



Polk County Board of County Commissioners

Meeting Minutes

03/03/20 BoCC Regular Meeting Minutes

March 3, 2020 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. (BILL BRASWELL, CHAIRMAN)

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

INVOCATION

1. Kenny Slay, Senior Pastor, First Baptist Church, Fort Meade

PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIRMAN)

A. PRESENTATIONS and RECOGNITIONS

B. CEREMONIAL PROCLAMATIONS

2. Proclaim March 5, 2020 as Puerto Rican/ Hispanic Chamber & Women 4 League of United Latin American Citizen's International Women's Day. Ana Rivera will accept the proclamation representing the Puerto Rican/ Hispanic Chamber of Commerce of Polk County.

Minutes: The Board proclaimed March 5, 2020, as Puerto Rican/Hispanic Chamber and Women 4 League of United Latin American Citizen's International Women's Day. Ana Rivera accepted the proclamation.

Commissioner Santiago said they are united in their efforts to advance the economic condition, educational attainment, political influence, housing and the health of the Hispanic population in Polk County through events such as the International Women's Summit Job Fair and Expo. She said the Puerto Rican Hispanic Chamber and the Women 4 League of United Latin American

Citizen's organizations are making a difference in Polk County now and in the future.

Ms. Rivera thanked the City of Bartow for hosting this very vital event. She said they need to make sure the women in this county and in this country are the voices going forward especially during this time when they are celebrating the 100th anniversary of the right to vote for women. She empowered women to vote and step up and take their place in society. She thanked the Board for this proclamation.

Merica Machado said she is the vice-president and CFO of Winter Haven Labor Solutions. She discussed the different ways she gets involved in the community.

3. Proclaim March 9th – 13th and March 16th – 20th, 2020 as Polk County Agri-Fest Weeks. Paul Webb, of the Polk County School Board and Carole McKenzie, Executive Director of Polk County Farm Bureau, will accept the proclamation.

Minutes: The Board proclaimed March 9-13 and March 16 - 20, 2020, as Polk County Agri-Fest Weeks. Paul Webb of the Polk County School Board and Carole McKenzie, Executive Director of the Polk County Farm Bureau accepted the proclamation.

Commissioner Wilson said with the urbanization of the county, agricultural land still makes up nearly 40% of Polk County. He said Agri-Fest is a wonderful opportunity for 4th graders to learn about citrus, horticulture, beekeeping, and livestock. He said if it were not for Agri-Fest many kids would never have the opportunity to touch livestock, squeeze their own orange juice, or sow seeds or plants. He thanked the county employees who volunteer to assist in this event.

Ms. McKenzie thanked the Board for recognizing this valuable program. She discussed the lesson plans they prepare for students and the different topics they cover. She thanked the county employees that come and serve with them. She thanked the Board for recognizing this event every year. She told Chairman Braswell not to worry that there would be blueberries at Agri-Fest.

Upon question, Ms. McKenzie said there are almost 6,000 students involved in this event.

Mr. Webb said that he works with all the school agriculture programs in the county. He said there will be FFA members everyday of the event helping serve as group leaders and preparing the stations. He thanked all the 4H and FFA members that volunteer. He thanked the Board for their continued support and sending volunteers. He said that he hopes that they can continue to stress agriculture in Polk County and let the students know their agriculture roots in Polk County.

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

4. Comments.

Minutes: There were no public comments made at this time.

D. APPROVE CONSENT AGENDA

5. Approve Consent Agenda.

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

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

6. Disbursements.

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

7. Approve Minutes of Regular Board Meeting held on February 18, 2020, and re-approve the minutes from February 4, 2020.

Minutes: Approve minutes of the Regular Board meeting held on February 18, 2020.

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

Approve Minutes

Motion to: Re-approve the minutes from February 4, 2020.

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

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (MICHAEL CRAIG)

8. Approve resolution supporting commercial air passenger service from Lakeland Linder International Airport.

Minutes: County Attorney Michael Craig discussed a resolution supporting commercial air passenger service for Lakeland Linder International Airport. He recommended approval.

Commissioner Hall said they are committed to bringing commercial air passenger service to Lakeland Linder International Airport but the county will be the payer of last resort.

City of Lakeland Mayor Bill Mutz said this is something the city hopes they do not have to use. He discussed the only way this money will be used. He said the City of Lakeland anticipates using their money first and will look to the county after that. He said they do hope to raise another \$1 million out of corporate funds; he said they believe the demand is such that it will not be difficult. He said Lakeland Linder is the largest MSA in the United States that does not have commercial air service. He said there are 4,400 people who fly in and out of the airport daily.

Upon question, he said the runway resurfacing has not been completed. He said it should be completed by June.

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

H. COUNTY MANAGER (BILL BEASLEY)

9. Approve construction contract with CenState Contractors, Inc. for the Hodge Street Water Production Facility Upgrades Project (\$2,436,210 one-time expense), and a transfer from reserves and amendment to the FY 19/20 Utilities Community Investment Program expansion budget.

Minutes: County Manager Bill Beasley discussed the construction contract with CenState Contractors, Inc., for the Hodge Street Water Production Facility Project.

Mark Addison, Utilities CIP Manager, said this project is included in the current five year CIP. He said this does consist of additional treatment to the Hodge Street Facility to reduce disinfection byproduct formation. He said both plants produce marginal water quality with respect to disinfection byproducts. He said this project will result in improved water quality and will reduce the need of flushing the system. He said this project will provide a long term strategy for dealing with disinfection byproducts. He discussed the cost of this project and the five bids they received. He said they have confidence in the cost of this project.

Mr. Beasley said this will be a transfer from reserves and an amendment to the FY 19/20 Utilities Community Investment Program expansion budget. He recommended approval.

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

10. Approve Change Order No. 1 to construction contract no. 19-015 with Hinterland Group, Inc., for the Southwest Regional Utility Service Area Inflow and Infiltration Project Phase 1A. (\$160,350 not-to-exceed cost and a time extension of 90 days)

Minutes: County Manager Bill Beasley discussed Change Order No. 1 to construction contract No. 19-015 with Hinterland Group, Inc., for the Southwest Regional Utility Service Area Inflow and Infiltration Project Phase 1A. He recommended approval

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

11. Approve Amendment 2 with Jacobs Engineering Group, Inc. for the Lake Wilson Road widening project. (\$187,171 estimated one-time expense)

Minutes: County Manager Bill Beasley discussed Amendment 2 with Jacobs Engineering Group, Inc., for the Lake Wilson Road widening project. He discussed the design changes. He recommended approval.

Commissioner Hall stated that the amount stated by Mr. Beasley is off by 30 cents compared to what is listed on the Agenda.

Mr. Beasley said that they will make the correction.

Commissioner Hall said that he wants to be technically correct.

County Attorney Michael Craig stated this reason is why the minutes from February 4, 2020, needed to be re-approved today due to a discrepancy between what is printed on the Agenda and what is stated in the meeting. He said it is something that needs to be paid close attention to.

Commissioner Lindsey stated that the motion was for the staff recommendation.

Upon question, Mr. Beasley stated that the staff recommendation is correct. He said the amount in the subject was a rounding error. He said the narrative reads the cost as \$187,170.70 bringing the new total of the contract to \$1,764,110.63.

Stacy Butterfield, Clerk of Courts and County Comptroller, stated that the documentation included in the package states that there is a time extension of eight months. She said that it was not included in the motion.

Mr. Beasley stated that the time extension come in on the construction side of the equation not on the design completion side. He said it will extend the time by eight months.

Mr. Craig stated that there is a document called Amendment No. 2 that is attached to this agenda item which is in front of the Board to act upon.

Ms. Butterfield said that the amendment does state the eight month extension; she said as long as the Board approves this amendment she will be clear when she is processing the disbursements.

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

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

12. Commissioner Lindsey Comments.

Minutes: Commissioner Lindsey had no comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

13. Commissioner Wilson Comments.

Minutes: Commissioner Wilson discussed the Keep Polk County Beautiful event he attended at Leland Young's barn. He said Katie Yoxall and her volunteers have done a great job for this county. He said Chairman Braswell and Commissioner Santiago were also in attendance.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

14. Commissioner Santiago Comments.

Minutes: Commissioner Santiago stated that the Keep Polk County Beautiful was a great event. She discussed the Women's History Luncheon she attended with Stacy M. Butterfield. She said they were invited and recognized by the Polk Association of Women Lawyers.

Ms. Butterfield said it was a great event in recognition of the 100 year anniversary of the 19th Amendment.

L. COMMISSIONER DISTRICT 5 (JOHN E. HALL)

15. Commissioner Hall Comments.

Minutes: Commissioner Hall had no comments.

M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIRMAN)

16. Chairman Braswell Comments.

Minutes: Chairman Braswell had no comments.

N. LAY BOARD APPOINTMENTS

*****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 Manager Bill Beasley gave an update on the coronavirus. He said the division heads met with all of the constitutional officers except for Lori Edwards who was busy with election functions. He said that Dr. Joy Jackson brought her staff. He said the Polk Department of Health is in communication with the public school system, colleges, universities, hospitals and many of the health care providers in Polk County. He said this issue continues to evolve daily. He said we are using the flu prevention playbook; he said this is common sense things while on the job and at home which is stay away from sick people, wash hands frequently, use soap and run the water for 20 seconds, cover your coughs, and stay home if you are sick. He said to use common sense to isolate yourself if you feel ill and to clean and disinfect surfaces you are around everyday and if you need to wear rubber gloves. He said additional hand gel sanitizers will be distributed and surface wipes will be used in major transactional locations where there are counters, work surfaces that interact with the public. He said the services of the custodial contract will be expanded for additional sanitizing. He said they will expand uses of conference calls instead of bringing people in large gatherings for meeting agendas and transactional purposes. He said the Center of Disease Control and the World Health Organization have websites that are up to date and are updated every couple of hours. He said they will craft a message with the Health Department's assistance so they can communicate a single consistent unified message that the State is asking them to communicate with the residents in a bilingual fashion. He said we will see more before it gets better. He said to stay the course, be vigilant and pro active.

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

- 17. Public Hearing (LDCU-2019-26 Green Bay Gypsum Stack Expansion)(Adoption Public Hearing) to consider an applicant initiated request to reactivate and expand an existing gypsum storage facility on ±1,035 acres.

Minutes: Qualify Erik Peterson; John E. Garlanger, Ph.D., P.E.; and Michelle Tickle experts in their respective fields.

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

Motion to: Motion to qualify Mike Gurr, PG.

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

Minutes Erik Peterson, Land Development, showed slides and presented this case with LDDRI-2019-2 Green Bay Gypsum Stack Expansion. He gave an outline of the expansion of an existing gypsum storage facility. He discussed the expansion piping that will be constructed on the facility. He showed slides of the surrounding area. He said there was a third-party review of the application. He said their recommendation is the conditions of approval. He said there are six sections of the conditions. He said

with each additional phase or modification the Land Development Director can request a third-party review at the cost of the applicant. He said the conditions revolve around any impacts of a leak or any incident that might occur are monitored and remedied. He said the proposed expansion will rescind the Mosaic LLC Gypsum Stack Expansion Development of Regional Impact. He said this is consistent with the Comprehensive Plan and Land Development Code and is compatible with the surrounding area. He said that staff recommends approval. He said if there is any need for outside expertise it will be paid for by the applicant.

Mike Gurr, Gurr Professional Services, discussed their role as the third-party consultant. He discussed his qualifications and those of Jane Gray and D.S. Sax Saxena, P.E. He discussed the topics that were reviewed and the sufficiency of the materials that were submitted. He gave historical information on the Bartow site and the Green Bay site. He reviewed the scope of the project to reactivate area one of the Green Bay North Gypsum Stack for a total of 1,035 acres. He discussed the purpose of the gypsum stack and outlined the components of the aquifer. He discussed the Geotechnical Exploration Program that was a comprehensive exam that was completed around the existing north stack. He discussed depression and lineament borings, the micro gravity survey, the monitoring requirements for the groundwater and said any concerns are to be reported to the county. He said the concerns are with wetlands, plant communities, animal species and he discussed how each issue will be addressed. He said the next steps are DEP permitting and the Level 2 Review. He gave a summary of the proposed conditions.

Commissioner Lindsey, Commissioner Wilson, Chairman Braswell, and Commissioner Hall said they have had ex parte communications with the applicant.

Commissioner Santiago said she has not had any ex parte communications.

Michelle Tickle, Mosaic, discussed their presentation and the presenters.

Vinette Godelia discussed the process and the rescission of the DRI process. She discussed the process review and the Level 4 Review. She said they conform with all the regulations.

Callie Neslund discussed Mosaic and their industry and mining operations in Florida. She discussed the outreach to the community for this project and said town hall meetings were held in Bartow and Mulberry; she said the feedback was positive.

Ms. Tickle discussed the available options for capacity and expansions after the year 2021. She discussed the areas that were in the impact assessment study. She said the final proposal reduces wetland impacts and greenfield areas and has a capacity of 40 years.

Dr. John Garlanger outlined the areas of the gypsum stack extension over the next 40 years. He said each extension will be investigated, designed and permitted through FDEP and will be reviewed by an independent consultant working with the county. He discussed how the liner must be designed to prevent leakage. He discussed the mitigation of potential process water loss. He discussed the Phosphogypsum Management Rule for base preparation. He discussed liner system design standards and said he has found no evidence of liner leakage. He reviewed the conditions required for foundation subsidence. He discussed the geological profile of the aquifer. He said geotechnical investigations will continue on the site and he discussed those tests and surveys. He discussed the rules that need to be followed by F.A.C. 62-672. He outlined the procedures for raising and operating gypsum stack expansions. He discussed the Phase 1 permitting. He said this will be compatible with surrounding land uses and is consistent with the code.

Ms. Tickles discussed how this is compatible with the surrounding area.

The Chairman opened a public hearing; no one spoke.

Motion to: Motion

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

18. Public Hearing (LDDRI-2019-2 Green Bay Gypsum Stack Expansion)(Adoption Public Hearing) to consider an applicant initiated request to rescind the Mosaic LLC Gypsum Stack Expansion Development of Regional Impact (DRI).

Minutes: This case was presented with the previous hearing.

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

19. Public Hearing (LDCPAL-2019-8 Legacy Park CPA)(Adoption Public Hearing) to consider the adoption of a Large Scale Comprehensive Plan Text Amendment (CPA) to change the US 27 Selected Area Plan (SAP) to allow non-full median access to US 27 from the Professional Institutional-X Future Land Use designations.

Minutes: Chanda Bennett, Long Range Planning, showed slides and presented this with case LDCT-2019-8. She said there were not any comments or objections from the Department of Economic Opportunity. She said this is a policy decision of the Board.

The Chairman opened a public hearing; no one spoke.

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

20. Public Hearing (LDCT-2019-8 Legacy Park) (Adoption Public Hearing) to consider a Large Scale Land Development Code (LDC) change to amend the US 27 Selected Area Plan (SAP) to allow non-full median access to US 27 from the Professional Institutional-X Future Land Use Designations.

Minutes: This case was presented with the previous hearing.

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

21. Public Hearing to consider adoption of an ordinance amending Polk County Ordinance 13-017, the Polk County Economic Development Ad Valorem Tax Exemption Ordinance, as amended.

Minutes: Sandra Howard, Assistant County Attorney, reviewed the proposed ordinance amending the Polk County Economic Ad Valorem Tax Exemption Ordinance. She said that this

clarifies the Board's authority to grant exemptions through November 5, 2022, and does not affect the operation of any exemption approved by the Board before November 5, 2022.

The Chairman opened a public hearing; no one spoke.

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

P. CONSENT AGENDA ITEMS

ANNOUNCEMENTS

The Chairman adjourned the meeting at 2:34 PM