



Polk County Board of County Commissioners

Meeting Minutes

12/18/18 BoCC Regular Meeting Minutes

December 18, 2018 Regular BoCC meeting

In accordance with the American with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the Communications Office not later than forty eight hours prior to the proceeding. Their offices are located in the County Administration Building, 330 West Church Street in Bartow. Telephone (863) 534-6090, TDD (863) 534-7777 or 1-800-955-8771, Voice Impaired 1-800-955-8770 via Florida Relay Service.

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

B. CEREMONIAL PROCLAMATIONS

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

4. Comments.

D. APPROVE CONSENT AGENDA

5. Approve Consent Agenda.**Approved**

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

6. Disbursements.**Approved**

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

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

WORKFORCE DEVELOPMENT BOARD

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

G. COUNTY ATTORNEY (MICHAEL CRAIG)

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

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)**Approved**
11. 4860 : Bridgers Ave Stormwater Improvements**Approved**
12. Approve construction contract with Killebrew, Inc. for the West Daughtery Road water main upgrade. (\$816,684.75 one-time expense)**Approved**
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)**Approved**
14. Approve Hurricane Irma Mutual Aid Agreement with The Polk County School Board for sheltering expenses. (\$602,630 one-time expense)**Approved**
15. Adopt Resolution approving Substantial Amendment No. 1 to the Fiscal Year 2018-2019 Consolidated Action Plan. (No fiscal impact)**Approved**
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)**Approved**
17. 4798 : One Hope United, Inc.**Approved**
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)**Approved**
19. Approve Stop Loss reinsurance for the Employee Medical Healthcare Plan and Employee Assistance Program services. (\$414,880 combined annual expense)**Approved**

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

20. Commissioner Wilson Comments.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

21. Commissioner Braswell Comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

22. Commissioner Santiago Comments.

L. COMMISSIONER DISTRICT 5 (JOHN E. HALL)

23. Commissioner Hall Comments.

M. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY, CHAIRMAN)

24. Chairman Lindsey Comments.

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

*****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

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. **Approved**
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.
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. **Approved**
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. **Approved**
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. **Approved**

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