

**REGULAR MEETING OF THE BOARD JANUARY 3, 2006**

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

**Bob Bullard  
C Guy Maxcy  
Edgar Stokes  
Andrew Jackson  
Barbara Stewart**

**Carl Cool  
Bob Jamison  
J Ross Macbeth  
Jodi Giguere**

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner Andrew Jackson. The Pledge of Allegiance was led by Col. Roy Whitton.

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

**4. ANNOUNCEMENTS**

**A. Clerk**

No report.

**B. Upcoming County meetings:**

Jan 03	3:00 PM	Highlands Soil & Water Conservation District	#3, Ag-Center, 4509 George Blvd.
Jan 03	7:00 PM	Construction Licensing, Enforcement & Appeals Board	Board room, 600 S. Commerce Ave.
Jan 05	8:15 AM	HC Tourist Development Council	#3, Ag-Center, 4509 George Blvd.
Jan 09	9:00 AM	HC Homeowners Association	3240 Grand Prix Drive
Jan 09	6:30 PM	Highway Park Neighborhood Preservation & Enhancement District Council	New Life Assembly Church, 114 Cloverland St., Lake Placid

**C. Other meetings:**

**5. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits January 3, 2006**

<b>General .....</b>	<b>238,605.47</b>
<b>County Transportation Trust .....</b>	<b>60,534.75</b>
<b>E911 Operations Fund .....</b>	<b>36.67</b>
<b>Intergovt Radio Communication .....</b>	<b>54.23</b>
<b>Local Govt Infra Surtax.....</b>	<b>37,625.93</b>
<b>Tourist Development Trust Fund .....</b>	<b>979.55</b>
<b>Affordable Housing Asst .....</b>	<b>247.02</b>
<b>Home Initiatives Partnership .....</b>	<b>2,723.00</b>

Law Library Trust Fund .....	493.00
Court Tech .....	3,834.17
Building Code Enforcement Fund .....	37.08
HCISSRB Construction Fund .....	12,168.17
Solid Waste .....	26,838.08
Placid Utilities .....	526.74
Highway Park Utility .....	6.57
Risk Retention Fund .....	.18
Employee Benefit Fund .....	2.03
Tax Deed Surplus Fund .....	236.25

- B. Request approval of board meeting minutes of December 13, and 20, 2006**
- C. Request approval to record the map and directory of roads and streets maintained by Highlands County Road & Bridge Department. See SMB 48 Page 1.**
- D. Request approval of budget amendment 05-06-71**
- E. Request approval of Resolution & budget amendment 05-06-76. See Res. Book 19 Page 1.**
- F. Request approval of Resolutions and budget amendments 05-06-70; 74. See Res. Book 19 Page 2.**

**6. ACTION:**

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to set action agenda as listed, with a revision to Item 6-A. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Parks & Recreation Director: Request approval of Resolution & budget amendment 05-06-68 to bring grant revenues into the sports complex project – as revised**

Parks and Recreation Director, Vicki Pontius, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the Resolution and revised budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 3.

**B. County Administrator: Request approval of budget amendments 05-06-72 and 73 decreasing and increasing fund 05 Reserve for Contingency**

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

**7. CITIZENS NOT ON AGENDA:**

No participants.

**8. COMMISSIONERS:**

Commissioner Bullard gave the Board an update on the Impact Fee Working Group. He also commended the County’s Public Information Officer, Corine Burgess, for a job well done in producing the 2006 County Calendar.

**9. ADJOURN**

The meeting adjourned at 9:09 A.M.

**REGULAR MEETING OF THE BOARD JANUARY 10, 2006**

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

- |                        |                       |
|------------------------|-----------------------|
| <b>Bob Bullard</b>     | <b>Carl Cool</b>      |
| <b>C Guy Maxcy</b>     | <b>Bob Jamison</b>    |
| <b>Edgar Stokes</b>    | <b>J Ross Macbeth</b> |
| <b>Andrew Jackson</b>  | <b>Jodi Giguere</b>   |
| <b>Barbara Stewart</b> |                       |

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Recycling Program Manager, Christy Reed. The Pledge of Allegiance was led by Deputy Clerk, Jodi Giguere.

**3. ANNOUNCEMENTS**

Chairman Bullard announced that Human Services Director, Kevin Roberts, is in the hospital for surgery at Florida Hospital Heartland.

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of a *Monthly Report of Business Services for December* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 2.

**B. Upcoming County meetings:**

Jan 10	1:00 pm	Zoning Board of Adjustment	600 S. Commerce Ave. Sebring
Jan 10	1:00 pm	Planning and Zoning Commission	600 S. Commerce Ave. Sebring
Jan 11	7:30 am	IDA/EDC Board of Directors	2113 US 27 South. Sebring
Jan 11	9:30 am	Central Florida Regional Planning Council	1702 US Hwy 17, Bartow Fl.
Jan 11	10:00 am	Community Traffic Safety Team	Agric Civic Center Room #3 Sebring

**C. Other meetings:** There is a Value Adjustment Board meeting tomorrow, January 11, at 9 a.m. in the Boardroom. County Offices and the Courthouse will be closed on Monday, January 16 in recognition of Martin Luther King Jr. Day. There is a joint meeting with the Economic Development Commission today at 12:30 p.m. Recycling Program Manager, Christy Reed, introduced Sherri Cooper, who is the new Keep Highlands County Beautiful Coordinator.

**4. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits January 10, 2005**

<b>General .....</b>	<b>882,276.34</b>
<b>County Transportation Trust .....</b>	<b>40,829.82</b>
<b>E911 Operations Fund .....</b>	<b>21,069.38</b>
<b>Intergovt Radio Communication .....</b>	<b>5,312.32</b>
<b>Legal Aid .....</b>	<b>3,227.48</b>
<b>Local Govt Infra Surtax.....</b>	<b>84,302.55</b>
<b>Tourist Development Trust Fund .....</b>	<b>12,284.81</b>

<b>Comm Development Block .....</b>	<b>1,163.44</b>
<b>Affordable Housing Asst .....</b>	<b>128,939.26</b>
<b>Sebring Parkway Maint .....</b>	<b>950.00</b>
<b>Court Tech .....</b>	<b>3,033.60</b>
<b>Building Code Enforcement Fund .....</b>	<b>3,770.09</b>
<b>HCISRB Construction Fund .....</b>	<b>1,427.42</b>
<b>Solid Waste .....</b>	<b>85,559.62</b>
<b>Placid Utilities .....</b>	<b>5,178.36</b>
<b>Highway Park Utility .....</b>	<b>327.81</b>
<b>Risk Retention Fund .....</b>	<b>8,698.76</b>
<b>Employee Benefit Fund .....</b>	<b>12.99</b>

- B. Request approval of the minutes of the December 27, 2005 and January 3, 2006 board meetings**
- C. Request approval of Satisfaction of Mortgage for Monica Sweet. See Satisfaction file.**
- D. Request approval of an Access and Use Agreement with Florida Hospital Heartland. See EMS file.**
- E. Request approval of an EMS Grant resolution and application. See EMS file.**
- F. Request approval to declare a Nuisance for Case # CE0506-0057. See Subdivision file.**
- G. Request approval of the Amended Constitutional Officers Financial Reports for Fiscal Year 2004-2005 for the Clerk of Courts and Property Appraiser. See file for copy.**
- H. Request approval of Resolutions and budget amendments 05-06-80; 81. See Res. Book 19 Page 4.**

**5. PRESENTATION: Highlands County Soil and Water Conservation**

Don Bates gave a presentation that summarizes the grants and projects currently underway or will be implemented for the Highlands County Soil and Water Conservation District.

**6. WORKSHOP: Workshop for the Proposed Transportation Corridor Management Ordinance**

Development Services Director, Jim Polatty, gave a power point presentation, explaining the proposed ordinance. The Long Range Transportation Committee (LRTC) recommended this workshop to inform the Board of the progress, and to seek further direction from the Board. Commissioner Stewart, as liaison to the LRTC, pointed out that the committee has adopted the concept of the ordinance, not the details. Commissioner Bullard suggested limiting this workshop to discussions on the concept of corridor management and preservation, and whether or not the Board wishes to proceed and have Staff put more time into refining it. Board Attorney, Ross Macbeth, stated the concept is a good idea, but more work is needed on the details. County Engineer, Ramon Gavarrete, also agreed that it is a good concept. The Board reached a consensus to have staff continue to refine the process and move forward, have legal staff look at the ordinances from other counties, particularly those that have been litigated, and start preparing to bring back something to the Board in a form that allows us to look at ways of implementation. See tape for further details.

**7. COMMISSIONERS**

Commissioner Bullard reported on the Legislative Committee on Intergovernmental Relations meeting yesterday in Tallahassee.

**8. ADJOURN**

The meeting adjourned at 11:07 A.M.

**REGULAR MEETING OF THE BOARD JANUARY 17, 2006**

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

**Bob Bullard**  
**C Guy Maxcy**  
**Edgar Stokes**  
**Andrew Jackson**  
**Barbara Stewart**

**Carl Cool**  
**Bob Jamison**  
**J Ross Macbeth**  
**Jodi Giguere**

2. **Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Board Attorney, Ross Macbeth. The Pledge of Allegiance was led by Deputy Clerk, Bob Jamison.

3. Call for "Citizens Not on the Agenda" forms to be turned in

4. **ANNOUNCEMENTS**

- A. **Sheriff**

No report.

- B. **Clerk**

No report.

- C. **Upcoming County meetings:**

Jan 18	9:00 am	Value Adjustment Board	Boardroom, 600 S. Commerce Ave.
Jan 18	10:00 am	Heartland Library Cooperative Governing Board	205 W. Interlake Boulevard, Lake Placid
Jan 18	1:30 pm	Impact Fee Steering Committee	505 S. Commerce Ave. Sebring
Jan 19	2:30 pm	Recreation and Parks Advisory Committee	505 S. Commerce Ave. Sebring
Jan 19	4:30 pm	Highlands County Library Advisory Board	Sebring, Library Meeting Room

- D. **Other meetings:** The Lake Placid Area Growth Management Committee will meet today at 4 P.M. at the Lake Placid Town Hall.

5. **CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt consent agenda as amended, pulling budget amendments #05-06-77 and 05-06-78 from 5-F. Commissioner Stewart requested that budget amendment #05-06-79 be pulled from the agenda. Commissioner Maxcy withdrew his original motion, and Commissioner Stokes withdrew his second. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the consent agenda as amended, pulling budget amendments # 05-06-77, 05-06-78, and 05-06-79 from 5-F. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits January 17, 2006**

**General ..... 958,593.51**  
**County Transportation Trust ..... 31,117.22**

<b>E911 Operations Fund .....</b>	<b>15.89</b>
<b>Intergovt Radio Communications .....</b>	<b>11,021.00</b>
<b>Law Enforcement Education .....</b>	<b>7,531.70</b>
<b>Local Govt Infra Surtax.....</b>	<b>3,259.00</b>
<b>Tourist Development Trust Fund .....</b>	<b>5,592.28</b>
<b>Affordable Housing Asst .....</b>	<b>10,421.67</b>
<b>Hurricane Housing Rec Program .....</b>	<b>333.33</b>
<b>Building Code Enforcement Fund .....</b>	<b>101.25</b>
<b>Solid Waste .....</b>	<b>31,941.17</b>
<b>Placid Utilities .....</b>	<b>13,500.15</b>
<b>Highway Park Utility .....</b>	<b>2,373.84</b>
<b>Risk Retention Fund .....</b>	<b>.38</b>
<b>Employee Benefit Fund .....</b>	<b>1.14</b>

- B. Request approval of Satisfaction of Mortgage for Sharon Pridgeon. See Satisfaction file.**
- C. Request to declare a Notice of Nuisance for CE05080092, 1417 W. Bliss St. Avon Park, FL 33825. See Subdivision file.**
- D. Request approval of Consultant Services Agreement Number 8680.11 for Evaluation of Residential Canals around Lake Istokpoga for possible Maintenance Dredging. See file for copy.**
- E. Request approval to reappoint R. Warren Hall to the Hospital District Board. See SMB 48 Page 3.**
- F. Request approval of Resolutions & Budget Amendments ~~05-06-77, 78, 79~~; 82. See Res. Book 19 Page 6.**

**6. ACTION:**

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

**A. Emergency Operations Director: Presentation of Firefighter I Certificates**

Emergency Operations Director, Tim Eures, along with Chairman Bullard and Brad Batz, Training Instructor, presented Certificates of Completion of the Firefighter I class to the following: Joshua Cameron, Roger Free, and Dustin Taylor (Highlands Park Fire Dept), Justin Dumbleton, Billy Kingston, and Joel Thomason (West Sebring Fire Dept), Stan Kincaid and Allen Merrill (Leisure Lakes Fire Dept), Ryan Martin, Matt McIntrye, and Matt Perry (Highlands Lakes Fire Dept), and Aaron Eures (Sun'n Lakes of Sebring Fire Dept).

**B. Sheriff Susan Benton:**

**1. Fee Schedule for Sheriff's Office Services**

Sheriff Susan Benton presented the Board with a fee schedule that has been established for services provided by the Sheriff's Office. See SMB 48 Page 4.

**2. Quarterly Report – Year in review**

Sheriff Susan Benton presented a Quarterly Report of the Highlands County Sheriff's Office, giving some quarterly information collected from the law enforcement bureau and the detention bureau. See SMB 48 Page 5.

**3. Reverse 911 Program Presentation**

Sheriff Benton and Chief of Staff, Lisa McGehee, gave a power point presentation on the Reverse 911 System, explaining the components and benefit of the Interactive Community Notification System. A live demonstration of the system was also given. See SMB 48 Page 6.

**4. Long Range Space Needs Discussion**

Sheriff Susan Benton presented a request for the Board to consider authorizing an addendum with Chastain Skillman to address significant long-range issues and create a master plan for future space needs at the Sheriff's Office. County Administrator, Carl Cool, stated Board approval is needed for the addendum to the agreement, and the accompanying budget amendment. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the addendum to the Consultant Services Authorization agreement with Chastain Skillman, and the accompanying budget amendment, for a Space Needs Assessment and Master Planning Services for the Sheriff's Office. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

Break 10:45 – 11:00 A.M.

**7. PUBLIC HEARING: Public Hearing to consider a Parking Violations Ordinance (of interest to Lake Denton residents)**

Proof of Publication for this hearing was entered into the record. See Proof of Pub. Ord. Book 4 Page 1. County Administrator, Carl Cool, presented a proposed ordinance for the Board's consideration. Board Attorney, Ross Macbeth, read a caption of the ordinance into the record. Commissioner Stewart questioned how the ordinance would be enforced. Major Mark Schrader, with the Sheriff's Office, stated that deputies would do routine patrols of the area when possible. He added that a parking citation form would need to be used in order to issue tickets. The Chair opened the floor to the public. Dave Simpson spoke in support of leaving the boat ramp closed for a year or two. Bill Serey spoke in support of solving the problem. John Drennan expressed concern about these problems occurring at other locations. Mr. Macbeth stated he would work with the Sheriff's Office to revise the ordinance and draft a parking citation form.

**8. ACTION: (cont'd)**

**A. 911 Coordinator: Request approval of Street Name change for the South Access Road to Carroll Shelby Drive**

E-911 Coordinator, Ben Henley, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stewart, to approve changing the name of South Access Road to Carroll Shelby Drive. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 7.

**B. Missy Barletto, Intergovernmental Representative - Lead, South Florida Water Management District: Update on Lake Okeechobee & Estuary Recovery Plan**

County Administrator, Carl Cool, stated that this item will need to be reschedule.

**C. County Administrator: Request approval of Hazmat Grant Agreement, Resolution and Budget Amendment**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the Hazmat Grant Agreement, Resolution and Budget Amendment for funding of the Technical Rescue Training Program. Upon roll call, all Commissioners voted aye. Motion carried. See file and Res. Book 19 Page 7.

**9. CITIZENS NOT ON AGENDA**

John Drennan spoke about impact fees and the hiring of consultants.

**10. COMMISSIONERS:**

Commissioner Stewart reported on the helicopter tour she took of the County with the Water Management District.

**11. ADJOURN**

The meeting adjourned at 12:14 P.M.

**REGULAR MEETING OF THE BOARD JANUARY 24, 2006**

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

<b>Bob Bullard</b>	<b>Carl Cool</b>
<b>C Guy Maxcy</b>	<b>J Ross Macbeth</b>
<b>Edgar Stokes</b>	<b>Jodi Giguere</b>
<b>Andrew Jackson</b>	
<b>Barbara Stewart</b>	

2. **Invocation and Pledge of Allegiance**

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

**3. ANNOUNCEMENTS**

**A. Clerk**

No report.

**B. Upcoming County meetings:**

Jan. 25	7:30 am	Children’s Services Council	100 S. Highlands Ave. Sebring
Jan. 25	9:00 am	Name Clearing Hearing	600 S. Commerce Ave. Room 251
Jan. 25	2:00 pm	Insurance Committee	600 S. Commerce Ave. Room 251
Jan. 26	10:00 am	911 Communication Committee	Desoto City Fire Station 19
Jan. 26	10:00 am	Lake Istokpoga Management Committee	4509 George Blvd. Conference Room # 3

- C. Other meetings:** The Natural Resources Advisory Committee will meet on January 25 at 4 pm in the Engineering Training Room. The Long Range Transportation Committee will meet on January 25 at 10:00 am in the Engineering Training Room.

**4. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits January 24, 2006**

<b>General .....</b>	<b>2,108,908.40</b>
<b>County Transportation Trust .....</b>	<b>55,401.10</b>
<b>E911 Operations Fund .....</b>	<b>5,484.18</b>
<b>Local Govt Infra Surtax.....</b>	<b>47,938.84</b>
<b>Tourist Development Trust Fund .....</b>	<b>6,637.73</b>
<b>Affordable Housing Asst .....</b>	<b>23,107.76</b>
<b>Sebring Parkway Maint .....</b>	<b>300.00</b>
<b>Court Tech .....</b>	<b>3,110.00</b>
<b>Building Code Enforcement Fund .....</b>	<b>4,114.68</b>
<b>Solid Waste .....</b>	<b>83,143.13</b>
<b>Placid Utilities .....</b>	<b>409.26</b>
<b>Highway Park Utility .....</b>	<b>4.48</b>

- B. Request approval of a Satisfaction of Mortgage for Lisa Marie Bright. See Satisfaction file.
- C. Request approval of a Satisfaction of Mortgage for Dean M. and Jennifer G. Smith. See Satisfaction file.
- D. Request approval of new member for the Lake Istokpoga Management Committee. See SMB 48 Page 8.
- E. Request approval to a Notice of Nuisance on Case # CE 05060061, 6412 Hancock Road, Sebring. See Subdivision file.
- F. Request approval to declare a Notice of Nuisance for CE 05100048, 5037 Roanoke St. Sebring, FL. See Subdivision file.
- G. Request approval to declare a Notice of Nuisance for CE 05030043, 1521 Bassage Rd. Sebring, FL. See Subdivision file.
- H. Request approval of an equipment trade-in agreement. See SMB 48 Page 9.
- I. Request approval of sand and stall area dumpster landfill fee waiver. See SMB 48 Page 10.
- J. Request approval of a Quit Claim Deed to Right-of-Way known as Gulfside Drive South
- K. Request approval of contracts with Utility Service Company, Inc. for maintenance and repair services for Placid/Highway Park Utilities storage and hydropneumatic Tanks and Budget Amendment #05-06-87 and Resolution. See file and Res. Book 19 Page 8.

**5. PUBLIC HEARING: Request approval of an emergency Notice of Nuisance for Case CE 0601012, 165 E. A. Smith Street, Lake Placid, FL**

Code Enforcement Officer, Eddie Conklin, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stewart, to declare the emergency Notice of Nuisance for the property. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**6. PUBLIC HEARING: Request to declare a Notice of Nuisance CE 05070091, 1202 S. Florida Ave. Avon Park Fl. 33825**

Motion by Commissioner Maxcy, seconded by Commissioner Stewart to remove this item from the table. Upon roll call, all Commissioners voted aye. Motion carried. Code Enforcement Officer, Eddie Conklin, requested this public hearing be withdrawn,

~~**7. PUBLIC HEARING: Request approval of a Notice of Lien on CE 05060184, 3719 Hoyt Ave, Sebring, Fl**~~

This item has been pulled from the agenda.

~~**8. PUBLIC HEARING: Request approval to declare a Lien on CE 05080107, 2004 Stowe Ave. Avon Park Fl, 33825**~~

This item has been pulled from the agenda.

~~**9. PUBLIC HEARING: Request approval to place a Lien on CE 05050025, 271 Lake Francis Rd. Lake Placid, FL.**~~

This item has been pulled from the agenda.

**10. PUBLIC HEARING: Request approval of a resolution to vacate the easement described as the south 7.50 feet of Lot 6, Manor Hill Oaks, according to the Plat thereof recorded in Plat Book 16, page 12, of the public Records of Highlands County, Florida. Less the East 10.00 feet thereof**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the vacation of easement as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 9.

**11. PUBLIC HEARING: Request approval of a resolution to vacate the easement described as the North 1.00 foot of the South 10.0 feet of Lot 10, Block 10, Unit 11 of Orange Blossom Estates, according to the Plat Map thereof recorded in Plat Book 7, Page 48, and O.R. 483, page 422 of the Public Records of Highlands County, Florida**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to approve the vacation of easement as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 10.

**12. PUBLIC HEARING: Public Hearing to consider the purchase of a portion of 3201 DeSoto Rd., Sebring, Fl 33870 for Sebring Parkway Phase II Project #01101**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, to approve the purchase of the property for Sebring Parkway Phase II. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**13. PUBLIC HEARING: Public Hearing to consider purchase of a portion of 1580 S. Highlands Ave., Sebring, Fl. 33870 for Sebring Parkway Phase II Project # 01101**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the purchase of the property for Sebring Parkway Phase II. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**14. PUBLIC HEARING: Twenty-three (23) zoning changes, Sixteen (16) small scale plan amendments, Eleven (11) large scale plan amendments,**

Proof of Publication for the following hearings were entered into the record. See Proof of Pub. Ord. Book 4 Page 2.

**1A) NEW BUSINESS: HEARING #CPA-06-357LS – HOMETRUST GROUP, INC. – C/O LARRY BECKFORD – PRESIDENT – HOMETRUST**

Approximately 25 acres located on the East side of Farm Road at the intersection with Plantation Drive, and abbreviated legal as follows: Approximately 25 acres located in Sec. 24, Twp. 35S, Rge. 29E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Agriculture) to (Low Density Residential.)

**1B) HEARING #1812 – HOMETRUST GROUP, INC. – C/O LARRY BECKFORD – PRESIDENT – HOMETRUST**

Legal description as stated above (Item # 1A.)

**Request:** A zoning change from AU (Agricultural) to EU (Estate district.) Applicant desires to construct single-family dwellings.

Development Services Director, Jim Polatty, presented the request. Tom Nunnallee, representing the applicant, stated they have agreed to limit the density to a maximum of 25 units. Commissioner Stewart made a suggested language change to the right-of-way condition, as recommended by the County Engineer. Board Attorney, Ross Macbeth, stated his approval of the change. Motion by Commissioner Stewart, seconded by Commissioner Stokes, in accordance with the P&Z recommendation, move to approve CPA-06-357LS amending for transmittal to DCA for their compliance determination, the Future Land Use Map for 25.18 acres from Agriculture to Low Density Residential, including the conditions listed in this motion, referencing the mandatory findings and

adopt by Resolution, P&Z 1812 changing the Zoning Atlas for 25.18 acres from AU (Agricultural district) to EU (Estate district), becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 11.

P&Z Recommended Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Central water is to be provided in addition to a water and sewer commitment letter and the property will accept central wastewater when wastewater is available per the Highlands County Comprehensive Plan.
2. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.
3. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
4. The maximum density is 25 dwelling units.

**2A) HEARING #CPA-06-358SS – LARK E. ADAMS AND CARROLL W. PATRICK**

Approximately 4 acres located on the Northwest corner of Taunton Road and Ballard Road in Avon Park Estates Subdivision, and legally described as follows: Lots 5 and 6, Block 3, Avon Park Estates, Unit III, as recorded in P.B. 10, PG. 43, of the Public Records of Highlands County, Florida.

**Request:** A small-scale plan amendment from (Agriculture) to (Medium Density Residential.)

**2B) HEARING #1816 - LARK E. ADAMS AND CARROLL W. PATRICK**

Legal description as stated above (Item # 2A.)

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

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Jackson, in accordance with the P&Z recommendation, move to **DENY** CPA-06-358SS amending the Future Land Use Map for 4.0 acres from Agriculture to Medium Density Residential and **DENY** P&Z 1816 changing the Zoning Atlas for 4.0 acres from AU (Agricultural district) to R-1 (Residential district). Upon roll call, all Commissioners voted aye. Motion carried.

**3A) HEARING #CPA-06-359LS – SEBRING AIRPORT AUTHORITY – C/O J. MICHAEL SWAINE**

Approximately 120 acres located on the Southeast corner of Sebring Airport Authority Complex, and abbreviated legal as follows: Approximately 120 acres located in Secs. 8 and 9, Twp. 35S, Rge. 30E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Public) to (Industrial.)

**3B) HEARING #1818 – SEBRING AIRPORT AUTHORITY – C/O J. MICHAEL SWAINE**

Legal description as stated above (Item # 3A.)

**Request:** A zoning change from P (Public Lands district) to I-2 (Industrial district.) Applicant desires all permitted uses in I-2 district.

Development Services Director, Jim Polatty, presented the request. Mike Swain, representing the applicant, stated they have agreed to a restrictive easement, restricting the uses allowed in the I-2 district. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the P&Z recommendation, move to approve for transmittal to DCA for their compliance determination CPA-06-359LS, including the conditions cited below, amending the Future Land Use Map for 120 acres from Public/Quasi-Public Facility and Institutional Lands to Industrial and adopt by Resolution P&Z 1818 changing the Zoning Atlas for 120 acres from No-zone to I-2 (Industrial district), referencing the mandatory findings and becoming effective as provided by law, including the recording

of a restrictive covenant by the Sebring Airport Authority, placing the restrictions on the property. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 12.

P&Z Recommended Conditions Pursuant to FLU Policy 1.11: <i>Site Specific Developments</i>
1. Environmental clearance, if required, of impacts to Wetlands, Cutthroat Grass Seeps, and Xeric Uplands will be necessary prior to development. No development order or permit will be issued unless prescribed environmental mitigation is accomplished. Concurrency assessment for traffic circulation, sanitary sewer, potable water, solid waste disposal, storm water drainage, and recreation and open space will be required prior to development. All development orders and permits will specify any needed improvements, and a schedule for their implementation, including any conditions that require public facility improvements, be in place concurrent with the impacts of the proposed development.
2. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.
3. Central water and sewer are required
4. Industrial uses not allowed will be the same as those not allowed in the A-1 Zoning District. A restrictive easement will be recorded in favor of the Board of County Commissioners restricting the industrial uses.

4) **HEARING #CPA-06-360SS – JOSEPH PATRICK KURPIEWSKI – C/O DONALD CHANCEY – CHANCEY & ASSOC. DESIGN GROUP, INC.**

An approximate 1/2 acre Parcel on the South side of U.S. 98, South of Red Beach Lake, and legally described as follows: Lot 8, Block 1, Suburbia Subdivision, as recorded in P.B. 12, PG. 49, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Agriculture) to (Commercial.)

Development Services Director, Jim Polatty, presented the request. Donald Chancey, representing the applicant, briefly explained the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the P&Z recommendation, move to adopt by ordinance CPA-06-360SS changing the Future Land Use Map for 0.69 acres from Agriculture to Commercial, referencing the mandatory findings and transmitting to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

5) **HEARING #CPA-06-361SS – A.M. (TONY) & PAMELA CASTRONOVO – C/O DONALD CHANCEY & ASSOCIATION DESIGN GROUP, INC. – CHANCEY & ASSOC. DESIGN GROUP, INC.**

An Approximate 1/2 acre Lot on the South side of U.S. 98, 1/4 mile East of the intersection with CR 17, and legally described as follows: Lot 7, Block 1, Suburbia Subdivision, as recorded in P.B. 12, PG. 49 of the Public Records of Highlands County, Florida.

**Request:** A small-scale plan amendment from (Agriculture) to (Commercial.)

Development Services Director, Jim Polatty, presented the request. Donald Chancey, representing the applicant, briefly explained the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the P&Z recommendation, move to approve and adopt by ordinance CPA-06-361SS changing the Future Land Use Map for 0.69 acres from Agriculture to Commercial, referencing the mandatory findings and transmitting to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

**6A) HEARING #CPA-06-363SS – CLAUDE D. BORING – ROGER DALE POLSTON**

Approximately 8.2 acres located on the North side of U.S. 98 at the Seaboard Coastline Railroad crossing, and abbreviated legal as follows: Located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Business/Industrial) to (Industrial.)

**6B) HEARING #1821 – CLAUDE D. BORING – ROGER DALE POLSTON**

Legal description as stated above (Item # 6A.)

**Request:** A zoning change from B-3 (Business district) to I-2 (Industrial district.) Applicant desires all permitted uses in the I-2 zoning district.

Development Services Director, Jim Polatty, presented the request. Dale Polston, representing the applicant, briefly explained the request. Commissioner Stewart expressed concern about the buffer that is required. Chip Boring, applicant, stated he would agree to additional buffering for the property. Motion by Commissioner Stewart, seconded by Commissioner Jackson, in accordance with the P&Z recommendation, move to adopt by Ordinance CPA-06-363SS amending the Future Land Use Map for 8.205 acres from Commercial/Industrial to Industrial and adopt by Resolution P&Z 1821 changing the Zoning Atlas for 8.205 acres from B-3 (Commercial district) to I-2 (Industrial district), referencing the mandatory findings and transmitting CPA-06-363SS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law, including the conditions as listed. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 13.

P&Z Recommended Conditions Pursuant to FLU Policy 1.11: <i>Site Specific Developments</i>
1. Central water shall be provided to the Lots and central sewer shall be provided when available to the site.
2. Access to the industrial property will be limited only to the interior Commercial Road and restricted from off of U.S.98.
3. The Applicant shall dedicate additional rights-of way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manuel, and the Capital Improvement Program at the time of development..
4. Environmental clearance, if required, of impacts to Wetlands, Cutthroat Grass Seeps, and Xeric Uplands will be necessary prior to development. No development order or permit will be issued unless prescribed environmental mitigation is accomplished. Concurrency assessment for traffic circulation, sanitary sewer, potable water, solid waste disposal, storm water drainage, and recreation and open space will be required prior to development. All development orders and permits will specify any needed improvements, and a schedule for their implementation, including any conditions that require public facility improvements, be in place concurrent with the impacts of the proposed development.
5. A Transitional Yard of Class “C” shall be provided on the side of the property that is adjacent to U.S. 98.

*Break 10:40 – 10:50 A.M.*

**7A) HEARING #CPA-06-364SS - HIATUS DEVELOPMENT GROUP, LLC – CLIFFORD R. RHOADES, ESQ.**

Approximately 4.25 acres located on the East side of S.R. 17 at the Seaboard Coastline Railroad crossing, and legally described as follows: Block Z, and a portion of Tract 30, Basket Lake Groves, per T.B. PG. 5, of the Public Records of Highlands County, Florida. Approximately 4.26 acres located in Sec. 7, Twp. 34S, Rge. 29E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Agricultural) to (Commercial.)

**7B) HEARING #1822 - HIATUS DEVELOPMENT GROUP, LLC – CLIFFORD R. RHOADES, ESQ.**

Legal description as stated above (Item # 7A.)

**Request:** A zoning change from B-3 CU (Business district with a Conditional Use) to B-3 (Business district.) Applicant desires self-warehouse.

Development Services Director, Jim Polatty, presented the request. Cliff Rhoades, representing the applicant, provided a site plan for the property, adding that the applicant did not feel that the central water and sewer requirement was practical. Board Attorney, Ross Macbeth, made some suggested changes to the conditions. Mr. Rhoades expressed concern about the conditions. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the P&Z recommendation, move to approve the conditions cited below, and adopt by Ordinance CPA-06-364SS amending the Future Land Use Map for 4.26 acres from Agriculture to Commercial and adopt by Resolution P&Z 1822 changing the Zoning Atlas for 4.26 acres from B-3 CU (Business district with a Conditional Use) to B-3 (Business district), referencing the mandatory findings and transmitting CPA-06-364SS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 14.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. If the site is used for storage under B-3, no other use shall be allowed on the site other than storage and related incidental sales of storage related merchandise, such as boxes and accessory residential use for on-site property manager.
2. Property to be part of and subject to the conditions and recommendations of the North Sebring Area plan.
3. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
4. Central water and central sewer shall be provided to the site, when available, for any use of the site other than for self-storage under B-3, without any other businesses operated on the site.

**8A) HEARING #CPA-06-365SS – NORMAN C. SUTTON**

Approximately 2.06 acres located on the East side of U.S. 27, 1/4 mile North of the intersection with Skipper Road, and abbreviated legal as follows: Approximately 2.06 acres located in Sec. 22, Twp. 35S, Rge. 29E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Medium Density Residential) to (Commercial.)

**8B) HEARING #1823 – NORMAN C. SUTTON**

Legal description as stated above (Item # 8A.)

**Request:** A zoning change from R-1 (Residential district) to B-3 (Business district.) Applicant desires to construct storage warehouses.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Jackson, in accordance with the P&Z recommendation, move to adopt by Ordinance CPA-06-365SS amending the Future Land Use Map for 2.06 acres from Medium Density Residential to Commercial and adopt by Resolution P&Z 1823 changing the Zoning Atlas for 2.06 acres from R-1 (Residential district) to B-3 (Business district), referencing the mandatory findings and transmitting CPA-06-365SS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law, and including the conditions as stated below. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 15.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. This parcel will be planned as an integral part of the B-4 piece immediately to the west, and specifically with regard to ingress, egress, and traffic circulation.

**9A) HEARING #CPA-06-366LS – MARK, INC. – C/O ARLAN D. SAPP**

Approximately 66 acres located on the East side of Lake Anoka and North of Marble Avenue, just South of the City of Avon Park, and abbreviated legal as follows: Approximately 66 acres located in Sec. 27, Twp. 33S, Rge. 28E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Agriculture) to (High Density Residential.)

**9B) HEARING #1824 – MARK, INC. – C/O ARLAN D. SAPP**

Legal description as stated above (Item # 9A.)

**Request:** A zoning change from AU (Agricultural) to R-3 (Residential district.) Applicant desires to construct multi-family units.

Development Services Director, Jim Polatty, presented the request. Arlan Sapp, representing the applicant, briefly explained the plans for the property. John Borgemeister and Jim Brooks spoke in support of the request. Motion by Commissioner Stewart, seconded by Commissioner Stokes, in accordance with the P&Z recommendation, move to approve for transmittal CPA-06-366LS amending the Future Land Use Map for 66.0 acres, LESS AND EXCEPT that portion of the described land contained in CPA-04-278LS from Agriculture to High Density Residential, including the conditions cited below, and approve by Resolution P&Z 1824 amending the Zoning Atlas from AU (Agricultural district) to R-3 (Multiple Dwelling district), referencing the mandatory findings and transmitting CPA-06-366LS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 16.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Central water and central sewer are to be provided in addition to a water and sewer commitment letter from the providing agency.
2. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.
3. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
4. The property shall be considered as a single project for purposes of development review and approval for all purposes under County codes.

*Lunch Break 12:00 – 1:00 P.M.*

**10A) HEARING #CPA-06-368SS – STEVEN M. GUELF – C/O RICK WHIDDEN**

4 Lots totaling approximately 3.7 acres on the East side of U.S. 27 just North of the intersection with Tauchens Road, and abbreviated legal as follows: Approximately 3.7 acres located in Sec. 34, Twp. 35S, Rge. 29E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Agriculture) to (Commercial.)

**10B) HEARING #1826 – STEVEN M. GUELF – C/O RICK WHIDDEN**

Legal description as stated above (Item # 10A.)

**Request:** A zoning change from R-1 (Residential district) and B-2 (Limited Business district) to B-3 (Business district.) Applicant desires all permitted uses in the B-3 zoning district.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the project. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the P&Z recommendation, move adopt by ordinance CPA-06-368SS amending the Future Land Use Map for 3.7 acres from Agriculture to Commercial and adopt by Resolution P&Z 1826 changing the Zoning Atlas for 3.7 acres from R-1 (Residential district) and B-2 (Limited Business district) to B-3 (Business district) and transmitting CPA-06-368SS to the Department of Community Affairs for their compliance determination and becoming effective as provided by law, including the conditions as listed below. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 17.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
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Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1.The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
2. The property shall be considered as a single project for purposes of development review and approval for all purposes under County codes, including shared access to U.S. 27 and vehicular interconnectivity.

**11A) HEARING #CPA-06-370SS – AVON PARK LUTHER MISSION INC. – C/O RICK WHIDDEN**

Approximately 7 acres located on the South side of East Main Street (C.R. 64) a quarter mile East of the intersection of C.R. 17 A, East of Avon Park and abbreviated legal as follows: Approximately 7.0 acres located in Sec. 24, Twp. 33S, Rge. 28E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Agriculture) to (Low Density Residential.)

**11B) HEARING #1828 – AVON PARK LUTHER MISSION INC. – C/O RICK WHIDDEN**

Legal description as stated above (Item # 11A.)

**Request:** A zoning change from AU (Agricultural) to EU (Estate district.) Applicant desires to construct single-family dwellings.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. Motion by Commissioner Stewart, seconded by Commissioner Stokes, in accordance with the P&Z recommendation, move to adopt and approve CPA-06-370SS amending the Future Land Use Map for 7.0 acres from Agriculture to Low Density Residential and P&Z 1828 changing the Zoning Atlas for 7.0 acres from AU (Agricultural district) to EU (Estate district), including the conditions as listed below. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 18.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. When Central water and wastewater service becomes available the property will be required to hook-up.
2. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.

**12A) HEARING #CPA-06-371SS – SEBRING LAND DEVELOPMENT GROUP, LLC. – C/O RICK WHIDDEN**

Approximately 9.9 acres located on the East side of C.R. 17 S, a quarter mile North of the railroad crossing in DeSoto City, and abbreviated legal as follows: Approximately 9.90 acres located in Sec. 11, Twp. 35S, Rge. 29E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Agriculture) to (Low Density Residential.)

**12B) HEARING #1829 – SEBRING LAND DEVELOPMENT GROUP, LLC. – C/O RICK WHIDDEN**

Legal description as stated above (Item # 12A.)

**Request:** A zoning change from AU (Agricultural) to EU (Estate district.) Applicant desires to construct single-family dwellings.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the P&Z recommendation, move to approve and adopt by Ordinance CPA-06-371SS amending the Future Land Use Map for 9.9 acres from Agriculture to Low Density Residential and adopt by Resolution P&Z 1829 changing the Zoning Atlas for 9.9 acres from AU (Agricultural district) to EU (Estate district), referencing the mandatory findings and transmitting CPA-06-371SS to the Department of Community Affairs for their compliance determination, and

becoming effective as provided by law, including the condition as stated below. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 19.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development

**13A) HEARING #CPA-06-372SS – VAN KIRK INVESTMENTS II, LLC – C/O CLIFFORD R. RHOADES, ESQ.**

Approximately 8.9 acres located on the West side of Catfish Creek Road at the intersection with Deanna Drive, and abbreviated legal as follows: Approximately 8.95 acres located in Sec. 2, Twp. 37S, Rge. 29E, Highlands County, Florida.

**Request:** A small scale from (Agriculture) to (Medium Density Residential.)

**13B) HEARING #1830 – VAN KIRK INVESTMENTS II, LLC – C/O CLIFFORD R. RHOADES, ESQ.**

Legal description as stated above (Item # 13A.)

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

Development Services Director, Jim Polatty, presented the request. Cliff Rhoades, representing the applicant, briefly explained the request, adding that the applicant is willing to have a restrictive covenant recorded limiting the development to 15 single family residential units. The following witnesses were sworn in by the court reporter, and questioned by Mr. Rhoades: Development Services Director, Jim Polatty, Rick Whidden, Timothy Van Kirk, property owner, and Jeffrey Katims, a Professional Land Use Planner hired by the applicant. The Chair opened the floor to the public. Hoz Compton, Ray Royce, Jon Draper, Susan Compton, Bill Compton, James Perry, and Charlie Swift spoke in opposition to the request, expressing concern about the development having lake access. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the P&Z recommendation, move to approve and adopt by Ordinance CPA-06-372SS amending the Future Land Use Map for 8.95 acres from Agriculture to Medium Density Residential, including the conditions as stated, and adopt by Resolution P&Z 1830 changing the Zoning Atlas for 8.95 acres from AU (Agricultural district) to R-1A (Residential district), referencing the mandatory findings and transmitting CPA-06-372SS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Stokes and Bullard, who voted nay. Motion carried. Mr. Rhoades stated his client’s objection to the motion, including the condition restricting lake access through adjacent properties. He requested to reserve the right to withdraw the petition. Chairman Bullard stated the petition has already been voted on. Board Attorney, Ross Macbeth, stated the application has not become effective according to law, so the applicant could withdraw the petition anytime during the process. See Res. Book 19 Page 20.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. The development of the parcel shall be limited to 15 lots.
2. No more than one vehicular access is allowed to Catfish Creek Road.
3. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
4. When central wastewater services becomes available, the development shall connect for service.
5. The development shall not have access to Lake June-in-Winter thru adjacent properties.

Break 3:20 - 3:35 P.M.

**14A) HEARING #CPA-06-373SS – THOMAS M. WOHL TRUST & T.M. & MARJORIE R. WOHL TRS. – C/O RICK WHIDDEN**

12 quarter acre Lots on the South side of Hammock Road, just West of the intersection with Lockman Boulevard, and abbreviated legal as follows: Approximately 2.8 acres Located in Sec. 3, Twp. 35S, Rge. 28E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Medium Density Residential) to (High Density Residential.)

**14B) HEARING #1831 – THOMAS M. WOHL TRUST & T.M. & MARJORIE R. WOHL TRS. – C/O RICK WHIDDEN**

Legal description as stated above (Item # 14A.)

**Request:** A zoning change from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development.) Applicant desires to construct single-family dwellings.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. John Schumacher spoke in opposition. Motion by Commissioner Stokes, seconded by Commissioner Stewart, in accordance with the P&Z recommendation, move to approve, including the conditions cited below, and adopt by Ordinance CPA-06-373SS amending the Future Land Use Map for 2.8 acres from Medium Density Residential to High Density Residential and adopt by Resolution P&Z 1831 changing the Zoning Atlas for 2.8 acres from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development), including the site plan as presented in the application, referencing the mandatory findings and transmitting CPA-06-373SS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 21.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. The number of units is to be capped at 18 dwelling units.

**15A) HEARING #CPA-06-374SS – SAXON GROVES, INC. – C/O CHARLES CULLENS**

Approximately 2.5 acres located on the West shore of Lake Lelia, North of College Drive, and South of Martin Road, and abbreviated legal as follows: Approximately 2.43 acres located in Sec. 34, Twp. 33S, Rge. 28E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Low Density Residential) to (High Density Residential.)

**15B) HEARING #1832 – SAXON GROVES, INC. – C/O CHARLES CULLENS**

Legal description as stated above (Item # 15A.)

**Request:** A zoning change from EU (Estate district) to R-3 (Multiple Dwelling district.) Applicant desires to construct multi-family dwellings.

Development Services Director, Jim Polatty, presented the request. Jim Brooks, representing the applicant, briefly explained the request. Motion by Commissioner Stewart, seconded by Commissioner Jackson, in accordance with the P&Z recommendation, move to approve, including the conditions cited below, and adopt by Ordinance CPA-06-374SS amending the Future Land Use Map for 2.43 acres from Low Density Residential to High Density Residential and adopt P&Z 1832 by Resolution changing the Zoning Atlas for 2.43 acres from EU (Estate district) to R-3 (Multiple Dwelling district) referencing the mandatory findings and transmitting CPA-06-374SS to the Department of Community

Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 22.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. The Applicant shall dedicate additional rights-of way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
2. The development will be served by central water and wastewater service.
3. The property shall be considered as a single project for purposes of development review and approval for all purposes under County Codes with the High Density residential property to the west.

**16) HEARING #1833 – JEFFREY STRANGE – C/O STEVEN FRUIT**

Approximately 40 acres located South of Huntley Drive just North of Highway Park Subdivision, South of Lake Placid, and abbreviated legal as follows: Approximately 40 acres located in Secs. 6 and 7, Twp. 37S, Rge. 30E, Highlands County, Florida.

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

Development Services Director, Jim Polatty, presented the request. Steve Fruit, representing the applicant, briefly explained the request. Motion by Commissioner Stewart, seconded by Commissioner Stokes, in accordance with the P&Z recommendation, move to approve and adopt by Resolution P&Z 1833 changing the Zoning Atlas for 40.0 acres from AU (Agricultural district) to R-1A (Residential district), referencing the mandatory findings, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 23.

**17) HEARING #CPA-06-375SS – ANNE DECKER – C/O MARCIA & DEAN PODSTUPKA**

Approximately 1/3 acre Parcel on the South side of Hammock Road, 1,000 feet West of the intersection with Jacklin Avenue, and abbreviated legal as follows: Approximately .344 acres located in Sec. 2, Twp. 35S, Rge. 28E, Highlands County, Florida.

**Request:** A small-scale plan amendment (Agriculture) to (Commercial.)

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the P&Z recommendation, move to direct staff to process an amendment for this parcel that amends the Future Land Use Map for 0.34 acres from Agriculture to High Density Residential and that any additional fees in this matter be waived and that staff process this case at the next possible agenda. Upon roll call, all Commissioners voted aye. Motion carried.

**18A) HEARING #CPA-06-376SS – HANS C. AND JEANETTE L. PEDERSEN, TRUSTEES OF HANS & JEANETTE PEDERSEN LIVING TRUST**

An approximately 1.5 acre Parcel between Sailfish and Dolphin Avenue, North of Washington Boulevard, in Highlands Park Estates, and abbreviated legal as follows: Approximately 1.499 acres located in Sec. 21, Twp. 36S, Rge. 30E, Highlands County, Florida.

**Request:** A small-scale plan amendment from (Agriculture) to (Medium Density Residential.)

**18B) HEARING #1834 - HANS C. AND JEANETTE L. PEDERSEN, TRUSTEES OF HANS & JEANETTE PEDERSEN LIVING TRUST**

Legal description as stated above (Item # 18A.)

**Request:** A zoning change from B-2 (Limited Business district) to R-1 (Residential district.) Applicant desires to construct a single-family dwelling.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Stokes, in accordance with the P&Z recommendation, move to adopt by Ordinance CPA-06-376SS amending the Future Land Use Map for 1.499 acres from Agriculture to Medium Density Residential and adopt by Resolution P&Z 1834 changing the Zoning Atlas for 1.499 acres from B-2 (Limited Business district) to R-1 (Residential district), referencing the mandatory findings and transmitting CPA-06-376SS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 24.

**19A) HEARING #CPA-377LS – EMW ASSOCIATES LLC, - C/O ROGER DALE POLSTON**

Approximately 24 acres located South of Lake Josephine Drive on both sides of Josephine Creek, and abbreviated legal as follows: Approximately 23.93 acres located in Secs. 33 and 34, Twp. 35S, Rge. 29E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Agriculture) to (Low Density Residential.)

**19B) HEARING #1835 – EMW ASSOCIATES LLC, - C/O ROGER DALE POLSTON**

Legal description as stated above (Item # 19A.)

**Request:** A zoning change from AU (Agricultural) to EU (Estate district.) Applicant desires to construct single-family dwellings.

Development Services Director, Jim Polatty, presented the request. Dale Polston, representing the applicant, briefly explained the request. Commissioner Stewart expressed concern about the effects on Josephine Creek. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the P&Z recommendation, move to approve, including the conditions cited below, and adopt by Ordinance CPA-06-377LS amending the Future Land Use Map for 20 acres from Agriculture to Low Density Residential and adopt by Resolution P&Z 1835 changing the Zoning Atlas for 20 acres more or less from AU (Agricultural district) to EU (Estate district), referencing the mandatory findings and transmitting CPA-06-377LS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Stewart, who voted nay. Motion carried. See Res. Book 19 Page 25.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Must adhere to the conditions adopted by the Board of County Commissioners on December 27, 2005 for the adjacent plan amendment (CPA-05-343LS), with the conditions being the requirement of central water and septic tanks, and that the septic tank drain fields be set back 150 feet from Josephine Creek. The proposed amendment is a continuation of project referenced in CPA-05-343LS.
2. The number of units is to be capped at 20 dus.
3. Environmental clearance, if required, of impacts to Wetlands, Cutthroat Grass Seeps, and Xeric Uplands will be necessary prior to development. No development order or permit will be issued unless prescribed environmental mitigation is accomplished. Concurrency assessment for traffic circulation, sanitary sewer, potable water, solid waste disposal, storm water drainage, and recreation and open space will be required prior to development. All development orders and permits will specify any needed improvements, and a schedule for their implementation, including any conditions that require public facility improvements, be in place concurrent with the impacts of the proposed development.

*Break 4:50 – 5:00 P.M.*

**20A) HEARING #CPA-06-378LS – SANDY RIDGE GROVES, INC. – C/O ARNOLDO R. ROBELO AND ROGER DALE POLSTON**

Approximately 40 acres located on the East side of Tractor Road, North of Highlands Oaks R.V. Resort, and abbreviated legal as follows: Approximately 39.15 acres located in Sec. 15, Twp. 35S, Rge. 29E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Agriculture) to (High Density Residential.)

**20B) HEARING #1836 – SANDY RIDGE GROVES, INC. – C/O ARNOLDO R. ROBELO AND ROGER DALE POLSTON**

Legal description as stated above (Item # 20A.)

**Request:** A zoning change from AU (Agricultural) to R-3 (Multiple Dwelling district.) Applicant desires to construct townhouses/condominiums multifamily units as allowed by the R-3 zoning.

Development Services Director, Jim Polatty, presented the request. Dale Polston, representing the applicant, requested to withdraw the zoning change hearing, and stated the applicant is willing to reduce the density to nine units per acre, and put in a 40-foot buffer. The Chair opened the floor to the public. Lisa Bond, Don Adams, Larry Owenfield, Dave Eckbard, John Egizi, Danielle Connors, Judy Fox, Benjamin Berman, Jim Bozeman, Greg Clark, Barry Rudd, Martha Carter, and Renee Kennedy all spoke in opposition to the request. Mr. Polston stated the applicant would agree to Medium Density Residential. Motion by Commissioner Stewart, seconded by Commissioner Jackson, move to approve for transmission of CPA-06-378LS, including the conditions cited below, amending the Future Land Use Map for 39.15 acres from Agriculture to Medium Density Residential, referencing the mandatory findings and transmit to the Florida Department of Community Affairs for their determination of compliance with state law. Upon roll call, all Commissioners voted aye. Motion carried.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Central water and central sewer are to be provided in addition to a water and sewer commitment letter included for transmittal to DCA.
2. The number of units is to be capped at 313 dus.
3. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.
4. Environmental clearance, if required, of impacts to Wetlands, Cutthroat Grass Seeps, and Xeric Uplands will be necessary prior to development. No development order or permit will be issued unless prescribed environmental mitigation is accomplished. Concurrency assessment for traffic circulation, sanitary sewer, potable water, solid waste disposal, storm water drainage, and recreation and open space will be required prior to development. All development orders and permits will specify any needed improvements, and a schedule for their implementation, including any conditions that require public facility improvements, be in place concurrent with the impacts of the proposed development.
5. The Applicant shall dedicate additional rights-of way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
6. The property shall be considered as a single project for purposes of development review and approval for all purposes under County Codes.
7. The applicant will submit a zoning change application to amend the zoning to R-2 PD (Planned Development)
8. A minimum of Type "A" transitional yard will be included on the north and east side of the development.

**21) HEARING #1837 – SEBRING AIRPORT AUTHORITY – C/O J. MICHAEL SWAINE**

Approximately 2,190 acres located at the end of Airport Road, East of the City Sebring, and abbreviated legal as follows: Approximately 2,190 acres located in Secs. 4, 5, 6, 7, 8, and 9, Twp. 35S, Rge. 30E, Highlands County, Florida.

**Request:** A zoning change to A-1 (Airport district.) Applicant desires all uses permitted in the A-1 district.

Development Services Director, Jim Polatty, presented the request. Mike Swain spoke on behalf of the applicant. Motion by Commissioner Stewart, seconded by Commissioner Stokes, in accordance with

the P&Z recommendation, move to approve and adopt by Resolution P&Z 1837 changing the Zoning Atlas for 2,110 acres to A-1 (Airport district) referencing the mandatory findings, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 26.

**22A) HEARING #CPA-06-387LS – LAKE BYRD, LLC – C/O MICHAEL GALAHER**

An approximate 9.9 acre Parcel North of Lake Byrd Boulevard and West of U.S. 27, North of the City of Avon Park, and abbreviated legal as follows: an approximate 9.997 acres located in Sec. 9, Twp. 33S, Rge. 28E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Agriculture) to (Medium Density Residential.)

**22B) HEARING #1838 – LAKE BYRD, LLC – C/O MICHAEL GALAHER**

Legal description as stated above (Item # 22A.)

**Request:** A zoning change from M-2 (Mobile Home Parks district) and CG-2 (Campground district) to R-1 (Residential district). Applicant desires to construct single-family dwellings.

Development Services Director, Jim Polatty, presented the request. Mike Gallaher, representing the applicant, stated his client is offering to record a restrictive easement, for the presently zoned campground property, which will prevent its development until it is re-zoned. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the P&Z recommendation, move to approve for transmittal CPA-06-387LS, amending the Future Land Use Map for 9.997 acres from Agriculture to Medium Density Residential and approve Resolution P&Z 1838 changing the Zoning Atlas for 9.997 acres from M-2 (Mobile Home Parks district) and CG-2 (Campground district) to R-1 (Residential district), referencing the mandatory findings and transmitting CPA-06-387LS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law, including the conditions as stated below. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 27.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. The maximum number of units is 20.
2. A Restrictive easement, regarding the CG-2 property to the east, that prevents development until a conforming zoning district is adopted, will be recorded by the applicant.
3. The property shall be considered as a single project for purposes of development review and approval for all purposes under County Codes.
4. The Applicant shall dedicate additional rights-of way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development
5. Central water and sewer will be provided when available, and letter of commitment will be included for transmittal to DCA.

**23A) HEARING #CPA-06-380LS – CHAIN OF LAKES, LLC – RICK WHIDDEN**

Approximately 70 acres located on the Southwest intersection of U.S. 27 and Lake Francis Road, North of the Town of Lake Placid, and abbreviated legal as follows: Approximately 70.45 acres located in Sec. 14, Twp. 36S, Rge. 29E, Highlands County, Florida.

**Request:** A large scale plan amendment from (Agriculture) to (Medium Density Residential) and (High Density Residential.)

**23B) HEARING #1839 – CHAIN OF LAKES, LLC – RICK WHIDDEN**

Legal description as stated above (Item # 23A.)

**Request:** A zoning change from AU (Agricultural) to R-1 (Residential district) and R-3 (Multiple Dwelling district.) Applicant desires to construct single family dwellings and multi-family units.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, stated his client is withdrawing the re-zone request for the R-3 (Multiple Dwelling district). Barbara Cook and Diane Kerr spoke in support of the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the P&Z recommendation, move to approve CPA-06-380LS amending the Future Land Use Map for 70.45 acres from Agriculture to Medium Density Residential and High Density Residential and approve by Resolution P&Z 1839 changing the Zoning Atlas for 54.45 acres from AU (Agricultural district) to R-1 (Residential district), referencing the mandatory finding, and transmitting CPA-06-380LS to DCA for their compliance determination and becoming effective as provided by law, including the conditions as stated below. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 28.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Central water and central sewer are to be provided in addition to a water and sewer commitment letter will be provided for transmittal to DCA.
2. The maximum number of units in the Medium Residential area is 135.
3. The Applicant shall dedicate additional rights-of way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
4. The property shall be considered as a single project for purposes of development review and approval for purposes under County Codes.
5. A zoning change application to R-3 FUD will be submitted for the 16 acres of High Density Residential.
6. Property owner agrees to limit the development to one dock and boat house for each lakefront lot, one dock for the clubhouse and no boat ramp.
7. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.

**24A) HEARING #CPA-06-381LS – H & M PROPERTIES OF SEBRING, LLC – C/O RICK WHIDDEN**

Approximately 54 acres located on the East side of U.S. 27, South of C.R. 29 and Camp Florida RV Park, and abbreviated legal as follows: Approximately 54.52 acres located in Sec. 17, Twp. 37S, Rge. 30E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Agriculture) and (Conservation Managements Lands Units district) to (High Density Residential.)

**24B) HEARING #1840 – H & M PROPERTIES OF SEBRING, LLC – C/O RICK WHIDDEN**

Legal description as stated above (Item # 24A.)

**Request:** A zoning change from CG-3 (Campground district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development.) Applicant desires to construct townhouses and a villa community.

Development Services Director, Jim Polatty, presented the request. Rick Whidden spoke on behalf of the applicant. The re-zone application has been withdrawn. Hank Kowalski and Walt Courtney spoke in opposition to the request. Kurt Olsen and Dennis Mee spoke in favor of the request. Commissioner Stewart read a letter from Dr. Hilary Swain in to the record, stating her concerns about environmental issues on the property. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the P&Z recommendation, move to approve, including the conditions cited below, for transmittal CPA-06-381LS amending the Future Land Use Map for 38.52 acres from Agriculture to High Density Residential, referencing the mandatory findings and transmitting CPA-06-381LS to the Department of Community Affairs for their compliance determination, and becoming effective as

provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Stewart, who voted nay. Motion carried.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Central water and central sewer are to be provided in addition to a water and sewer commitment letter.
2. The Applicant shall dedicate additional rights-of way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
3. The number of units is to be capped at 231 dus.
4. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.
5. A complete site plan, including the items listed above in section F.7, must be provided.
6. Environmental clearance for impacted xeric uplands (scrub) is required.
7. Environmental clearance, if required, of impacts to Wetlands and Cutthroat Grass Seeps will be necessary prior to development. No development order or permit will be issued unless prescribed environmental mitigation is accomplished. Concurrency assessment for traffic circulation, sanitary sewer, potable water, solid waste disposal, storm water drainage, and recreation and open space will be required prior to development. All development orders and permits will specify any needed improvements, and a schedule for their implementation, including any conditions that require public facility improvements, be in place concurrent with the impacts of the proposed development.
8. The Property will not be developed under the CG-3 zoning district regulations. An application will be submitted for a zoning change to R-3 FUD as the implementing zoning district. Prior to making the zoning change, an environmental study of the complete 38.32 acre site will be conducted.

Break 7:15 – 7:25 P.M.

**25A) HEARING #CPA-382LS – JOHN L. & DONNA B. WHITTINGTON – C/O RICK WHIDDEN**

Approximately 40 acres located on the East side of Twitty Road, 1/4 mile South of the intersection with Skipper Road, and abbreviated legal as follows: Approximately 39.46 acres located in Sec. 27, Twp. 35S, Rge. 29E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Agriculture) to (Industrial.)

**25B) HEARING #1841 – JOHN L. & DONNA B. WHITTINGTON – C/O RICK WHIDDEN**

Legal description as stated above (Item # 25A.)

**Request:** A zoning change from AU (Agricultural) to I-2 (Industrial district.) Applicant desires industrial office and Warehouse Park.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. The applicant has offered a restrictive covenant for the property. Board Attorney, Ross Macbeth, read some suggested language for the restrictive covenant. Motion by Commissioner Stokes, seconded by Commissioner Stewart, in accordance with the P&Z recommendation, move to approve, including the conditions cited below, and adopt by Ordinance CPA-06-382LS amending the Future Land Use Map for 39.46 acres from Agriculture to Industrial and adopt by Resolution P&Z 1841 changing the Zoning Atlas for 39.46 acres from AU (Agricultural district) to I-2 (Industrial district), referencing the mandatory findings and transmitting CPA-06-382LS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 29.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Central water and central sewer are to be provided in addition to a water and sewer commitment letter.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
2. Internal connectivity shall be effected within all parts of the park. The property shall be considered as a single project for purposes of development review and approval for all purposes under County Codes. No billboards will be allowed on the site.
3. One major access point (formal entrance) off Twitty Road but not to exceed two on any one road.
4. A traffic study is required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study. Sufficient rights-of way to accommodate the functional classification requirements for Twitty Road will be required.
5. The Applicant shall dedicate additional rights-of way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
6. A restrictive easement shall be recorded by the applicant which includes the following restrictions: (1) The Whittington property may not be used for any use described in the Highlands County Zoning Code I-2 Zoning District other than: (a) Manufacture of asphalt, brick, tile, cement, block, plaster, concrete or products there of, and (b) Any uses permitted in the I-1 Zoning District other than, (i) Those allowed in the B-3 and B-4 Zoning Districts by special exception, and (ii) those allowed in the B-1 or B-2 Zoning Districts, as amended from time to time. (2) Access through Whittington property: No part of Whittington property shall be used for access to allow any vehicular access to any other properties to the North, East, or South across the Whittington property to Twitty Road. The primary ingress and egress for traffic to and from Whittington property shall be Twitty Road.

**26A) HEARING #CPA-06-385LS – CHUCH C. JOO, SALLY HYRYUNG JOO BAILEY, SANDRA HYESUN JOO, LEAH HYEK YOUNG JOO – C/O RICK WHIDDEN**

Approximately 9 acres located on the East side of U.S. 27, behind the existing commercial zoning, and just South of the New Lowe’s Development, and abbreviated legal as follows: Approximately 9.0 acres located in Sec. 26, Twp. 34S, Rge. 28E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Medium Density Residential) to (Commercial.)

**26B) HEARING #1844 – CHUCH C. JOO, SALLY HYRYUNG JOO BAILEY, SANDRA HYESUN JOO, LEAH HYEK YOUNG JOO – C/O RICK WHIDDEN**

Legal description as stated above (Item # 26A.) Requesting a zoning change from R-1 (Residential district) and R-2 (Two-Family Dwelling district) to B-3 (Business district.) Applicant desires all the permitted uses in the B-3 district.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. John Borgemeister stated a traffic study has been submitted to the County. Richard Rose and Clarence Polston spoke in opposition to the request. Bob Hesselink expressed concern about flooding. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, in accordance with the P&Z recommendation, move to approve, including the conditions cited below, and adopt by Ordinance CPA-06-385LS amending the Future Land Use Map for 9.0 acres from Medium Density Residential to Commercial and adopt by Resolution P&Z 1844 changing the Zoning Atlas for 9.0 acres from R-1 (Residential district) and R-2 (Two-family Dwelling district) to B-3 (Business district), referencing the mandatory findings and transmitting CPA-06-385LS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 30.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Central water and central wastewater service are to be provided in conjunction with a water and sewer commitment letter.
2. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
3. On site interconnectivity with adjacent commercial areas shall be required where applicable. The property shall be considered as a single project for purposes of development review and approval for all purposes under County Codes.
4. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
5. Environmental clearance, if required, of impacts to Wetlands, Cutthroat Grass Seeps, and Xeric Uplands will be necessary prior to development. No development order or permit will be issued unless prescribed environmental mitigation is accomplished. Concurrency assessment for traffic circulation, sanitary sewer, potable water, solid waste disposal, storm water drainage, and recreation and open space will be required prior to development. All development orders and permits will specify any needed improvements, and a schedule for their implementation, including any conditions that require public facility improvements, be in place concurrent with the impacts of the proposed development.
6. Storm water received from off site shall receive the same treatment and flooding control post development as existed pre-development.

**27A) HEARING #CPA-06-386LS - CHUCH C. JOO, SALLY HYRYUNG JOO BAILEY, SANDRA HYESUN JOO, LEAH HYEK YOUNG JOO – C/O RICK WHIDDEN**

Approximately 18.4 acres located on the East side of U.S. 27, behind the commercial zoning, just North of Brunner’s Mobile Subdivision, and abbreviated legal as follows: Approximately 18.39 acres located Sec. 26, Twp. 34S, Rge. 28E, Highlands County, Florida.

**Request:** A large-scale plan amendment from (Medium Density Residential) to (High Density Residential.)

**27B) HEARING #1845 - CHUCH C. JOO, SALLY HYRYUNG JOO BAILEY, SANDRA HYESUN JOO, LEAH HYEK YOUNG JOO – C/O RICK WHIDDEN**

Legal description as stated above (Item # 27A.)

**Request:** A zoning change from R-1 (Residential district) and R-2 (Two-Family Dwelling district) to R-3 (Multiple Dwelling district.) Applicant desires to construct multi-family dwelling development.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, stated they have agreed to fence and buffer the property and cut off all connectivity to the Highlands Towers subdivision. They are also going to vacate the plat if the request is approved today. Tom Andrews, Danny Yarbrough, Gary Lower, and Kenneth Beard spoke in support of the request. Richard Rose, Clarence Polston, Cindy Rose, Bob Hesselink, Edward Dixon, George Frick, Dawn Crawford, Maria Mitil, Roberto Mitil, and Catherine Rose spoke in opposition to the request. John Borgemeister, representing the applicant, stated his client has agreed to record a restrictive covenant, to run with the property, and to limiting the property to residential development only. Motion by Commissioner Stewart, seconded by Commissioner Stokes, move to recommend approval, including the conditions cited below, for transmittal, CPA-06-386LS amending the Future Land Use Map for 18.39 acres from Medium Density Residential to High Density Residential and adopt by Resolution P&Z 1845 amending the Zoning Atlas from R-1 (Residential district) and R-2 (Two-Family Dwelling district) to R-3 (Multiple Dwelling district), referencing the mandatory findings, and transmitting CPA-06-386LS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 31.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
1. Central water and central wastewater service are to be provided in addition to a water and sewer commitment letter.

Conditions Pursuant to FLU Policy 11.1: <i>Site Specific Developments</i>
2. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.
3. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
4. Environmental clearance, if required, of impacts to Wetlands, Cutthroat Grass Seeps, and Xeric Uplands will be necessary prior to development. No development order or permit will be issued unless prescribed environmental mitigation is accomplished. Concurrency assessment for traffic circulation, sanitary sewer, potable water, solid waste disposal, storm water drainage, and recreation and open space will be required prior to development. All development orders and permits will specify any needed improvements, and a schedule for their implementation, including any conditions that require public facility improvements, be in place concurrent with the impacts of the proposed development.
5. A buffer shall be placed on the Southside of the property and the Eastside of the property beginning at the corner of the motel on the Southside and ending at the Northeast corner of the property. This buffer shall be 15 feet in width and shall be landscaped per the County LDR's. In the middle of the landscape buffer or yard there shall be a 6 foot in height masonry wall located on an approximately 2 foot in height berm. The construction and maintenance of the landscape buffer shall be the responsibility of the owner or his successor.
6. The property shall be considered as a single project for purposes of development review and approval for all purposes under County Codes.
7. The R-3 uses shall be limited to residential per the R-3 Code.
8. Storm water received from off site shall receive the same treatment and flooding control post development as existed pre-development.
9. The applicant will petition to vacate the plat and all roads shown thereof.
10. A restrictive easement signed by the owners of the property in favor of the Board of County Commissioners shall be filed that prohibits access from the property to the east into the adjacent neighborhood.
11. The applicant shall apply for a zoning change to R-3 CU, restricting the use for multiple family development only.

*Break 10:55 – 11:00 P.M.*

**28) PUBLIC HEARING – HEARING #CPA-06-379LS: Amending the Text of Selected Elements of the Comprehensive Plan.**

Development Services Director, Jim Polatty, presented the request. The Commissioners went through the text of the Comprehensive Plan, making suggested changes and pointing out typographical errors. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve amending the text of selected elements of the Comprehensive Plan, as amended. Upon roll call, all Commissioners voted aye. Motion carried.

**29) PUBLIC HEARING – HEARING #CPA-06-390LS: Amending the Text and the Future Land Use Map of the Comprehensive Plan by inserting the North Sebring Specific Area Plan.**

Development Services Director, Jim Polatty, stated this hearing is being withdrawn at this time.

**15. ACTION:**

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

**1. Development Services Director: Request approval to advertise for a Planner I position.**

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the request to authorize Human Resources to advertise and interview for a Planner I, who is to be hired contingent upon approval of a revised interlocal agreement by both the County Commission and the Lake Placid Town Council. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 11.

**2. County Administrator: Request approval of Contract Extension/Renewal**

County Administrator, Carl Cool, presented the request from Reliable Sanitation for a one-month extension of the deadline for turning in their annual audit. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 12.

**3. Board Attorney: Request approval to terminate contract**

Board Attorney, Ross Macbeth, presented the request to approve an agreement to terminate the contracts with Meridian Community Services Group, Inc., and authorize the Chairman to sign the agreement. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Housing file.

**16. CITIZENS NOT ON AGENDA**

No participants.

**17. COMMISSIONERS:**

No reports.

**18. ADJOURN**

The meeting adjourned at 11:25 P.M.

**REGULAR MEETING OF THE BOARD FEBRUARY 7, 2006**

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

- |                        |                       |
|------------------------|-----------------------|
| <b>Bob Bullard</b>     | <b>Carl Cool</b>      |
| <b>C Guy Maxcy</b>     | <b>Bob Jamison</b>    |
| <b>Edgar Stokes</b>    | <b>J Ross Macbeth</b> |
| <b>Andrew Jackson</b>  | <b>Jodi Giguere</b>   |
| <b>Barbara Stewart</b> |                       |

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner Andrew Jackson. The Pledge of Allegiance was led by Charles Krueger, past Commander of the Lake Placid VFW Post 3880.

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

**4. ANNOUNCEMENTS**

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of a *Monthly Report of Business Services for January* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 13.

**B. Upcoming County meetings:**

Feb 06	8:00 AM	Executive Committee for the Industrial Development Authority and the Economic Development Commission	2113 US 27 S., Sebring
Feb 21	1:00 PM	Placid Utilities Water Advisory Committee	Room 213, 505 S. Commerce Ave.
Feb 07	7:00 PM	Construction Licensing, Enforcement & Appeals Board	Boardroom, 600 S. Commerce Ave.
Feb 08	7:30 AM	Industrial Development Authority and the Economic Development Commission Board of Directors	2113 US 27 S., Sebring
Feb 08	9:30 AM	Central Florida Regional Planning Council	Bartow Public Library, 2 <sup>nd</sup> Floor Conference Room, 2150 S. Broadway Ave., Bartow
Feb 09	12:00 PM	Keep Highlands County Beautiful, Inc. Board of Directors	6000 Skipper Rd.
Feb 13	9:00 AM	HC Homeowners Association	3240 Grand Prix Drive

**C. Other meetings:** The Salvation Army will be holding their Annual Civic Luncheon on February 17<sup>th</sup> at the Kenilworth Lodge. The Community Traffic Safety Team will meet on February 8<sup>th</sup> at 10 a.m. at the Agri-Civic Center.

**5. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits February 7, 2006**

**General ..... 2,814,281.44**

County Transportation Trust .....	47,010.86
E911 Operations Fund .....	1,396.69
Intergovt Radio Communications .....	7,565.00
Local Govt Infra Surtax.....	172,119.70
Tourist Development Trust Fund .....	2,682.70
Comm Development Block .....	68,266.08
Affordable Housing Asst .....	798.56
Home Initiatives Partner .....	900.00
Fire Safety .....	162.48
Sebring Parkway Maint .....	100.00
State Court Facilities .....	3,610.84
Law Library Trust Fund .....	315.48
Court Tech .....	458.08
Building Code Enforcement Fund .....	17,746.64
HCISSRB Construction Fund .....	146,539.83
Solid Waste .....	59,969.77
Placid Utilities .....	783.71
Highway Park Utility .....	22.75
Risk Retention Fund .....	155.70
Employee Benefit Fund .....	17.39
Tax Deed Surplus Fund .....	122,605.29
Highlands Hosp Pass Thru .....	8,579.34

Payment of bills and employee benefits was authorized on January 30, 2006 for \$439,921.36.

- B. Accept into the record the 05/06 1<sup>st</sup> Quarter Quarterly Report**
- C. Request approval of board meeting minutes of January 10, and January 17, 2006**
- D. Request approval of a proposed Assurance Agreement with Lowe’s Home Centers, Inc. See file for copy.**
- E. Request approval of Plat Recordation for Lowe’s Commercial Subdivision, Section 23, Township 34 South, Range 28 East. See file for copy.**
- F. Request approval of a Satisfaction of Mortgage for Gerard Jones. See Satisfaction file.**
- G. Request approval of a Satisfaction of Mortgage for Scott Simmons and Taryn Simmons. See Satisfaction file.**
- H. Request approval of Highlands County Tourism Market Research Contract with Randall Travel Marketing, Inc. in the amount of \$45,000.00. See file for copy.**
- I. Request approval of an Application for Registration of Fictitious Name, Tourist Development Council D/B/A Highlands County Visitor Convention Bureau. See file for copy.**
- J. Highlands Soil and Water Conservation District’s request for approval of an amendment to a loan to be reimbursed by South Florida Water Management District**
- K. Request approval of Technical and Clarifying Revision to the 2004-2007 State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) raising the maximum sales price. See Housing file.**
- L. Request approval of Joint Project Agreement between Lake Rachard Estates, Ltd. and Highlands County for construction of utilities extensions and the contribution to the sidewalks on Pendarvis Road (Heartland Blvd.). See file for copy.**

- M. Request approval of revised procedures for vacating of easements, plats and right of ways. See file for copy.**
- N. Request approval of a Resolution to establish a Public Hearing to consider closing that portion of Washington Street lying from the East boundary line of Lot 15 to the West boundary line of Federal Park and the ally lying between Lot 15 and Lot 26 of Federal Park, according to the Plat thereof recorded in Plat Book 2, Page 8 and Plat Book 2, Page 61 of the Public Records of Highlands County, Florida. See Res. Book 19 Page 32.**
- O. Request approval of an Agreement for joint use of the Highlands County Sheriff's Shooting Range between the Highlands County Sheriff's Office and South Florida Community College's Criminal Justice Training Center. See file for copy.**
- P. Fire Services request to write off as uncollectible those fire safety inspection fees for customers no longer in business, and add the dollar amounts of those customers still in business to their annual fire safety inspection charges collected by the Tax Collector for fiscal year 2006/07. See SMB 48 Page 14.**
- Q. Request to declare attached list of County Property as Surplus, waive two-step Surplus Disposal process, and allow said Surplus to be disposed of by utilizing our contract with GovDeals an Internet Auction service company. See SMB 48 Page 15.**
- R. Request approval to allow donation of indicated items of County Surplus, four (4) chairs to Greater Love, Church of God In Christ, Inc. See SMB 48 Page 16.**
- S. Request approval of capital purchases revision (Road & Bridge Department). See SMB 48 Page 17.**
- T. Code Enforcement requesting a Notice of Nuisance on CE 05060199, 101 Atterberry Drive, Sebring, FL. See Subdivision file.**
- U. Code Enforcement requesting a Notice of Nuisance on CE 05100058 - 6008 Oak Leaf Ave., Sebring, FL. See Subdivision file.**
- V. Code Enforcement requesting a Notice of Nuisance on CE 05100059 - 6012 Oak Leaf Ave., Sebring, FL. See Subdivision file.**
- W. Code Enforcement requesting a Notice of Nuisance on CE 05100056 - 6000 Oak Leaf Ave., Sebring, FL. See Subdivision file.**
- X. Code Enforcement requesting a Notice of Nuisance on CE 05100057 - 6004 Oak Leaf Ave., Sebring, FL. See Subdivision file.**
- Y. Code Enforcement requesting a Notice of Nuisance on CE 05070128, 3487 E. Old Bombing Range Rd., Avon Park, FL. See Subdivision file.**
- Z. Code Enforcement requesting a Notice of Nuisance on CE 05020059, 4300 E C. Hill Grade, Avon Park, FL. See Subdivision file.**
- AA. Code Enforcement requesting a Release of Notice of Nuisance on CE 05050001 - 3106 Meridian Ave., Lake Placid, FL. See Subdivision file.**
- BB. Code Enforcement requesting a Release of Notice of Nuisance on CE 00060050, 449 West 5<sup>th</sup> Street, Avon Park, FL. See Subdivision file.**
- CC. Code Enforcement requesting a Release of Notice of Nuisance on CE 04010065, 1860 Valencia Drive, Avon Park, FL. See Subdivision file.**
- DD. Code Enforcement requesting a Release of Notice of Nuisance on CE 04080110, 4609 Weeping Willow, Sebring, FL. See Subdivision file.**
- EE. Code Enforcement requesting a Release of Notice of Nuisance on CE 05050177, 456 Valencia Street, Sebring, FL. See Subdivision file.**
- FF. Code Enforcement requesting a Release of Notice of Nuisance on CE 05010079, 6016 Praise Ave., Sebring, FL. See Subdivision file.**

- GG. Code Enforcement requesting a Release of Notice of Nuisance on CE 05050174, 3208 Elaine Drive, Lorida, FL. See Subdivision file.**
- HH. Code Enforcement requesting a Release of Notice of Nuisance on CE 05050178, 3703 CR 17 South, Sebring, FL. See Subdivision file.**
- II. Code Enforcement requesting a Release of Notice of Nuisance on CE 05050179, 3709 CR 17 South, Sebring, FL. See Subdivision file.**
- JJ. Code Enforcement requesting a Release of Notice of Nuisance on CE 02120179, 6037 4<sup>th</sup> East, Sebring, FL. See Subdivision file.**
- KK. Code Enforcement requesting a Release of Notice of Nuisance on CE 03080182, 1310 Garwood Ave., Sebring, FL. See Subdivision file.**
- LL. Code Enforcement requesting a Release of Notice of Nuisance on CE 02100035, 6016 Mike Kahn Road, Sebring, FL. See Subdivision file.**
- MM. Request approval of budget amendments 05-06-93; 94; 96**
- NN. Request approval of Resolutions and budget amendments 05-06-86; 88. See Res. Book 19 Page 33.**

**6. ACTION:**

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

**A. City of Sebring City Councilman Jeff Carlson: Invitation to attend Highlands County Days in Tallahassee**

Jeff Carlson, President of the Sebring City Council, invited the County Commission, County Staff, and the public to attend the First Annual Highlands County Days on March 30-31, 2006 in Tallahassee. See SMB 48 Page 18.

**B. Benita M. Whalen, P.E., Director, SFWMD Okeechobee Service Center: Update on Lake Okeechobee & Estuary Recovery Plan**

Benita Whalen, Director of the South Florida Water Management District Okeechobee Service Center, gave a presentation on the Lake Okeechobee & Estuary Recovery Plan. This plan was developed to help restore the ecological health of Lake Okeechobee and the St. Lucie and Caloosahatchee Estuaries. Ms. Whalen briefly explained the projects that are scheduled and the different agencies that are involved in the plan. See SMB 48 Page 19.

**C. Bob Howard and Susan Sylvester, SFWMD: Lake Istokpoga Hurricane Wilma After Action Report**

Bob Howard, Director of Operations, and Susan Sylvester, Deputy Director of Operations for the South Florida Water Management District, gave a presentation on the effects that Hurricane Wilma had on Lake Istokpoga and the surrounding areas.

**D. Finance Officer, Clerk of Courts: Interim Financial Report of Key Operating Performance Measures as of December 31, 2005**

Finance Officer, Pam Cross, presented the Fiscal Year-End Financial Report of Key Operating Performance Measures for the Board of County Commissioners as of December 31, 2005. See Clerk's Financial Reporting file.

Break 11:05 – 11: 20 A.M.

**E. Code Enforcement Officer Turnbull: Request to place a Lien on CE 05080107, 2004 Stowe Ave., Avon Park, FL**

Code Enforcement Officer, Tommy Turnbull, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve placing a lien on the property located at 2004 Stowe Avenue in Avon Park, in the Glenada Hills subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**F. Code Enforcement Officer Conklin: Request to place a Lien on CE 05050025, 271 Lake Francis Road, Lake Placid, FL**

Code Enforcement Officer, Eddie Conklin, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to approve placing a lien on the property located at 271 Lake Francis Road in Lake Placid. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**G. Code Enforcement Officer Hartseil: Request to place a Lien on CE 05060184, 3719 Hoyt Ave., Sebring, FL**

Code Enforcement Officer, April Hartseil, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve placing a lien on the property located at 3719 Hoyt Avenue in Sebring, in the Oakland subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**H. Human Resources Director: Request approval of a Resolution to adopt travel expense rates**

County Administrator, Carl Cool, presented the request, suggesting that the mileage reimbursement rate be changed to \$.44. Commissioner Bullard stated that the old rates have been in effect for 12 years. Board Attorney, Ross Macbeth, stated the Resolution, as written, takes the mileage rate from the current IRS provisions, and would adjust to the IRS rate each year. Deputy Clerk, Bob Jamison, stated the Clerk's office recommended rounding the cents instead of having partial cents, but is in agreement with the rate changes. Mr. Macbeth suggested adding language to the Resolution, rounding cents down to the next whole cent. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the Resolution, as amended, to set mileage and meals reimbursement rates as recommended by Staff. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 34.

**I. County Administrator:**

- 1. Request approval of Budget Amendment 05-06-85 decreasing fund 151 Reserve for Contingency; Budget amendment 05-06-91 decreasing fund 110 Reserve for Contingency; Resolution & Budget Amendment 05-06-92 increasing fund 110 Reserve for Contingency**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the budget amendments and resolution as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 35.

- 2. Request approval of a contract with Tindale-Oliver & Associates, Inc. for an impact fee study and Budget Amendment 05-06-98 decreasing fund 005 Reserve for Contingency**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to approve the contract with Tindale-Oliver & Associates, Inc., for an impact fee study, along with budget amendment # 05-06-98. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**7. CITIZENS NOT ON AGENDA**

Orpha Cordero spoke to the Board about road maintenance in her neighborhood. She was instructed to meet with the County Administrator following the meeting.

**8. COMMISSIONERS:**

Commissioner Maxcy reminded everyone of the Salvation Army's Annual Civic Luncheon on February 17.

Commissioner Bullard reported on the success of the 40<sup>th</sup> Annual Lake Placid Arts and Crafts Fair held last weekend.

**9. ADJOURN**

The meeting adjourned at 11:54 A.M.

**REGULAR MEETING OF THE BOARD FEBRUARY 14, 2006**

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

**Bob Bullard**  
**Edgar Stokes**  
**Andrew Jackson**  
**Barbara Stewart**

**Carl Cool**  
**Bob Jamison**  
**J Ross Macbeth**  
**Jodi Giguere**

Commissioner Maxcy was absent from the meeting.

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner Barbara Stewart. The Pledge of Allegiance was led by Development Services Director, Jim Polatty.

**3. ANNOUNCEMENTS**

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of a *Weekly Report of Court Services for the week ended February 10, 2006* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 20.

**B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

Feb 14	2:00 pm	Veteran's Advisory Board	HC Health Dept., 7205 S. George Blvd.
Feb 14	3:00 pm	Zoning Board of Adjustment	600 S. Commerce Ave. Sebring
Feb 14	3:00 pm	Planning and Zoning Commission	600 S. Commerce Ave. Sebring
Feb 15	10:00am	911 Communications Committee	Desoto City Fire Station 19, 6800 W. George Blvd.
Feb 21	1:00 pm	Placid Utilities Water Advisory Committee	Room 213, 505 S. Commerce Ave.

**C. Other meetings:** The Friends of Lake Istokpoga Winter General Membership meeting will be on Thursday, February 16 at 7 p.m. at the Lorida Community Center. The South Florida Water Management District and the Army Corp of Engineers will hold a meeting on Friday, February 17 at 1:30 p.m. in the Government Center Boardroom. On February 20, from 6-9 p.m. there will be a Visioning meeting for the Future of Highlands County, in the Sebring Middle School Commons. The Recreation and Parks Advisory Committee will meet February 16 at 2:30 p.m. in the Engineering Training Room.

**4. CONSENT AGENDA:**

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the consent agenda as amended, pulling part of Item 4-B from the agenda. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized bills and employee benefits February 14, 2006**

<b>General .....</b>	<b>231,426.56</b>
<b>County Transportation Trust .....</b>	<b>27,149.95</b>
<b>E911 Operations Fund .....</b>	<b>16,603.68</b>

Legal Aid .....	3,437.27
Local Govt Infra Surtax.....	73,084.41
Tourist Development Trust Fund .....	4,166.65
Affordable Housing Asst .....	12,737.87
Court Tech .....	820.00
Building Code Enforcement Fund .....	309.65
HCISSRB Construction Fund .....	2,663.17
Solid Waste .....	35,778.67
Placid Utilities .....	750.15
Highway Park Utility .....	130.11

- B. Request approval of the minutes of the ~~January 24~~, and February 7, 2006 board meetings
- C. Request approval of Satisfaction of Mortgage for Daniel and Sarita M. Feliciano. See Satisfaction file.
- D. Request approval of Satisfaction of Mortgage for Cirilo and Jesunilda B. Zafra. See Satisfaction file.
- E. Request approval of Satisfaction of Mortgage for Pamela Ann Pinzon. See Satisfaction file.
- F. Request approval of Satisfaction of Mortgage for Daniel J. Young. See Satisfaction file.
- G. Request approval of Highlands County 2002-2003 State Housing Initiative Partnership Final Close-out Report. See Housing file.
- H. Request approval to correct Chastain-Skillman CSA Number for miscellaneous services. See SMB 48 Page 21.
- I. Request approval to execute FY 05-06 Recreation Interlocals for (1) the City of Sebring and (2) the Town of Lake Placid. See file for copy.
- J. Accept into the record Court-related Funds Revenue and Expenditures for November 2005. See SMB 48 Page 22.
- K. Request approval of a Subordination Agreement for Sleepy Hollow
- L. Request approval of application for Non-emergency Medical Transportation License. See EMS file.
- M. Request approval of budget amendments 05-06-95; 97; 100
- N. Request approval of Resolutions and budget amendments 05-06-77; 99. See Res. Book 19 Page 36.

**5. WORKSHOP: Pam Richmond, Special Projects Manager for Planning, Florida Turnpike Enterprise: Workshop on the Heartland Coast to Coast Feasibility Study regarding the proposed limited access toll road**

Randy Fox, Turnpike Planning Manager, gave a presentation on the progress of the Heartland Coast to Coast Feasibility Study. Ben Walker, Project Manager for the Florida Department of Transportation District I, stated this project is the result of a good transportation partnership with the County, and the entire region. He added that the next step is to work with County Staff and the Commissioners to determine if they want to pursue the project. County Administrator, Carl Cool, inquired about the time period for completing the study. Mr. Walker advised that this phase of the project is expected to be completed in April. They will continue to meet with the County on the evolution of the project.

**6. WORKSHOP: Workshop on Consultants**

County Administrator, Carl Cool, stated the purpose of this workshop is to discuss the possibility of having multiple engineering firms under contract with the County. Input was received from four

primary department heads that use engineering services the most. Their recommendation is to not issue additional RFP's to get more firms under contract. Commissioner Stewart expressed her thoughts on the advantages of having more than one firm under contract to choose from. Commissioner Bullard spoke of the advantages to using local firms. He added that the County is not prohibited from going outside their continuing contracts and issue an RFP or RFQ for a particular project. Commissioner Jackson expressed concern about having too many firms under contract. Curtis DeYoung spoke in support of the County having more firms available to choose from. Dick Gorman, Landfill Operations Manager, questioned if he would be able to use an engineering firm, other than those under a continuing contract with the County, for a study program through the University of Florida. Commissioner Bullard stated he is not required to use the firms under contract, and can go through the RFQ process to hire an outside firm. The Board reached a consensus to have Staff come back with a proposal to go out for RFQ's, for the express purpose of creating continuing service agreements with additional consultants that would become part of a library that would be available to our department heads and Staff to utilize in the future.

## **7. ACTION:**

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

### **A. County Administrator:**

#### **1. Request approval of Resolution & budget amendment 05-06-89 increasing Solid Waste Fund 401 Reserve for Contingency**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve to approve the Resolution and budget amendment. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 37.

#### **2. Request approval of Resolution and budget amendment 05-06-102; Resolution and budget amendment 05-06-103; and budget amendment 05-06-104 increasing Fund 005 Reserve for Contingency for the Avon Park Library expansion**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve Resolutions and budget amendments. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 38.

## **8. COMMISSIONERS**

Commissioner Stewart gave a brief report on the purpose and goals of the Community Traffic Safety Team (CTST).

Commissioner Bullard commended the CTST for being aggressive and innovative in addressing traffic issues in the County. He also commented on the recent letters published concerning designating one lane on U.S. 27 as a truck traffic lane.

## **9. ADJOURN**

The meeting adjourned at 10:49 A.M.

**REGULAR MEETING OF THE BOARD FEBRUARY 21, 2006**

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

- |                        |                       |
|------------------------|-----------------------|
| <b>Bob Bullard</b>     | <b>Carl Cool</b>      |
| <b>C Guy Maxcy</b>     | <b>Tom Portz</b>      |
| <b>Edgar Stokes</b>    | <b>Bob Jamison</b>    |
| <b>Andrew Jackson</b>  | <b>J Ross Macbeth</b> |
| <b>Barbara Stewart</b> | <b>Jodi Giguere</b>   |

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Facilities Management Director, David Flowers. The Pledge of Allegiance was led by Board Attorney, Ross Macbeth.

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

**4. ANNOUNCEMENTS**

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of a *Weekly Report of Court Services for the week ended February 17, 2006* and a report of *Jury Trial week for February* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 23.

**B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

Feb 21	1:00 pm	Placid Utilities Water Advisory Committee	Room 213, 505 S. Commerce Ave.
Feb 22	10:00 am	Long Range Transportation Committee	Room 201, 501 S. Commerce Ave.
Feb 22	11:30 am	Heartland Rural Health Network, Inc. Board of Directors	Central Florida Health Care, 950 CR 17 A. West, Avon Park
Feb 22	4:00 pm	Natural Resources Advisory Commission	Engineering Training Room, 2 <sup>nd</sup> Floor, 501 S. Commerce Ave.
Feb 23	9:30 am	HC Community Health Improvement Planning Committee	7205 S. George Blvd.
Feb 23	1:15 pm	HC Hospital District Board	SFCC Dental Education Facility

**C. Other Meetings:** There will a "Learn About Highlands: Floral, Fauna, and Entertainment" class on Monday February 27, from 9 – 11 a.m. at the Agri-Civic Center.

**5. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits for February 21, 2006**

<b>General .....</b>	<b>232,142.13</b>
<b>County Transportation Trust .....</b>	<b>41,965.51</b>
<b>E911 Operations Fund .....</b>	<b>656.62</b>

Intergovt Radio Communications .....	1,067.02
Local Govt Infra Surtax.....	356,683.17
Tourist Development Trust Fund .....	10,879.21
Law Library Trust Fund .....	1,131.99
Court Tech .....	552.00
Building Code Enforcement Fund .....	1,324.80
HCISRB Construction Fund .....	169.22
Solid Waste .....	69,590.61
Placid Utilities .....	6,541.07
Highway Park Utility .....	1,703.46
Employee Benefit Fund .....	3,109.96

- B. Request approval of Satisfaction of Mortgage for Jerome and Maira Patterson. See Satisfaction file.
- C. Request approval to appoint Mr. Juan Berrones to serve on the Highlands County Citizens Advisory Task Force Committee. See SMB 48 Page 24.
- D. Request approval to cancel outstanding balance due of Blue Cross Blue Shield insurance premiums. See SMB 48 Page 25.
- E. Request approval of a Resolution appointing Tim Eures to the 911 Communications Committee as a voting member and chairman. See Res. Book 19 Page 39.
- F. Request approval of a tourism grant to the Avon Park Chamber of Commerce for the Peace River Outboard Race Association Event (Hydroplane Boat Race) in the amount of \$7,000.00. See file for copy.
- G. Request approval of Anastasini Entertainments' request for a Carnival Permit contingent upon their meeting all requirements. See file for copy.
- H. Request approval of an Adopt A Highway Agreement with Mickey's Restaurant of Placid Lakes. See file for copy.
- I. Request approval of an Adopt A Highway Agreement with Deidee Hartsine of Placid Lakes Country Club. See file for copy.
- J. Request approval of budget amendment 05-06-110
- K. Request approval of Resolutions & Budget Amendments 05-06-105; 106; 107. See Res. Book 19 Page 40.

**6. ACTION:**

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to set action agenda as amended, pulling Item E-3 from the agenda. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Chairman Bullard: Request approval of a Resolution in recognition of Tom Portz's years of service to Highlands County**

Chairman Bullard read the resolution into the record. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the resolution, commending Tom Portz for his faithful and invaluable service to the citizens of Highlands County. All of the Commissioner, Carl Cool, Jack Ritchie, and Judge Peter Estrada, all thanked Mr. Portz for his service to Highlands County. Mr. Portz expressed his appreciation for being able to work with the County and the Community. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 41.

**C. Facilities Management Director: Request to initiate Small Claims Court proceedings against Affordable Paralegal Services for unpaid rent in the amount of \$406.00**

Facilities Management Director, David Flowers, presented the request to have the Board Attorney proceed with small claims court. Board Attorney, Ross Macbeth, stated he would try to contact the former tenant before proceeding with a court case. Commissioner Stokes expressed concern about the costs associated with a court case. Mr. Macbeth stated he would report back to the Board for further direction before proceeding with the small claims court. See SMB 48 Page 26.

**D. Development Services Director:**

**1. Request approval of a Resolution authorizing voting activity to the Local Mitigation Strategy Committee (LMS)**

Development Services Director, Jim Polatty, presented the request. Deputy Clerk, Bob Jamison, questioned if the responsibility could be transferred to a department, or does it need to be a position or title. Board Attorney, Ross Macbeth, stated the resolution states the Development Services Director is the voting member. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the Resolution authorizing voting activity to the Local Mitigation Strategy Committee, transferring voting rights to the Development Services Director. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 42.

**2. Request approval of Covenants, Easements, and a Warranty Deed resulting from conditions of Comprehensive Plan Amendments**

Development Services Director, Jim Polatty, presented the request, adding that the Warranty Deed for J. Lee Winberry needs to be pulled from the request, to be brought back at a later date. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the Declaration of Covenants from the Sebring Airport Authority, and the Restrictive Easement from John L. and Donna B. Whittington. Upon roll call, all Commissioners voted aye. Motion carried.

**E. County Administrator:**

**1. Request approval of a Proclamation recognizing “National Engineers’ Week**

County Administrator, Carl Cool, presented the request, and read the proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the proclamation, recognizing the week of February 19-25, 2006 as “*National Engineer’s Week*”. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 43.

**2. Request approval of Budget Amendment 05-06-111 decreasing fund 005 Reserve for Contingency**

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

~~**3. Request approval of an Interlocal Agreement with the City of Sebring regarding the Brownfield Program**~~

**A. Mr. Paul K. Ferrell, Peace of Highlands County: Request for support of naming a portion of U.S. Highway 27 “Martin Luther King and Coretta Scott King Memorial Highway”**

Paul Ferrell, on behalf of Peace of Highlands County, presented a request to name the portion of U.S. 27 that runs through Highlands County, "Martin Luther King and Coretta Scott King Memorial Highway". Rick Engle, R.E. Snidow, commander of the Highlands County chapter of the Military Order of the Purple Heart, and Jack Ritchie, representing the Highlands County Homeowners Association, all spoke in opposition to the request. Mr. Ferrell agreed to withdraw his request, due to the controversy and opposition presented at the meeting.

**7. CITIZENS NOT ON THE AGENDA:**

No participants.

**8. COMMISSIONERS:**

Commissioner Stewart reminded the public of the law requiring vehicles to pull over or get out of the way of emergency vehicles.

Commissioner Bullard also reminded everyone of the "Move Over" law that requires vehicles to move to the left lane or slow down to 20 mph below the speed limit when an emergency vehicle is on the side of the road. He also reported on the Visioning Session that was held last night at the Sebring Middle School.

**9. ADJOURN**

The meeting adjourned at 9: 49 A.M.

**REGULAR MEETING OF THE BOARD FEBRUARY 28, 2006**

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

**Bob Bullard**  
**C Guy Maxcy**  
**Edgar Stokes**  
**Andrew Jackson**  
**Barbara Stewart**

**Tom Portz**  
**Bob Jamison**  
**J Ross Macbeth**  
**Jodi Giguere**

2. **Invocation and Pledge of Allegiance**

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

3. **ANNOUNCEMENTS**

- A. **Sheriff**

Sheriff Susan Benton presented Assistant County Administrator, Tom Portz, with an “honorary jail key”, in recognition of his upcoming retirement.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a report of a *Weekly Report of Court Services for the week ended February 24, 2006* as provided by the Highlands County Clerk of Courts, L.E. “Luke” Brooker. See SMB 48 Page 27.

- C. **Upcoming County meetings were entered into the record by Assistant County Administrator, Tom Portz.**

<del>Feb. 28</del>	<del>6:00 pm</del>	<del>North Sebring Area Plan Meeting</del>	<del>600 S. Commerce Ave. Board Room</del>
March 9	Noon	Keep Highlands County Beautiful	6000 Skipper Road, Sebring
March 9	6:30 pm	Highway Park Neighborhood Preservation and Enhancement District Council	114 Cloverland Street, Lake Placid

- D. **Other Meetings:** The Sebring Relay for Life will be held at Fireman’s Field, starting at 6 pm on March 4, running through noon March 5. He announced that retired Highlands County Tax Collector, J.T. Landress, passed away. The viewing will be today from 4-7 pm at Stephenson-Nelson Funeral Home in Avon Park. Funeral services are at 10 am tomorrow at First Baptist Church in Avon Park. Ray Royce announced that the Lake Placid Area Growth Management Committee at 4 pm today at Lake Placid Town Hall.

4. **CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the consent agenda as amended, adding Item 4-L. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits February 28, 2006**

<b>General .....</b>	<b>187,128.78</b>
<b>County Transportation Trust .....</b>	<b>106,815.62</b>
<b>E911 Operations Fund .....</b>	<b>3,045.43</b>
<b>Intergovt Radio Communications .....</b>	<b>21,735.00</b>

Local Govt Infra Surtax.....	21,433.88
Tourist Development Trust Fund .....	300.00
Home Initiatives Partnership .....	2,028.00
Hurricane Housing Rec Pro .....	75,000.00
Law Library Trust Fund .....	62.24
Court Tech .....	6,272.46
Building Code Enforcement Fund .....	880.00
HCISSRB Construction Fund .....	1,325.00
Solid Waste .....	16,709.92
Placid Utilities .....	2,692.56
Tax Deed Surplus Fund .....	3,713.00

- B. Request approval of minutes for the 2-21-06 meeting
- C. Request approval of a Satisfaction of Mortgage for Alfred G. and Melinda J. Letchworth. See Satisfaction file.
- D. Request approval of a Satisfaction of Mortgage for Nicole Hampton. See Satisfaction file.
- E. Request approval of a Satisfaction of Mortgage for Ana M. Barreto. See Satisfaction file.
- F. Request approval to record a Plat for Reflections on Silver Lake Phase III, Section 33, Township 33 South, Range 28 East
- G. Request approval of a contract with Brock Excavation, Inc. for construction of the Courthouse South Parking Lot Addition, project # 05045 and Budget Amendment 3 05-06-115 to cover construction and in house design costs. See file for copy.
- H. Request approval to accept into the record Court-related Funds Revenue and Expenditures. See SMB 48 Page 28.
- I. Request approval of execution of FY05-06 Recreation Interlocal for City of Avon Park. See file for copy.
- J. Request approval of Resolutions and budget amendments 05-06-109; 112; 113 and 114. See Res. Book 19 Page 44.
- K. Request approval of Resolution & Budget amendment 05-06-119. See Res. Book 19 Page 45.
- L. To consider approval to the Participating Party Agreement between Highlands County, Lake Placid Groves, LLC., and Georgia-Pacific Corporation for the construction of Georgia-Pacific access road to include a railroad crossing and State Road 70 improvements and also the Construction Contract between Highlands County and Better Roads, Inc. for the construction of Georgia-Pacific access road and State Road 70 improvements. See file for copy.

**5. PUBLIC HEARING: To consider purchase of a portion of 1501 Prosper Avenue, Sebring, FL 33870 Sebring Parkway Phase II Project #01101**

Land Acquisition Manager, Kathy Avirett, presented the request and entered the proof of publication into the record. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the Contract for Sale and Purchase Agreement for a portion of 1501 Prosper Avenue, Sebring, for Sebring Parkway Phase II. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**6. PUBLIC HEARING: To consider purchase of a portion of 1600 S. Highlands Avenue, Sebring, FL 33870 for Sebring Parkway Phase II Project #01101**

Land Acquisition Manager, Kathy Avirett, presented the request and entered the proof of publication into the record. Commissioner Maxcy suggested having a workshop on the Sebring Parkway project to

get an update on the costs. Motion by Commissioner Maxcy, seconded by Commissioner Stewart, to approve the Contract for Sale and Purchase Agreement for a portion of 1600 S. Highlands Avenue, Sebring, for Sebring Parkway Phase II. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**7. PUBLIC HEARING: To consider a Resolution to vacate easement described as the West 10.00 feet of Lot 4, Block 253, Placid Lakes, Section Twenty, according to the Plat thereof recorded in Plat Book 9, Page 31, of the Public Records of Highlands County Florida, less the South 10.00 feet thereof**

County Engineer, Ramon Gavarrete, presented the request and entered the proof of publication into the record. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to adopt the Resolution vacating the easement as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 46.

~~**8. PUBLIC HEARING: To consider approval to the Participating Party Agreement between Highlands County, Lake Placid Groves, LLC., and Georgia Pacific Corporation for the construction of Georgia Pacific access road to include a railroad crossing and State Road 70 improvements and also the Construction Contract between Highlands County and Better Roads, Inc. for the construction of Georgia Pacific access road and State Road 70 improvements**~~

**9. PUBLIC HEARING: To consider a motion to adopt a Resolution to vacate the 15' Utility/Drainage Easement lying between Lots 28 and 29, Block 268, less the West 10' Utility/Drainage Easements lying at the rear of said lots, Sun 'n Lake of Sebring, Unit 13 as shown in Plat Book 9, Page 71 of the Public Records of Highlands County, Florida**

County Engineer, Ramon Gavarrete, presented the request and entered the proof of publication into the record. He stated that the petitioner has started construction on the property, after being advised to wait until after the easements were vacated. Commissioner Bullard requested that Staff research the issue and bring a report back to the Commission. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to adopt the Resolution vacating the easement as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 47.

**10. PUBLIC HEARING: To consider a motion to adopt a Resolution to close that portion of Washington Street lying from the East boundary line of Lot 15 to the West boundary line of Federal Park and the alley lying between Lot 15 and Lot 26 of Federal Park, according to the Plat thereof recorded in Plat Book 2, Page 8 and Plat Book 2, Page 61 of the Public Records of Highlands County, Florida**

County Engineer, Ramon Gavarrete, presented the request and entered the proof of publication into the record. He pointed out that there are some code enforcement issues on the property. Code Enforcement Officer, Tommy Turnbull, stated that the road within the park was constructed without the proper permits, and they are in violation with the Health Department by having more than the allowed amount of mobile homes. Michael Swaine, representing the petitioner, stated that closing a portion of the road is the first step in solving the outstanding issues. Development Services Director, Jim Polatty, spoke in support of the request. Board Attorney, Ross Macbeth, made some recommended language changes to the Unity of Title Agreement, Access Easement and the recommended motion. Don Stebleton spoke in opposition to the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to adopt the Resolution closing the portion of Washington Street as described, with closing contingent upon final approval of the Unity of Title Agreement and

Access Easement by the Board Attorney. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 48.

Break 10:48 – 11:00 a.m.

**11. PUBLIC HEARING: Request approval of a Lien on CE 05090041, 17514 Brinkerhoff, Okeechobee, Highlands County, Fl**

Code Enforcement Officer, April Hartseil, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, to approve the placing of a lien on the property located at 17514 Brinkerhoff in Okeechobee, in the Town of Harding subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**12. PUBLIC HEARING: Request approval to place a Lien on CE 05080097, 4816 High Ave. Sebring, Fl**

Code Enforcement Officer, April Hartseil, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stewart, to approve the placing of a lien on the property located at 4816 High Avenue, Sebring, in the Lincoln Heights subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**13. PUBLIC HEARING: Request approval to place a Lien on CE 05110052, 3013 Wallace Drive, Sebring, Fl**

Code Enforcement Officer, April Hartseil, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, to approve the placing of a lien on the property located at 3013 Wallace Drive, Sebring, in the Wallace Stevens subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**14. PUBLIC HEARING: Request approval to place a Lien on CE 05110051, 2909 Wallace Drive, Sebring, Fl**

Code Enforcement Officer, April Hartseil, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to approve the placing of a lien on the property located at 2909 Wallace Drive, Sebring, in the Wallace Stevens subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**15. PUBLIC HEARING: Request approval to place a Lien on CE 02070044, 3724 Howard Ave. Sebring, Fl**

Code Enforcement Officer, April Hartseil, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, to approve the placing of a lien on the property located at 3724 Howard Avenue, Sebring, in the Oakland subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**16. PUBLIC HEARING:** Three (3) zoning changes and two (2) small-scale plan amendments, are on the Board of County Commissioners agenda for February 28, 2006. The zoning changes and land use changes agenda items were heard by the Planning and Zoning Commission and the Local Planning Agency on February 14, 2006. Proof of Publication for the following hearings were entered into the record. See Proof of Pub. Ord. Book 4 Page 3.

**NEW BUSINESS: HEARING # CPA-06-383SS – KYLE SCHUETT**

Approximately 7.24 acres on the East side of Arbuckle Creek Road, 1,000 feet South of the

intersection with Hicks Road in Lorida, and abbreviated legal as follows: Approximately 7.24 acres located in Sec. 5, Twp. 35S, Rge. 31E, Highlands County, Florida.  
Requesting a small-scale plan amendment from (Agriculture) to (Low Density Residential.)

**HEARING #1842 - KYLE SCHUETT**

Legal description as stated above (Item #1A.)

Request: A zoning change from AU (Agricultural) to M-1-S (Mobile Home and Residential Subdivisions district.) Applicant desires single family and mobile homes.

Development Services Director, Jim Polatty, presented the request. Bert Harris, representing the applicant, stated the request for mobile homes is being withdrawn, and is requesting to split the property into three parcels. Dina Ashton, Robert Gunthorp, and Quinn Ashton spoke in opposition to the request. Motion by Commissioner Stokes, seconded by Commissioner Stewart, in accordance with the P&Z recommendation, move to deny CPA-06-383SS and P&Z Case #1842. Upon roll call, all Commissioners voted aye. Motion carried.

**HEARING #CPA-388SS - CHUCK C. JOO, SALLY HYRYUNG JOO BAILEY, SANDRA HYESUN JOO, LEAH HYEK YOUNG JOO – C/O RICK WHIDDEN**

Approximately 9 acres located on the East side of U.S. 27, behind the existing commercial zoning, and just South of the New Lowe’s Development, and abbreviated legal as follows: Approximately 9.0 acres located in Sec. 26, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a large-scale plan amendment from (Medium Density Residential) to (Commercial.)

**HEARING #1846 – CHUCK C. JOO, SALLY HYRYUNG JOO BAILEY, SANDRA HYESUN JOO, LEAH HYEK YOUNG JOO – C/O RICK WHIDDEN**

Legal description as stated above (Item # 2A.)

Request: A zoning change from R-1 (Residential district) and R-2 (Two-Family Dwelling district) to B-3 (Business district.) Applicant desires all the permitted uses in the B-3 district.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. John Borgemeister stated his client will agree to having no connectivity between the commercial use area and the residential use area. Motion by Commissioner Stewart, seconded by Commissioner Jackson, move to approve and adopt by Resolution P&Z Hearing #1846, conditioned upon Ordinance for CPA-06-388SS becoming effective as provided by law, and adopting Ordinance CPA-06-388SS, including the conditions cited below, as modified, amending the Future Land Use Map for 9.0 acres from Medium Density Residential to Commercial and adopt by Resolution P&Z 1846 changing the Zoning Atlas for 9.0 acres from R-1 (Residential district) and R-2 (Two-family Dwelling district) to B-3 (Business district), referencing the mandatory findings and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 49.

<i>Conditions to be included in the Adopting Ordinance:</i>
1. Central water and central wastewater service are to be provided in conjunction with a water and sewer commitment letter.
2. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.
3. On site interconnectivity with adjacent commercial areas shall be required where applicable. The property shall be considered as a single project for purposes of development review and approval for all purposes under County

<i>Conditions to be included in the Adopting Ordinance:</i>
Codes.
4. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
5. Environmental clearance, if required, of impacts to Wetlands, Cutthroat Grass Seeps, and Xeric Uplands will be necessary prior to development. No development order or permit will be issued unless prescribed environmental mitigation is accomplished. Concurrency assessment for traffic circulation, sanitary sewer, potable water, solid waste disposal, storm water drainage, and recreation and open space will be required prior to development. All development orders and permits will specify any needed improvements, and a schedule for their implementation, including any conditions that require public facility improvements, be in place concurrent with the impacts of the proposed development.
6. Storm water received from off-site shall receive the same treatment and flood control post development as existed pre-development.
7. A buffer shall be established on the south side of the commercial area. The buffer shall be 15 feet in width, and landscaped in accordance with the County LDR's, with regard to spacing, quantity, type, maintenance, and the like of trees, shrubs, bushes, and the like. In the middle of the landscaped buffer there shall be a masonry wall six feet in height located on top of a two foot high berm. That landscape buffer shall be maintained on both sides of that wall by the developers or their successors.
8. The developer will request the vacation of the existing plat and rights-of-way in the commercial use area of the plat and shall have no vehicular connectivity from the commercial use area to the existing residential use area to the east.
9. The owners will record a restrictive covenant to the Board of County Commissioners stipulating that no access will be allowed to or from the Commercial use area and Don Drive or the existing residential use area to the east of Don Drive.

**HEARING #1848 – JOHN VINCENT DIMARCO AND PATRICIA DIMARCO**

Approximately 5.92 acres located North of Miller Avenue and East of Wildflower, in Leisure Lakes Subdivision on Daisy Court, and legally described as follows: Tract “A” LESS three acre Tract to Church in the Southwest portion of Leisure Lakes, Section 3, as shown on P.B. 6, PG. 25, of the Public Records of Highlands County, Florida.

Request: A zoning change from B-2 (Limited Business district) to R-1 (Residential district.) Applicant desires to construct single-family dwellings.

Development Services Director, Jim Polatty, presented the request. Cliff Ables, representing the applicant, briefly explained the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, move to approve and adopt by Resolution P&Z 1848 changing the Zoning Atlas for 5.92 acres from B-2 (Limited Business district) to R-1 (Residential district), referencing the mandatory findings, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 50.

**17. ACTION:**

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

**A. Assistant County Administrator: Request acceptance & execution of Consolidated Software Agreement & budget amendment 05-06-117 decreasing fund 005 Reserve for Contingency**

Assistant County Administrator, Tom Portz, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the SmartCOP Software Agreement and approve

budget amendment #05-06-117 that facilitates funding these expenses utilizing contingency funds. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**18. CITIZENS NOT ON AGENDA:**

No participants.

**19. COMMISSIONERS:**

Commissioner Stewart reported on the Public Safety Coordinating Council meeting that was held this morning.

Commissioner Maxcy asked for prayers for the family of J.T. Landress, and congratulated Tom Portz on his retirement.

Commissioner Bullard announced that the next Countywide Visioning Session is scheduled for Tuesday, March 7<sup>th</sup> from 6-9 P.M. at the Lake Placid High School.

**20. ADJOURN**

The meeting adjourned at 12:20 P.M.

**REGULAR MEETING OF THE BOARD MARCH 7, 2006**

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

**Bob Bullard**  
**C Guy Maxcy**  
**Edgar Stokes**  
**Andrew Jackson**  
**Barbara Stewart**

**Carl Cool**  
**Bob Jamison**  
**J Ross Macbeth**  
**Jodi Giguere**

2. **Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Frank Storey, First Vice Commander of the AmVets Post 21 in Sebring.

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

4. **ANNOUNCEMENTS**

- A. **Clerk**

Deputy Clerk, Bob Jamison, presented a report of a *Monthly Report of Business Services for February* as provided by the Highlands County Clerk of Courts, L.E. “Luke” Brooker. See SMB 48 Page 30.

- B. **Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

Mar 07	3:00 pm	Highlands Soil & Conservation District	4509 George blvd., Sebring
Mar 07	4:00 pm	Lake Placid Growth Management	Lake Placid Town Hall, 50 Park Dr.
Mar 07	6:00 pm	Highlands County Visioning Meeting	Lake Placid High School, 202 Green Dragon Dr.
Mar 07	7:00 pm	Construction Licensing, Enforcement and Appeals Board	600 S Commerce Ave., Sebring
Mar 08	7:30 am	Board of Directors for the Industrial Development Authority and the Economic Development Division	2113 US 27 South, Sebring
Mar 08	9:00 am	Local Mitigation Strategy Group	600 S. Commerce Ave. Sebring Room # 251
Mar 08	10:00 am	Community Traffic Safety Team	#3, Ag-Center, 4509 George Blvd.
Mar 08	9:30 am	Central Florida Regional Planning Council	Highlands County Health Dept. 7200 S. George Blvd. Sebring
Mar 08	10:00 am	E-911 Communication Committee	6800 West George Blvd., Sebring
Mar 09	10:00 am	Lake Istokpoga Management Committee	600 S. Commerce Ave. Sebring
Mar 09	Noon	Keep Highlands County Beautiful	6000 Skipper Road, Sebring
Mar 09	6:30 pm	Highway Park Neighborhood Preservation and Enhancement District	114 Cloverland Street, Lake Placid New Life Assembly Church

- C. **Other meetings:** The Planning & Zoning Commission/Board of Adjustments will meet at 1 p.m. and 3 p.m. on March 14 in the Boardroom. On March 8<sup>th</sup> at 10:00 a.m. the Visioning Steering Committee will meet at 505 S. Commerce Avenue. The Relay for Life will begin this Friday in Avon Park.

5. **CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve consent agenda as amended, removing Item 5-C and placing Item 5-E on action agenda. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized bills and employee benefits March 7, 2006**

General .....	2,801,747.48
County Transportation Trust .....	64,191.08
E911 Operations Fund .....	28.27
Intergovt Radio Communications .....	14,124.00
Legal Aid .....	3,437.27
Local Govt Infra Surtax.....	500,664.76
Tourist Development Trust Fund .....	21,457.96
Affordable Housing Asst .....	2,195.91
Sebring Parkway Maintenance .....	2,253.95
Court Tech .....	463.32
Building Code Enforcement Fund .....	1,264.10
HCISSRB Construction Fund .....	35,893.75
Solid Waste .....	240,161.00
Placid Utilities .....	8,319.96
Highway Park Utility .....	1,292.00
Risk Retention Fund .....	2.52
Employee Benefit Fund .....	1.73
Highlands Hosp Pass Thru .....	4,289.67

**B. Request approval of board meeting minutes of the 1-14-06 and 1-24-06 meeting**

~~C. Request approval of a Resolution authorizing donation of surplus library materials to Friends of the Libraries~~

**D. Accept into the record Court-related Funds Revenue and Expenditures. See SMB 48 Page 31.**

~~E. Request approval of a Resolution in support of the Keep Highlands County Beautiful Great American Cleanup, March 2006~~

**F. Request approval of a Satisfaction of Mortgage for Maria de los A. and Orlando Vellon. See Satisfaction file.**

**G. Request approval of Satisfaction of Lien on CE 04010065, 1860 N. Valencia Drive, Avon Park, FL. See Satisfaction file.**

**H. Code Enforcement requesting a Release of Notice of Nuisance on CE 050300043, 1521 Bassage Road, Sebring, FL. See Subdivision file.**

**I. Code Enforcement requesting a Release of Notice of Nuisance on CE 05060167 14 Recreation Drive, Venus, FL. See Subdivision file.**

**J. Request approval of annual audited financial report for Reliable Sanitation. See file for copy.**

**K. Request approval of appointment of Dr. Paul Gray as a member of the Lake Istokpoga Management Committee. See SMB 48 Page 32.**

**L. Request approval of proposed Pro Rata Payment for EMS Bill. See SMB 48 Page 33.**

**M. Request approval of attached closing documents. Reference bid number ITB 05-068 sale of property identified as Lot 4 of County and City of Sebring jointly owned land located at 2000 Covington Road, Sebring FL 33871; Lake Sebring sheet 5, PB 2-pg 16, Lot 4; Portion of Strap # C-13-34-28-050-2610-0010**

- N. **Request approval of Emergency Food and Shelter Grant Resolution & budget amendment 05-06-120. See Res. Book 19 Page 51.**
- O. **Request approval of Homeless Coalition Challenge Grant Resolution & budget amendment 05-06-124. See Res. Book 19 Page 52 and file for copy.**
- P. **Request approval of budget amendments 05-06-118**
- Q. **Request approval of Resolutions and budget amendments 05-06-122 & 123. See Res. Book 19 Page 53.**

**6. ACTION:**

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

**A. Mrs. Lucy Derkman: Friends of the Avon Park Public Library Check Presentation**

Mary Myers, Director of the County Library System, introduced Charlene Fisher and Barbara Dixon of the Friends of the Avon Park Library, who presented a check to the Board, in the amount of \$25,000, to help with construction costs of the newly remodeled Avon Park Public Library. Commissioner Maxcy, as liaison to the Library Board, accepted the check on behalf of the Commission.

**B. General Services/Purchasing Director: Request approval of a Proclamation recognizing "Purchasing Month, March 2006"**

General Services/Purchasing Director, Gerald Secory, presented the request, and read the proclamation into the record. Motion by Commissioner Jackson, seconded by Commissioner Stewart, to approve the proclamation, designating March 2006 as The Board's Purchasing Month in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 54.

**C. Louise England: Request approval of a Resolution and an Interlocal Agreement with the City of Sebring regarding the Brownfield Program**

Executive Director of the EDC/IDA, Louise England, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the resolution and Interlocal Agreements with the City of Sebring, City of Avon Park, and the Town of Lake Placid, regarding the Brownfield Program. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 55 and file for copy.

**D. Development Services Director: Request approval of Warranty Deed resulting from conditions of Comprehensive Plan Map approvals**

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, to approve the Warranty Deed from J. Lee Winberry, resulting from conditions of Comprehensive Plan Map approvals. Upon roll call, all Commissioners voted aye. Motion carried.

**E. Development Services Director: Request approval of US Geological Survey (USGS) study of the Hydrology, Water Quantity, and Water Quality in Highlands County as requested by the Natural Resources Advisory Commission (NRAC)**

Development Services Director, Jim Polatty, presented the request as recommended by the Natural Resources Advisory Committee (NRAC). Torsten Rothman, member of NRAC, spoke in support of the request. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to approve the proposed study and request the South Florida Water Management District, the South West Florida Water Management District, and the USGS to fund the proposal and direct staff to include the

County's matching funds in next year's budget. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 34.

Break 9:42 – 9:55 a.m.

**F. County Administrator:**

**1. Request approval of acceptance of grant funding to conduct retrofit feasibility study for retrofitting Ag-Center and Health Department and budget amendment 05-06-116 decreasing fund 005 Reserve for Contingency**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Stewart, to approve the acceptance of grant funding to conduct a retrofit feasibility study for retrofitting the Ag-Center and Health Department to become wind compliant buildings, and the resolution and budget amendment to provide the local match. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 56.

**2. Sheriff's Office – Request approval to expend funds from the Special Law Enforcement Trust Fund**

County Administrator, Carl Cool, presented the request. Sheriff Susan Benton briefly explained what the funds would be used for. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the request for the Sheriff's Office to expend funds from the Special Law Enforcement Trust Fund. Upon roll call, all Commissioners voted aye. Motion carried.

**3. Request approval of a Resolution in support of the Keep Highlands County Beautiful Great American Cleanup, March 2006**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the resolution, proclaiming March through May 2006 as the Great American Cleanup in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 57.

**7. CITIZENS NOT ON AGENDA**

Conda Ruckman spoke about the spending of Transportation Trust Funds.

**8. COMMISSIONERS:**

Commissioner Stewart announced that March is National Women's History Month, and spoke about the progress of the Kissimmee River Restoration project, garbage pickup and illegal dumping. She questioned when the Civil Citation program will be implemented. Board Attorney, Ross Macbeth, stated the ordinance will be re-adopted this month.

**9. ADJOURN**

The meeting adjourned at 10:18 A.M.

**REGULAR MEETING OF THE BOARD MARCH 14, 2006**

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

- |                        |                       |
|------------------------|-----------------------|
| <b>Bob Bullard</b>     | <b>Carl Cool</b>      |
| <b>C Guy Maxcy</b>     | <b>Bob Jamison</b>    |
| <b>Edgar Stokes</b>    | <b>J Ross Macbeth</b> |
| <b>Andrew Jackson</b>  | <b>Jodi Giguere</b>   |
| <b>Barbara Stewart</b> |                       |

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Board Attorney, Ross Macbeth. The Pledge of Allegiance was led by Commissioner Edgar Stokes.

**3. ANNOUNCEMENTS**

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of a *Weekly Report of Court Services for the week ended March 10, 2006* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 35.

**B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

Mar 14	2:00 pm	Veterans Advisory Board	7205 S. George Blvd.
Mar 14	2:30 pm	Historic Preservation Commission	501 S. Commerce Ave.
Mar 14	3:00 pm	Planning & Zoning Commission	600 S. Commerce Ave.
Mar 14	3:00 pm	Zoning Board of Adjustment	600 S. Commerce Ave.
Mar 14	7:00 pm	Construction Licensing and Appeals	600 S. Commerce Ave.
Mar 15	10:00 am	Heartland Library Cooperative Board	205 W. Interlake Blvd., Lake Placid
Mar 15	1:00 pm	P.R.I.D.E.	600 S. Commerce Ave. Room 251
<del>Mar 16</del>	<del>4:00 pm</del>	<del>Highlands County Library Board</del>	<del>Sebring Public Library</del>

**C. Other meetings:** The Assistant County Administrator Search Committee will meet on March 16 at 1:30 pm at 600 S. Commerce Avenue in Room 232. The Okeechobee Coalition will meet Thursday March 23 at 10 am at the Okeechobee Civic Center. The Heartland Workforce Investment Board will meet March 15 at 12 pm at the Turner Center in Arcadia.

**4. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits March 14, 2006**

<b>General .....</b>	<b>325,017.43</b>
<b>County Transportation Trust .....</b>	<b>54,848.67</b>
<b>E911 Operations Fund .....</b>	<b>16,617.29</b>
<b>Intergovt Radio Communications .....</b>	<b>23,595.00</b>
<b>Local Govt Infra Surtax.....</b>	<b>33,383.40</b>
<b>Tourist Development Trust Fund .....</b>	<b>3,184.57</b>
<b>Comm Development Block .....</b>	<b>188,050.81</b>
<b>Affordable Housing Asst .....</b>	<b>1,761.85</b>
<b>Hurrican Housing Rec Pro .....</b>	<b>375.00</b>

Sebring Parkway Maintenance .....	100.00
Law Library Trust Fund .....	1,000.37
Court Tech .....	86.38
Building Code Enforcement Fund .....	1,317.98
Solid Waste .....	27,859.48
Placid Utilities .....	516.76
Highway Park Utility .....	86.45
Risk Retention Fund .....	330,803.43
Employee Benefit Fund .....	13.08
Tax Deed Surplus Fund .....	13,492.50

- B. Request approval of the minutes of the 2-28-2006 and 3-7-2006 meetings**
- C. Request approval of Satisfaction of Mortgage for Beverly D. Waldron. See Satisfaction file.**
- D. Request approval of Satisfaction of Mortgage for Tammy Workman. See Satisfaction file.**
- E. Request approval of Satisfaction of Mortgage for Laura Ann Mahan. See Satisfaction file.**
- F. Request approval of Satisfaction of Mortgage for Juana Hernandez. See Satisfaction file.**
- G. Request approval of Notice of Nuisance on CE 05030022, 375 Highlands Blvd. Lake Placid. See Subdivision file.**
- H. Request approval to release Notice of Nuisance on CE 05110051, 2909 Wallace Drive, Sebring. See Subdivision file.**
- I. Request approval to release Notice of Nuisance on CE 02070044, 3724 Howard Ave., Sebring. See Subdivision file.**
- J. Request approval to release Notice of Nuisance on CE 05110052, 3013 Wallace Drive, Sebring. See Subdivision file.**
- K. Request approval to release Notice of Nuisance on CE 05090041, 17514 Brinkerhoff, Okeechobee. See Subdivision file.**
- L. Request approval of Improvement Agreement and Plat recordation for Tanglewood Manufacture Home and RV Retirement Resort phase four.**
- M. Request approval of Rural Area of Critical Economic Concern Memorandum of Agreement.**
- N. Accept into the record notification of vacancies on the Placid Utility Advisory Committee. See SMB 48 Page 36.**
- O. Request approval of Resolutions and budget amendments 05-06-78; 79. See Res. Book 19 Page 58.**

**5. WORKSHOP:**

**A. Affordable Housing Summit**

Chairman Bullard stated the purpose of this workshop is to examine the affordable housing challenges facing Highlands County's working families. Housing Coordinator, Penny Phillippi, and Development Services Director, Jim Polatty, gave a power point presentation, summarizing the different housing assistance programs available in Highlands County. Public input and suggestions were received from the following: Bob Paddock, Maria Conterras, Anthony Lomonico, Jane Breylinger, Jamie Steed, Selvin McGahee, Randy Flemming, Debra Griswald, Chip Boring, Gene Reece, Tim Blackman, Debra Worley, Bill Klohn, and Sally Tibbetts. Chairman Bullard thanked everyone for attending, and for

their ideas. The Board instructed Staff to assemble all of the ideas and resources that have come before the Board, and put that into a very specific plan. Then identify those that will work best in Highlands County, put them in a short term, medium term, and long term set of goals as part of the plan, and bring them back to the Commission for action, to adopt an overall plan. Then start to implement those that can be done quickly, and work on those that will take more time. Commissioner Stewart suggested Staff look into offering money management courses to help educate the public. Commissioner Bullard suggested adding an item to the action agenda, authorizing the Chair to send a letter, on behalf of the Board, urging the Speaker of the House, President of the Senate, and the Governor to fully fund the Affordable Housing Trust Fund. See SMB 48 Page 37.

Break 11:00 – 11:25 A.M.

### **B. Avon Park Health Department**

Dr. Paula Thaqi, Director of the Highlands County Health Department, presented a request to the Board to allow the Health Department to completely refurbish and reoccupy the county building located on South Lake Avenue in Avon Park. Moving the Health Department from its current site would allow them to provide additional services, such as a clinic and a pediatric dental clinic, that are needed in Avon Park. Medicaid revenue from clinical services in Avon Park will provide the funds necessary to sustain the new clinical site. Facilities Management Director, David Flowers, spoke in support of moving the Health Department to the South Lake Avenue building. He added that it is currently being used for record storage, but there are plans to move those records into storage in the Facilities Management building. Commissioner Stewart requested an approximate time period to get this done. County Administrator, Carl Cool, stated that the total time from design to construction would be probably between nine and twelve months. Human Services Director, Kevin Roberts, spoke in support of the move. The Board instructed Staff to proceed with developing a specific plan, and bring it back to the Board. See file for copy.

### **C. Update on FEMA reimbursements**

County Administrator, Carl Cool, gave the Board a brief update on the reimbursements received from FEMA for hurricane damages. See SMB 48 Page 38.

## **6. PUBLIC HEARING: Public Hearing to approve and Ordinance adopting Amendment No. P&Z 1817, Highland Acres, Zamin Investments**

Proof of Publication for this hearing was entered into the record. See Proof of Pub. Ord. Book 4 Page 4. Development Services Director, Jim Polatty, presented the request. Board Attorney, Ross Macbeth, stated that the Board just needs to approve setting the second public hearing. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, move to hold the second of two public hearings on this proposed Ordinance on March 28, 2006 at 9:00 a.m., in the Board of County Commissioners Board Room, or as soon thereafter as possible. Upon roll call, all Commissioners voted aye. Motion carried.

## **7. ACTION:**

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to set action agenda as listed, with the addition of three items. Upon roll call, all Commissioners voted aye. Motion carried.

### **A. Development Director: Request approval of an Interlocal Agreement between the Town of Lake Placid and Highlands County for the County Development Service Department's**

**Administration of the Town's Land Development Regulations, Zoning Code, and Comprehensive Plan**

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the Interlocal Agreement between the Town of Lake Placid and Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**B. County Administrator: Request approval of Budget Amendment 05-06-125; 126; 127; 129 decreasing fund 005, 110, 151 & 401 Reserve for contingencies**

County Administrator, Carl Cool, presented the request. Commissioner Stewart asked questions concerning two of the budget amendments. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the budget amendments as presented. Upon roll call, all Commissioners voted aye. Motion carried.

**C. Request approval to authorize Chairman to send a letter advocating full funding of the States' Affordable Housing Trust Fund**

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve authorizing the Chairman to send a letter advocating full funding of the State's Affordable Housing Trust Fund. Upon roll call, all Commissioners voted aye. Motion carried.

**D. Request approval of appointment to Long Range Transportation Committee**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stewart, to approve the appointment of Ted Key as District Five representative to the Long Range Transportation Committee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 39.

**E. Report on Sun'n Lake Improvement District meeting**

County Administrator, Carl Cool, reported that he, along with Commissioner Jackson and several Staff members, met last Thursday with staff of the Sun'n Lake Improvement District to discuss long range transportation needs of the District.

**8. COMMISSIONERS**

No reports.

**9. ADJOURN**

The meeting adjourned at 12:16 P.M.

**REGULAR MEETING OF THE BOARD MARCH 21, 2006**

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

<b>Bob Bullard</b>	<b>Carl Cool</b>
<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>Andrew Jackson</b>	<b>Jodi Giguere</b>
<b>Barbara Stewart</b>	

- 2. **Invocation and Pledge of Allegiance**

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

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

- 4. **ANNOUNCEMENTS**

- A. **Clerk**

Deputy Clerk, Bob Jamison, presented a report of a *Weekly Report of Court Services for the week ended March 17, 2006 and a report of Jury Trial Week for March* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 40.

- B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.

<del>Mar 22</del>	<del>10:00 am</del>	<del>Long Range Transportation Committee</del>	<del>501 S. Commerce Ave.</del>
Mar 22	1:00 pm	Placid Utilities Water Advisory Committee	#213, 505 S. Commerce Ave.
Mar 23	9:30 am	HC Community Health Improvement Planning Committee	7205 S. George Blvd.
Mar 23	2:30 pm	Recreation & Parks Advisory Committee	#213, 505 S. Commerce Ave.

- C. **Other Meetings:** The Highlands County Users Group will meet on March 23 at 10:00 a.m. at 505 S. Commerce Ave in Room 213. The Lake Placid Area Growth Management Committee will meet on March 21 at 4:00 P.M. at Lake Placid Town Hall.

- 5. **CONSENT AGENDA:**

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

- A. **Request approval to pay all duly authorized bills and employee benefits March 21, 2006**

<b>General .....</b>	<b>213,982.27</b>
<b>County Transportation Trust .....</b>	<b>14,495.45</b>
<b>E911 Operations Fund .....</b>	<b>4,751.64</b>
<b>Local Govt Infra Surtax.....</b>	<b>17,230.53</b>
<b>Tourist Development Trust Fund .....</b>	<b>17,922.65</b>
<b>Affordable Housing Asst .....</b>	<b>411.80</b>
<b>Special Law Enforcement .....</b>	<b>39,952.90</b>
<b>Sebring Parkway Maintenance .....</b>	<b>850.00</b>
<b>Court Tech .....</b>	<b>1,023.91</b>

Building Code Enforcement Fund .....	1,062.25
HCISSRB Construction Fund .....	300.00
Solid Waste .....	32,366.91
Placid Utilities .....	770.05
Highway Park Utility .....	42.78
Risk Retention Fund .....	.38
Employee Benefit Fund .....	1.14
Tax Deed Surplus Fund .....	92,427.29

- B. Request approval of Satisfaction of Mortgage for William E. Gault Jr. and Linda Gault. See Satisfaction file.**
- C. Request approval of Satisfaction of Mortgage for Mayenne and Marie Telcius. See Satisfaction file.**
- D. Request approval to appoint Eric Longshore to the Construction, Licensing, Enforcement and Appeals Board in the General Contractor slot. See SMB 48 Page 41.**
- E. Request approval of Declaration of Covenants to install a fire hydrant at the Sports Complex.**
- F. Request approval of a Resolution establishing an administrative hearing fee. See Res. Book 19 Page 59.**
- G. Request approval of Consultant Service Authorizations between Highlands County and Chastain Skillman Incorporated to conduct grant funded studies on the Agri-Civic Center and County Health Department buildings. See file for copy.**
- H. Request approval of a revised Resolution which was adopted on January 24, 2006 to correct petitioner's name. See Res. Book 19 Page 60.**
- I. Request approval of CDBG Program Administration Contract with Guardian Community Resource Management, Inc. See file for copy.**
- J. Request approval of Resolution and budget amendment 05-06-133 from the Intergovernmental Radio Fund 131 for upgrades. See Res. Book 19 Page 61.**
- K. Request approval of budget amendment 05-06-132.**
- L. Request approval of Resolutions & Budget Amendment 05-06-131. See Res. Book 19 Page 62.**

**6. ACTION AGENDA:**

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

**A. Sheriff Benton: Request approval of an Interlocal Agreement for the consolidation of emergency and public safety communication operations**

Mike Durham, Legal Counsel for the Sheriff's Office, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the Interlocal Agreement, between the Sheriff's Office, Highlands County, City of Sebring, and Town of Lake Placid, for the consolidation of emergency and public safety communication operations. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**B. NCT Group: Comprehensive Annual Financial Report (CAFR) Presentation for FY 04/05**

Mike Carter, partner with the NCT Group, gave a power point presentation, reviewing the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2005. He stated that the County had a good year. There is approximately three and one-half months of Reserve in the

General Fund. Bob Jamison, Senior Director of Business Services for the Clerk, stated this report shows that the County's financial vital signs are very good, adding that this is due in large part to prudent spending practices by the Board, Board departments, and all of the Constitutional Officers. See file for copy.

**C. Request Approval of Impact Fee Steering Committee Appointments**

Commissioner Bullard presented a request to add additional members to the Impact Fee Steering Committee. He recommended appointing only the primary members, and not the alternates. Commissioner Stewart suggested appointing these members as an advisory committee to the Steering Committee, and adding Sheriff Benton as a member. Mike Durham, representing the Sheriff's Office, stated the Sheriff would accept the invitation to serve as a voting member of the committee. John Drennan spoke in support of having impact fees. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the request to appoint John Borgemeister, Jeff Parker, Jack Ritchie, Mary Pelfrey, Ray Royce, and Sheriff Benton, or her designee to the Impact Fee Steering Committee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 42.

**7. CITIZENS NOT ON AGENDA**

No participants.

**8. COMMISSIONERS**

Commissioner Stokes spoke about the possibility of doing a study on making the Lorida Community Center a wind-compliant shelter.

Commissioner Maxcy commended all of the County Staff members who assisted and the volunteer firemen who worked last Friday to get the brush fire under control.

**9. ADJOURN**

The meeting adjourned at 10:09 A.M.

**REGULAR MEETING OF THE BOARD MARCH 28, 2006**

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

- |                        |                       |
|------------------------|-----------------------|
| <b>Bob Bullard</b>     | <b>Carl Cool</b>      |
| <b>C Guy Maxcy</b>     | <b>Bob Jamison</b>    |
| <b>Edgar Stokes</b>    | <b>J Ross Macbeth</b> |
| <b>Andrew Jackson</b>  | <b>Jodi Giguere</b>   |
| <b>Barbara Stewart</b> |                       |

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by County Engineer, Ramon Gavarrete. The Pledge of Allegiance was led by Commissioner Andrew Jackson.

**3. ANNOUNCEMENTS**

**A. Clerk**

No report.

**B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

Mar 29	10:00 am	E-911 Communication Committee	6800 West George Blvd., Sebring
Mar 29	8:30 am	Children’s Services Council	242 South Boulevard, Avon Park
Mar 29	4:00 pm	Natural Resources Advisory Commission (NRAC)	501 South Commerce Ave. Sebring
Mar 30	3:30 pm	Water Advisory Committee	505 S. Commerce Ave., Sebring
April 6	6:30 pm	Highway Park Neighborhood Preservation and Enhancement District Council	114 Cloverland Street, Lake Placid

**C. Other meetings:** On March 28 at 3 p.m. the Planning & Zoning Commission will hold a workshop at 501 S. Commerce Ave. in the Conference Room.

**4. CONSENT AGENDA:**

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve consent agenda as amended, removing Item 4-F, to be placed on action agenda. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized bills and employee benefits March 28, 2006**

<b>General .....</b>	<b>191,203.16</b>
<b>County Transportation Trust .....</b>	<b>28,138.57</b>
<b>E911 Operations Fund .....</b>	<b>36.67</b>
<b>Conservation Trust Fund .....</b>	<b>9,377.75</b>
<b>Intergovt Radio Communications .....</b>	<b>36.20</b>
<b>Local Govt Infra Surtax.....</b>	<b>125,833.95</b>
<b>Tourist Development Trust Fund .....</b>	<b>4,333.92</b>
<b>Law Library Trust Fund .....</b>	<b>1,779.22</b>
<b>Building Code Enforcement Fund .....</b>	<b>767.90</b>
<b>HCISSRB Construction Fund .....</b>	<b>650.00</b>
<b>Solid Waste .....</b>	<b>14,969.97</b>
<b>Placid Utilities .....</b>	<b>4,425.28</b>

Highway Park Utility ..... 411.22  
 Risk Retention Fund ..... 1.66  
 Employee Benefit Fund ..... 2.57

- B. Request approval of minutes for the March 14, and 21, 2006 meeting
- C. Request approval of a Satisfaction of Mortgage for Kevin M. and Angela T. Maricle. See Satisfaction file.
- D. Request approval of CDBG Administration Contract with Guardian Community Resource Management, Inc. – RFP 06-021. See Housing file.
- E. Request approval of Department of Community Affairs Contract – (CDBG) Economic Development Category – E-STONE USA CORPORATION Project DCA Contract # 06-DB-3K-07-38-01-E12, and Resolution and budget amendment 05-06-138. See file for copy and Res. Book 19 Page 63.
- F. ~~Request approval to store and burn lot clearing debris from Habitat for Humanity on Sports Complex site.~~
- G. Request approval to waive the County’s two-step Surplus Disposal process, declare indicated items Surplus, and allow donation to Hardee County Public Library. See SMB 48 Page 43.
- H. Request approval to release a Notice of Nuisance on CE 05100048, 5037 Roanoke St., Sebring, FL. See Subdivision file.
- I. Request approval of budget amendments 05-06-135 & 139
- J. Request approval of Resolution & Budget amendment 05-06-136. See Res. Book 19 Page 64.

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to set action agenda as listed, with addition of one item under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Chairman Bob Bullard: Character First presentation recognizing Merry Cresswell**

Chairman Bullard presented Merry Cresswell with a Character First award, recognizing her for the character trait of *Visionary*, and congratulating her on her upcoming retirement. Library Director, Mary Myers accepted the award on behalf of Merry Cresswell.

**6. PUBLIC HEARING: To consider a Resolution to vacate the Southerly 7.50 feet of Lot 85, Block 30, Sun ‘n Lake Estates of Sebring, Unit 2, according to the Plat thereof recorded in Plat Book 9, Page 48, of the Public Records of Highlands County, Florida, less the Westerly 10.00 feet thereof**

County Engineer, Ramon Gavarrete, presented the request and entered the Proof of Publication into the record. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, to vacate the easement as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 65.

**7. PUBLIC HEARING: To consider a Resolution to vacate a 15 foot wide easement, lying 7.5 feet left and right of the following described centerline: Begin at the Southeast corner of Lot 18, Willow Gate, also known as the Southwest corner of Lot 19, Willow Gate, according to the Plat thereof as recorded in Plat Book 15, Page 27 of the Public Records of Highlands**

**County, Florida; thence North 00D 17' 49" East and along the East line of Lot 18 for a distance of 90.00 feet to end of description.**

County Engineer, Ramon Gavarrete, presented the request and entered the Proof of Publication into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stewart, to vacate the easement as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 66.

**8. PUBLIC HEARING: Request approval to place a Lien on CE 05020099, 1511 Wellington Drive, Sebring, FL**

Code Enforcement Officer, April Hartseil, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to approve the placing of a lien on the property located at 1511 Wellington Drive, Sebring, in Lake Haven Estates. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**9. PUBLIC HEARING: On Ordinance adopting Amendment No. P&Z 1817, Highlands Acres, Zamin Investments**

Development Services Director, Jim Polatty, stated this is the second public hearing to consider adoption of the ordinance for P&Z hearing # 1817. Mike Gallagher, of Peterson & Myers, spoke on behalf of the applicant. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt by ordinance Amendment No. P&Z 1817, to become effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

**10. PUBLIC HEARING:** Public Hearing for proposed Zoning Changes and Small Scale Plan Amendments. Two (2) zoning (2) small scale plan amendments, are on the Board of County Commissioners Agenda for March 28, 2006. Proofs of Publication for the following hearings were entered into the record. See Proof of Pub. Ord Book 4 Page 4.

**HEARING #1849 – CARIBBEAN PROPERTIES, INC. – RICK WHIDDEN**

Approximately 3.3 acres on the North side of Schumacher Road at the end of Cortez Boulevard, Sun 'N Lake Estate of Sebring, and abbreviated legal as follows: Approximately 3.3 acres located in Sec. 17, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from I-2 (Industrial district) to B-3 (Business district.) Applicant desires to construct warehouses and other permitted B-3 uses.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission move to approve and adopt by Resolution P&Z 1849 changing the Zoning Atlas for 3.3 acres from I-2 (Industrial district) to B-3 (Business district), referencing the mandatory findings, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 67.

**HEARING #CPA-06-367SS – ARLAN D. SAPP**

Approximately 3.4 acres located on the South shore of Lake Anoka and at the Northeast corner of the intersection of U.S. 27 and Marble Avenue, and abbreviated legal as follows: Approximately 3.38 acres located in Sec. 27, Twp. 33S, Rge. 28E, Highlands County, Florida.

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

Development Services Director, Jim Polatty, presented the request. Dale Polston spoke on behalf of the applicant. Commissioner Stewart stated some suggested conditions to be added to the ordinance.

Motion by Commissioner Stewart, seconded by Commissioner Jackson, in accordance with the Local Planning agency move to approve and adopt by Ordinance CPA-06-367SS amending the Future Land Use Map for 3.38 acres from Medium Density Residential to Mixed Use, referencing the mandatory findings, including the conditions as cited below, and transmitting CPA-06-367SS to the Department of Community Affairs for their compliance determination, and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

<i>Conditions to be included in the Adopting Ordinance:</i>
1. Central water and central sewer are to be provided.
2. A traffic study shall be required using Highlands County approved methodology for Comprehensive Plan amendments. The applicant or the applicant's traffic consultant or agent shall discuss the methodology with both the County Planning and Engineering staff before proceeding with development of the study.
3. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvement Program at the time of development.
4. The property shall be considered as a single project for purposes of development, review, and approval for all purposes under County Codes.
5. The applicant shall submit a zoning change application for a PD District.

**HEARING #CPA-06-362SS – AAM LAND INVESTMENTS, LLC. – C/O KIMBERLY THALER OF COTLEUR & HEARING, INC. AND ROGER DALE POLSTON, P.E. POLSTON ENGINEERING, INC.**

Approximately 10 acres located on the South side of the intersection of Lake June Road and Miller Avenue in Leisure Lakes Subdivision, and abbreviated legal as follows: 9.9412 acres located in Sec. 28, Twp. 36S, Rge. 29E, Highlands County, Florida.

Requesting a small scale plan amendment from (Commercial) to (High Density Residential.)

**HEARING #1820 – AAM LAND INVESTMENTS, LLC. – C/O KIMBERLY THALER OF COTLEUR & HEARING, INC. AND ROGER DALE POLSTON, P.E. POLSTON ENGINEERING, INC.**

Legal description as stated above (Item # 3A.)

Requesting a zoning change from B-2 (Limited Business district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development.) Applicant desires to construct townhouses.

Development Services Director, Jim Polatty, presented the request. John McClure, representing the applicant, briefly explained the request. Brian Chegus, Senior Land Planner with Cotleur & Hearing, gave a brief presentation, outlining the proposed design of the project. The Chair opened the floor to the public. Doug Bolton spoke in support of the request. Paul Isaf expressed concern about traffic problems. Cliff Rhoades, representing The Cove Property Owners Association, Dick Rainey, Gene Reece, and James Sommers spoke in opposition to the request. Mr. McClure asked for the opportunity to withdraw the petition instead of having the Board vote to deny the request. Commissioners Bullard and Stokes stated their opposition to the request. Commissioner Jackson stated he needed more information to base a decision on. Commissioner Maxcy suggested the applicant work on the plan, and concentrate more on developing commercial rather than residential. Commissioner Stewart stated she did not feel it is in the best interest of the community or the County to change this zoning. Mr. Polatty stated the County is out of small scale acreage, and questioned if the petitioner would keep his small scale acreage, if the request is withdrawn, or would the acreage go to the next applicant in line. Commissioner Bullard stated it should go to the next person in line. Mr. McClure stated his client will withdraw the petition.

Break 11:15 – 11:30 A.M.

**11. ACTION: County Administrator: Request approval of Federally Funded Sub-Grant Agreement between Highlands County and the State of Florida Department of Community Affairs, and Resolution and budget amendment 05-06-137**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Stewart to approve the Federally Funded Sub-Grant Agreement between Highlands County and Department of Community Affairs, including the resolution and budget amendment, to conduct a study on the Lake Placid High School buildings, to identify modifications necessary to make these buildings wind compliant. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy and Res. Book 19 Page 68.

**A. Request approval to store and burn lot clearing debris from Habitat for Humanity on Sports Complex site**

County Administrator, Carl Cool, presented a request from Habitat for Humanity, to waive the Landfill tipping fees for debris associated with the clearing of several lots in Sebring. Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 44.

**12. CITIZENS NOT ON AGENDA**

Ray Royce invited the Board and the public to “Highlands County Days” in Tallahassee on Thursday, March 30.

**13. COMMISSIONERS:**

Commissioner Stokes announced that he and his wife became grandparents yesterday, with the birth of twin girls.

Commissioner Stewart invited the public to a fundraiser for the Friends of Highlands Hammock, Saturday, April 1, from 4-8 p.m. at the Highlands Hammock State Park.

Commissioner Maxcy requested Staff give an update on the status of negotiations concerning the proposed C.R. 635 extension.

**14. ADJOURN**

The meeting adjourned at 11:49 A.M.

**REGULAR MEETING OF THE BOARD APRIL 4, 2006**

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

- |                        |                       |
|------------------------|-----------------------|
| <b>Bob Bullard</b>     | <b>Carl Cool</b>      |
| <b>C Guy Maxcy</b>     | <b>Bob Jamison</b>    |
| <b>Edgar Stokes</b>    | <b>J Ross Macbeth</b> |
| <b>Andrew Jackson</b>  | <b>Jodi Giguere</b>   |
| <b>Barbara Stewart</b> |                       |

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by OMB Director, Rick Helms. The Pledge of Allegiance was led by Roger Perkins, Chairman of the Highlands County Veterans Council.

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

**4. ANNOUNCEMENTS**

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of *Monthly Report of Business Services for March 2006 and a report of Tax Deed Sales* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 45.

**B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

April 4	2:00 pm	Highlands County Soil and Conservation District	4509 George Blvd. Conference Room 3
April 4	7:00 pm	Construction Licensing, Enforcement and Appeals Board	600 S. Commerce Ave. Board Room
April 6	6:30 pm	Highway Park Neighborhood Preservation and Enhancement District	114 Cloverland Street, Lake Placid

**C. Other meetings:** The Highlands County Homeowners Association will meet April 10 at 9 a.m. at 3240 Grand Prix Drive in Sebring. The next Visioning Session will be April 4 at 6 p.m. at the Avon Park Community Center.

**5. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits April 04, 2006**

<b>General .....</b>	<b>469,833.38</b>
<b>County Transportation Trust .....</b>	<b>69,410.37</b>
<b>E911 Operations Fund .....</b>	<b>29.03</b>
<b>Intergovt Radio Communications .....</b>	<b>1,860.00</b>
<b>Local Govt Infra Surtax.....</b>	<b>101,018.22</b>
<b>Tourist Development Trust Fund .....</b>	<b>18,699.41</b>
<b>Comm Development Block .....</b>	<b>1,711.16</b>
<b>Affordable Housing Asst .....</b>	<b>64.72</b>
<b>Sebring Parkway Maint .....</b>	<b>300.00</b>

State Court Facilities TF .....	616.90
Court Tech .....	260.00
Building Code Enforcement Fund .....	7,472.27
HCISSRB Construction Fund .....	1,079.00
Solid Waste .....	72,988.17
Placid Utilities .....	811.05
Highway Park Utility .....	1,455.32
Risk Retention Fund .....	.38
Employee Benefit Fund .....	6,399.70

- B. Request approval of Satisfaction of Mortgage for Benny C. Grantham. See Satisfaction file.**
- C. Request approval of Satisfaction of Mortgage for Kelley A. Baker. See Satisfaction file.**
- D. Request approval of Satisfaction of Mortgage for David and Dana Sala. See Satisfaction file.**
- E. Request approval to declare a Notice of Nuisance on CE 06020022, 200 Garrett Rd. Avon Park, FL. See Subdivision file.**
- F. Request approval to release a Notice of Nuisance on CE 05050025, 271 Lake Francis Rd. Lake Placid, FL. See Subdivision file.**
- G. Request approval of revised Fee Schedule and Resolution for adjacent Municipality Development. See Res. Book 19 Page 69.**
- H. Request approval of four drainage easements for the property located in Fryman’s Subdivision.**

**PUBLIC HEARING: Merging Chapter 12 of the Code of Ordinances with Land Development Regulations**

Development Services Director, Jim Polatty, presented the request, and entered the Proof of Publication into the record. See Proof of Pub Ord. Book 4 Page 5. Motion by Commissioner Jackson, seconded by Commissioner Stewart, move to hold the second of two public hearings on April 18, 2006 at 9:00 a.m. on the proposed Ordinance that merges the Land Development Regulations into Chapter 12 of the Code of Ordinances, in the Board of County Commissioners Board Room, or as soon thereafter as possible. Upon roll call, all Commissioners voted aye. Motion carried.

**6. ACTION:**

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to set action agenda as amended, removing Item A-1, and moving Item 7-B to be heard before Item 7-A. Upon roll call, all Commissioners voted aye. Motion carried.

**B. County Engineer:**

**1. Request approval of a Proclamation regarding Water Conservation Month**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to approve the proclamation, designating the month of April as Water Conservation Month, in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 70.

**2. Update to the Sebring Parkway Phase II Cost Estimates and Design Plans**

County Engineer, Ramon Gavarrete, gave a power point presentation, updating the Board on the cost estimates and design plans for Sebring Parkway Phase II. He stated he took recent bid numbers and

projected a ten percent increase in costs between now and next year. County Administrator, Carl Cool, stated that these revised cost estimates have been incorporated in to the Capital Improvement Plan (CIP). See tape for further detail.

Break 10:30 – 10:45 A.M.

**A. OMB Director:**

**~~1. Request approval for waiver of Purchasing Policy for cabling project~~**

**2. Capital Improvement Plan**

OMB Director, Rick Helms, gave a presentation on the proposed Capital Improvement Plan (CIP), pointing out the changes that have occurred since the CIP was adopted, the results of those changes, and the projects that are currently in place. He stated that, for long term, the County will need to look at other sources of funding to augment the Local Option Sales Tax, and the limited grant funds that are used for the CIP. Commissioner Bullard stated that they will have to revisit the CIP once a decision on impact fees is made. He questioned if having a 10 year CIP is a requirement of the County's Comprehensive Plan. Development Services Director, Jim Polatty, stated that it is not a requirement. Commissioner Bullard requested Staff look at the possibility of adopting a shorter term CIP during the transition period, when the County may or may not be adopting impact fees. Commissioner Jackson expressed concern about shortening the County's planning period. Commissioner Bullard clarified that the County would still plan for a 10 year CIP, separately from what is adopted as part of the Comprehensive Plan. See tape for further detail.

**D. Children Advocacy Center Director: Request approval of a Proclamation designating April 2006 as "Child Abuse and Neglect Prevention Month"**

Jeff Roth, Director of the Children's Advocacy Center, presented the request and read the proclamation into the record. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to adopt the proclamation, designating April 2006 as *Child Abuse and Neglect Prevention Month*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 71.

**E. Frank Souder: Request approval of Adopt-a-Road Agreement for Elliot Rd.**

Frank Souder presented the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the Adopt-a-Road agreement for Elliot Road. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**C. Development Services Director: Affordable Housing Summit Recommendations**

Development Services Director, Jim Polatty, presented the suggestions and recommendations for the Boards' consideration. Housing Coordinator, Penny Phillippi, encouraged the Board to express any comments or concerns to Staff before moving forward. She added that Staff will start building a strategic plan, and bring the recommendations back to the board a few at a time. See SMB 48 Page 46 and tape for further detail.

**F. Human Resources Director: Request approval of Workforce Augmentation**

Human Resources Director, Freddie Carino, presented the request. Commissioner Bullard expressed his agreement with the concept, but stated that fourteen (14) positions seemed excessive. County Administrator, Carl Cool, stated he has reviewed the request, adding that the number can be decreased if they find all of the positions are not needed. Development Services Director, Jim Polatty, stated his agreement with the recommendations. Commissioner Stewart expressed concern about the number of

positions being requested, with some authorized positions currently vacant. Commissioner Maxcy expressed the need to increase the level of service to the public. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to authorize the amount of money that is equivalent to ten (10) full time employees, including benefits, and give Staff the creativity to utilize those funds to best meet their needs. Then, if the positions are filled and needs are still not met, Staff will come back before the Board to request additional positions. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 47.

**G. County Administrator: Request from Highlands County Fair Association and the Sebring Firemen, Inc. to waive Emergency Medical Services fees for all events sponsored by them**

County Administrator, Carl Cool, presented an amended request, and recommended waiving the EMS fees for bull riding events only by the Highlands County Fair Association and Sebring Firemen, Inc., up to five (5) events per year. EMS Director, Rick Weigand, stated he did not want to be committed to covering these events that require a dedicated unit be present at all times. He added that to bring in a dedicated unit would require off duty personnel and overtime funds. Commissioner Bullard stated his disagreement with in bringing in an extra unit and paying overtime. Commissioner Jackson questioned the charges for having a unit on stand-by. Mr. Weigand stated the County charges \$100 per hour for a stand-by ALS unit. Commissioner Maxcy stated the Board should consider approving the request. Commissioner Stokes stated that if the Board waives the fees for the Fair Association and Sebring Fireman, they would be opening the door to other organizations wanting fees waived. Board Attorney, Ross Macbeth, stated the Board should continue hearing requests for coverage and fee waivers, and approve or disapprove on a case-by-case basis. Commissioner Bullard stated a firm policy on the utilization of EMS units needs to be created. The Board reached a consensus to instruct Staff to draft a written policy on the utilization of EMS units, and bring it back to the Board for discussion and consideration.

Mr. Cool requested that the Board waive the fees for the Fair Association and Sebring Fireman, Inc., for the bull riding event that took place last Saturday nights. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to waive the fees for last Saturday's event. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 48.

**7. CITIZENS NOT ON AGENDA**

No participants.

**8. COMMISSIONERS:**

Commissioner Stewart commented on the recent events she attended at Highlands Hammock State Park and the Highlands Little Theatre.

**9. ADJOURN**

The meeting adjourned at 1:16 P.M.

**REGULAR MEETING OF THE BOARD APRIL 11, 2006**

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

**Bob Bullard**  
**C Guy Maxcy**  
**Edgar Stokes**  
**Andrew Jackson**  
**Barbara Stewart**

**Carl Cool**  
**Bob Jamison**  
**J Ross Macbeth**  
**Jodi Pifer**

2. **Invocation and Pledge of Allegiance**

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

3. **ANNOUNCEMENTS**

- A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of *Weekly Court Services for the week ended April 7, 2006* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 49.

- B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

Apr 11	2:00 pm	Veterans Advisory Board	7205 S. George Blvd.
Apr 11	2:30 pm	Historic Preservation Commission	501 S. Commerce Ave.
Apr 11	3:00 pm	Planning & Zoning Commission	600 S. Commerce Ave.
Apr 11	3:00 pm	Zoning Board of Adjustment	600 S. Commerce Ave.
Apr 12	7:30 am	Industrial Development Authority/Economic Development Commission Board of Directors	2113 US 27 S, Sebring
Apr 12	9:00 am	Local Mitigation Strategy Committee	#251, 600 S. Commerce Ave.
Apr 12	9:30 am	Central Florida Regional Planning Council retreat	Sebring Airport, 128 Authority Lane
Apr 12	4:00 pm	Natural Resources Advisory Committee sub-committee	#102, 501 S. Commerce Ave.
Apr 13	2:30 pm	Recreation & Parks Advisory Committee	#213, 505 S. Commerce Ave.
Apr 17	4:00 pm	(City of Sebring) Fire Chief Search Committee	City Hall Chambers, 368 S. Commerce Ave.
Apr 18	7:30 am	Public Safety Coordinating Council	Jury Assembly room of the Courthouse

- C. Other meetings:** On April 12 at 1:30 P.M. the School Concurrency Committee will meet at the School Board Office. The Assistant County Administrator Search Committee will meet on Monday, April 17 at 8 a.m., with interviews starting at 9 a.m.

Charlotte Mann, representing the Human Resources Department, presented the Board with award from United Way, honoring them for their Top Dollar Account. Chairman Bullard accepted the award on behalf of the Board. Commissioner Maxcy presented Charlotte Mann with an award from United Way of Central Florida, for Outstanding Employee Coordinator for 2005-2006.

**4. CONSENT AGENDA:**

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to approve consent agenda as amended, removing Budget Amendment #05-06-142 from Item 4-L, to be placed under action agenda. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized bills and employee benefits April 11, 2006**

General .....	3,443,007.47
County Transportation Trust .....	42,057.72
E911 Operations Fund .....	16,817.38
Local Govt Infra Surtax.....	42,889.54
Tourist Development Trust Fund .....	7,203.48
Affordable Housing Asst .....	10,655.63
Hurricane Housing Rec Pro .....	7,800.00
Court Tech .....	4,513.57
Building Code Enforcement Fund .....	1,214.52
HCISSRB Construction Fund .....	2,647.16
Solid Waste .....	40,530.75
Placid Utilities .....	11,238.04
Highway Park Utility .....	10,440.59
Risk Retention Fund .....	297.92
Employee Benefit Fund .....	12.78
Highlands Hosp Pass Thru .....	4,289.67

- B. Request approval of Satisfaction of Mortgage for Felipe G. and Esperanza Garcia. See Satisfaction file.**
- C. Request approval of Satisfaction of Mortgage for Denise D. Williams. See Satisfaction file.**
- D. Request approval of Satisfaction of Mortgage for Edwin and Maria Melendez. See Satisfaction file.**
- E. Request approval of Satisfaction of Mortgage for Steve J. Strickland, Jr. and Terri D. Strickland. See Satisfaction file.**
- F. Request approval to modify agreement for the Emergency Management Preparedness and Assistance (EMPA) Base Grant Federal funds increase in the amount of \$18,964.00 of Fiscal Year 2005-2006. See file for copy.**
- G. Request approval of Amendment No. 1 to Department of Environmental Protection Agreement for the “Little Lake Jackson Off-Line Alum Injection Stormwater Treatment System” G0094. See file for copy.**
- H. Request approval to release Notice of Nuisance on CE 05080107, 2004 Stowe Avenue, Avon Park, FL. See Subdivision file.**
- I. Request approval to release Notice of Nuisance on CE 05080097, 4816 High Ave., Sebring, FL. See Subdivision file.**
- J. Request approval to declare attached County property as surplus, waive two-step surplus disposal process, and allow said surplus to be disposed of by utilizing our contract with GovDeals, and internet auction service company. See SMB 48 Page 50.**
- K. Request approval of Budget Amendments 05-06-140; 148 and 150**
- L. Request approval of Resolutions and budget amendments 05-06-141; ~~142~~ and 147. See Res. Book 19 Page 72.**

**5. WORKSHOP: Parks & Recreation Director and Ken Langeland, Ph.D. University of Florida Center for Aquatic and Invasive Plants: Workshop on Invasive Plant Management Program**

Parks & Recreation Director, Vicki Pontius, introduced Ken Langeland, Professor of Agronomy at the University of Florida Center for Aquatic and Invasive Plants. Mr. Langeland gave a presentation on the history and impacts of invasive plants, and the programs in place to control them. A video tape, made in 1989, of the first large scale Fluridone application on Lake Istokpoga, was also shown.

Break 10:55 – 11:05 a.m.

Beecham Firsh, Biologist with the Florida Fish and Wildlife Conservation Commission, described some photographs, taken by Commissioner Stewart, of the drawdown and clean up project of Lake Josephine.

**6. ACTION:**

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

**A. Parks and Recreation Director: Request approval of Recreation and Parks Advisory Committee's recommendation and budget amendment 05-06-149**

Parks & Recreation Director, Vicki Pontius, presented the request. Ned Hancock, representing the Highlands County School Board, briefly explained the request. Motion by Commissioner Maxcy, seconded by Commissioner Stewart, move to approve the RPAC recommendation to expend up to \$80,176 from the Infrastructure account to reimburse the Highlands County School Board for lights at the new recreation facility being constructed in Lake Placid, along with the budget amendment. Upon roll call, all Commissioners voted aye. Motion carried.

**B. County Administrator: Request approval of Budget Amendment 05-06-153 decreasing fund 005 Reserve for Contingency**

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

**C. Consent Item 4-L: Request approval of Resolution and Budget Amendment #05-06-142**

Commissioner Stewart questioned the request, specifically the need to provide coffee vending machines at the Sebring and Avon Park Libraries. Library Director, Mary Myers, explained the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the resolution and budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 73.

Jerry Miller, representing Progress Energy, gave the Commission an update on the Sebring Rider.

**7. COMMISSIONERS:**

Commissioner Maxcy expressed his appreciation to Commissioner Bullard, and the talk he gave yesterday at the Homeowners Executive Committee.

**8. ADJOURN**

The meeting adjourned at 11:59 A.M.

**REGULAR MEETING OF THE BOARD APRIL 18, 2006**

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

**Bob Bullard  
C Guy Maxcy  
Edgar Stokes  
Andrew Jackson  
Barbara Stewart**

**Carl Cool  
Bob Jamison  
J Ross Macbeth  
Jodi Pifer**

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Board Attorney, Ross Macbeth.

3. Call for "Citizens not on the agenda"

**4. ANNOUNCEMENTS**

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of *Weekly Court Services for the week ended April 13, 2006* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 51.

**B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

Apr 19	Noon	Fisheating Creek Landowners Group	Annie's Club 98, 4651 US 98
Apr 19	2:00 pm	Insurance Committee	Board room, 600 S. Commerce Ave.
Apr 19	6:00 pm	HC Pandemic Influenza Summit	Ag-Center, 4509 George Blvd.

**C. Other meetings:** The DARE program is scheduled for next Tuesday, April 25, 2006 at 9:00 A.M. at South Florida Community College. The Lake Placid Growth Management Committee will meet April 18 at Lake Placid Town Hall from 4-6 P.M. There will be a School Concurrency Committee Meeting on April 19 at the School Board Administration Building at 1:30 P.M.

**5. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits April 18, 2006**

<b>General .....</b>	<b>235,611.67</b>
<b>County Transportation Trust .....</b>	<b>53,654.40</b>
<b>E911 Operations Fund .....</b>	<b>15.12</b>
<b>Law Enforcement Education .....</b>	<b>7,074.25</b>
<b>Legal Aid .....</b>	<b>3,437.27</b>
<b>Local Govt Infra Surtax.....</b>	<b>8,370.50</b>
<b>HCISSRB Debt Service Fund .....</b>	<b>434,179.37</b>
<b>Tourist Development Trust Fund .....</b>	<b>19,102.21</b>
<b>Affordable Housing Asst .....</b>	<b>4,065.00</b>
<b>Hurricane Housing Rec Pro .....</b>	<b>375.00</b>

Sebring Parkway Maint .....	100.00
Court Tech .....	.39
Building Code Enforcement Fund .....	5,174.78
HCISSRB Construction Fund .....	425.00
Solid Waste .....	20,491.22
Placid Utilities .....	3,647.12
Highway Park Utility .....	1,839.83
Employee Benefit Fund .....	3,280.48

- B. Request approval of Satisfaction of Mortgage for Ana D. Sanchez. See Satisfaction file.
- C. Accept into the record the February 2006 Court-related Funds Revenue and Expenditures. See SMB 48 Page 52.
- D. Request approval of a Satisfaction of Lien on 4710 Alhambra Ave., Sebring. See Subdivision file.
- E. Request approval of a Satisfaction of Lien on 17514 Brinkerhoff, Okeechobee, Highlands County, FL. See Subdivision file.
- F. Request approval of a Notice of Nuisance on CE 05090147, 3626 Hoyt Ave., Sebring. See Subdivision file.
- G. Request approval of a Notice of Nuisance on CE 05090067, 3105 Howze Ave., Sebring. See Subdivision file.
- H. Request approval of a Release of Nuisance on CE 05060184, 3719 Hoyt Ave., Sebring. See Subdivision file.
- I. Request approval of budget amendments 05-06-161 and 162
- J. Request approval of Resolutions & Budget Amendments 05-06-157; 158 and 159. See Res. Book 19 Page 74.

**6. PUBLIC HEARING: Public Hearing merging Chapter 12 of the Code of Ordinances with Land Development Regulations; and request approval to adopt the Ordinance that merges the Land Development Regulations into Chapter 12 of the Code of Ordinances**

Development Services Director, Jim Polatty, presented the request and Proof of Publication for this hearing. See Proof of Pub Ord. Book 4 Page 6. The caption of the ordinance was read into the record. Mr. Polatty stated that he would be coming back before the Board with some additional clean-up changes. Commissioner Stewart requested some additional items be added to the clean-up changes. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, to adopt the Ordinance that merges the Land Development Regulations into Chapter 12 of the Code of Ordinances. Upon roll call, all Commissioners voted aye. Motion carried.

**7. ACTION:**

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to set action agenda as amended, with one addition under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Warwick (Bud) Furr II, President, Highlands County Bar Association: Request approval of a Proclamation recognizing April 28, 2006 as “Highlands County’s Law Day”**

Warwick “Bud” Furr II, President of the Highlands County Bar Association, presented the request. Chairman Bullard read the proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the proclamation, designating Friday, April 28, 2006, as

Highlands County's Law Day. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 75.

**B. Sheriff Benton:**

**1. Request approval for Expenditure of Confiscated Federal Funds**

Sheriff Susan Benton presented the request. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to approve the request for expenditure of Confiscated Federal Funds for the business watch decals for Crime Prevention, in the amount of \$5,000.00. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 53.

**2. Presentation of Quarterly Report – April 2006**

Sheriff Susan Benton presented a Quarterly Report of the Highlands County Sheriff's Office, giving some quarterly information collected from the law enforcement bureau and the detention bureau. See SMB 48 Page 54.

**3. Request to designate project coordinator – Edward Byrne Memorial Grant**

Sheriff Susan Benton presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the request to designate Lisa McGehee as the project coordinator for the allocation of the Edward Byrne Memorial Grant funds. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 55.

**4. Request approval of Resolution & Budget Amendment 05-06-154 decreasing fund 005 Reserve for Contingency for Edward Byrne Memorial Grant – JAG (formally LLEBG) acceptance of funds**

Sheriff Susan Benton presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the resolution and budget amendment as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 76.

**5. Request approval of Proclamation of National Crime Victims Week – 6 minute presentation**

Sheriff Susan Benton presented the request. A short video was shown on the impact of crime on victims. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to approve the proclamation, designating April 23–29, 2006 as *National Crime Victims Week* in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 77.

**C. Director, Highlands County Health Department, Dr. Paula Thaqi: Request approval to relocate Avon Park Health Department to 400 South Lake Avenue, Avon Park**

Dr. Paula Thaqi, Director of the Highlands County Health Department, presented the request. County Administrator, Carl Cool, stated Staff is agreement with the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the relocation of the Avon Park Health Department to 400 South Lake Avenue, Avon Park, and instruct Staff to draft the appropriate documents. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 56.

**D. Mike Willingham, Executive Director, Sebring Airport Authority: Request approval of an Interlocal Agreement with and loan to Sebring Airport Authority regarding Funder America**

Mike Willingham, Executive Director of the Sebring Airport Authority, presented the request, and gave a presentation on the background of Funder America. Commissioner Stewart requested an

explanation of how the loan would be paid back. Mr. Willingham stated the loan would be repaid from the tax increment that the CRA receives from the project. Commissioner Stokes expressed concern about offering in-kind services for developing the project. Commissioner Maxcy questioned the interest that would be paid on the loan. OMB Director, Rick Helms, stated the interest rate could be tied to the SBA rate or be a variable rate. He recommended not funding the loan from the County's Infrastructure Fund. County Administrator, Carl Cool, stated he did not feel it is a good time to do this project with in-kind services. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the funding of the Funder America project through the Sebring Airport Authority, and instruct Staff to revise the Interlocal Agreement and loan documents to reflect concerns discussed at today's meeting. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**10:35 – 11:05 a.m. Break to celebrate Highlands County's 85<sup>th</sup> Birthday in the lobby**

**E. Development Services Director: Status report concerning a grant agreement to fund facilitation of a visioning workshop(s) to identify an Urban Services Area in Highlands County**

Development Services Director, Jim Polatty, presented a request for the Board to approve a May 16 or May 30 meeting at the Sebring Middle School commons, to complete the visioning work for the Department of Community Affairs grant. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve to hold a meeting on May 16, 2006 to satisfy the agreement for the grant to facilitate the development of an Urban Service Area. Upon roll call, all Commissioners voted aye. Motion carried.

**F. OMB Director: Request approval of management responses to management letter**

OMB Director, Rick Helms, presented the request. Mike Carter, partner with The NCT Group, C.P.A.'s, stated they are in agreement with Management's responses. Bob Jamison, Senior Director of Business Services, stated the Clerk's office is satisfied with Management's responses. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the management responses to the management letter issued by The NCT Group for the Audited Financial Statements for the fiscal year ended September 30, 2005. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**G. County Administrator:**

**4. Request approval of Proclamation recognizing the month of April 2006 as Highlands County Volunteer Month**

County Administrator, Carl Cool, presented the request. Commissioner Jackson read the proclamation into the record. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to adopt the Proclamation, recognizing the month of April 2006 as *Highlands County Volunteer Month*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 78.

**1. Request approval of Budget Amendments 05-06-144 and 05-06-165 decreasing fund 005 Reserve for Contingency**

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

**2. Request to waive board bid process, accept written quote and approve budget amendment 05-06-160**

County Administrator, Carl Cool, presented the request. Lisa McGehee, representing the Sheriff's Office, showed some pictures of the old and new equipment. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to approve to waive the Board's bid process, accept the written quote, and approve the budget amendment, for the purchase of equipment for the Sheriff's Office that is used to open and close jail doors. Upon roll call, all Commissioners voted aye. Motion carried.

**3. Request approval of an Interlocal with the City of Avon Park for the purpose of locating and operating a branch office of the Highlands County Building Department within the City of Avon Park**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to approve the proposed Interlocal Agreement with the City of Avon Park for the purpose of locating and operating a branch office of the Highlands County Building Department within the City of Avon Park. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**8. CITIZENS NOT ON AGENDA**

Colin McClellan spoke about zoning issues related to mobile home parks and impact fees.

**9. COMMISSIONERS:**

Commissioner Stewart invited the public to attend "Earth Day" Saturday April 22 at the Highlands Hammock State Park.

Commissioner Maxcy welcomed former County Commissioner Marguerite Skipper, who was in attendance for the County's birthday celebration.

Commissioner Stokes reported on the Water Management Board meeting he attended last week.

**10. ADJOURN**

The meeting adjourned at 11:50 A.M.

**REGULAR MEETING OF THE BOARD APRIL 25, 2006**

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

**Bob Bullard**  
**C Guy Maxcy**  
**Edgar Stokes**  
**Andrew Jackson**  
**Barbara Stewart**

**Carl Cool**  
**Bob Jamison**  
**J Ross Macbeth**  
**Jodi Pifer**

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Development Services Director, Jim Polatty. The Pledge of Allegiance was led by Deputy Clerk, Bob Jamison.

**3. ANNOUNCEMENTS**

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of *Jury Trial Week for April and a report of Weekly Court Services for the week ended April 21, 2006* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 57. On behalf of the Clerk, he invited the public to attend the National Day of Prayer ceremony, Thursday May 4<sup>th</sup> at 11:00 a.m. on the Courthouse lawn.

**B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

Apr 25	3:00 PM	Planning & Zoning Commission & the Local Planning Agency	600 S. Commerce Ave.
Apr 26	10:00 AM	Long Range Transportation Committee	#201, 501 S. Commerce Ave.
Apr 26	10:00 AM	E-911 Communications Committee	Desoto City Fire Station 19, 6850 W. George Blvd.
Apr 26	11:30 AM	Heartland Rural Health Network, Inc., Board of Directors	100 W. College Dr., Avon Park
Apr 26	4:00 PM	Natural Resources Advisory Commission (NRAC)	501 S. Commerce Ave
Apr 27	10:00 AM	HC Visitor Convention Bureau (Tourist Development Council)	#3, Ag-Center, 4505 George Blvd.
Apr 27	10:00 AM	Avon Park Library Grand Opening	100 North Museum Avenue, Avon Park
Apr 27	1:00 PM	Sebring Airport Authority & Sebring Regional Airport Community Redevelopment Agency	128 Authority Lane, Sebring
Apr 28	2:30 PM	Law Day Community Reception	430 S. Commerce Ave., Sebring
Apr 28	3:45 PM	Law Day Program	600 S. Commerce Ave. Sebring, (Boardroom)

**C. Other meetings:** A Joint Workshop on School Concurrency between Highlands County, the School Board, and three cities on May 1 at 6 p.m. in the Commissioners Boardroom.

**4. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits April 25, 2006**

General .....	247,424.34
County Transportation Trust .....	50,834.01
E911 Operations Fund .....	3,280.64
Local Govt Infra Surtax.....	9,116.53
Tourist Development Trust Fund .....	10,262.24
Comm Development Block .....	7,719.73
Affordable Housing Asst .....	8,325.00
Court Tech .....	520.00
Building Code Enforcement Fund .....	1,822.85
Solid Waste .....	13,079.53
Placid Utilities .....	2,166.34
Highway Park Utility .....	38.86

**B. Request approval of minutes for the April 4, 2006 board meetings**

**C. Request approval of a Satisfaction of Mortgage for Gregory J. Waack. See Satisfaction file.**

~~**D. Request approval to appoint Dr. Mary Ann Fritz to the Hospital District Board representing District 1**~~

**E. Request approval of sponsorship to Sebring Fireman, Inc. for FACA High School Allstar Baseball event in the amount of \$2,500. See grant file.**

**F. Request approval of budget amendments 05-06-164; 166; 167 and 168**

**5. PUBLIC HEARING: Request approval a Notice of Lien on CE 05060061, 6412 Hancock Road, Sebring, FL**

Code Enforcement Officer, April Hartseil, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve placing a lien on the property located at 6412 Hancock Road, Sebring, in the Foster Beasley Subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

**6. PUBLIC HEARING: Requesting a motion to consider adoption of the Resolution to vacate the easement described as a 15' foot wide easement, lying 7.5 feet left and right of the following described centerline: begin at the Southeast corner of Lot 18, Block 62, Sebring Country Estates, Section Three, also known as the Southwest corner of Lot 19, Sebring Country Estates, Section Three, according to the Plat thereof as recorded in Plat Book 9, Page 6 of the Public Records of Highlands County, Florida; thence North 00°00'28" West and along the East line of Lot 18 for a distance of 117.50 Feet to the end of description.**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to vacate the easement as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 79.

**7. PUBLIC HEARING: Considering a motion to adopt a Resolution to vacate the ten feet utility and drainage easements lying between Lots 9 and 10, Block 16, Highlands Park Estates, Section E, according to the Plat thereof recorded in Plat Book 4, Page 87, of the Public Records of Highlands County, Florida, less the Easterly and Westerly 10.00 feet thereof**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to vacate the easements as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 80.

**8. PUBLIC HEARING: To consider a motion to adopt a Resolution to vacate an easement being the North 10 feet of the East 115 feet of Lot 82, Block 1 & the South 10 feet of the East 115 feet of Lot 81, in Placid Lakes, Section 19, according to the Plat thereof in Plat Book 9, Page 14 of the Public Records of Highlands County, Florida**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, to vacate the easement as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 81.

**9. PUBLIC HEARING: To consider a motion to adopt a Resolution to vacate a portion of a 10.00 foot drainage and utility easement being more particularly described as follows: Commence at the Southwest corner of Lot 13, of Thunderbird Hill East, according to the Plat thereof as recorded in Plat Book 13, Page 43, of the Public Records of Highlands County, Florida; thence N89°56'32"E, along the South line of said Lot 13 a distance of 10.00 feet; thence N00°03'28"W a distance of 58.00 feet to the Point of Beginning; thence S89°56'32"W a distance of 5.00 feet; thence N00°03'28"W a Distance of 40.00 feet; thence N89°56'32"E a distance of 5.00 feet; thence S00°03'28"E a distance of 40.00 feet to the Point of Beginning**

County Engineer, Ramon Gavarrete, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Stewart, to vacate the easements as described. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 82.

**10. PUBLIC HEARING: Public Hearing for proposed Zoning changes:**

Proof of Publication for the following hearings were entered into the record by Development Services Director, Jim Polatty. See SMB 48 Page 58.

**A. HEARING #1851 – SCOTT DASILVA – C/O CLIFFORD R. RHOADES**

Approximately 1.2 acres located on the South side of U.S. 98 in Lorida, between Palms Estate Road and Pine Terrace, and legally described as follows: Lots 7, 8, 11, and 12, Block 2, Lorida Heights as recorded in P.B. 6, PG. 39A and Replat of Lorida Heights, as recorded in P.B. 8, PG. 48, both of the Public Records of Highlands County, Florida.

Request: A zoning change from B-1 (Neighborhood Business district) and B-3 (Business district.) Applicant desires filling station and other retail space.

This hearing has been pulled from the agenda at this time.

**B. HEARING #1852 – MARJORIE Y. HAYNES – C/O KENNETH HAYNES - C/O CLIFFORD R. RHOADES**

Approximately 8.5 acres located on the Northeast corner of Sebring Parkway (Highlands Avenue) and DeSoto Road, and abbreviated legal as follows: Approximately 8.5 acres located in Sec. 33, Twp. 34S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to I-1 (Industrial district.) Applicant desires all the permitted uses in the I-1 district

Development Services Director, Jim Polatty, presented the request. Commissioner Maxcy questioned the different uses allowed in I-1 zoning. Cliff Rhoades, representing the applicant, stated they will propose a deed restriction, removing some of the uses from the property. Rick Engler and Lee Atkins spoke in opposition to the request. Commissioner Stokes questioned if a buffer would be required. Mr. Polatty stated a Type D buffer would be required. Commissioner Stewart stated this use is not compatible with the surrounding areas, and made a motion to deny the request. Motion died for lack of a second. Motion by Commissioner Jackson, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission move to approve and adopt by Resolution P&Z 1852 changing the zoning atlas for 8.5 acres from AU (Agricultural) to I-1 (Industrial District), referencing the Mandatory Findings and becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioners Stewart and Bullard, who voted nay. Motion carried. See Res. Book 19 Page 83.

**C. HEARING #1853 – FLAMINGO PROPERTIES, LLC - C/O CLIFFORD R. RHOADES**

Approximately 5 acres located on the East shore of Little Lake Jackson on Tubbs Road, and abbreviated legal as follows: Approximately 5 acres located in Sec. 6, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to R-3 (Multiple Dwelling district.) Applicant desires to construct multi-family residential.

Development Services Director, Jim Polatty, stated P&Z has recommended that this hearing be continued. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, move to table P&Z Hearing # 1853 until May 23, 2006 at 9:00 a.m. or as soon thereafter as possible, in the County Commission Board Room. Upon roll call, all Commissioners voted aye. Motion carried.

**D. HEARING #1854- MAGNOLIA PROPERTIES OF SEBRING INC. – C/O RICK WHIDDEN**

Six quarter acre lots on the Southeast corner of Sun 'N Lake Boulevard and Cortez Boulevard in Sun 'N Lake of Sebring, and abbreviated legal as follows: Approximately 1.82 acres located in Sec. 8, Twp. 34S, Rge. 28E, Highlands County, Florida.

Request: A zoning change from R-2 (Two-Family Dwelling district) to R-2 FUD (Two-Family Dwelling district with a Flexible Unit Development.) Applicant desires to construct duplex villas.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. Motion by Commissioner Stewart, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission move to approve and adopt by Resolution P&Z Hearing 1854 changing the Zoning Atlas for 1.82 acres from R-2 (Two-Family Dwelling district) to R-2 FUD (Two-Family Dwelling district with a Flexible Unit Development), referencing the mandatory findings, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 84.

**E. HEARING #1855 – J. TIMOTHY BLACKMAN – C/O RICK WHIDDEN**

Approximately 4.9 acres located on the East side of Sparta Road, 1/4 mile South of U.S. 27, and abbreviated legal described as follows: Approximately 4.85 acres located in Sec. 5, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from R-3 (Multiple Dwelling district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development.) Applicant desires to construct condos and townhouses.

Development Services Director, Jim Polatty, presented the request. Rick Whidden, representing the applicant, briefly explained the request. Tim Blackman, applicant, also spoke about his development. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission move to approve and adopt by Resolution P&Z 1855 changing the Zoning Atlas for 4.9 acres from R-3 (Multiple Dwelling district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development), including the conditions as stated below, referencing the mandatory findings, becoming effective as provided by law and becoming effective when the ordinance authorizing the use of R-3 in Medium Density FLUM Category is re-adopted by the Board of County Commissioners (the re-adoption of Ordinance 05-06-14). Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 85.

<b>FUD CONDITIONS:</b>
1. Central water and central sewer are to be provided from the City of Sebring.
2. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual and the Capital Improvement Program at the time of development.
3. In the event a dedication is made to the County, the FUD site plan will move East the width dedicated without alteration and with a corresponding reduction in side setbacks.
4. The number of units is to be capped at 37 dus.
5. North, East, and South sides shall have a minimum 10 foot transitional yard vegetated with a minimum 5 feet high opaque buffer hedge and trees planted on maximum 10 foot center

**F. HEARING #1856 – LIVING WATERS MINISTRY CHURCH OF GOD #11326 – C/O ROGER DALE POLSTON**

Approximately 6.3 acres located on the West side of Sparta Road, between Sudan Mission Road and Holmes Road, and abbreviated legal as follows: the Lot being located at 4571 Sparta Road, Sebring, Florida, and abbreviated legal as follows: Approximately 6.33 acres located in Section 6, Twp. 35S, Rge. 29E, Highlands County, Florida.

Request: A zoning change from AU (Agricultural) to EU (Estate district.) Applicant desires church and church uses

Development Services Director, Jim Polatty, presented the request. Dale Polston, representing the applicant, briefly explained the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission move to approve and adopt by Resolution P&Z 1856 changing the Zoning Atlas for 6.33 acres from AU (Agricultural district) to EU (Estate district), referencing the mandatory findings and becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 86.

**11. ACTION:**

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

**OMB Director: Request approval of procedure and reallocation of funds for the Avon Park Library**

OMB Director, Rick Helms, presented the request. Mary Myers, Library Director, requested that the funds be reallocated for the purchase of additional items for the Avon Park Library expansion project. Deputy Clerk, Bob Jamison, questioned if this service would need to be put out to bid, and if any formal agreement would need to be drafted. Mr. Helms stated the Board could waive the bid process. Board Attorney, Ross Macbeth, stated an agreement could be drafted. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to approve the procedure outlined for the provision of

coffee service at the Avon Park Library and that the \$5,000 that was appropriated for the purchase of a coffee maker be reallocated to additional items related to the Avon Park Library expansion, including waiving the bid process, if necessary, and approval of an agreement to be drafted, and reviewed and approved by the Board Attorney. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 59.

**12. CITIZENS NOT ON AGENDA**

No participants.

**13. COMMISSIONERS**

Commissioner Stewart reported on a meeting she attended last week with the Southwest Florida Water Management District and Peace River Authority.

**14. ADJOURN**

The meeting adjourned at 10:55 A.M.

**REGULAR MEETING OF THE BOARD MAY 2, 2006**

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

**Bob Bullard**  
**C Guy Maxcy**  
**Edgar Stokes**  
**Andrew Jackson**  
**Barbara Stewart**

**Carl Cool**  
**Bob Jamison**  
**J Ross Macbeth**  
**Jodi Pifer**

2. **Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner Barbara Stewart. The Pledge of Allegiance was led by Harold Linville, Commander of the local chapter of the Disabled American Veterans.

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

4. **ANNOUNCEMENTS**

- A. **Clerk**

Deputy Clerk, Bob Jamison, presented a report of a report of *Weekly Court Services for the week ended April 28, 2006* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 48 Page 60. He also reminded the public of the National Day of Prayer ceremony that will be held on Thursday, May 4 at 11:00 a.m. on the Courthouse Lawn.

- B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.

May 2	4:00 pm	Lake Placid Growth Management Committee	51 Park Drive, Lake Placid
May 2	7:00 pm	Construction Licensing, Enforcement and Appeals Board	600 S. Commerce Ave. Board Room
May 3	1:30 pm	Transportation Disadvantaged Local Coordinating Board	#3, Ag-Center, 4509 W. George Blvd.
May 4	8:00 am	HC Lakes Association Tourist Tax Projects Committee	Purchasing conference room, 4344 George Blvd.
May 4	1:15 pm	HC Hospital District Board	Law Library, room 302, 430 S. Commerce Ave.
May 8	8:00 am	Executive Committee for the Industrial Development Authority and the Economic Development Commission	EDC Office, 2113 US 27 S.
May 8	9:00 am	HC Homeowners Association	3240 Grand Prix Drive, Sebring
May 8	6:30 pm	Highway Park Neighborhood Preservation and Enhancement District	114 Cloverland Street, Lake Placid

- C. **Other meetings:** The Tourist Tax Committee will meet on Thursday, May 4 at 8:15 a.m. at the Agri-Civic Center. The Adopt a Leader Prayer Luncheon is scheduled for Thursday, May 4 at the First Baptist Church Fellowship Hall.

5. **CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve consent agenda as amended, removing Item 5-G, to be placed on action agenda. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized bills and employee benefits May 02, 2006**

General .....	2,269,162.14
County Transportation Trust .....	43,275.28
E911 Operations Fund .....	1,180.92
Intergovt Radio Communications .....	6,164.30
Local Govt Infra Surtax.....	181,192.66
Tourist Development Trust Fund .....	40,329.66
Sebring Parkway Maint .....	850.00
Law Library Trust Fund .....	2,219.34
Court Tech .....	1,844.70
Building Code Enforcement Fund .....	1,358.37
HCISSRB Construction Fund .....	8,000.00
Solid Waste .....	150,197.94
Placid Utilities .....	301.22
Highway Park Utility .....	958.63
Risk Retention Fund .....	.59
Employee Benefit Fund .....	2.56

**B. Request approval of board minutes for March 28, 2006; and April 11, and 18, 2006**

**C. Accept into the record the Quarterly Report**

**D. Request approval to appoint a primary and secondary (alternate) member to the Highlands County Insurance Committee. See SMB 48 Page 61.**

**E. Request approval of "Exhibit A" FY 06/07 FDOT Work Orders and a Resolution authorizing the chairman to sign per approved FDOT Traffic Signal Maintenance and Compensation Agreement. See file for copy.**

**F. Request approval to record instruments accepting additional road right of way for Townsend Road**

~~**G. Request approval of Agreement between University of Florida and Highlands County to evaluate the Leachate Recirculation and Gas Collection System**~~

**H. Request approval and execution of the Interlocal Agreement for payment of operational expenses of the District Medical Examiner's Facility by and between Hardee, Highlands & Polk Counties. See file for copy.**

**I. Request approval of Resolutions and budget amendments 05-06-170; 174. See Res. Book 19 Page 87.**

**J. Request approval of budget amendments 05-05-171; 172; 173 and 175**

**6. ACTION:**

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

**A. County Administrator: Request approval of Rick Helms to the position of Assistant County Administrator**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the appointment of Rick Helms to the position of Assistant County Administrator. Upon roll call, all Commissioners voted aye. Motion carried. Mr. Helms thanked the selection and interview committee, and the Commissioners for their confidence in his abilities, and for the opportunity to serve Highlands County as the next Assistant County Administrator. He also thanked his wife for her support. See SMB 48 Page 62.

**B. Request approval of Agreement between University of Florida and Highlands County to evaluate the Leachate Recirculation and Gas Collection System**

Commissioner Stewart asked for clarification on a few aspects of this agreement. Solid Waste Director, Ken Wheeler, briefly explained the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve and authorize the Chairman to sign the agreement with the University of Florida for a Landfill gas study at the cost of \$37,500. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

**7. CITIZENS NOT ON AGENDA**

No participants.

**8. COMMISSIONERS:**

Commissioner Stewart reported on a meeting she attended last week regarding Rural Areas of Critical Economic Concern. She also requested that the Board and Staff look at right-of-way issues for road maintenance.

Commissioner Maxcy requested the Board consider having a discussion on the possible extension of C.R. 635. Commissioner Bullard stated he has already put this item on the agenda as a workshop for the May 16<sup>th</sup> Board meeting.

**9. ADJOURN**

The meeting adjourned at 9:42 A.M.

**REGULAR MEETING OF THE BOARD MAY 9, 2006**

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

<b>Bob Bullard</b>	<b>Carl Cool</b>
<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>Andrew Jackson</b>	<b>Jodi Pifer</b>
<b>Barbara Stewart</b>	

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Human Services Director, Kevin Roberts. The Pledge of Allegiance was led by Commissioner C. Guy Maxcy.

**3. ANNOUNCEMENTS**

**A. Clerk**

Deputy Clerk, Bob Jamison, presented a report of *Business Services for the Month of April* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker.

**B. Upcoming County meetings were entered into the record by County Administrator, Carl Cool.**

May 09	3:00 pm	Planning & Zoning Commission the Local Planning Agency and the Zoning Board of Adjustment	600 S. Commerce Ave.
May10	7:30 am	Industrial Development Authority/Economic Development Commission Board of Directors	2113 US 27 S, Sebring
May 10	9:00 am	Local Mitigation Strategy Working Group	#251, 600 S. Commerce Ave.
May 10	9:30 am	Central Florida Regional Planning Council	Polk Co. Historical Museum, 100 E. Main St., Bartow, FL
May10	10:00 am	Community Traffic Safety Team	#3, Ag-Center, 4509 George Blvd.
May 15	1:00 pm	Istokpoga Marsh Watershed Advisory Board	#3, Ag-Center 4509 George Blvd.

**C. Other meetings:** The Historic Preservation Commission will meet on May 9 at 2:30 pm in the Planning Conference Room. Mr. Cool briefly reported on a structure fire that occurred this morning in Sun'n Lakes of Lake Placid.

**4. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits May 09, 2006**

<b>General .....</b>	<b>926,205.32</b>
<b>County Transportation Trust .....</b>	<b>30,681.95</b>
<b>E911 Operations Fund .....</b>	<b>85.12</b>
<b>Local Govt Infra Surtax.....</b>	<b>199,830.54</b>
<b>Tourist Development Trust Fund .....</b>	<b>19,564.71</b>
<b>Comm Development Block .....</b>	<b>687.80</b>
<b>Affordable Housing Asst .....</b>	<b>9,167.51</b>

Fire Inspection .....	35.27
Court Tech .....	696.06
Building Code Enforcement Fund .....	1,539.62
HCISSRB Construction Fund .....	12,650.00
Solid Waste .....	42,975.55
Placid Utilities .....	2,097.58
Highway Park Utility .....	106.34
Risk Retention Fund .....	4.31
Employee Benefit Fund .....	12.93

- B. Request approval of the minutes for the 4-25-006 and 5-2-06 meeting
- C. Request approval of Satisfaction of Mortgage for Filiberto and Carlota Tellez. See Satisfaction file.
- D. Request approval of Satisfaction of Mortgage for Joel B. and Tara M. Kline. See Satisfaction file.
- E. Request approval of Satisfaction of Mortgage for Ruthie Lee Strickland. See Satisfaction file.
- F. Request approval of a federally funded Sub-Grant Agreement between Highlands County and the State of Florida Department of Community Affairs for \$110,000 for hurricane shutters which will increase our wind compliant shelter inventory from seven to nine. See file for copy.
- G. Accept into the record Court-related Funds Revenue and Expenditures report. See SMB 48 Page 64.
- H. Request approval of Subdivision Improvement Agreement - Sebring Ridge Utilities Wastewater Treatment Plant. See file for copy.
- I. Request approval of a Plat Recordation on Lakeshore Mall Subdivision, Replat of a portion of Lot 6, Section 26, Township 34 South, Range 28 East
- J. Request approval of Consultant Service Authorization No. 36 Addendum No. 3 for the re-design of the Sebring Parkway Phase II signalized intersections to include new mast arm supports instead of strain poles in the amount of \$41,550. See file for copy.
- K. Request approval of Memorandum of Agreement between the Office of Tourism, Trade and Economic Development and Highlands County. See file for copy.
- L. Request approval of Consultant Service Authorization No. 8680.13 to obtain the Environmental Resources Permit (ERP) from the Southwest Florida Water Management District (SWFWMD) for the newly constructed Placid Lakes Drainage Improvements project. See file for copy.
- M. Request approval of Budget Amendment 05-06-180
- N. Request approval of Resolutions and budget amendment 05-06-177. See Res. Book 19 Page 88.
- O. ~~Request approval of Budget Amendment 05-06-178~~

**5. PUBLIC HEARING: Public Hearing to request approval of Amendments to Chapter 12 (Land Development Regulations & Zoning Code)**

Proof of Publication for this hearing was entered into the record. See SMB 48 Page 65. A caption of the ordinance was read into the record. Zoning Supervisor, Gary Lower, and Planning Supervisor, Duane Neiderman, presented the request, pointing out the changes that have been made to Chapter 12. Some suggested language changes were made by the Commissioners, along with some minor typographical changes. Public input on the amendments was received from Jack Ritchie and John

Borgemeister. Staff will incorporate the suggested changes into the ordinance and bring it back to the Board at a later date for adoption. See tape for further detail.

Break 10:56 – 11:10 A.M.

## **6. WORKSHOP:**

### **A. Vicki Pontius and Patrick High: Triathlon Presentation**

Parks and Recreation Director, Vicki Pontius, gave a brief presentation on the sprint triathlon that will be held on July 16 in Highlands County. She introduced Patrick High who had competed in numerous triathlons. Mr. High gave a brief presentation on what is involved in a triathlon, and showed a short video of the 2004 Iron Man World Championship Triathlon that was held in Hawaii.

### **B. County Administrator: Discussion of Edna Pearce Lockett site**

County Administrator, Carl Cool, stated the County has been approached by the South Florida Water Management District (SFWMD), to find out if the County would be interested in reconsidering becoming more involved in the Edna Pearce-Lockett Estate. SFWMD has negotiated an agreement with Florida Atlantic University (FAU) to renovate the property and use it for educational purposes, but would like to convey the 13 acres to another government agency. Commissioner Stokes stated that the County was involved in doing a lot of improvements to the site. He added that he is reluctant to revisit the issue, but would be willing to listen to new ideas. Commissioners Maxcy, Jackson, and Stewart stated their interest in reconsidering, but as a partner. Commissioner Bullard suggested meeting with SFWMD and FAU, to listen to their ideas and obtain some cost estimates. Mr. Cool stated he would look into it, and report back to the Board.

## **7. ACTION:**

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

### **A. Development Services Director:**

#### **1. Request approval of a proposed contract with Nabors, Giblin & Nickerson, P.A. for School Concurrency**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to waive the Board's bid process and approve the proposed contract with the Nabors, Giblin, and Nickerson, P.A. law firm. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

#### ~~**2. Request approval of P&Z, BOA, and LPA member appointments**~~

### **B. Human Services Director and Executive Director of Economic Development Commission: Request approval of a Defense Infrastructure Grant for construction of a cell phone tower**

Human Services Director, Kevin Roberts, presented the request. E-911 Coordinator, Ben Henley, stated that several cellular phone carriers are interested in locating their equipment on the tower, but will not invest in the location until the tower is built. Commissioner Stewart stated she would like to see some of the lease money kept to cover the operation and maintenance of the tower. Motion by Commissioner Stewart, seconded by Commissioner Stokes, move to approve that the Board of County Commissioners enter into the grant agreements with Enterprise Florida, Inc., and accept the Defense

Infrastructure grants, so that Highlands County can move forward with construction of a cell phone tower on county property currently utilized by the Avon Park Youth Academy. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

Commissioner Stewart made a motion to approve that lease monies received by Highlands County from companies which have placed their equipment on the cell phone tower be directed to the Children's Services Foundation to help fund children's services programs and initiatives in our community. Commissioner Stokes seconded the motion. Board Attorney, Ross Macbeth, stated the proper motion would be to budget for the lease revenue received, and budget those funds as a donation to the Children's Services Foundation. Commissioner Stewart withdrew her motion. Commissioner Stokes withdrew his second.

**C. Human Resources Director: Request approval of Engineering Department reclassification of positions**

Human Resources Director, Fred Carino, presented the request. County Engineer, Ramon Gavarrete, stated these positions are needed. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the personnel action of reclassifying positions within the Engineering Department. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 66.

**D. County Administrator:**

**1. Parks and Recreation Director and County Administrator: Presentation of Recreation and Parks Advisory Committee's recommendation on property adjacent to Veteran's Beach**

County Administrator, Carl Cool, stated that a piece of property on the south side of Veteran's Beach has recently come up for sale that the City of Sebring would like to purchase. Members of the City Council approached RPAC with a proposal in which the County would fund \$160,000 of the purchase price. The funds would be reimbursed to the City of Sebring at \$40,000 per year for four years. Parks and Recreation Director, Vicki Pontius, stated that RPAC is recommending the County commit a total of \$160,000 toward the project. The City of Sebring is asking the County to fund an additional \$137,500, for the balance of the purchase price. She added that the City has agreed to apply for a FRDAP grant for \$200,000, and if awarded, would be applied to the balance needed to purchase the property. Commissioner Bullard expressed his opposition to funding the additional money. Commissioner Maxcy stated the County does not have the money to fund the additional request. Commissioner Stewart stated she is uncomfortable with funding any part of the project without more information on a plan, and the costs associated with the improvements to the property. Mr. Cool stated that the County will be involved in developing a plan for the site. Commissioner Jackson made a motion to accept RPAC's recommendation and commit \$160,000 to the project, to be paid to the City of Sebring over four years at \$40,000 per year. Commissioner Stokes seconded the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 67.

**2. Request approval of Resolution & budget amendment 05-06-179 decreasing fund 005 Reserve for Contingency & appropriating additional grant funds for voter education & poll worker recruit/training grants. Also, execution of Certificate regarding matching funds for the Poll worker Recruit/Training Grant**

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to approve the request as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 89.

**3. Report on structure fire in Sun'n Lakes Acres of Lake Placid**

Carl Cool reported on a structure fire that occurred in the Sun'n Lakes Acres area of Lake Placid this morning. He stated that the house was a total loss, the firefighters were able to contain it, and no other structures were involved. A family of five adults and two children are now homeless, and the American Red Cross is working with them to provide them with a place to live.

**8. COMMISSIONERS:**

Commissioner Stokes announced that Ray Royce's daughter, Colby Royce, has won the state and regional competition in the mathematical skills and focus of critical thinking

Commissioner Stewart reported on the Florida Planning & Zoning Association meeting she attended last week.

Commissioner Maxcy announced that the Commission's efforts in Tallahassee on Legislation Day gained the County \$563,000.

**9. ADJOURN**

The meeting adjourned at 1:28 P.M.