

**HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
THURSDAY, SEPTEMBER 19, 2002 8:30 A.M.
HARDEE COUNTY HEALTH DEPT. CONFERENCE ROOM
A G E N D A**

Commissioners:	District I District II District III District IV District V	William R. Lambert, Jr. Clifton N. Timmerman Gordon R. Norris E. Milton Lanier Walter B. Olliff, Jr.
County Manager Lexton H. Albritton , Jr. Clerk B. Hugh Bradley County Attorney Ken Evers		Office Manager Susan Dick Deputy Clerk Darlene Ward

Chairman Olliff – Call to Order.

Invocation by Rev. Dewayne Wyatt followed by Pledge to Flag.

MINUTES FOR APPROVAL

APPROVAL OF AGENDA

PLEASE TURN OFF CELL PHONES AND PAGERS

APPOINTMENTS:

**Tab 1
8:45 a.m. Mary Mitchell, Hardee Co. 4-H – Request approval and authorization for Chairman to sign proclamation proclaiming the week of October 6th through 12th as National 4-H Week in Hardee County.**

Action recommended: Motion to approve and authorize Chairman to sign Proclamation.

Copy of Proclamation and 4-H information provided.

**Tab 2
9:00 a.m. PUBLIC HEARING - (Affidavit of Publication) - Norm Nickerson, Nickerson Brothers LLC – Request approval and authorization for Chairman to sign Ordinance No. 02-22, granting an ad valorem tax exemption to Nickerson Brothers, LLC for the construction of a dairy facility.**

Action recommended: Motion to approve and authorize Chairman to sign Ordinance No. 02-22.

Copy of Ordinance No. 02-22 provided.

Tab 3

9:30 a.m. Kathy Crawford, Danny Weeks and Janet Gilliard – Discuss Hardee Lakes grant and request authorization to move forward by accepting available funds – FRDAP \$200,000 and Lands and Water Conservation Fund (LWCF) \$150,000.

Action recommended: Motion to accept funds and move forward, authorize Chairman to sign all necessary documents.

Tab 4

10:00 a.m. PUBLIC HEARING – (Affidavit of Publication) - Request approval and authorization for Chairman to sign Ordinance No. 02-21, providing additional penalty for civic traffic violations to fund drivers education programs; providing for distribution.

Action recommended: Motion to approve and authorize Chairman to sign Ordinance No. 02-21.

Copy of Ordinance No. 02-21 provided.

Tab 5

10:15 a.m. Leslie Cantu – Request approval of staff’s recommendation for the GODSTOCK event to be held at Nickerson/Ullrich Pavilion in Pioneer Park on November 22, 23 and 24, 2002.

Action recommended: Board’s discretion.

Copy of memo from Danny Weeks dated 09/12/02, letter from Marilyn Walker dated 07/28/02, excerpt from Park Board Minutes, letter from Leslie Cantu dated 09/12/02, Nickerson/Ullrich Bldg use request form and Godstock information sheets provided.

Tab 6

10:30 a.m. Mike Cassidy – Request direction on how to proceed with Casey Hickman and Shirley Mae Crilly Tibbits, Special Master Case No. 02-03, for zoning violations. Does BCC wish to proceed with foreclosure proceedings and order a taxes and title search?

Action recommended: Board’s discretion.

Copy of memo from Mike Cassidy dated 09/04/02 provided.

Tab 7

10:45 a.m. Wayne Cross, Crime Stoppers – Request approval and authorization for Chairman to sign Letter of Agreement authorizing Polk County Crime Stopper’s, Inc. to act as Hardee County’s agent for the purpose of applying for, and receiving funds from the Crime Stopper’s Trust Fund. This request made per the requirements in subsection 16.555(5)(b) of the Florida Statutes (1998 Supp.).

Action recommended: Motion to approve and authorize Chairman to sign Letter of Agreement.

Copy of proposed Letter of Agreement provided.

Tab 8

11:00 a.m. Gary Gossman, Hardee County Health Care Task Force - Request approval and authorization for Hardee County to commit to a \$27,750 cash match for the Primary Care for Children and Families Challenge Grant for a three year period, 2003, 2004 and 2005.

Action recommended: Board's discretion.

Copy of letter from Gary Gossman dated 09/10/02 provided.

Tab 9

1:30 p.m. BCC Zoning Meeting – See separate Agenda.

Tab 10

2:00 p.m. David Moore, Southwest Florida Water Management District – Presentation of Peace River Cumulative Impact Study.

Action recommended: No action required.

COUNTY MANAGER; NON-CONSENT AGENDA

Tab 11

A. Request approval to appoint two Commissioners and County Manager to serve on a committee to review the CRA. City has appointed two council members and City Administrator.

Action recommended: Motion to appoint two Commissioners and County Manager.

Tab 12

B. Request approval for County Manager and staff to work with the City of Wauchula on the Skate Park to be located on Oak Street.

Action recommended: Motion to work with City.

Copy of estimated material costs provided.

Tab 13

C. Request approval and authorization for Chairman to sign change order to add a tertiary filter to the Vandolah WWTP (EDA funds) - \$112,923.92.

Action recommended: Motion to approve and authorize Chairman to sign change order.

Copy of quote from Azurix dated 09/05/02 and change order provided.

CONSENT AGENDA

Tab 14

A. Acknowledge receipt of Clerk's Financial Statement for period ending 08/31/02.

Tab 15

- B. Request approval and authorization for Chairman to sign Minor Subdivision plats for James L. Stallings, Trustee - Eagles Nest West, Eagles Nest West One and Eagles Nest West Two.**

Copy of memos dated 09/04/02 and plats provided.

Tab 16

- C. Acknowledge receipt of Hardee Co. Health Dept. Contract Variance Report for 10/01/01 – 06/30/02, second and third quarters of the 2001-2002 Contract.**

Copy of report provided.

Tab 17

- D. Acknowledge Thursday, November 14, 2002 at 5:30 p.m. as the date and time for the joint meeting with the Planning and Zoning Board to receive IMC Phosphate Company's Annual Unit Review and Operating Reports.**

ALSO:

Acknowledge Thursday, December 12, 2002 at 5:30 p.m. as the date and time for the joint meeting with the Planning and Zoning Board to receive CF Industries, Inc. Annual Unit Review and Operating Report.

Tab 18

- E. Request approval of 2003 Holiday schedule.**

Copy of 2003 Holiday schedule provided.

Tab 19

- F. Request approval and authorization for Chairman to sign renewal Agreement with EPCA for Fiscal Year 2002/2003.**

Copy of Agreement provided.

Tab 20

- G. Acknowledge Affidavit of Publication for Sheriff's unclaimed money that was advertised on August 1, 2002 and receipt of check in the amount of \$558.04.**

Copy of affidavit provided.

Tab 21

- H. Request approval and authorization for Chairman to sign Letter of Agreement with Affiliated Computer Service (ACS) for Special Assessment outsourcing proposal to create the 2002 Special Assessment Roll (as discussed during budget workshops) - \$12,000.**

Copy of Letter Agreement provided.

Tab 22

- I. Acknowledge receipt of minutes from Parks and Recreation Advisory Board meeting of August 05, 2002.**

Copy of Park Board minutes provided.

Tab 23

- J. Request approval and authorization for Chairman to sign Emergency Management Preparedness Assistance (EMPA) Base Grant Agreement #03BG-04-07-35-01-025 between Hardee County and Dept of Community Affairs for fiscal year 2002-2003 - \$118,713.00.**

Copy of letter from Debbie Wonsch, DCA dated 08/15/02 and agreement provided.

Tab 24

- K. Request approval and authorization for Chairman to sign State Aid to Libraries Grant Application for fiscal year 2002-2003.**

Copy of grant application provided.

Tab 25

- L. Request approval and authorization for Chairman to sign FRDAP Grant Agreement for Phase III of Pioneer Park improvements.**

Copy of memo from Janet Gilliard dated 08-30-02 and FRDAP grant provided.

Tab 26

- M. Request approval and authorization for Chairman to sign Minor Subdivision plats for Norris Subdivision for 3N Groves.**

Copy of memo dated 09/13/02 and plat provided.

MOTION TO APPROVE CONSENT AGENDA A-M.

COUNTY ATTORNEY KEN EVERS

OLD BUSINESS – OPEN See Agenda Attachment ‘A’

OLD BUSINESS – CLOSED See Agenda Attachment ‘B’

COMMENTS FROM COMMISSIONERS, OTHER ELECTED OFFICIALS AND CITIZENS

OTHER BUSINESS

Meeting adjourned at _____ with the next Regular Meeting on October 03, 2002 at 8:30 a.m. and next Planning Session meeting scheduled for Friday, October 11, 2002 at 8:30 a.m. Meetings to be held at Hardee County Health Dept. Conference Room, 115 K.D. Revell Rd, Wauchula, Florida, 33873.

PLEASE NOTE THAT THE ABOVE APPOINTMENT TIMES MAY BE ADJUSTED AS DEEMED NECESSARY UNLESS IT IS AN ADVERTISED PUBLIC HEARING.

REMINDER:

**September 24, 2002 - (this meeting could be continued to September 25th if necessary) – Value Adjustment Board at Health Dept. Conference Room.
(Commissioners Lambert, Olliff and Norris)**

Attachment A
OLD BUSINESS (Open)
SEPTEMBER 19, 2002

1. Water for rural outlying fires – drawing from agricultural wells, ponds, etc.; obtain written permission for files.
Status: One 10,000 tank acquired from City of Wauchula to be placed on east side of County, possibly Resthaven property. Working with property owners for sources from grove pumps, etc.
2. Water Plant
Status: Advertised 08/29/02 - Bids due 09/30/02.
3. Permanent relocation of staff – first draft of floor plan for returning to Annex I has been prepared for review by County Manager.
4. Sludge Issue – Staff meeting held 08/15/02 to review draft ordinance.
5. Special Taxing Districts – BCC 02/14/02 – Info presented to BCC 07/25 – Hunter to continue to work with County Attorney.
6. CRA —This agenda for appointment of two Commissioners and County Manager to Committee with City.
7. Wauchula Hills Wastewater Hills Treatment Plant –Advertised 08/29/02 – Bids due 09/30/02.
8. Minor Subdivision Plats – Table until info received on Special Taxing Districts.
9. Pave Ten-Mile Grade N/S and E/W as necessary- N/S waiting on grant – E/W Engineer preparing costs.
10. Coordinate paving of Sauls Road entryway and E/W portion with most expeditious way of funding. Advertised – Bids Due 11/10/02.
11. Heartland Water Alliance– Status: Meeting held 07/22/02 at 1:30 p.m. at Health Dept. (staff members meeting) Next meeting to be scheduled for mid to late September.
12. Mining Ordinance Amendments/ DRI's –Staff identifying ordinances and resolutions for determining amendments needed and scheduling for completion.
13. Garbage Collection – Private Roads – Continue to evaluate status of roads – County Manager plans to send additional letters to residents.
14. Clerk relationship to BCC – County Attorney provided option to BCC 06/06 for ways to separate the duties of the Clerk from the Board. Consensus was to include the issue in our legislative packet.
15. Hardee Lakes – Staff to pursue feasibility of using lakes for recycling water for power plants. Staff working on issues i.e. gate control, permits, etc. This agenda at 9:30 a.m.
16. Tropical Storm Gabriel (FEMA) - 08/08/02 –Specs have been revised, Bids due 09/27/02.
17. Land Suitability Index Report – Also need Cumulative Impact Study – 08/16/02 received Presentation on potential cumulative impacts of clay settling areas.

- 18. Clerk Issues – 08/08/02 Clerk not present at mtg. (submitted letter dated 08/02/02) County Manager to follow-up on public records request for minutes in digital format; Drafting policy for purchasing card; etc.**
- 19. Sewer hook-up for Pioneer Park to Zolfo Springs system – CAS has done field study and will submit cost estimate for design and survey. Costs being re-evaluated.**
- 20. Architectural/Structural Engineering Services 05/23/02 – Weeks to go out for RFPs. RFPs drafted –County Attorney reviewed – back to staff for minor changes.**
- 21. Shared roads with DeSoto County – 08/01 staff met with DeSoto Engineers to determine crossroad culvert and paving costs for 10-Mile Grade. Waiting on info from DeSoto County.**
- 22. Vandolah Wastewater Treatment Plant – Finished covering top of effluent liner; worked dress work on outside of effluent pond dike; brought in fill rock for entry road and WWTP pad; and laid 2,200 feet of force main from the plant and along Vandolah Road.**
- 23. Ordinance implementing a \$3 charge to each traffic penalty to fund traffic education programs. This agenda at 10:00 a.m.**
- 24. Tuition Reimbursement Policy – 07/11/02 authorized County Manager to revise. 07/25/02 determined that policy does not need to be reviewed by BCC.**
- 25. Carlisle Group – Country Manor – Scored perfect points on application. Waiting on ranking results – if awarded construction to be completed by 06/03.**
- 26. Legislation Packet for 2003 Legislative Session – compiling information.**
- 27. Industrial Development Authority – 07/25/02 IDA to identify sites for light commercial site along Hwy 17 in Enterprise Zone and a heavy industrial site; ascertain costs, funding alternatives and work with County staff.**
- 28. 08/08/02 – Jail Roof repair – Approved waiver of sealed bid process. Quotes received – Notice to proceed issued on 08/30/02 to General Roofing Services for \$22,476. Drains have been put in – roof to be put on week of 09/23/02.**
- 29. Range Cattle Research & Education Center at Ona – 08/08/02 Approved appointing a Steering Committee to study the Center’s mission. Park Winter has compiled list of potential members and is contacting each. Initial meeting set for 11:00 a.m. on 09/27/02.**
- 30. Road Paving Priorities system – 08/08/02 County Manager/County Engineer/Director of Public Works to work on a better, more equitable evaluation using more meaningful data. Staff identifying resources and procedures to implement changes. Staff trying to develop a stabilizing factor.**
- 31. Steve Roberts Special Bridges – Plan to advertise the week of September 16, 2002.**
- 32. Bowling Green Volunteer Fire Dept. –County Manager met with Bowling Green administrators. County staff taking inventory of buildings and equipment to determine potential liability – to be presented to Bowling Green Council.**

- 33. Old Town Creek Paving Project – Cost estimate for S.R. 64 to Mel Smith based on 2001-2002 contract bids is \$355,022; staff to request extension for County Incentive Grant; County Attorney to make counter-offer of \$55,000 the week of 09/16/02.**
- 34. 08/22/02 Economic Tax Abatements for Hardee Power Partners, Seminole Electric and Mancini Packing; staff to check for compliance with statute and ordinance.**
- 35. Soil Mapping – 07/16/02 – pursue the issue of re-mapping of the soils with DEP and the Bureau of Mine Reclamations.**
- 36. Animal Control Consolidation – County Manager met with staff – J. R. preparing cost estimate.**
- 37. 09/05/02 AGAPE Mission Home – Staff to attempt to find financial assistance. Info concerning Indigent Care Funds has been sent to County Attorney for review. OCD has been notified.**
- 38. 09/05/02 Comcast Cable – Will provide a site survey for televising meetings.**
- 39. 09/05/02 Authorized FRDAP Grant Application for Recreation Complex to be submitted. Application submitted 09/12/02.**
- 40. 09/05/02 Authorized hiring County Engineer – Currently being advertised.**

Attachment B
Old Business (Closed)
September 19, 2002

1. **Resthaven:**
Status– Staff and County Attorney are proceeding with direction of BCC on 06/06/02. Attorney met with Resthaven Trustees 07/22/02 at 10:30 a.m. – By-Laws have been drafted.
Title to Van transferred 08/30/02.
2. **Renovations to Recycling Center -Status – Completed – Open for business.**
3. **Development Order review process – Presentations to be made by various agencies/entities 09/13/02 to be held at Civic Center. Meeting held.**
4. **Grant Administration of Vandolah WWTP and 10-Mile Grade (CDBG & EDA) RFPs received and to be ranked 09/09/02. Will remain with current contract Nancy Phillips & Associates L. C.**
5. **08/08/02 Cargill Fertilizer, Inc. – Set fine for not meeting reclamation deadline of July 31, 2002 of \$1,500/day x 8 days; allow 30 days from 08/08/02 to finish reclamation; if not done; \$10,000/day fine begins. Letter to Cargill dated 08/13/02 sent by Mining Coordinator. \$12,000 check received 08/27/02 along with status letter from Tom Myers advising as of 08/23/02 the reclamation efforts have been completed through initial revegetation. Work verified by County staff.**
6. **08/22/02 Insurance Committee – Consensus for Jane Long to work with Co. Manager and Director of Finance to apply more funding to county portion for family health insurance for FY 2002/03.**
7. **09/05/02 SCS Engineers – Authorized Work Order #5 and #6 – Landfill. Agreements executed.**
8. **09/05/02 Appointed Carl Saunders to Planning & Zoning Board to fill unexpired term of Bill Craig (12/04).**
9. **09/05/02 Approved Res. 02-47 relating to Wauchula Hills wastewater collection & treatment financing. Executed.**
10. **09/05/02 Approved Res. 02-49 increasing IDA from 5 to 7 members. Appointed Bill Mulcay and Lawrence Roberts. Corrected Jim Marsh's term to expire 05/10/06.**
11. **09/05/02 Approved Res. 02-42 concerning transfer of Time Warner Cable. Executed.**
12. **09/05/02 Corrected number of Traffic Signal Maintenance Agreement from 02-38 to 02-39.**
13. **09/05/02 Approved Landfill Work Squad agreement with DOC WS 095 for 2002-03. Executed – to State for signatures.**