

**HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
THURSDAY, OCTOBER 17, 2002 8:30 A.M.
HARDEE COUNTY HEALTH DEPT. CONFERENCE ROOM
A G E N D A**

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

Chairman Olliff – Call to Order.

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

**MINUTES FOR APPROVAL: Regular Meeting of 09/19/02 at 8:30 a.m.
 BCC Zoning Meeting of 09/19/02 at 1:30 p.m.**

APPROVAL OF AGENDA

PLEASE TURN OFF CELL PHONES AND PAGERS

APPOINTMENTS:

**Tab 1
9:00 a.m. J. R. Prestridge, Public Works Director - Award bid for Tropical Storm Gabrielle roadway and drainage repairs.**

Action recommended: Motion to award bid to General Contracting - \$2,622,401.50.

Copy of Bid Tabulation sheet provided.

**Tab 2
9:30 a.m. Dee Newgent, Purchasing Agent and Kathy Crawford, Director of Finance - Request approval of updated Hardee Co. Purchasing Manual which includes Procurement Card Policies and Procedures and also request approval of Purchasing Card Policies and Procedures.**

Action recommended: Motion to approve and adopt Hardee Co. Purchasing Manual and Purchasing Card Program Policies and Procedures. Also, requests approval for County Manager to sign any documentation necessary for implementation of the procurement card.

Copy of memo from Kathy Crawford dated 10/10/02, Hardee Co. Purchasing Policy and Procedures Manual revised 10/07/02 and Hardee County Purchasing Card Program Policies and Procedures provided.

Tab 3

9:45 a.m. Request approval and authorization for Chairman to sign Resolution 03-01, setting forth Hardee County's official position on general issues related to phosphate mining.

Action recommended: Motion to approve and authorize Chairman to sign Resolution 03-01.

Copy of Resolution 03-01 provided.

NOTE: The 10:45 a.m. appointment is a Quasi Judicial Proceeding:

County Attorney – Read General Rules of Procedure and Administer Oath to witnesses who wish to offer testimony. (General Rules of Procedure attached)

Tab 4

10:45 a.m. CF Industries, Inc. – Appeal of a notice of setback violation, (Ordinance 99-02, Section 2.06.06 Standards 03, a.b.) Hwy 62 in the Ft. Green area pursuant to Ordinance 99-02, Section 2.06.10A.03.

Action recommended: Board's discretion.

Copy of letter from Nick Katzaras, CF Industries dated 10/10/02, letter from Doug Knight dated 09/30/02 and letter from Nick Katzaras, CF Industries dated 10/02/02 provided.

Tab 5

11:30 a.m. Brian Hunter – Address legal direction on proceeding with special taxing district.

Tab 6

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

COUNTY MANAGER; NON-CONSENT AGENDA

Tab 7

A. Discuss Nextel billing.

Action recommended: Motion to authorize Clerk to pay Nextel bills that are submitted to his staff with County Manager's signature of approval.

Copy of memo from B. Hugh Bradley dated 10/01/02 provided.

CONSENT AGENDA

Tab 8

- A. Request approval and authorization for Chairman to sign Participation Agreement with BA Merchant Services and Bank of America for continued acceptance of credit cards for EMS service fees (State contract).**

Copy of memo from Dee Newgent dated 10/07/02, information profile, participation agreement and Dept. of Insurance and Treasurer contract (acceptance of credit cards, charge cards, debit cards and other electronic payments) provided.

Tab 9

- B. Request approval and authorization for Chairman to sign Minor Subdivision plat for Eagle's Nest West Three for James L. Stallings, Trustee.**

Copy of memo from B. J. Haney dated 10/01/02 and plat provided.

Tab 10

- C. Request approval of each low bid contractor for the first four CDBG housing units for rehabilitation as follows: Zambrano, Mark Rivard of Residential Services, Inc. \$23,999; Sanchez, William Reschke of Reschke Construction, Inc. \$18,256; Jaquez, Mark Stewart of Stewart Construction \$14,882.50; Ruiz, Mark Rivard of Residential Services, Inc. \$33,050.**

Copy of memo from Janet Gilliard dated 10/10/02 and bid recommendation sheets provided.

MOTION TO APPROVE CONSENT AGENDA A-C.

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 31, 2002 at 8:30 a.m., next Special Planning Session meeting scheduled for Friday, October 25, 2002 at 8:30 a.m. and Regular Planning Session Meeting scheduled for Friday, November 22, 2002. 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:

October 18, 2002 – Homecoming Parade, line-up at 1:30 behind Jr. High School, parade at 2:00.

October 24, 2002 – Bowling Green Elementary Fall Festival Parade, line-up at 4:00 at Pyatt Park, parade at 4:30.

October 25, 2002 – Special Planning Session on Mining Issues, 8:30 a.m. Hardee Co. Health Dept Conference Room.

Attachment A
OLD BUSINESS (Open)
OCTOBER 17, 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 or 7-mile point area. Have access to additional 3,000 gallon tank. Working with property owners for sources from grove pumps, etc. Additional manpower to be assigned to this task.
2. **Water Plant**
Status: Advertised 08/29/02 - Bids due 09/30/02 – Bid due date changed to 10/10/02.
Low bid \$3,517,000 – award 10/31/02 (includes wastewater).
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 – County Manager to meet with Lockie Gary, Mike Cassidy and Range Cattle Station Representative on 10/04/02. Trying to incorporate occasional user language.**
5. **Special Taxing Districts – BCC 02/14/02 – Info presented to BCC 07/25 – Hunter to continue to work with County Attorney. This agenda at 11:30 a.m.**
6. **CRA —Committee has been appointed – 2 Commissioners - Lambert & Timmerman, 2 Councilmen, City Administrator and County Manager. Obtained info from Property Appraiser concerning Briarwood. Lex to meet with Conerly 10/01/02. Community meeting is in process of being set.**
7. **Wauchula Hills Wastewater Treatment Plant –Advertised 08/29/02 – Bids due 09/30/02 – Bid due date changed to 10/10/02. Low bid \$3,517,000 (includes water) – scheduled to be awarded on 10/31/02.**
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 – waiting on DeSoto County on E/W portion. AFAM is providing all info necessary to move forward and they have expanded their number of employees that allows us to receive the maximum amount of funds for 10-mile grade \$750,000 CDBG-ED grant. Consultant will work on next public hearing.**
10. **Coordinate paving of Sauls Road entryway and E/W portion with most expeditious way of funding. Advertised –Mandatory Pre-Bid held 09/26/02 with four (4) companies attending.**
Bids Due 10/10/02. Bids being calculated by Engineers and County – Engineer finalizing SWFMD permit – low bid \$237,929.75.
11. **Heartland Water Alliance– Status: Meeting held 07/22/02 at 1:30 p.m. at Health Dept. (staff members meeting) Full Alliance meeting to be set up.**
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. Hardee Lakes 09/19/02 Authorized proceeding with FRDAP Grant, \$200,000 and LWCF Grant, \$150,000. Staff working with Fish & Game on potential grants and design assistance.
15. Tropical Storm Gabriel (FEMA) Bids opened 09/27/02. Bid award 10/17/02. (\$2,622,401) – this agenda at 9:00 a.m.
16. Land Suitability Index Report – Also need Cumulative Impact Study – 08/16/02 received Presentation on potential cumulative impacts of clay settling areas. Meeting set with IFAS on 10/22/02.
17. 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. County consultant working with Clerk's Consultant on printing; Lex to met with Beverly (representing Clerk) on 10/08/02. Continuing to move forward within budget and system constraints.
18. 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.
19. Architectural/Structural Engineering Services 05/23/02 – Weeks to go out for RFPs. RFPs drafted –County Attorney reviewed –staff making changes.
20. 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. DeSoto County Manager reviewing proposal.
21. Vandolah Wastewater Treatment Plant – Took densities on shell rock pad for WWTP. Made several tie-ins on force main on Vandolah Road. Continued clean up along Vandolah Road and also continued de-watering of the WWTP pad.
22. 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.
23. Carlisle Group – Country Manor – Scored perfect points on application. Waiting on ranking results – if awarded construction to be completed by 06/03.
24. Legislation Packet for 2003 Legislative Session – compiling information.
25. 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. IDA still communicating with landowners and will come back to Board with funding alternatives and request early November.
26. 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. Status: Roof 98% complete as of 10/14/02, should finish the flashing which will be the final step of completion.
27. 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. Kick-off meeting occurred 09/27/02. Committee to meet early November at Center for tour and receive information paper from Center staff.
28. 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.

29. **Steve Roberts Special Bridges – Bids Due 11/19/02. Pre-bid conference held 10/11/02, six companies participated.**
30. **Bowling Green Volunteer Fire Dept. –County Manager met with Bowling Green administrators. County staff took inventory of buildings and equipment on 09/26/02 to determine potential liability – staff to develop staffing plan for cost determination - to be presented to Bowling Green Council. County staff to meeting again with Bowling Green Fire Dept.**
31. **Old Town Creek Paving Project – Cost estimate for S.R. 64 to Mel Smith based on 2001-2002 contract bids is \$355,022; County Attorney submitted counter-offer of \$55,000 the week of 09/16/02.**
32. **08/22/02 Economic Tax Abatements for Hardee Power Partners, Seminole Electric and Mancini Packing; staff to check for compliance with statute and ordinance. Staff developing policy procedure to determine yearly compliance. Finance sent letters to companies requesting verification of employees.**
33. **Soil Mapping – 07/16/02 – pursue the issue of re-mapping of the soils with DEP and the Bureau of Mine Reclamations.**
34. **Animal Control Consolidation – County Manager met with staff – J. R. preparing cost estimate.**
35. **09/05/02 AGAPE Mission Home – Staff to attempt to find financial assistance. County Attorney determined Indigent Care funds cannot be used. OCD has been notified. 09/24/02 BCC directed staff to provide \$6,000 to AGAPE. AGAPE will provide financial reports on a quarterly basis.**
36. **09/05/02 Comcast Cable – Will provide a site survey for televising meetings – waiting until room is ready for construction.**
37. **09/05/02 Authorized hiring County Engineer – Currently being advertised.**
38. **Skate Park – 09/19/02 Authorized staff to work with City - approved materials cost of approximately \$12,533 – Lex to work with Kathy on funding. Removal of sod has been completed.**

Attachment B
Old Business (Closed)
October 17, 2002

1. 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. On 10/11/02 BCC tabled this action.

10:45 a.m. Appointment – Quasi-judicial

GENERAL RULES OF PROCEDURE

Ladies and Gentlemen:

This is a quasi-judicial proceeding and any decision of the Board must be supported by substantial and competent evidence. In rendering its decision the Board shall rely solely upon the testimony which is relevant and material and any testimony given in the form of an opinion will not be relied upon unless given by a qualified witness.

You shall have the right to give testimony, and to present evidence and witnesses. The applicant, the Board and any interested persons shall be given an opportunity to ask question of any witness. Any persons who wishes to testify shall be administered an oath to swear or affirm to tell the truth.

At this time, if there is anyone who wishes to testify before the Board, please rise for the administration of the Oath.