



Polk County Board of County Commissioners

Meeting Minutes

12/18/18 BoCC Regular Meeting Minutes

December 18, 2018 Regular BoCC meeting

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Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

If a person decides to appeal any decision made by the board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER - 9:00 a.m. (GEORGE LINDSEY, CHAIRMAN)

Attendee Name	Title	Status	Arrived
George Lindsey	Chairman	Present	9:00 AM
John E. Hall	Vice Chairman	Present	9:00 AM
Bill Braswell	Commissioner	Present	9:00 AM
Rick Wilson	Commissioner	Present	9:00 AM
Martha Santiago	Commissioner	Present	9:00 AM

INVOCATION

1. Don Steiner, President, Wings of Eagles International, Lakeland

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIRMAN)

A. PRESENTATIONS and RECOGNITIONS

2. Florida's Commissioner of Agriculture Adam Putnam to present the Government Finance Officers' Association (GFOA) Certificate of Achievement Awards for Financial Reporting for the 2017 Comprehensive Annual Financial Report and the 2017 Popular Annual Financial Report to Stacy M. Butterfield, CPA, Clerk and Comptroller.

Minutes: Florida Commissioner of Agriculture Adam Putnam presented the Government Finance Officers' Association (GFOA) Certificate of Achievement Awards for Financial Reporting for the 2017 Comprehensive Annual Financial Report (CAFR) and the 2017 Popular Annual Financial Report (PAFR) to Stacy M. Butterfield, CPA, Clerk and Comptroller. He congratulated the new Commissioners. He said this is a special day and he is honored to be here to support the Clerk's Office. He said it helps Polk County that we all work so well together; the Board, the Constitutional Officers, and the team members. He discussed how the Clerk leads the efforts with the county's financial audit statements in accordance with the law. He said the CAFR and PAFR is submitted each year. He said that the Certificate of Achievement is the highest award and Polk County has received this award for the last 38 years. He said the GFOA also issued

Polk County an award for Outstanding Achievement in PAFR and Polk County has received this for the last 17 years. He said it is his pleasure to award the Clerk, the Board and their teams the Transparency and Accountability Awards. He said this is a reflection of the good work in Polk County. He congratulated Clerk and Comptroller Stacy Butterfield.

Ms. Butterfield thanked Commissioner Putnam and said he has served as the Commissioner of Agriculture and is a member of our Florida Cabinet since 2010 and prior to that he represented Florida in Congress for ten years and for four years in the Florida House of Representatives. She said he is an excellent public servant and we are happy to have him serving in all of those capacities. She said these awards help to evaluate performance each year and to ensure that we are operating at the highest standard in our industry. She said the CAFR and the PAFR is available on the Clerk's website. She recognized staff, external auditors and county staff. She thanked all the team members and the Board of County Commissioners. She said the Clerk's Office remains committed to this endeavor every year.

Chairman Lindsey thanked Commissioner Putnam for his long distinguished service. He said we are proud of him and are proud of the work he has done representing us over the years. He wished him the best of luck.

Commissioner Putnam thanked the Board for their services and thanked all the good people in Polk County.

3. Presentation of Service Awards to Peter M. "Pete" Buchardt; Jeremiah A. Gilley; Robert R. Richards, Jr.; Mattie M. Mills; and Lisa W. Ewing.

Minutes: The Board recognized employees for their years of dedicated services.

B. CEREMONIAL PROCLAMATIONS

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

4. Comments.

Minutes: Glenn Martin said he is here to speak about the sewage that will be delivered to Bartow. He said it will be 20,000 cubic yards of treated waste. He said that sludge is everything that goes down the sewer and they are planning to send to Mulberry and mixing it with sawdust and cement and then it will be sent to Bartow. He said we do not need to take waste from other communities. He asked why should we be the sewer for the State of Florida.

Chairman Lindsey said that Mr. Freeman will give an update on this issue during the morning agenda. He said it is important for the public to know the facts.

D. APPROVE CONSENT AGENDA

5. Approve Consent Agenda.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Martha Santiago, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

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

6. Disbursements.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Rick Wilson, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

7. Approve Minutes of Regular Board Meeting held on December 4, 2018.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Martha Santiago, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

WORKFORCE DEVELOPMENT BOARD

8. Richard Bryant, Chairman, to present the semi-annual report.

Minutes: Richard Bryant, Workforce Development Board Chairman, discussed his role at the Wal-Mart E-Commerce Center in Davenport. He said the economy continues to thrive and said that Polk's unemployment rate for October was 3.4 %. He discussed the semi-annual report. He invited the Board to the 2019 State of the Workforce Summit at the RP Funding Center on January 24, 2019.

Chairman Lindsey thanked Mr. Bryant for serving on the Workforce Development Board.

Stacy Campbell Domineck thanked Commissioner Hall for his years of service on the Workforce Development Board. She said they appreciate his dedicated services.

Commissioner Hall said he was apprehensive when he was assigned to this Board. He said he cannot say enough about how transparent the Workforce Development Board is and he discussed the clean audits. He said they have always been available to answer questions.

G. COUNTY ATTORNEY (MICHAEL CRAIG)

9. Approve Third Amendment to Recyclable Materials Processing and Marketing Agreement with Waste Management.

Minutes: Waste and Recycling Director Ana Wood showed slides and discussed the collection process for recyclable materials. She said the contamination rate for single stream recycling is 12.2%. She defined contamination as materials that are collected that are not part of the materials that can be reused or are considered trash such as hoses and metal. She discussed the composition study of contamination and said the contamination rate was 32.5%.

Assistant County Attorney Tom Norsworthy reviewed the third amendment to recyclable materials processing and marketing agreement with Waste Management, Inc. He said additional composition studies will be completed.

Upon question, Mr. Norsworthy said this is addressing a situation between the parties with high percentages of contamination materials. He confirmed that the contamination rate is going up, the cost of handling is going up and the rebate from recyclable materials is going down.

Mr. Norsworthy discussed the exhibits with the amendment.

Upon question, Ms. Wood said she met with staff from a new recycling facility in Plant City and they discussed the processes that they will be implementing. She said they are a manufacturing company that utilizes pre-consumer materials. She said they do not have an interest for post-

consumer materials. She confirmed that this is a result of contamination in recyclables

Communications Director Mianne Nelson discussed the communication plan for recycling. She discussed working with McLeod Communications for public outreach on the recycling program. She said they will have a report in January for communication strategies and simplified messaging. She said there will be a game plan in mid-January.

Ms. Wood said the time frame for another composition study is eight to ten months once the media campaign is out.

Chairman Lindsey said there was a great story on 60 Minutes on the recycling dilemma worldwide. He said it seems that over the last 30 to 40 years unrealistic expectations have been set for the general population. He said that we need to recycle smartly.

Ms. Wood discussed how packaging is designed to not be reusable. She said they go outside the waste industry to analyze trends. She said for the last three years they have participated in the International Plastic Association that has nothing to do with recycling but is for manufacturing new packaging. She said you do not see a big movement in that area.

Chairman Lindsey said they look forward to the public campaign and is confident it will have the desired results.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martha Santiago, Commissioner
SECONDER:	Bill Braswell, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

H. COUNTY MANAGER (JIM FREEMAN)

Comments County Manager Jim Freeman updated the Board on the waste material matter. He said the county does not have regulatory authority in any part of this. He said they have had numerous discussions with the agency that oversees these types of operations and also with the City of Bartow. He said they understand that Bartow is the disposal site. He said this material is lime sludge and is a byproduct of the common water treatment process. He said this material has been in Fort Myers since the 1960's and they have made a decision to dispose of that material. He said it is being transported by a private company to Mulberry to be disposed in a private landfill and not the county's landfill. He said the Florida Department of Environmental Protection (FDEP) is the agency that oversees these materials. He said once the materials reach Clark Environmental, it is being processed inside their facility and none of the materials will be discharged outside of the containment area and will not be stored outside of that area. He said once they go through the processing, the Landfill in Bartow is the site to dispose of the materials and that material is consistent with their permit at the Cedar Trails Landfill. He said the process will take up to four months and they think it is coming to Polk County because of the technology and capacity of Clark Environmental. He said there are technical aspects that he is not qualified to comment on. He stated according to the FDEP definitions and regulations it is considered non-hazardous and non-toxic, but he said it would be safe to say that it is contaminated materials that has to be processed to a final form that can be disposed of in a lined landfill. He said because of the interest he has been asked to reach out to FDEP and Clark Environmental to arrange a time for representatives to come publicly and answer questions. He said Mary Yeargan the South West District Office Director for FDEP will be at the next Board meeting on January 8, 2019, at 9:00 a.m. He stated they are hoping to have a representative from Clark Environmental.

Upon question, Mr. Freeman said the county does not have jurisdiction over the chain from the south to Mulberry and then to Bartow. He said it does not require local permits and the facilities involved would be permitted by FDEP. He said the landfill is a private landfill and they do have an agreement

with the City of Bartow as to the materials that can go to that landfill. He said he has talked to the city manager multiple times and he has gotten legal advice on the materials and the final form is consistent with the FDEP permit and the agreement with the City of Bartow. He said he is not aware of any regulatory authority that the county has and all steps are being regulated by FDEP and handled under private contracts. He stated the transporting from Mulberry to Bartow is regulated by FDEP. He stated the materials at Clark Environmental will require sampling and has to be in compliance with their permits. He said the transport of this material has already begun. He said the material is classified under FDEP regulations as nonhazardous and nontoxic. He said if the landfill has a permit, they are not required to take it. He said the other Class I landfill for the county has made a business decision not to accept special waste because of extra operating costs of handling these materials. He said the tipping fee at the county landfill is not sufficient to cover the cost. He said they do take final product from Polk County Utilities.

10. Approve a professional services agreement with Dewberry Engineers, Inc. for related engineering services to develop and evaluate alternative roadway alignments for the proposed County Road 557 widening project. (\$1,069,734.45 one-time expense)

Minutes: County Manager Jim Freeman reviewed the agreement with Dewberry Engineers, Inc., for related engineering services to develop and evaluate alternative roadway alignments for the proposed County Road 557 widening project. He recommended approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rick Wilson, Commissioner
SECONDER:	Bill Braswell, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

11. 4860 : Bridgers Ave Stormwater Improvements

Minutes: County Manager Jim Freeman reviewed the Consultant Services Authorization with Chastain Skillman, Inc., to provide professional engineering design services for the Bridgers Avenue Stormwater Improvements project, from US 92 to McKean Street. He recommended approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Braswell, Commissioner
SECONDER:	Rick Wilson, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

12. Approve construction contract with Killebrew, Inc. for the West Daughtery Road water main upgrade. (\$816,684.75 one-time expense)

Minutes: County Manager Jim Freeman reviewed the construction contract with Killebrew, Inc., for the West Daughtery Road water main upgrade. He discussed the allowance authorization process. He recommended approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Martha Santiago, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

13. Approve work authorization Nos. 28, 29, & 30 with Curry Controls Company to provide Supervisory Control and Data Acquisition upgrade installation services for 50 existing lift stations and modifications to the Turner Road Water Production Facility. (\$2,516,315 lump sum expense)

Minutes: County Manager Jim Freeman discussed work authorization Nos. 28, 29, and 30 with Curry Controls Company to provide Supervisory Control and Data Acquisition upgrade installation services for 50 existing lift stations and modifications to the Turner Road Water Production Facility. He recommended approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rick Wilson, Commissioner
SECONDER:	Bill Braswell, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

14. Approve Hurricane Irma Mutual Aid Agreement with The Polk County School Board for sheltering expenses. (\$602,630 one-time expense)

Minutes: County Manager Jim Freeman discussed the Hurricane Irma mutual aid agreement with The Polk County School Board for sheltering expenses. He recommended approval.

Upon question, Mr. Freeman said that under Florida Statutes the Emergency Operation Center (EOC) has the responsibility to make the request to open shelters, and if so, the School Board is required to provide sheltering space. He noted that they get remarkable cooperation from the School Super Intendent from the School Board. He said that in the past, other School Boards have directly requested hurricane reimbursement and for Hurricane Irma, Polk County is the applicant and not the School Board. He said this is a new process for handling shelter reimbursement. He confirmed that the county will pay the School Board if there is a financial hardship and then the county would be reimbursed by FEMA. He said sheltering expenses are 100% reimbursable by FEMA and they believe they will be reimbursed 100%.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Rick Wilson, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

15. Adopt Resolution approving Substantial Amendment No. 1 to the Fiscal Year 2018-2019 Consolidated Action Plan. (No fiscal impact)

Minutes: County Manager Jim Freeman reviewed the Resolution approving Substantial Amendment No. 1 to the Fiscal Year 2018-2019 Consolidated Action Plan. He recommended approval.

Upon question, Mr. Freeman said this relates to an affordable housing project that is acquiring lots.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Braswell, Commissioner
SECONDER:	Rick Wilson, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

16. Approve the contract with We Care of Central Florida, Inc. for referral and coordination of specialty care services. (total amount not to exceed \$1,434,090: Year 1 - \$376,610, Year 2 - \$503,740, Year 3 - \$553,740)

Minutes: County Manager Jim Freeman discussed the contract with We Care of Central Florida, Inc., for referral and coordination of specialty care services. He recommended approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rick Wilson, Commissioner
SECONDER:	Bill Braswell, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

17. 4798 : One Hope United, Inc.

Minutes: County Manager Jim Freeman discussed the contract with One Hope United, Inc., for the Structured Psychotherapy for Adolescents Responding to Chronic Stress (SPARCS) program. He recommended approval.

Upon question, Mr. Freeman said each program has performance measures.

Commissioner Santiago said it is good to see mental health programs.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Braswell, Commissioner
SECONDER:	Martha Santiago, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

18. Approve excess workers' compensation insurance policy renewal with Midwest Employers Casualty Company for a two year policy period, effective January 1, 2019 through December 31, 2020. (\$250,097 annual expense over two years)

Minutes: County Attorney Michael Craig discussed the excess workers' compensation insurance policy renewal with Midwest Employers Casualty Company for a two year policy period effective January 1, 2019, through December 31, 2020. He recommended approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rick Wilson, Commissioner
SECONDER:	Bill Braswell, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

19. Approve Stop Loss reinsurance for the Employee Medical Healthcare Plan and Employee Assistance Program services. (\$414,880 combined annual expense)

Minutes: County Attorney Michael Craig discussed the Stop Loss reinsurance for the Employee Medical Healthcare Plan and Employee Assistance Program services. He recommended approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Martha Santiago, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

20. Commissioner Wilson Comments.

Minutes: Commissioner Wilson wished everyone a Merry Christmas and a Happy New Year.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

21. Commissioner Braswell Comments.

Minutes: Commissioner Braswell wished everyone a Merry Christmas and a Happy New Year.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

22. Commissioner Santiago Comments.

Minutes: Commissioner Santiago said she enjoyed the parades and participating in the parades. She thanked the City of Davenport for having her as the Grand Marshal for their Christmas Parade. She wished everyone a Merry Christmas and a Happy New Year.

L. COMMISSIONER DISTRICT 5 (JOHN E. HALL)

23. Commissioner Hall Comments.

Minutes: Commissioner Hall wished everyone a Merry Christmas. He said over the holidays all of the high school students that are drivers that are normally off the road during the day will be out of school. He said to be careful.

M. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY, CHAIRMAN)

24. Chairman Lindsey Comments.

Minutes: Chairman Lindsey wished everyone a Merry Christmas. He gave kudos to the Lakeland Deadnaughts as the State Champs for football.

N. LAY BOARD APPOINTMENTS

25. Appoint Steven Cochran and Cynthia Jantomaso to the Workforce Development Board for the three-year term, December 18, 2018 through December 17, 2021.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rick Wilson, Commissioner
SECONDER:	Bill Braswell, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

26. Appoint Rugina Castillo, Larry Fair, and William Witt as consumer representatives to the Polk County Contractor Licensing Board for the three-year term, January 1, 2019 through December 31, 2021.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Braswell, Commissioner
SECONDER:	John E. Hall, Vice Chairman
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

27. Reappoint Shemil Bailey to the Tourist Development Council for the four-year term, December 1, 2018 through November 30, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martha Santiago, Commissioner
SECONDER:	John E. Hall, Vice Chairman
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

28. Appoint Tamara West to the Homeless Coalition of Polk County, Inc. Continuum of Care Governance Board for the remainder of the two-year term, October 1, 2018 through September 30, 2020.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Rick Wilson, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

*****RECESS - The Board of County Commissioners will recess from 12:30 p.m. until 1:30 p.m. or soon thereafter.*****

O. PUBLIC HEARINGS

* County Attorney opening comments

Minutes: County Attorney Michael Craig reminded the audience of the procedures for public hearings and swore in those who plan to speak.

- 29. Public Hearing to consider adoption of a Resolution to vacate a portion of platted right-of-way as shown on the plat of Deer Lake Terrace. Also accept a Drainage Easement from Mark and Collette Nueberger in conjunction with the vacation.

Minutes: Wade Allen, Real Estate Services Manager, showed slides and reviewed the proposed vacation request. He said this is a county initiated request. He said there are no objections to the request. He recommended approval.

The Chairman opened a public hearing; no one spoke.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Martha Santiago, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

- 30. Public Hearing (LDCT-2018-13/Sidewalks Fees In-lieu) (First Public Hearing - No Action) to consider a county-initiated ordinance amending the Land Development Code to revise when and how sidewalks can be paid in-lieu of constructing them.

Minutes: Land Development Director John Bohde showed slides and discussed the text amendment for Sidewalks and Fees in-lieu. He discussed the criteria for waivers. He said this is the first reading.

The Chairman opened a public hearing; no one spoke.

- 31. Public Hearing (LDDA-2018-1–Meadows Development Agreement) (Adoption Public Hearing) to consider amending an existing Development Agreement (DA) for the Meadows Planned Development, between Minto Communities, LLC, Manazeli International Holdings, LLC, Festival Homeowner’s Association, Inc., and Polk County.

Minutes: Long Range Planning Director Ronnie Blackshear showed slides and reviewed the amendment for Development Agreement (DA) for the Meadows Planned Development, between Minto Communities, LLC, Manazeli International Holdings, LLC, Festival Homeowner’s Association, Inc., and Polk County. He said the request is to extend the duration and the deadlines in the agreement and update property owner information. He said that staff recommends approval upon receiving a notarized signature page from Manazeli International Holdings, LLC, by noon on December 31, 2018.

Upon question, Mr. Blackshear confirmed that the agreement expires if the notarized signature page is not received by the deadline.

The Chairman opened a public hearing; no one spoke.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rick Wilson, Commissioner
SECONDER:	Bill Braswell, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

32. Public Hearing to consider adoption of a resolution providing notice of intent to utilize the uniform method for the levy, collection and enforcement of non-ad valorem assessments.

Minutes: County Attorney Michael Craig discussed the resolution providing notice of intent to utilize the uniform method for the levy, collection and enforcement of non-ad valorem assessments. He recommended approval.

The Chairman opened a public hearing; no one spoke.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John E. Hall, Vice Chairman
SECONDER:	Martha Santiago, Commissioner
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

33. Public Hearing to consider adoption of an Ordinance for the purpose of increasing the yearly salary of Polk County Commissioners as provided in the Polk County Charter.

Minutes: County Attorney Michael Craig discussed the proposed ordinance for the purpose of increasing the yearly salary of Polk County Commissioners as provided in the Polk County Charter. He recommended approval.

The Chairman opened a public hearing; no one spoke.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Braswell, Commissioner
SECONDER:	John E. Hall, Vice Chairman
AYES:	Lindsey, Hall, Braswell, Wilson, Santiago

P. CONSENT AGENDA ITEMS

ANNOUNCEMENTS - All of the below scheduled meetings constitute public meetings at which two or more County Commissioners or Planning Commissioners may appear to discuss issues that may come before the Board of County Commissioners.

The Chairman adjourned the meeting at 1:45 PM