Lake Jackson area. In addition to allowing the weeds in the canal to grow, which might stem from the seepage of water from the Sebring lakes, he would like a dirt plug placed in the canal. The Commission will review the item on November 1, 1994. See SMB 22 Page 25 for copy of report.

The Chairperson reminded the Board that discussion will be held on the Sebring Highlands Special Tax District on November 1, 1994. The item was set for discussion at 1:00 P.M.

**12. RECONVENE-ACTION:**

**A. CONSENT AGENDA:**

Motion by Commissioner Gentry seconded by Commissioner Maxcy to approve the Consent Agenda as follows:

1. Approval to execute contract with Short Utility Service.
2. Approval of Budget Amendments #94-95-004; 005; 006.
3. Approval of Job Descriptions. See SMB 22 Page 27.
4. Approval to execute contracts with Robey-Barber.
5. Approval of minutes of 10-11-94 meeting; Value Adjustment Board 10-12-94.
6. Approval to execute Memorandum of Understanding Extension Service.
7. Approval of variance request-Tomoka Heights. See SMB 22 Page 28.
8. Approval of changes to Housing Assistance Plan. See SMB 22 Page 29.
9. Approval of Insurance Committee recommendations for retired spouse rates. See SMB 22 Page 30.
10. Approval to pay the following duly authorized warrants:

Law Library	639.07
General	686,916.50
County Transportation Trust	54,337.55
"E911" Operations	8,932.83
Local Govt Infrastructure Surtax	141,274.45
Affordable Housing Assistance Trust	18,753.50
Special Law Enforcement Trust	325.00
Solid Waste	844.89
Risk Retention	42,988.74
Employee Benefit	2,631.02

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. OPERATIONS DIRECTOR: DISCUSSION OF MARL PIT OPTIONS**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the recommendations of the Operations Director and authorize the Chairman and Clerk to execute option for the Boney property and to set the Public Hearing for November 21, 1994 at 5:30 P.M. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 31.

**C. COUNTY ADMINISTRATOR:**

**1. DISCUSSION OF APPOINTMENTS TO LIBRARY ADVISORY BOARD**

Commissioner Maxcy to make recommendation for appointment and to be placed on the November 1, 1994 Agenda.

**2. DISCUSSION OF APPOINTMENT TO HISTORIC PRESERVATION COMMISSION**

The Chair will bring back recommendations on November 1, 1994.

**3. APPOINTMENT TO INDUSTRIAL DEVELOPMENT AUTHORITY**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to appoint Charles Cullens to the Industrial Development Authority to fill the unexpired term of John Martz. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 32.

**4. REQUEST FOR MAINTENANCE OF STAR CANAL**

The County Administrator reported that this is a county maintained canal and he is in complete agreement that we should maintain it. If no federal funding is received, the county will figure out some way to clean up the canal. See SMB 22 Page 33.

**5. DISCUSSION OF TOURIST DEVELOPMENT COUNCIL**

The Commission directed the County Administrator and the Board Attorney to bring back an Ordinance creating a council for the Board to consider. See SMB 22 Page 34.

**6. REQUEST FOR PROPOSED REORGANIZATION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the slight change in the current Organizational Chart that would transfer the Weed Control and Parks Department to the Operations Department with a change in the paygrade. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 35.

**7. PRESENTATION OF PROPOSED COUNTY ENGINEER**

To present back at the next meeting.

**8. RESOLUTION - HOUSING ASSISTANCE PLAN**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt by Resolution changes to the Housing Assistance Plan. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 5.

**9. REPORT ON PERSONNEL DIRECTOR**

The County Administrator reported that nine applications have been selected for interviews by the Assistant. He will peruse the list and possible narrow the list to five or six for the Board to interview.

The Chair recessed the regular meeting at 5:00 P.M. for consideration to pay warrants on the Special Tax District.

The meeting was called back to order at 5:01 P. M.

**10. REPORT ON BOOK STORE HEARING**

See SMB 22 Page 36 for copy of letter.

**11. HEARTLAND ENVIRONMENTAL COUNCIL SETTLEMENT PROPOSAL**

The Board Attorney reviewed briefly the Settlement Proposal. He requested the Commission review and ask for a continuance.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to instruct the Board Attorney to ask for a continuance of the Administrative Hearing on the appeal to the County's adopted Comprehensive Plan.

Kris Delaney, Heartland Environmental Council, stated that the Council made a good faith effort to be fair and made major concessions through all issues to increase the quality of the Plan without significantly burdening the County. The Board Attorney stated that he and Mr. Polatty support these remarks and he will be recommending that the Board adopt this proposal. The next step would be to set a workshop.

The consensus of the Board was to set the workshop on November 1, 1994 at 3:00 P. M. with the Planning and Zoning Commission.

Upon Roll call, all Commissioners voted aye. Motion carried.

**12. ADJOURNMENT**

The meeting adjourned at 5:33 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, NOVEMBER 1, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Stephanie Layton**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk, Luke Brooker.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending November 1, 1994. See SMB 22 Page 39.

- B. CLERK**

Mr. Brooker stated that as a Constitutional Budget Officer, it is his duty to return any unexpended funds not used to the county. A check in excess of \$22,000 was deposited back into the general fund last week.

- C. MEETINGS THIS WEEK:**

Mr. Cool introduced Val Seifert and Rick Heber of the Sunrise Rotary Club. They presented Mary Myers a check for \$1,670.00 for the Children's Library.

The County Administrator read the reported meetings into the record. He reported an additional meeting at 3:30 P.M. today of the Planning and Zoning and the Board of County Commissioners.

4. **ACTION:**

- A. PUBLIC HEARING TO CONSIDER VACATING A PORTION OF SUN'N LAKE ESTATES UNIT 13-PORCION OF CALATRAVA AVENUE-EDWARD O. KOCH, OWNER**

Proof of Publication entered into the record by the County Administrator. See SMB 22 Page 40.

Dale Polston explained the location and reasons for this vacation. A petition from Harry and Sandra McMechen in opposition to this vacation was entered into the record. See SMB 22 Page 41.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution vacating a portion of Sun'N Lake Estates Unit 13 pending the correct Unity of Title filed. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 5.

- B. PUBLIC HEARING TO CONSIDER VACATING AN EASEMENT-TEMPLE TERRACE-GREGG S. & BRENDA MARIE FOSTER**

Proof of Publication entered into the record. See SMB 22 Page 42. Motion by Commissioner Summers, seconded by Commissioner Gentry to adopt Resolution approving vacation of a portion of the easement for Gregg S. and Brenda Marie Foster for a portion of Lot 15, Block 2, Temple Terrace Subdivision and the correction to the property description. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 page 6.

5. **CITIZENS NOT ON AGENDA**

- A. Hank Kowalski spoke on economic development and eco-tourism. See SMB 22 Page 43.
- B. Don Hansen spoke on the Casino Vote.

7. RECESS 10:05 a.m. - 10:15 a.m.

8. RECONVENE-ACTION:

A. CONSENT AGENDA:

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Consent Agenda as follows. On item 10 under Budget amendment 94-95-013 option 4 is reflected. See SMB 22 Page 49.

1. Approval of minutes of 10-18-94
2. Approval to remove surplus ambulances from inventory. See SMB 22 Page 44.
3. Approval to execute agreement with Stephens Groves, Inc. See SMB 22 Page 45.
4. Approval of Horse Arena Lease/Rental Policy. See SMB 22 Page 46.
5. Approval of Intergovernmental Agreement with City of Sebring-Utility Billing.
6. Approval of payment from Health Unit allocation. See SMB 22 Page 47.
7. Approval of Job Description. See SMB 22 Page 48.
8. Approval to execute Litter and Marine Debris Prevention grants.
9. Accept into record-Minutes of 10-12-94 Joint Workshop
10. Approval of budget amendments #93-94-334 through 338; and #94-95-010,011 and 013.
11. Approval to pay the following duly authorized warrants:

Law Library	130.20
General	1,406,241.96
County Transportation Trust	33,786.69
"E911" Operations	212.15
Local Govt Infrastructure Surtax	223,102.89
Affordable Housing Assistance Trust	16,461.80
Solid Waste	5,351.35
Risk Retention	9,255.50
Employee Benefit	37,202.88
Tax Deed Surplus	3,642.14
Special Payroll	114,266.13

Upon Roll call, all Commissioners voted aye except Commissioner Summers, who voted nay. Motion carried.

B. CONSIDERATION TO APPROVE CLOSING ON PLACID UTILITIES WATER AND SEWER SYSTEM PURCHASE

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve authorizing the Chairman to sign the Second Amendment for Purchase and Sale of Placid Utilities Water and Sewer System. Upon Roll call, all Commissioners voted aye. Motion carried.

C. PETITION ON LAKEVIEW DRIVE DESIGN

Commissioner Gose read a Petition from 28 people on Lakeview Drive. See SMB 22 Page 50.

Stephen Libby, Al Scarpati, and Vaden Pollard all spoke on the drainage and curb problems on Lakeview Drive.

Motion by Commissioner Gentry, seconded by Commissioner Gose to bring the Petition from residents of Lakeview Drive to the attention of the City. Tell the City that the Board is in favor of a 24' road in the center of the right of way with drainage swells and that the drainage plan should be submitted to the County staff

for the runoff. Upon Roll call, all Commissioners voted aye. Motion carried.

**The Clerk, L.E. "Luke" Brooker, left the meeting at 11:15 A.M. He was replaced by I.V. "Buddy" McKenzie.**

**D. REQUEST FROM CITY OF SEBRING ON OPEN ROAD CUT TO HIGHLANDS REGIONAL MEDICAL CENTER FOR SANITARY SEWER**

Don McKenna, Utilities Director, spoke about the road cut for sanitary sewer service.

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve request from the City of Sebring, contingent to plan approval, to grant a variance allowing the city to place the lateral by way of an open cut with the City to do a full width pavement restoration to the entire intersection after the lateral is installed. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 51.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive agenda for a Public Hearing on the suit of Carolyn Smith vs. Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. Proof of Publication entered into the record. See SMB 22 Page 52.

Motion by Commissioner Gose, seconded by Commissioner Gentry to pay \$7,000.00 to settle the lawsuit. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. DEVELOPMENT DIRECTOR:**

**1. LAND USE/ZONING AMENDMENT UPDATE**

Jim Polatty, Development Director, explained that we have lost the second Amendment opportunity for 1994. The fall 1994 Amendments will be one of two amendments in 1995.

**2. PLAN AMENDMENT SCHEDULE**

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to approve recommendation of the Development Director as follows:

1. That the Board waive the Plan amendment schedule of Resolution 94-18 for the Fall 1994 set of Plan amendments.
2. That the submittal deadline for the Fall 1994 amendment set be December 30, 1994.
3. That the transmittal hearings for the Fall 94 amendment set begin in February.
4. That the Spring and Fall 1995 set of amendments be combined.

Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Gose to reserve December 13 at 5:30 p.m. for the Planning and Zoning and December 20 at 5:30 for the BCC to consider small scale plan amendments. Upon Roll call, all Commissioners voted aye. Motion carried.

The Board recommended a workshop on urban growth management strategy on November 15, 1994, at 2:00 P.M.

**F. BOARD ATTORNEY: UPDATE ON COMP PLAN NEGOTIATIONS**

Workshop will follow the meeting of Planning and Zoning and Board

of Adjustment at 3:00 today. Further update at that time.

Mr. Macbeth gave an update on the adult bookstore. To date the hearings have been continued and the business is still looking for a location.

**LUNCH BREAK 12:15 P.M. - 1:15 P.M.**

**Chairperson Vickers did not return to meeting. Vice-Chairman Summers called the meeting back to order.**

**G. COUNTY ADMINISTRATOR:**

**1. SPACE NEEDS STUDY RECOMMENDATIONS**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to authorize the County Administrator to seek proposals for design of the proposed Highlands County Administrative Office Building. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 53.

Motion by Commissioner Gentry, seconded by Commissioner Gose to purchase 3 single wide portables for office space for the State Attorney. Upon Roll call, all Commissioners voted aye. Motion carried.

County Administrator discussed the RFP for the new Administrative Building. The Board decided to issue a specific RFP for design expertise. He also requested that the Board think about a name for the new building. He suggested calling it the Governmental Center.

The Board discussed renovating the Minute Market for the EMS unit currently located on Fernleaf and for additional EMS office space.

**Chairperson Vickers returned to the meeting at 1:45 P.M.**

**2. RECOMMENDATION ON UPPER JOSEPHINE/JACKSON CREEK WATERSHED STUDY**

Motion by Commissioner Gose, seconded by Commissioner Summers to approve the recommendation on the Soil Conservation Service report. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 54.

**3. PRESENTATION OF BILL LECHER FOR POSITION OF COUNTY ENGINEER**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Bill Lecher as the County Engineer. Upon Roll call, all Commissioners voted aye. Motion carried.

**4. APPOINTMENT OF SESQUICENTENNIAL COORDINATING COMMITTEE**

Mrs. Gentry recommended that the Historical Preservation Board be submitted to the committee. See SMB 22 Page 55.

**5. REQUEST FROM SUN'N LAKES IMPROVEMENT DISTRICT ON CURBS**

Withdrawn from agenda. See SMB 22 Page 56.

**6. CDBG Grant**

The County Administrator announced that the first CDBG Grant is completed. The Department of Community Affairs has agreed with the closeout. He suggested that the Board start to think of an infrastructure project.

Sonny Stalls spoke about the need of a water system in Highway Park.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve an infrastructure application for a water system in the Highway Park area. Upon Roll call, all Commissioners voted aye. Motion carried.

**6. COMMISSIONERS**

A. Commissioner Summers - Elderly Affairs Party.

B. Commissioners Gentry - requested representatives at the Healthy Start Coalition.

**9. ADJOURNMENT - 2:10 P.M.**

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, NOVEMBER 8, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner C. Guy Maxcy.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Bill Jones, Undersheriff, presented the Daily Jail Log of Inmate Count for the period ending November 8, 1994. See SMB 22 Page 56 for copy. Mr. Jones advised that Hardee County has seven (7) Highlands County prisoners in their facility. The Chairperson suggested that she send a letter to Secretary Singletary requesting payment for V.O.P. prisoners.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to send a letter of concern and a bill for the violation of parole inmates that are in the Highlands County Jail. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to enter into a non-exclusive agreement with Highlands Regional Medical Center for a schedule of charges for prisoners. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. CLERK**

Commissioner Summers is absent from this meeting but is on duty as a member of the Canvassing Board.

- C. MEETINGS THIS WEEK:**

The County Administrator reported that Delmas Newsome, a long time county employee, would be laid to rest at 2:00 P. M. in Avon Park.

The County Administrator reviewed the reported meetings. Additional meetings are the Visioning Workshop Committee meeting at the Agri-Civic Center at 4:00 P. M. 11/14/94. The Chair reported on the Traffic Safety Team meeting.

4. **ACTION:**

- A. PUBLIC HEARING TO CONSIDER REPEAL OF ORDINANCE 89-6, PERTAINING TO SOUTHEAST I CABLESYSTEMS, INC.**

The Assistant County Administrator presented the Proof of Publication into the record. See SMB 22 Page 57. Mr. Portz also presented a brief update on the history of the Cable Company.

The Board Attorney reported that a letter was received from Mr. James A. Porter advising that an agreement has been reached on the price, terms and wording for the sale of the Cable System to Comcast Cable Communications, Inc. Another letter was received from Kathleen M. Hyneman, Assistant Deputy General Counsel for Comcast advising of the same agreement. See SMB 22 Page 58 for copies of letters. A third letter was received from Hogan, Hartson, Jacqueline Cleary with the firm requesting that this hearing be continued to a later date to allow them to prepare for Hearing or to allow for the sale to be completed.

Mr. Paul Scott, USA Cable advised that Bernie Link, a Technician for the Company, will be taking complaints from the homeowners today to try to make the transition much smoother for Comcast. Mike Johnson, speaking for the Homeowners, presented a list of problems that customers have encountered. Larry Trammel, representing Comcast requested the Board give sufficient time to complete the transaction.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to table this Hearing until December 20, 1994 at 9:00 A. M. or soon thereafter to allow the transaction to be completed with the advertising expenses to be paid by USA Cable Co. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PROCLAMATION-FARM CITY WEEK**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to adopt proclamation, designating the period of November 7 through November 13, 1994 to be Farm-City Week; and to request that the citizens participate in joint visits, seminars, and other social events during Farm City Week. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 7.

**5. CITIZENS NOT ON AGENDA**

Mr. Kowalski questioned the meetings to be held in November.

**6. COMMISSIONER MAXCY-RECOMMENDED APPOINTMENT TO LIBRARY ADVISORY BOARD**

Commissioner Maxcy reported on the success of the Elder Fair and the Highlands County Aging Coalition.

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to appoint Mrs. Susan Rood to the County Library Advisory Board to represent District five as recommended by Commissioner Maxcy. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 59 for copy of resume.

**7. COMMISSIONER GENTRY-MISSION STATEMENT FROM THE HIGHLANDS MISSION GROUP. RECOMMENDATION THAT THE OMB OFFICE BECOME INVOLVED.**

**CHAIRPERSON VICKERS-DEDICATION OF MUSEUM-MEDAL OF HONOR PARK**

**8. RECONVENE-ACTION**

**A. CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as follows: with the modification to the Electronic Maintenance agreement.

1. Approval of minutes of 11-1-94 & 10-31-94 LDR Hearing.
2. Approval to purchase furniture-Lake Placid Library. See SMB 22 Page 60.
3. Approval to adopt Resolution setting December 6, 1994 to consider closing a portion of Church Drive and Cypress Street, located in the Town of Venus Subdivision. See Res. Book 9 Page
4. Accept into the record Annual Financial Report with Statements of Position from the Tax Collector, Clerk of Courts, Sheriff's Department, Property Appraiser and Supervisor of Elections. See SMB 22

Page 61.

5. Approval to donate ambulance to volunteer fire department. See SMB 22 Page 62.
6. Approval of new job description-Maintenance Supervisor. See SMB 22 Page 63.
7. Approval of Communication Equipment Service Agreement as submitted by Electronic Maintenance. Changes submitted by Tim Eures, Emergency Management Coordinator.
8. Approval of Budget Amendments #94-95-15,17,18,19,20 and 21.

The Assistant County Administrator presented an update on the implementation of the Courthouse Security.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. CITY OF SEBRING DISCUSSION ON LAKEVIEW DRIVE REPLACEMENT**  
Commissioner Gose gave a report on the meeting he held regarding the replacement cost.

Motion by Commissioner Gose, seconded by Commissioner Gentry that we retain the thirty foot road and the Contractor replace the curbs damaged and the county replace the others in need of repair.

Councilwoman Fields questioned if the bumps would still be in the Road if it was changed to a 24 foot road. The County Administrator responded.

The Chairperson suggested that the County give back to the City that portion of county maintained road on Lakeview Drive. Councilwoman Fields advised that this is another issue and she would like to discuss this at another time. After this problem is solved she would like to hold a workshop.

Commissioner Gose amended his motion that the County take \$25,000 out of the Eucalyptus Parkway project to go toward the construction.

Clayton Womer, a private citizen, suggested that this is a city problem and not a county problem.

Hank Kowalski, county resident, questioned how we are controlling the water run-off from the swales.

Commissioner Gose withdrew his motion. Commissioner Gentry withdrew her second.

Motion by Commissioner Gentry, seconded by Commissioner Gose to give the City the \$58,676 for the project with the width of the Road to be determined by the City. These funds to be taken out of the Eucalyptus Parkway project. See SMB 22 Page 64 for copy of estimate.

Other citizens speaking regarding the project were George Richardson, resident of Lakeview Drive and Sonny Stalls of Lake Placid.

Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried.

**C. ASSISTANT COUNTY ADMINISTRATOR:**

**1. EMS WRITE-OFF**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the recommendation of the Assistant County Administrator to write-off the remaining balance of Mr. Marvin Berg, EMS account in the amount of \$286.45. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 65 for copy of explanation.

**2. E911 PLAN DRAFT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution approving the 9-1-1 Emergency Telephone Number System Plan September 1994 Update. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 9.

**3. POLICY DECISION-CONCEPT OF EMD**

Mr. Portz advised that the Policy decision will come before the Board in the future. This concept provides that the Dispatcher give medical instructions while the ambulance is enroute. The county is currently polling the counties state wide for information. This requires significant training and dollars. The Sheriff's Department is actively involved. Recommendations will be placed on the agenda for late December or early January.

**D. BOARD ATTORNEY:**

Mr. Macbeth presented an update as to the discussions regarding the Comprehensive Plan and H.E.C. There are three points that are not totally resolved yet. He would suggest a workshop when H.E.C. presents a final proposal. This issue will be placed on the agenda for next week.

**E. COUNTY ADMINISTRATOR:**

**1. REQUEST TO REMOVE WAREHOUSE ITEMS FROM STOCK**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve request to remove warehouse items from stock. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 66.

**2. REQUEST TO REMOVE ROADS FROM COUNTY MAINTENANCE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve request from the County Administrator to drop the following roads from the county maintenance list and allow the city to maintain.

<i>Gardenview Road</i>	<i>From Sunset Drive to Fairmount Drive</i>
<i>Cleveland Road</i>	<i>From Sunset Drive to Fairmount Drive</i>
<i>Avalon Road</i>	<i>From Sunset Drive to Fairmount Drive</i>
<i>Sunset Drive</i>	<i>From Gardenview Road to Covington Road</i>

Upon Roll call, all Commissioners voted aye. Motion carried.

**2. REQUEST FROM CITY OF SEBRING TO LOWER SPEED LIMIT IN WATERFRONT DISTRICT**

The County Administrator presented request from the City of Sebring. He will report back. See SMB 22 Page 67 for copy.

**3. KIM LOVE-SFWMD**

The County Administrator reported that Kim Love from the South Florida Water Management District is going to bring to Lake Istokpoga a Harvester to chop up weeds in the canals. The weeds will be floating. They will not be harvested.

**4. LETTER OF COMMENDATION FOR LINDA CALDWELL**

Kevin Roberts, Human Services Director, received a letter from Mr. Kurtz commending Linda Caldwell for going beyond the call of duty in helping a customer.

The meeting adjourned at 11:50 A. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, NOVEMBER 15, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**Audrey Vickers  
James L. Gose  
Archie Summers  
C. Guy Maxcy  
Doris Gentry**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Board Attorney, J. Ross Macbeth.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Bill Jones presented the Daily Jail Log of Inmate Count for the period ending 11/15/94.

- B. CLERK**

1. The Clerk advised that the Board should elect an alternate voting member to the Public Risk Management Group. The Chairperson suggested that this issue be addressed at the next meeting.
2. The Clerk reported that the newly elected Commissioner Bonds were ready for approval and execution. They will be sent to Tallahassee in order to be in effect for November 22, 1994.
3. Mr. Gene Bigbie, former County Commissioner 1979-1988, suffered a heart attack on Sunday P. M. A heart catheter will be performed this morning in Orlando.

- C. MEETINGS THIS WEEK**

The County Administrator read the reported meetings into the record. Additional meetings are the Employee Awareness meeting scheduled for November 17, 1994 from 8:00 A.M. until 10:00 A. M.

4. **ACTION: DAVID MAY, DOT: WORK PROGRAM PRESENTATION**

Secretary David May presented a five year timetable listing the work schedule for the Department of Transportation.

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the District's Tentative Work Program for Fiscal Year 1995/1996-1999/2000 with a letter from the Chairman to consider the priority of US 27 to SR 64 be added to the five year program. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 69 for copy of local priorities.

5. **CONSIDERATION OF ZONING HEARINGS:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to waive the agenda to consider Zoning Hearings. Upon Roll call, all Commissioners voted aye. Motion carried.

**HEARING #1317- LAKE PLACID CAMP FLORIDA RESORT INC.**

Jim Polatty, Development Director, stated that this Hearing was tabled by the Planning and Zoning Board until February 1995. The Board Attorney advised that no further action was required by the Board of County Commissioners.

**HEARING #1344-MARTHA E. SOLIS**

Proof of Publication entered into the record. See SMB 22 Page 68. Staff reports presented by the Development Director.

Chairperson opens Public Hearing for Public Input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to uphold the recommendation of the Zoning Board to adopt the Resolution and approve the request from B-3 to I-1 Industrial Use. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 9.

**6. CITIZENS NOT ON AGENDA**

Mr. Hank Kowalski questioned the Commission regarding the placement of Zoning Hearings on the Agenda.

**7. COMMISSIONERS**

**1. COMMISSIONER GENTRY-WAIVING OF FEES FOR VISION GROUP**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve that the Board waive the fees for its Buildings and petition other agencies to also waive fees for the Vision 20-20 Concept. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. COMMISSIONER MAXCY-TAX RELIEF WORK OFF**

Commissioner Maxcy stated that he intends to address the Tax relief work off in the next fiscal year.

**3. COMMISSIONER SUMMERS-PREPARED CLOSING STATEMENT**

See SMB 22 Page 70.

**RECESS - 10:00 A.M.-10:10 A.M.**

**8. RECONVENE-ACTION**

**A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Consent Agenda as follows:

- 1. Approval to execute FDEP Household Hazardous Waste Agreement.
- 2. Approval of minutes of 11-1-94 workshop and 11-8-94 meeting.
- 3. Approval to adopt Update of Hazmat Plan. See SMB 22 Page 71.
- 4. Approval to remove surplus property from inventory Fire Service. County Property #VFD400 Gorman Rupp Model 61-1/2A128FF Pump.
- 5. Approval of 4-H Horse Arena Rental Agreement. See SMB 22 Page 72.
- 6. Approval of Budget Amendments #93-94-341, #94-95-22 and 23.
- 7. Approval to pay the following duly authorized warrants:

Law Library	466.80
General	412,844.13
County Transportation Trust	53,081.93
"E911" Operations	512.63
Law Enforcement Education	1,942.00
Local Govt Infrastructure Surtax	394,280.14
Affordable Housing Assistance Trust	9,863.80
Solid Waste	5,738.37
Risk Retention	9,901.20
Employee Benefit	175,962.95

Upon Roll call, all Commissioners voted aye. Motion carried.

The Chief Deputy Clerk, I. V. "Buddy" McKenzie replaced the Clerk

of Courts, Luke Brooker at 10:15 A. M.

**B. ASSISTANT COUNTY ADMINISTRATOR:**

**1. REPORT ON FUNCTIONAL RECLASSIFICATION FUNDING**

Motion by Commissioner Gose, seconded by Commissioner Gentry to request the Chair send a letter to support the option for no road transfers unless mutually agreed upon by the Florida Department of Transportation and the County involved. See SMB 22 Page 73 for copy of report. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. LEASE AGREEMENT WITH HIGHLANDS COUNTY SCHOOL BOARD**

Motion by Commissioner Gose, seconded by Commissioner Gentry to execute the lease agreement with the Highlands County School Board to allow the Star Program to utilize the vacant building that once housed the Highway Park VFD. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. JAIL CONSTRUCTION UPDATE**

Mr. Portz presented a Jail Construction Update for the period ending November 14, 1994. See SMB 22 Page 74 for copy. Discussion on Hook-up fees with the City of Sebring.

**C. BOARD ATTORNEY:**

**1. COMP PLAN SETTLEMENT AGREEMENT UPDATE**

The Board Attorney explained that he has spoken with Mr. Delaney. The only information available is that he is reviewing the Agreement. At this point there is no other modifications. Commissioner Summers made a statement that he is opposed to the increase in mitigation fees and policy 2.6 Restoration of soils and minerals. The Chair echoed his comments.

**2. INTERLOCAL AGREEMENT WITH CITY OF SEBRING-LAKEVIEW DRIVE FUNDING**

Motion by Commissioner Gose, seconded by Commissioner Gentry to enter into an Interlocal Agreement with the City of Sebring for cooperative funding for reconstruction of the county portion of Lakeview Drive from Fairmount Drive and Edgewater Point. Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. The motion carried.

**3. AGREEMENT WITH DEP FOR CONSTRUCTION OF PLACID UTILITIES WATER LINE EXTENSION**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to approve the Agreement between the Highlands County Board of County Commissioners and Florida Department of Environmental Protection for maximum compensation for the extension of Placid Utilities Water Line in the amount of \$851,235.62.

Don Schloesser, from Lake Placid, spoke regarding the process of purchasing the Placid Utilities System and his opposition to the project. The Chair stated that she has on numerous occasions brought up the Messana Project and she was opposed to the County getting into the utility business.

Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Summers, seconded by Commissioner Gose to authorize the Chairman and Clerk to sign necessary documents to close the Loan with Barnett Bank according to Ordinance #94-11 and also to close the purchase with Placid Utilities according to the Contract prior to November 18, 1994.

Harold Owen, President of Twin Lakes Homeowners, stated that he

will contact residents who have not agreed to hook up to the Utility System.

Upon Roll call, Commissioner Vickers voted nay. All other Commissioners voted aye. Motion carried.

The Board Attorney stated that he has no additional information regarding an update on the Book Store Law Suit.

**D. COUNTY ADMINISTRATOR:**

**1. ARBUCKLE CREEK RAILROAD CROSSING**

The County Administrator reported that the Florida Department of Transportation is searching for a site for a demonstration project to eliminate an at grade railroad crossing with a tunnel type crossing. The best crossing on the entire route was found to be Arbutle Creek Road just west of Highlands Avenue. The Department is willing to incur all of the construction costs (\$584,296) for the new crossing if the county will obtain the necessary right-of-ways. The right-of-ways are estimated to cost \$116,619.00. The County Administrator is not in favor of the liability or cost involved. Commissioner Gentry supports the concept but not the cost. The Chair stated that she was totally in favor of the project and the part that it plays with the high speed rail. The Board will accept the recommendation of the County Administrator regarding maintenance cost and will discuss the issue after that is established. See SMB 22 Page 75 for cost estimate and sketch of the project.

**2. DISCUSSION OF 1995 COOPERATIVE FUNDING PROGRAM**

The County Administrator submitted the following for consideration as Cooperative Funding requests to the Southwest Florida Water Management District:

- a) Flood Areas Study on and around the Upper Josephine/Jackson Creek Watershed.
- b) Surface Water Management Study for Little Lake Jackson Drainage Basin.
- c) Leakage investigation on Lake Placid in the Placid Lakes area.
- d) Stormwater Management Master Plan-Avon Park

Don McKenna, Utilities Director for the City of Sebring, stated that the City is also interested in applying for funds through this program. He requested the county and city combine efforts and apply for grants to master plan the area around Lake Jackson. The Board directed the County Administrator to work with the City and come up with priorities for the November 22, 1994 meeting.

**3. REQUEST TO ESTABLISH FEE-AUTOMOBILE SHREDDER FLUFF**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to establish a tipping fee of \$3 per ton for Automobile Recycling Fluff. Gerald Earnest, Solid Waste Manager, suggested that the Board Attorney draft a contract.

Hank Kowalski suggested that the Florida Game and Fresh Water Fish Commission address this to see if there could be a deleterious effect on the Birds.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 76 for copy of request.

**4. REQUEST FOR RESUBMISSION OF HOUSE BILL 1441 TO LEGISLATIVE DELEGATION**

Motion by Commissioner Gentry, seconded by Commissioner Summers to resubmit House Bill 1441 authorizing the local governing body to

change, by resolution, the title or street name appearing upon a recorded plat or map, or unrecorded map the circuit court clerk maintains, if the local governing body determines that the name constitutes an ethnic or racial slur. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 77.

**5. CAREER ACADEMY IN PUBLIC SERVICE AND SAFETY**

Motion by Commissioner Maxcy, seconded by Commissioner Gentry to send a letter to endorse the Career Academy concept at South Florida Community College. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 78 for copy.

**6. TOWN OF LAKE PLACID ANNEXATION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept into the record the Town of Lake Placid Annexation Report Number Two-The Garden and Farm Store and Number Three-Endicott Builders, Pruitts Marine and Classic Antiques. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 79 for copy.

**7. CHANGE IN MEETING POLICY SCHEDULE**

Motion by Commissioner Gentry, seconded by Commissioner Maxcy to hold a regular meeting on Tuesday November 22, 1994 as set by the Chairperson. Upon Roll call, all Commissioners voted aye. Motion carried.

**RECESS 11:45 A.M. - 2:00 P.M.**

The Chairperson reconvened the regular meeting with all Board Members present.

**BOARD ATTORNEY**

**4. APPROVAL OF COMMISSIONER BONDS - JOHN D. BARRETT AND JERI CANALE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve bonds of Jeri Canale and John D. Barrett, newly elected commissioners. Upon Roll call, all Commissioners voted aye. Motion carried.

Commissioner Summers, Vice-Chairman, presented a plaque to the Chairperson, Audrey Vickers, in recognition of an outstanding job.

Commissioner Gose gave a small presentation with a plaque in honor of retiring Vice-Chairman, Archie Summers.

**9. 2:10 P.M. WORKSHOP: LAND USE AND ZONING AND BUDGET PLANNING**

1. Chair calls workshop to order at 2:10 P. M.
2. Topic I - Land Use: How does it relate to current zoning, future use.
3. Jim Polatty, Development Director, presented a map schedule of subdivisions with suggestions for bringing areas of residential into the Plan.
4. Policy to change the rural village designation and eliminate the Plan except in the Lorida area.
5. Discussion on Avon Park Estates and zoning issues.
6. Commissioner Vickers - acquiring properties at Winding Waters to add to Istokpoga Park.
7. Dan Foley, Citrus Growers Association, alternatives to

Citrus Production. Reimbursement to the Property Owners for taking away land use.

- 8. Commissioner Gentry - Projection for the future. Stop Talking Trash.

**10. BUDGET DISCUSSION**

- 1. Chairperson - funding procedures
- 2. Decisions on funding mechanism. Commissioner Gentry - Human Services.
- 3. Chairperson - Organization of Agency funding requests.

The meeting adjourned at 3:15 P.M.

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Chairman

Attest:

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Clerk

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**REGULAR MEETING OF THE BOARD, NOVEMBER 22, 1994**

1. The meeting was called to order at 9:00 A.M. by the Acting Chairman James L. Gose with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
Jeri Canale  
John D. Barrett**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **SWEARING-IN OF NEW COMMISSIONERS: JUDGE SHINHOLSER**

Judge Olin Shinholser administered the swearing-in of Mrs. Jeri Canale and Mr. John D. Barrett as the newly elected Commissioners.

3. **ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to elect C. Guy Maxcy as Chairman to the Board of County Commissioners. Upon Roll call, all Commissioners voted aye. Motion carried.

The past Chairman, Audrey Vickers handed the gavel to the newly elected Chairman, C. Guy Maxcy. The Chairman requested a vote for a new Vice-Chairman.

Motion by Commissioner Gose, seconded by Commissioner Canale to elect Doris Gentry as Vice-Chairman to the Board of County Commissioners. Upon Roll call, all Commissioners voted aye. Motion carried.

4. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The Rev. Dale Schanely led the prayer and Pledge of Allegiance.

The Chairman called a break with refreshments to honor the past Chairperson.

5. **ANNOUNCEMENTS:**

- A. SHERIFF**

Capt Bob Hopton presented the Daily Jail Log of Inmate Count for the period ending November 22, 1994. The Commission discussed the overcrowding problem. Capt Hopton stated that all options are being explored to correct this problem. See SMB 22 Page 81.

- B. CLERK**

The Clerk presented a report on County Ordinance #93-13, additional surcharge of \$12.50 per moving violation. See SMB 22 Page 82 for copy. Mr. Brooker reported that during the period of January 1993 thru November 18, 1994, the Clerks office issued 1,174 marriage licenses and performed 317 ceremonies. A \$20.00 fee is collected for each ceremony performed. The total amount collected for that period is \$6340.00.

The Clerk stated that a program was implemented with the purchase of guardianship training video tapes from Polk County at a cost of \$450.00. These tapes may be rented by potential Highlands County Guardians. Since the implementation of this program in October 1994 the office has collected \$400.00 in rental fees.

Mr. Brooker advised that the Division of Elections in Tallahassee has received the Bond and Oath of Office for the new Commissioners and they should be receiving their commission by next week. They are legal for voting.

- C. MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record. Commissioner Gose reported an L.D.R. meeting on November 28, 1994 and invited the new Commissioners to attend.

**6. COMMENTS AND QUESTIONS**

**A. JOHN PAYNE: LETTER FROM HIGHLANDS COUNTY FARM BUREAU ON COMP PLAN**

Mr. Payne was unable to attend and make the presentation.

**B. FORD HEACOCK: INSURANCE COMMITTEE RECOMMENDATION FOR WORKERS' COMP PHYSICIANS (NEW WORKERS' COMP CARRIER RECOMMENDS REDUCED NUMBER OF PHYSICIANS TO DEAL WITH)**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Insurance Committee recommendation for the following doctors in each community to handle Workmens' Compensation injuries.

Sebring - Burke L. Jackson, M.D.  
Avon Park - Donald B. Geldart, M.D.  
Lake Placid - Richard A. Campbell, M.D.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 83.

**C. RICHARD MCCLEERY, SW FLA WATER MANAGEMENT DISTRICT: EXPLANATION OF ADOPTED NEW WATER USE RESTRICTIONS**

See SMB 22 Page 84. The Commission directed the County Administrator to set a Joint Workshop at the Agric-Civic Center and report back to the Board for correct date. Dan Foley, Citrus Growers Association presented problems with the SWCA rule.

**D. CITIZENS NOT ON AGENDA**

1. Harold Owen, President of the Twin Lakes Property Owners Association, presented comments regarding the private office and Cellular phone of Commissioner John D. Barrett. Other comments were regarding personal expense of a cellular phone for Commissioner Jeri Canale.
2. Mike Johnson, Chairman of the Highlands County Homeowners Executive Board, presented comments on the county tax dollars being spent for personal items.
3. Joe Clarke remarked about the necessity of proper communication for the two new Commissioners and the funds Commissioner Barrett spent himself for a Computer and office equipment.
4. Stephen Libby, representing the residents of Lakeview Drive, thanked Commissioner Gose and Carl Cool for their efforts toward resolving the problems on Lakeview Drive.

**7. COMMISSIONERS**

1. Commissioner Canale thanked all citizens and the Republican Party who supported her in the election and stated for the record that the phone is not a car phone; but a hand-held phone. She is willing to pay for this service. She plans to be accessible to the public.
2. Commissioner Barrett commented on his campaign promise to be a full-time commissioner. He advised that he has

purchased his own desk and computer and worked out the storage area for an office through the County Administrator.

3. Commissioner Gentry remarked about the problems that will occur from one commissioner setting up a private office.
4. Commissioner Gose reminded everyone that authoritative answers can only be given in a public meeting. He stated concerns for setting precedent.
5. Commissioner Gentry called attention to the Monthly Reports concerning Kevin Roberts and the issue of Medicaid Billing with the Florida Association of Counties. She requested input concerning this issue.
6. The Chairman welcomed the new Commissioners on board.

**Break - 10:40 A.M-10:46 A.M.**

The Commissioners further discussed the private office issue with no resolution. The Chairman suggested that the final decision was up to Commissioner Barrett.

**8. RECONVENE-ACTION**

**A. CONSENT AGENDA**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the Consent Agenda as follows:

1. Approval of minutes of 11-15-94 meeting.
2. Accept into the record-October Monthly Reports.
3. Accept into record-Annual Report.
4. Approval to record plat-Loquat Terrace. See SMB 22 Page 85.
5. Approval of budget amendment #94-95-28.  
(Public participation in aquatic weed control)
6. Approval of Hospital District funds to be used for SFCC matching grant. See SMB 22 Page 86.
7. Approval of preliminary assessment roll for Nuisance Abatement Case #94-057, Sylvan Shores Estates, Section A. See SMB 22 Page 87.
8. Approval to declare Nuisance-Case #94-95-003 with a correction to the amount. See SMB 22 Page 88.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. DEVELOPMENT DIRECTOR: ADOPTION OF CONSTRUCTION SPECIFICATIONS FOR NEW HOUSING CONSTRUCTION UNDER SHIP DOWN PAYMENT/CLOSING COST ASSISTANCE PROGRAM**

Mr. Polatty explained the new construction specifications. See SHIP file for copy. Commissioner Canale questioned the cost of the changes to the consumer and if the cost would be affordable. Stephen Libby, Designer Homes, stated that the customer will not be bumped out of the market and will have a better built home. Joe Clarke, local builder, questioned the need to add more studs inside if they are not needed. The option to use metal studs over wood studs were discussed. Mr. Clarke agreed to provide information on the installation and strength factors.

Motion by Commissioner Gentry to adopt the construction specifications for the new housing construction under the SHIP down payment and closing cost assistance program. The motion died for lack of a second.

**C. COUNTY ADMINISTRATOR:**

1. **APPROVAL OF CONTRACT WITH KENKO INC.** (Requesting approval and award of contract for installation of waterlines for Placid Lakes Utility System)

The County Administrator explained the bid tabulation and his recommendation to approve the low bid, Kenko, Inc., Memo from Vaden Pollard with reference to the history of problems with the firm. See SMB 22 Page 89. The Chairman questioned the Board Attorney on the issue of faith and confidence for reasons to deny the low bid. Mr. Macbeth felt that problems with another job were not concrete reasons to deny the bid. Ron Cauthan, Project Engineer, reviewed with the Board all necessary steps taken to ensure that the contractor could construct the project according to design. Mike Fredinberg, with Kenko, Inc., stated that the Company has equipment and manpower to begin as soon as the county gives the notice to proceed. Harold Owen, President of Twin Lake Property Owners, suggested the Board accept the low bid in order to proceed with the project.

The Chairman passed the gavel to Vice-Chairman Gentry and made a motion to disqualify Kenko, Inc. as the low bidder due to the Company's past history. Commissioner Barrett seconded the motion. Upon roll call, Commissioners Gose, Barrett and Maxcy voted aye. Commissioners Gentry and Canale voted nay. The motion carried.

2. **DISCUSSION OF COOPERATIVE FUNDING REQUESTS TO SW FLORIDA WATER MANAGEMENT DISTRICT** (Review suggested priorities to be submitted to SWFWMD)

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the list as presented, with the exclusion of Item #4 for submission to the Southwest Florida Water Management District. See SMB 22 Page 90 for copy. Upon Roll call, all Commissioners voted aye. Motion carried.

3. **APPOINTMENT TO LIBRARY ADVISORY BOARD**  
(Proposed appointment of Frank Hughes)

Motion by Commissioner Gose, seconded by Commissioner Barrett to appoint Frank L. Hughes to the Library Advisory Board. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 91 for copy of resume.

4. **APPOINTMENT TO HISTORIC PRESERVATION COMMISSION**  
(Proposed appointment of Audrey Vickers)

Motion by Commissioner Gose, seconded by Commissioner Gentry to appoint Audrey Vickers to the Historic Preservation Commission. Upon Roll call, all Commissioners voted aye. Motion carried.

5. **APPROVAL OF PERSONNEL DIRECTOR**

Motion by Commissioner Gentry, seconded by Commissioner Canale to accept Calvin Brown as the new Personnel Director. Upon Roll call, all Commissioners voted aye. Motion carried.

6. **RESOLUTION SETTING PUBLIC HEARING DATE-CHURCH STREET**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution setting a Public Hearing date for 12/20/94 to consider closing a portion of Church Street for petitioner, Highlands County School Board. See Res. Book 9 Page 10. Upon Roll call, all Commissioners voted aye. Motion carried.

7. **PUBLIC RISK MANAGEMENT-ALTERNATE MEMBER APPOINTMENT**

The Chairman requested that Commissioner Gose sit as Chairman of the Insurance Committee and as voting member to the Public Risk

Management Group. Commissioner Gose agreed to consider the appointment and to report back to the Chairman.

**8. ADOPTION OF CONSTRUCTION SPECIFICATIONS FOR NEW HOUSING CONSTRUCTION UNDER SHIP**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt the construction specifications for new housing construction under Ship/Down payment/Closing cost assistance program with a look at the steel studs. Upon Roll call, all Commissioners voted aye. Motion carried.

**9. ADJOURNMENT**

The meeting adjourned at 12:12 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, DECEMBER 6, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by the Clerk of Court, Luke Brooker.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending December 6, 1994. See SMB 22 Page 93. Mr. Rogers also reported that Traffic Enforcement will be out this week and he cautioned everyone to drive carefully.

- B. CLERK**

The Clerk reported on the Frank Potts trial being held in Highlands County. Jury selection has begun and the Judges have indicated that the trial could last into early next week. The Chairman requested a cost estimate to Highlands County. Secondly, the Security System was implemented on Monday and is working properly.

- C. MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record.

4. **ACTION:**

- A. PUBLIC HEARING TO CONSIDER ROAD CLOSING-CHURCH DRIVE AND CYPRESS STREET-TOWN OF VENUS**

Pastor Carson Fender, Petitioner presented request for closing of road. Proof of Publication, Notice to Homeowners and Photographs entered into the record by the County Administrator. See SMB 22 Page 94.

Motion by Commissioner Barrett, seconded by Commissioner Gose to adopt Resolution closing Church Drive and Cypress Street, Town of Venus subject to the filing of Declaration of Unity of Title Agreements on Lots 1 thru 8, Block D, Less the West 25 feet and Lots 9 thru 16 and the West 25 feet of Lots 1 thru 8 as requested by the Venus Baptist Church. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 11.

- B. PUBLIC HEARING TO CONSIDER ASSESSING LIEN FOR NUISANCE ABATEMENT, CASE #94-057**

Proof of Publication entered into the record by the Code Enforcement Officer, Alan Decker. See SMB 22 Page 95.

Motion by Commissioner Gose, seconded by Commissioner Gentry to assess lien for nuisance abatement, case #94-057 for Lot #10, Block 9, Sylvan Shores Estates, Section A. Total amount of lien, \$250.00. Upon Roll call, all Commissioners voted aye. Motion carried.

- C. PUBLIC HEARING TO CONSIDER AN ORDINANCE CREATING SEBRING ACRES SPECIAL BENEFIT DISTRICT (NEW DISTRICT FOR ROAD MAINTENANCE OF SUBDIVISION IN VENUS)**

Petition presented by Bill Stephenson, Special Tax District Coordinator. Proof of Publication entered into the record. See SMB 22 Page 96. Mr. Lou Dixon spoke in favor of the District due to the bad roads. The Chairman advised that even if the District is formed it could be 1996 before money is received for the maintenance of the roads. The County Administrator suggested an Interlocal agreement between the Board of County Commissioners and the District, whereby the County could grade the bad washouts.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt ordinance creating a new district for road maintenance of subdivision in Venus, Sebring Acres Special Benefit District. Upon Roll call, all Commissioners voted aye. Motion carried. See Ordinance #94-14.

**D. PROCLAMATION: WORLD HOME CARE WEEK, RECOGNIZING HEALTH CARE GIVERS**

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt proclamation recognizing November 27, 1994 thru December 3, 1994 as "World HomeCare Week". Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 12.

**E. MARY BARBEN, CHAIRPERSON OF THE ARENA COMMITTEE: REQUEST SUPPORT TO REBUILD HORSE ARENAS AT AG CENTER**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve request of Mary Barben, Highlands County 4-H Foundation, for support in the amount of \$5,000 to rebuild horse arenas at the Ag Center. The money to be taken out of the Eucalyptus Parkway project. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 97.

**5. CITIZENS NOT ON AGENDA**

Mr. Mike Starcevic requested consideration in removing candidate billboards. The Commission invited Mr. Starcevic to attend the LDR Committee meetings as this issue will be addressed.

**6. COMMISSIONERS**

1. Commissioner Canale discussed the initiation and orientation to County Commissioners in Tallahassee and thanked the citizens for providing this opportunity.
2. Commissioner Gose reminded the public that Sebring Fireman are hosting the first annual twelve hours of barbecue this week-end at Firemans Field.
3. Commissioner Barrett announced the Lake Placid Christmas Parade Saturday night (12/10/94).
4. Commissioner Gentry discussed the issues presented at the Tallahassee meeting. She also requested the Commission hold a workshop to discuss small lakes in Highlands County and the potential safety hazard of too many ski boats on small lakes.  
Commission Gentry suggested a volunteer to sit on the Twenty-Twenty Focus Group to discuss the Transportation Safety issue.
5. Chairman Maxcy thanked staff and Board for the cooperation with the new seating arrangement. The Chairman also held a discussion on Article Five cost in Tallahassee. Chairman Maxcy introduced Bill Lecher, the new County Engineer.

7. RECESS - 10:12 A.M - 10:25 A. M.

8. RECONVENE-ACTION

A. CONSENT AGENDA:

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the consent agenda as follows:

1. Approval to remove items from warehouse stock (For Storage until auction) See SMB 22 Page 98.
2. Approval to execute resolution approving Hazardous Materials Emergency Plan. See Res. Book 9 Page 13.
3. Approval of variance- Manor Hill Oaks Subdivision. See SMB 22 Page 99.
4. Approval of variance-Istokpoga Breezes Subdivision. See SMB 22 Page 100.
5. Approval of minutes-11-14-94 and 11-21-94 public hearings. Regular meeting of 11-22-94.
6. Approval of budget amendments #93-94-342, 343 and #94-95-29.
7. Approval to pay the following duly authorized warrants:

Law Library	59.88
General	1,331,923.80
County Transportation Trust	123,708.34
"E911" Operations	500.62
Law Enforcement Education	3,869.95
Local Govt Infrastructure Surtax	211,067.72
Correctional Facility Fund	97,340.00
Solid Waste	217,681.47
Risk Retention	14,018.58
Employee Benefit	161,309.56
Special Payroll	142,547.88

Upon Roll call, all Commissioners voted aye. Motion carried.

B. RECONSIDERATION OF LOW BID ON PLACID UTILITIES PHASE I ADDITION

The County Administrator presented an update on the Placid Utilities bid with Kenko Contractors. Three options were given regarding the bid. See SMB 22 Page 101 for copy of options. The Board Attorney explained the process and legality of rejecting the bid. Letter received from Jeff McGrand with recommendation as to their character and abilities. See SMB 22 Page 102.

Ron Cauthan, Engineer for the project, explained the project and the penalties involved. Public input was received from Jeff McGrand, Vice-President of Kenko, Harold Owen, President of Twin Lake Property Owners, Don Schloesser, Jerry McCustion, Pat Dell, Doris McGowan and Mike Fredinberg.

Commissioner Canale reviewed with the Board the comments received from the Sebring Council Members. After Board discussion the Chairman passed the gavel to Vice-Chair Gentry and made a motion to rescind disqualifications of Kenko and accept the low bid. The motion was seconded by Commissioner Canale. After discussion, Commissioner Maxcy withdrew his motion and Commissioner Canale withdrew her second. The gavel was passed back to the Chairman and

the Engineer explained the draw schedule.

Motion by Commissioner Gentry, seconded by Commissioner Canale to rescind the disqualification of Kenko as low bidder for construction of Placid Utilities Phase I addition. Upon Roll call, Commissioners Gentry, Canale and Gose voted aye. Commissioners Barrett and Maxcy voted nay. The motion carried. See SMB 22 Page 102 for copy of backup information.

Commissioner Gentry made a motion to award the low bid to Kenko, Inc. The County Administrator requested that this motion not be made to allow him to negotiate with the Contractor and report back. The motion died for lack of second.

**C. BOARD ATTORNEY: WAIVER OF STATUTE OF LIMITATIONS FOR EMS SETTLEMENT (REGARDING DEPT OF LABOR INVESTIGATION)**

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve to execute waiver of Statute of Limitations in order to continue negotiations with Mr. Steve Amodio of the Department of Labor regarding the investigation of the Overtime provision with respect to the Highlands County EMS Department. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 103.

**REQUEST REFUND OF VESTING APPLICATION FEE MR. SCOTT MCPHEE**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to reimburse Mr. McPhee the \$1200 vesting application fee as a settlement was reached and the vesting matter did not go to Hearing. Upon Roll call, all Commissioners voted aye. Motion carried.

**INTERLOCAL AGREEMENT-CITY OF SEBRING PLACID UTILITIES BILLING**

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept changes to the Interlocal Agreement with the City of Sebring for the billing of Placid Utilities Water System with the acceptance of Bank Drafts. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. ASSISTANT COUNTY ADMINISTRATOR: DRAW REQUEST FOR PETER BROWN CONSTRUCTION**

The Assistant County Administrator advised as a point of information that we have reached the time for draw request number two from Peter Brown Construction in the amount of \$97,000. Things are proceeding in the proper order and there are no horror stories to report at this time. The request is in order and will be processed.

**E. DON AMICONE, FDOT: REQUEST APPROVAL OF URBAN BOUNDARY MAPS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve request of Mr. Don R. Amicone of the FDOT to execute the Sebring and Avon Park Urban Boundary Maps. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 108.

**LUNCH BREAK 12:16 P.M.**

The meeting reconvened at 1:20 P. M. with all members present.

**F. COUNTY ADMINISTRATOR:**

**1. APPOINTMENT OF SESQUICENTENNIAL COMMITTEE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to appoint the Historic Preservation Commission to serve as the lead agency for the Sesquicentennial Committee for Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See

SMB 22 Page 104.

**2. DESIGNATION OF HOLIDAYS FOR 1995**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the list of holidays for the year 1995 and to revisit the Christmas issue when the Court System makes a decision. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 105.

**3. APPROVAL TO GRANT TEMPORARY EASEMENT TO SWFWMD**

Motion by Commissioner Gentry, seconded by Commissioner Gose to grant temporary easement to SWFWMD, Parcel No. 20-020-028; Romp No. 43 XX Monitor Well Site for surficial monitor well. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 106.

**4. DISCUSSION OF 2020 FLORIDA TRANSPORTATION PLAN**

The County Administrator reviewed with the Commission the goals and objectives of the Plan. See SMB 22 Page 107.

**5. MAINTENANCE COST ESTIMATE ON LOW COST RAILROAD TUNNEL ARBUCKLE CREEK**

The County Administrator presented the maintenance cost estimate on the low cost railroad tunnel. He advised that the FDOT has agreed to pay for the right-of-way. See SMB 22 Page 108 for copy of maintenance cost.

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve the project if there is no monetary requirements on the County's part. Mr. Tom Sikes of Lake Placid recommended that the Board not approve this project.

Upon Roll call, all Commissioners voted aye. Motion carried.

**6. REQUEST FOR BID WAIVER (SEWER AND WATER SERVICES TO BE PROVIDED BY SHORT UTILITY SERVICE)**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve a bid waiver of the Purchasing Manual for sewer and water services to be provided by Short Utility Service at the Tomoka Heights Subdivision in accordance with the contract executed by the Board on 10/19/94. Public input was received from Harold Owen of Twin Lake Property Owners Association. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. PROPOSED MASTER PLAN FOR MAX LONG FIELD**

Motion by Commissioner Barrett, seconded by Commissioner Gentry to donate to the Max Long Complex 15 loads of Marl at an approximate cost of \$900. Upon Roll call, all Commissioners voted aye. Motion carried. Commissioner Gentry suggested that the Board look at the total plan for recreational needs for the County. The County Administrator agreed to come up with plans that would include total cost and bring back to the Board. The Chairman appointed Commissioner Gentry to chair the Recreational Committee.

Commissioner Gentry announced the Annual Christmas Tree Recycling Project to be held on Saturday, January 7, 1995. Avon Park project will be held at the Museum. Sebring will be at Desoto Square and Lake Placid will be the Tower Parking Lot. Questions may be answered at the Solid Waste Department.

**9. ADJOURNMENT**

The meeting adjourned at 2:17 P.M.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, DECEMBER 13, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge was led by Commissioner J.D. Barrett.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending December 13, 1994. See SMB 22 Page 111.

- B. CLERK**

The Clerk reported that the Frank Potts trial has been completed and he was found guilty and sentenced immediately. The regular Jury Trial week was also held and everything went very smooth.

The Clerk also reported on the investment procedure for Highlands County and the loan security the County acquired with the Jail financing.

- C. MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record. Additional announcements: Special dedication to Allen C Altwater Cultural Center on December 16, 1994 at 12:00 P.M. Highlands County Community and Traffic Safety Meeting to be held December 13, 1994 at 10:00 A.M. Agri-Civic Center, Room #3.

4. **ACTION:**

- A. PUBLIC HEARING TO CONSIDER AMENDING ORDINANCE #94-11**

Proof of Publication entered into the record. See SMB 22 Page 112. The Board Attorney read the captions of the Ordinance into the record and explained the amendment.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Ordinance #94-15, amending Ordinance #94-11 to provide for the definition of "Project Resolution" pertaining to the issuance of a Water and Sewer Utility Revenue Note. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT-SUN'N LAKE ESTATES OF SEBRING**

Proof of Publication entered into the record by the County Engineer. See SMB 22 Page 113. Staff reports presented were in favor of the vacation.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt Resolution approving vacation of easement-Sun'n Lake Estates of Sebring. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 14 and SMB 22 Page 115.

- C. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT-SYLVAN SHORES ESTATES**

Proof of Publication entered into the record. See SMB 22 Page 114. The County Engineer stated that letters have been sent to affected Utility Companies and Board Departments with no objection to the vacation.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Resolution approving vacation of easement-Sylvan Shores Estates Section D, Lot 517 for Michael Waldron. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 15 and SMB 22 Page 116.

**D. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT-REDWATER TERRACE**

This Public Hearing will be resubmitted on December 20, 1994.

**5. COMMENTS AND QUESTIONS**

**A. DISCUSSION OF HOUSING BONDS**

The Board Attorney presented information from documents received from Raymond James and Associates on the Single Family Bond Program. The intent of the program is to finance single family mortgage loans. Mr. Macbeth suggested that a Resolution and Interlocal Agreement from Bond Council will be presented for review. See SMB 22 Page 117 for copy of information.

The Development Director recommended the Program as another option. Mr. Ray Battani asked if this Program would impact the Taxpayer. The Board Attorney stated that this County is not an obligor and it is anticipated that the payment of the Bonds will be from the mortgages that are purchased with funds that are placed. No Taxpayers money will be used and the Bonds are not an obligation of Highlands County.

**B. TIM SCOTT, TRIANON BROADCASTING: REQUEST FOR ASSISTANCE IN LOCAL PROGRAMMING**

This item was withdrawn.

**C. TED OLIN, AMERICAN LEGION: OCCUPATIONAL LICENSE FEES**

Mr. Ted Olin appeared before the Commission requesting an amendment to the Occupational License Ordinance to exempt the American Legion Post #25 from having to pay the exorbitant license fees for the operations of the Flee Market, Indoor Canteen for the Bingo and the Barbecue.

**D. JAMES LOKER, VFW: OCCUPATIONAL LICENSE FEES**

Mr. Loker, representing the VFW, appeared before the Board of County Commissioners to request exemption from and to challenge the billing of "Charitable Organization Occupational License Fees. Mr. Loker believes that their organization qualifies for exemption per section 6-17 Charitable Organizations.

Ray Battani, Sally Noel, S. Ray Cappadona, and B'Jo Summers spoke to the Board requesting an exemption to the License Fees. The Tax Collector spoke regarding the history of Occupational License collection. The Board Attorney explained the exemption categories of the Ordinance. After discussion by the Commission, the consensus was to request that the Tax Collector and the Board Attorney issue a letter within a week explaining the process to qualify for exemption to each organization.

**6. RECESS 10:45 - 10:58 A.M.**

**7. COMMISSIONERS:**

1. Commissioner Canale and Barrett commented on streamlining government in relation to Occupational License Tax.
2. Commissioner Gentry reminded the Commission of the meeting January 12 and 13, 1995 regarding committee for Intergovernmental Relations issue.

3. Commissioner Gose thanked all persons who participated at the Central Florida Pig Festival.

**8. RECONVENE-ACTION**

**A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows:

1. **APPROVAL TO CHANGE STREET NAMES (VICTORY LANE, GORDON LANE, SOUTHSIDE BLVD.** See SMB 22 Page 118.

2. **APPROVAL OF BUDGET AMENDMENTS #93-94-344, #94-95-33 AND #94-95-34**

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. COUNTY ENGINEER: REQUEST EXECUTION OF GRANT OF EASEMENT-ROBERT L BEAVERS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve execution of grant of easement from Robert L. Beavers to the Board of County Commissioners, Sebring Park Subdivision. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 119.

**C. COUNTY ADMINISTRATOR: RECOMMENDATION ON KENKO BID**

The County Administrator presented the negotiated additional requirements of the contract with Kenko, Inc. for the Placid Utilities construction. See SMB 22 Page 120 for copy. The consensus of the Commission was to move ahead and bring back the contract and issue a notice of award. Commissioner Gose commented that regarding item #5, the job will not be considered complete until all the debris, concrete and sod is back in place.

**D. PEACE RIVER BASIN BOARD-1996 COOPERATIVE FUNDING PROGRAM**

The County Administrator reported that the project proposals ranked by the Board have been submitted to the SWFWMD for the Peace River Basin Board Cooperative Funding Program.

**E. PLACID UTILITIES WATER SYSTEMS FICTITIOUS NAME**

The County Administrator reported that he will be moving ahead to file a fictitious name in order to allow the customer to write a check to Placid Utilities.

**F. BLOOD BANK DONATIONS**

The County Administrator advised that Beth Brooks and Tonya Johnson have earned a key chain as a reward for donating one gallon of blood to the Central Florida Blood Bank.

**G. RURAL ECONOMIC COMMUNITY DEVELOPMENT OFFICE**

The County Administrator requested the Board give a consensus to allow him to write a letter to the State Director pointing out that closing this office would be a detriment and suggesting the office remain open. The Commission gave a consensus.

The Board Attorney gave a report on the three cases involved with the Comprehensive Plan that was held over for Administrative Hearing. The Administrative Commission has now dismissed the first two. The third one, with the Heartland Environmental Council, is still a discussion for settlement. He suggested the Board take a look at the information and decide if we want to continue the negotiations or to proceed with hearing. The information will be

available in the packets.

The Board Attorney advised that there are cases pending in the court system, settlement discussions, that are ongoing and will require the blessing of the Commission. A meeting will be scheduled for direction.

**9. ADJOURNMENT**

The meeting recessed at 11:25 A. M.

**1:00 P.M.: WORKSHOP ON WATER USE RESTRICTIONS: RICK MCCLEERY, SWFWMD**

The meeting was called back to order at 1:00 P. M. with all members present except Commissioner John D. Barrett.

Richard B. McCleery, Governmental Affairs, Southwest Florida Water Management District and David Moore, Deputy Executive Director, Resource Management, presented an overhead transparency and explained activities relative to the Southern Water Use Caution Area. Other District Representatives participating at the Workshop were Ron Cohen, Project Engineer and Ken Webber, Representative.

Commissioner John D. Barrett arrived at the meeting at 1:15 P. M.

Don McKenna, City of Sebring Utility Director, Dan Foley, Citrus Growers Association and Harold Owen, Twin Lake Property Owners Association spoke regarding water restrictions. See SWFWMD for file copy of information.

The meeting adjourned at 2:25 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, DECEMBER 20, 1994**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool.

- A. **PRESENTATION OF SANTA CLAUS**

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for December 20, 1994. See SMB 22 Page 122. Mr. Rodgers also gave a traffic enforcement update.

- B. **MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record.

- C. **OTHER ANNOUNCEMENTS**

The County Administrator introduced Calvin Brown as the New Personnel Director. Other comments of interest were the polished floors in the courthouse. Commissioners Barrett announced a Fifth Grade Graduation at the SFCC with the Dare Program at 9:30 A.M. on 12/21/94. The Chairman commended Carla Stroup on her efforts with community service and the Christmas Spirit.

4. **ACTION**

- A. **PUBLIC HEARING TO CONSIDER REPEALING ORDINANCE 89-6 (USA CABLE FRANCHISE)**

Proof of Publication entered into the record by the Assistant County Administrator. See SMB 22 Page 123. Mr. Larry Trammell requested to the Commission to take no action today as Comcast has started providing technical service to the Highlands County customers and the Asset Purchase and Sale agreement is signed with a target close date of January 4, 1995. He will provide an update on January 10, 1995.

Mike Johnson, speaking for the residents of Spring Lake, asked questions regarding the billing.

Motion by Commissioner Gose, seconded by Commissioner Barrett to table Hearing until January 10, 1995 to allow Comcast to proceed with the purchase of the Franchise. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. **PUBLIC HEARING TO CONSIDER ROAD CLOSING-CHURCH ST (PETITIONER - SCHOOL BOARD)**

Proof of Publication entered into the record. See SMB 22 Page 124. Jim McCollum, representing the Highlands County School Board, presented arguments in favor of the petition. Roy Wright, Transportation Coordinator for the School Board, explained the safety issue and the need for the closing to construct a parking lot for employees. Wendell Whitehouse, Atty for the Property Owner, Mr. Arca, presented arguments regarding the closing and the need for the property to remain open. Daniel DeJockmo spoke in

opposition to the closing.

Motion by Commissioner Gose, seconded by Commissioner Gentry to close all but the Southern forty feet of Church Street. Attorney McCollum suggested that instead of squaring it off; to make the SE half of the forty foot section diagonal across.

Commissioner Gose withdrew his motion. Commissioner Gentry withdrew her second. Motion by Commissioner Gose, seconded by Commissioner Gentry to close all of Church Street less and except a right triangle piece that is touching Tangerine St that would leave the Southern leg thirty feet wide, the Eastern leg forty feet wide and the N. Westerly side fifty feet long.

Attorney Whitehouse responded to the motion regarding Mr. Arca's wishes. Mrs Ruth Handley spoke to the Board regarding the need for the parking lot and collector roads.

Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 19 and SMB 22 Page 126 for copy of map.

**RECESS: 10:35-10:45 A. M.**

**E. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT-REDWATER TERRACE**

Petition and Proof of Publication entered into the record by the County Engineer. See SMB 22 Page 125.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Resolution vacating and to accept the grant of Easement from the Petitioner, Joe L. Davis, Jr. for Lot 9 Redwater Terrace. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 20 and SMB 22 Page 127.

**C. PUBLIC HEARING TO CONSIDER RESOLUTION FOR NON-AD VALOREM ASSESSMENT FOR SEBRING ACRES**

Proof of Publication entered into the record. See SMB 22 Page 128. Public input was received from Lou Dixon and Daniel DeJockmo as residents of Sebring Acres. Questions for Mr. DeJockmo were directed to the County Engineer.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt Resolution for Non-Ad Valorem Assessment as a method to impose the assessment for the Sebring Acres Special Tax District. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 16.

**D. PUBLIC HEARING TO CONSIDER PURCHASE OF PROPERTY ON LAKE SEBRING**

The County Administrator presented the petition to purchase property on Lake Sebring. Proof of Publication entered into the record. See SMB 22 Page 129. Certified Appraisal from Elgin Bayless, Jr. presented in the amount of \$23,000. Assessed value from the Property Appraiser's office listed at \$19,920. Questions were presented from Kris Delaney regarding the type of soils.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve land purchase agreement for property of John F. Mathews Trust in the amount of \$35,000. Upon Roll call, all Commissioners voted aye. Motion carried. See Deed File for copy.

**F. COMMENTS AND QUESTIONS**

No one participated.

**G. CONSENT AGENDA:**

The County Administrator requested that Item numbers 6 & 7 be removed from the Consent Agenda for discussion.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows:

1. Approval of minutes of 12-6-94 Meeting.
2. Accept into the record-December Monthly Reports
3. Approval to remove items from inventory  
1) Chlorinator 2) D-50 Spray Unit for Boat. See SMB 22 Page 130.
4. Approval to accept donation of lot in Leisure Lakes. (Lois French and Chadwick Bolender). See Deed File for copy and SMB 22 Page 136.
5. Approval of billing from Hardee County Sheriff's Office. See SMB 22 Page 132
8. Approval of plat recording-Highlands Ridge on Lake Bonnet, Phase III. See SMB 22 Page 133.
9. Accept into record-Lakeshore Mall monitoring report. See SMB 22 Page 134.
10. Approval to pay all duly authorized warrants as listed:

Law Library	2,860.94
General	804,666.21
County Transportation Trust	28,341.90
"E911" Operations	97.44
Intergovernmental Radio Communication	9,555.00
Local Govt Infrastructure Surtax	355,923.33
Affordable Housing Assistance Trust	22,848.00
1966 Certificate of Indebtedness	57,550.00
1973 Refunding Certificates of Indebt	9,843.75
Solid Waste	54,013.71
Water/Sewer	1,767.56
Risk Retention	138,812.46
Employee Benefit	120,524.19
Special Payroll	2,148.50

Upon Roll call all, all Commissioners voted aye. Motion carried.

**6. Approval to execute contract for Archaeological Grant.**

Kris Delaney, Helen Obenchain and Hank Kowalski recommended the firm of Austin over Goodwin and Associates.

Motion by Commissioner Gose, seconded by Commissioner Barrett to reject the agreement of R. Christopher Goodwin and Associates and accept Bob Austin's firm to conduct the Archaeological survey.

The Board Attorney advised that the Commission has the final say on approval of contracts. Upon Roll call, all Commissioners voted aye. Motion carried.

**H. HUMAN SERVICES DIRECTOR: DOMESTIC VIOLENCE SAFE HOUSE PROPOSAL**

Kevin Roberts presented the proposal for a Domestic Violence "Safehouse". See SMB 22 Page 131 for copy. The proposal included the Evelyn Stulting Home at an appraised amount of \$62,000. The offer was to purchase the Home for \$40,000 with the Children's Services Council to pay all expenses associated with retrofitting

the building.

The Childrens Services Council has located the Peace River Center for Personal Development to provide day-to-day operations. The Board of County Commissioners would lease the Building to Peace River for \$1.00 per year. Public input was received from Clayton Womer in opposition. Speaking in support was Clifton Kelly, Capt Bob Hopton and Ruth Handley.

Motion by Commissioner Gentry, seconded by Commissioner Gose to set a Public Hearing to consider the purchase of the facility for a safehouse. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator suggested that the OMB office identify funds from the Capital Improvements Plan for presentation at the Public Hearing.

**A) COUNTY ADMINISTRATOR-WAIVE PROCEDURE ON CERTIFIED APPRAISAL**

Motion by Commissioner Barrett, seconded by Commissioner Gose to waive the procedure for a certified appraisal for purchase of the Safehouse. Upon Roll call, all Commissioners voted aye. Motion carried.

Commissioner Canale suggested that she obtain competitive marketing analysis from Realtors. Other members supported this idea.

**LUNCH BREAK 12:15 P.M.**

The meeting reconvened at 1:15 P.M. with all members present. Mike Eastman sat in for the Clerk.

**I. BOARD ATTORNEY:**

**2. PROPOSED SETTLEMENT WITH HEARTLAND ENVIRONMENTAL COUNCIL**

The Board Attorney reported on the proposed Settlement with HEC and listed three issues of contention. Mr. Macbeth advised the Board that unless a settlement can be reached, the Plan will go to Hearing. The Chairman requested that the two parties involved come before the Commission and state any new ideas that could help with the Settlement.

Kris Delaney, representing the H.E.C. spoke to the Board regarding Land Clearing, Agricultural Business and the increase in mitigation fees. Other input was received from Dan Foley, representing the Citrus Growers Association, John Payne with the Farm Bureau Association, John Tallent, representing Lykes Bros. and Hank Kowalski speaking for protected species. Ron Cauthan presented a map identifying the areas to be specifically protected under the current Comp Plan. A discussion was held regarding the issuance of building permits for upland habitats.

Commissioner Gose left the meeting at 2:20 P. M.

Motion by Commissioner Canale, seconded by Commissioner Barrett to set a date of January 17, 1995, and to direct the Board Attorney to negotiate with H.E.C. If no terms are reached to proceed to go to hearing. A report to be presented back to the Commission by January 24, 1995. Upon Roll call, all Commissioners voted aye. Motion carried.

**BREAK 3:00 P. M. - 3:09 P. M.**

**7. Approval of budget amendments #94-95-39 through 42.**

Motion by Commissioner Gentry, to approve budget amendments 94-95 -39 through 42 with the addition of #46. The motion died for lack

of a second.

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve budget amendments #94-95-39 through 42 with the addition of #46 for the Lakeview Drive Project. Upon Roll call, all Commissioners voted aye. Motion carried.

**I. BOARD ATTORNEY CONTINUED:**

**1. RESOLUTION TO AMEND DEVELOPMENT OF REGIONAL IMPACT FOR LAKESHORE MALL**

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt Resolution amending the Development of Regional Impact for the Lakeshore Mall. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 17.

**3. RESOLUTION ON IMPROVEMENTS TO ARBUCKLE CREEK ROAD**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution determining the necessity to improve Arbuckle Creek Road from Highlands Avenue approximately two miles East to Curve number one and directing condemnation of the necessary property. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 18.

**J. DEVELOPMENT DIRECTOR: EXPLANATION OF CHANGES TO S.H.I.P. PROGRAM WITH BUDGET AMENDMENT**

Proof of Publication entered into the record. See SMB 22 Page 135. Jim Polatty, Development Director, presented recommended changes by the Affordable Housing Committee as follows:

a) To amend the Housing Assistance Plan, including all SHIP housing programs and adopt two Resolutions implementing these amendments;  
b) budget amendments to bring forth previously approved funds from the first year to complete approved expenditures (rollover of unspent first year SHIP funds).

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve the two Resolutions and the budget amendments implementing the changes as presented. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 21.

**K. PLANNING DIRECTOR: REAPPOINTMENT OF NATURAL RESOURCES ADVISORY COMMITTEE**

Motion by Commissioner Canale, seconded by Commissioner Barrett to reappoint the Natural Resources Advisory Commission in accordance with Section 2B of Resolution #94-22 until April 30, 1995 and then amend the appointments. Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. The motion carried. See SMB 22 Page 137 for copy of appointments. Dan Foley of the Citrus Growers Association, presented recommendation for Pam Fentress to be appointed in the field of Agriculture.

**L. COUNTY ADMINISTRATOR: RECOMMENDATION TO AWARD LEACHATE TREATMENT TO M. BONE, INC.**

The County Administrator presented recommendations to accept the low bid for Leachate Treatment and Disposal System to M. Bone, Inc. with additional funds to come out of the Capital Improvements Budget. To move ahead and commit in order to complete the project.

Mr. Cool informed the Commission that Mr. Don Greenhalgh delivered a letter to his office recommending that the Board consider his bid. He was the second low bidder.

Ron Cauthan, Engineer for the project, recommended that the Board approve the low bid and get on with the project as there is a time factor involved.

Input was received from Don Greenhalgh, Richard Conover and Kris Delaney. The Board Attorney advised the Commission if they are not happy with the low bidder; do not try to disqualify a qualified bidder. Throw all of the bids out and rebid the contract.

Motion by Commissioner Canale, seconded by Commissioner Gentry to award the low bid to M. Bone, Inc. for construction of the leachate treatment and disposal system for the County's Solid Waste Management Center with the revised bid of \$403,282 and a project completion time of 180 days. Upon Roll call, Commissioners Canale and Gentry voted aye. Commissioners Barrett and Maxcy voted nay. The Motion did not carry.

Motion by Commissioner Barrett to throw out the bids and rebid. The Chairman passed the gavel to the Vice-Chairman and seconded the motion. Upon Roll call, Commissioners Barrett and Maxcy voted aye. Commissioners Canale and Gentry voted nay. The motion failed.

The Chairman received the gavel back.

Motion by Commissioner Canale, seconded by Commissioner Gentry to accept the low bid from M. Bone, Inc. for \$403,282.

Mr. Greenhalgh apologized for the confusion and suggested the Board go ahead and award the low bid. Ron Cauthan, Engineer for the project, explained the process and the cost determinations.

Upon Roll call, Commissioner Canale, Barrett, and Gentry voted aye. Commissioner Maxcy voted nay. The motion carried. See SMB 22 Page 138 for copy of bid.

**M. LEGISLATIVE DELEGATION**

The County Administrator reported that the Legislative Delegation will be in the Board Room February 2, 1995 at 9:30 A. M. Any items to be addressed should be listed.

**N. PURCHASE OF LAKE PLACID LIBRARY**

The County Administrator advised that Mr. Ireland Sanders has contacted him in regards to the purchase of the Lake Placid Library. This item will be placed on the Agenda for January 3, 1995.

**5. CITIZENS NOT ON AGENDA**

No participation was received under citizens.

**6. COMMISSIONERS**

The Chairman wished everyone a "Merry Christmas".

**7. ADJOURNMENT**

The meeting adjourned at 4:45 P. M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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