

**HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
THURSDAY, APRIL 17, 2003 8:30 A.M.
HARDEE COUNTY HEALTH DEPT. CONFERENCE ROOM
A G E N D A**

Commissioners:	District I	William R. Lambert, Jr., Chairman
	District II	Clifton N. Timmerman
	District III	Gordon R. Norris, Vice-Chairman
	District IV	Bobby R. Smith
	District V	Walter B. Olliff, Jr.

County Manager Lexton H. Albritton , Jr.	Office Manager Susan Dick
Clerk B. Hugh Bradley	Deputy Clerk Nancy Craft
County Attorney Ken Evers	

Chairman Lambert – Call to Order.

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

**MINUTES FOR APPROVAL: Regular Meeting of 03/06/03 at 8.30 a.m.
 Planning Session of 03/14/03 at 8:30 a.m.**

APPROVAL OF AGENDA

PLEASE TURN OFF CELL PHONES AND PAGERS

APPOINTMENTS:

Tab 1

8:45 a.m. Janet Gilliard, Community Development Director– Request approval and authorization for Chairman to sign Land and Water Conservation Grant (LWC) application and all required related documents to FDEP for Hardee Lakes. (\$200,000)

ALSO:

Request approval and authorization for Chairman to sign Resolution 03-18, authorizing the amendment of the Capital Improvement Plan to include Hardee Lakes project if funds are awarded from LWC.

Action recommended: Motion to approve and authorize Chairman to sign LWC application and all required related documents as well as Resolution 03-18.

Copy of Agenda Request Form, FDEP Land and Water Conservation Grant application information and Resolution 03-18 provided.

Tab 2

9:00 a.m. PUBLIC HEARING (Affidavit of Publication) – Request approval and authorization for Chairman to sign Ordinance 03-01, related to Domestic and Industrial Wastewater Residuals and Septage.

Action recommended: Motion to approve and authorize Chairman to sign Ordinance 30-01.

Copy of Ordinance 03-01 provided.

ALSO:

Request approval and authorization for Chairman to sign Resolution 03-12 setting fees related to Ordinance 03-01 (Related to Domestic and Industrial Wastewater Residuals and Septage).

Action recommended: Motion to approve and authorize Chairman to sign Resolution 03-12.

Copy of Resolution 03-12 provided.

Tab 3

9:30 a.m.

Discussion concerning proceeding with a community assessment.

Action recommended: Board's discretion.

Tab 4

1:30 p.m.

BCC Zoning – See separate agenda.

Tab 5

2:30 p.m.

Joint meeting with FDOT and City of Wauchula – Hwy 17 construction project – see separate agenda.

COUNTY MANAGER; NON-CONSENT AGENDA

Tab 6

- A. Set date, time and location for IMC Ona Mine DRI public hearing. Also, discuss Planning and Zoning Board's request for a joint public hearing for same.**

Action recommended: Recommend separate Planning and Zoning hearing on Thursday, August 07, 2003 at 2:00 p.m. and BCC hearing on Tuesday, August 19, 2003 at 8:30 a.m. Both hearings to be held at the Civic Center.

CONSENT AGENDA

Tab 7

- A. Request approval of Parks and Recreation Advisory Board minutes of January 06, 2003 meeting.**

Copy of January 06, 2003 minutes provided.

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Tab 8

- B. Acknowledge that the previously approved (03/06/03) Florida Boaters Improvement Program grant amount has been amended from \$150,00 to \$66,775.**

Memo from Janet Gilliard and Danny Weeks dated 04/01/03 provided.

Tab 9

- C. Request approval for eight contractors for CDBG Housing Rehabilitation - Alice Lee, Mark Stewart Construction \$19,530; Antonio Venegas, Riley Construction, Inc.**

\$15,200; Hector Valerio, Mark Stewart Construction \$28,134; Emory Rivers, Jr., Mourer & Mourer, Inc. \$15,900; Homer Carpenter, Riley Construction, Inc. \$11,240; Sandra Hernandez, Reschke Construction, Inc. \$11,025; Joe & Bobbie Rivers, Reschke Construction, Inc. \$8,400 and Frederick Thompson/Mattie Jordan, Stewart Construction, Inc. \$15,298.

Copy of memo from Shelly Massey dated 04/08/03 and bid recommendation sheets provided.

Tab 10

- D. Request authorization to transfer \$60,000 from G/R Contingency to cover additional courthouse expenses (settlement amount).**

ALSO:

Request authorization to transfer \$36,000 from G/R Contingency to cover additional insurance costs due to increased Property Insurance and Workers Compensation.

ALSO:

Request authorization to transfer \$9,599 from CDBG Vandolah Wastewater Fund to cover balance of grant expenditures for remainder of this fiscal year.

ALSO:

Request authorization to transfer \$40,457 from EDA Vandolah Wastewater Fund to cover balance of grant expenditures for remainder of this fiscal year.

Copy of memo from Kathy Crawford dated 04/10/03 provided.

Tab 11

- D. Request approval of Minor Subdivision plat of Hammock South for Hammock Land/Cattle, Inc. and Ballantyne/Mulcay/Pyle.**

Copy of memo from B. J. Haney dated 04/10/03 and plat provided.

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Tab 12

- E. Acknowledge Cargill Fertilizer, Inc. tour date is Wednesday, April 30, 2003 at 8:30 a.m. and the joint meeting of BCC and Planning & Zoning Board for their annual report is Thursday, May 01, 2003 at 6:30 p.m.**

No tab

- F. Acknowledge receipt of Clerk's financial report for period ending 03/31/03.**

MOTION TO APPROVE CONSENT AGENDA A-F.

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 May 01, 2003 at 8:30 a.m., BCC Zoning Meeting on May 15, 2003 at 1:30 p.m. and Planning Session scheduled for Thursday, May 09, 2003. 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:

**Today: 1:30 – BCC Zoning.
2:30 – Joint Workshop with City of Wauchula and FDOT on Hwy 17 construction.**

County Offices closed Friday, April 18, 2003 in observance of Good Friday.

ATTACHMENT A
OLD BUSINESS (Open)
APRIL 17, 2003

1. Permanent relocation of staff – first draft of floor plan for returning to Annex I has been prepared for review by County Manager. Will schedule Comcast site survey during planning period. Clerk’ move is complete–Annex I renovations to begin soon.
2. Sludge Issue –This agenda (04/17/03) - Public Hearing at 9:00 a.m. for Ord. 03-01 and also Res. 03-12. (04/03/03- Hold Ord. in abeyance until the party who is responsible for the load of sludge dumped on CR 665 comes forward.)
3. Special Taxing Districts –Uniform Method of Collection of Special Assessments (necessary to collect assessments on tax bill). Public Hearing held 01/09/03. Survey has been sent to residents of Oak Hills Ranch Rd. Twenty-two of the 35 surveys have been returned. Thirteen are not in favor of any form of special taxing district (59%). Of the 9 in favor, 5 preferred the road be paved and 4 preferred maintenance only. Staff calling remainder to request to request survey be completed.
4. Heartland Water Alliance–Polk County currently advertising RFPs for Consultants. Inter-local agreement has been fully executed.
5. Mining Ordinance Amendments/ DRI’s –Staff identifying ordinances and resolutions for determining amendments needed and scheduling for completion.
6. 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. Received donation of \$100,000 from Vandolah Power Company 12/19/02. Commencement documents for FRDAP and LWCF submitted 01/31/03 and accepted by both agencies. 03/06/03 approved FI Boating Improvement Program Grant app. \$150,000. This agenda (04/17/03)– consent – decreasing FBIP grant app. Amount to \$66,775. Co. Mgr. To investigate possible purchase of adjacent 2.5 acres.
7. 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. Staff meeting with DeSoto County 11/01/02. Desoto legal/finance reviewing our request for Desoto to pave and Hardee to contribute to their bond payments. DeSoto assessing maintenance work needed on Lily County Line. DeSoto to provide Interlocal Agreement for paving.
8. Industrial Development Authority – 03/14/03 Update from Park Winter on progress by IDA toward Phased Development & Conceptual Layout Plan. Revisit of funding issues and major comp. plan amendment requirements addressed. 04/10/03 - Five proposals received for land acquisition financing-being evaluated.
9. Range Cattle Research & Education Center at Ona – 03/12/03 meeting finalized resolution. Now obtaining signatures of SC members. SC Chair to determine (when signed) document distribution for endorsement. SC Committee executed Resolution – 04/03/03 BCC adopted Res. 03-17 supporting IFAS and the Range Cattle Station.
10. Bowling Green Volunteer Fire Dept. –County Manager & Fire Chief met with Bowling Green City Commission 01/14/03. Staff reviewing draft Inter-local agreement.

11. Soil Mapping – 07/16/02 – pursue the issue of re-mapping of the soils with DEP and the Bureau of Mine Reclamations.
12. Courthouse Security 03/20/03 – Approved appropriation of \$50,000 for security for balance of this fiscal year, contingent on it not being expended until Co. Mgr. receives clarification certain provisions of Administrative Order 1-33.0. Letter sent to Judge Herring requesting clarification.
13. IMC Annual Report – Financial Responsibility – Planning Session 02/14/03 – continue negotiations. 03/06/03 – BCC approved continuation of negotiations for 60 days. Meeting held 04/07/03.
14. CF Annual Report – 01/23/03 BCC received recommendation of approval from Planning and Zoning Board.
15. Improvements to Magnolia Manor Park. 03/14/03 – Staff working on several items at Park. Staff acquiring costs for restroom repairs and basketball court.
16. Fire Hydrants on Hwy. 17 from K.D. Revell Road to SFCC site. 03/14/03 Lex to work with Fire Chief and CAS. Fire Chief and Park Winter working with CAS on location and funding. Phasing option based on costs and public safety will be presented to BCC in May.
17. Landfill Expansion – 02/06/03 Approved SCS Work Order #8 for 10 acres expansion (staff & SCS to study feasibility of 20 acres expansion).
18. Highway 17 Construction - FDOT working on specific access problems (Farmer's Market, Palmer and Sims Road). Joint workshop 04/17/03 at 2:30 – BCC/City of Wauchula/FDOT.
19. Courthouse Renovations – 03/06/03 staff to compile report on all expenditures for renovation. Also: Co. Attorney to submit Public Records Request to Clerk for his expenditures including Attorney Fees.
20. Interlocal Agreement with City of Wauchula for Building Inspections, etc. –Staff to look into including Zoning Enforcement.
21. Cargo Airport – 03/06/03 IMC advised land option has been executed. 03/14/03 Van Fleet began move to Main Street office location. Van Fleet provided a presentation at the 04/08/03 Airport Task Force meeting.
22. Peoples Gas Line – Need clarification on possible overlap of Florida Power's easement and County right of way.
23. Capital Improvement Plan – 03/14/03 – Kathy Crawford provided a draft list of projects. Requested BCC advise if they have projects they would like included.
24. 04/03/03 - Fire trucks purchase – Workshop to be set up to discuss Fire Budget.
25. Legislative Issues.

ATTACHMENT B
OLD BUSINESS (Closed)
APRIL 17, 2003

1. **Transportation Equity Act for 21st Century Funding – 03/17/03 Chairman and Janet Gilliard to Tampa to make presentation to Chairman Young, Transportation Committee. (Our project – Hwy. 17 4-laning from Zolfo south to County line and S. R. 64)**

****SCROLL DOWN FOR ADD-ON AGENDA****

**HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
APRIL 17, 2003 8:30 A.M.
HARDEE COUNTY HEALTH DEPARTMENT
CONFERENCE ROOM**

ADD-ON A G E N D A

CONTINUE TO MAY 01, 2003 Regular Meeting:

**Approval of Minutes: Regular Meeting March 06, 2003 @ 8:30 a.m.
Planning Session March 14, 2003 @ 8:30 a.m.**

ADD TO APPOINTMENTS:

**10:00 a.m. Doug Brown, The Van Fleet International Airport Development Group, LLC
– Request BCC create a Community Advisory Board to assist in the design
and development process to decide the economic future of Hardee County.**

Action Recommended: Board's Discretion.

Copy of letter from Doug Brown dated 04/16/03 provided.

ADD TO NON-CONSENT AS ITEM B:

Discuss Courthouse Security

Copy of letter from Nick Sudzina, Court Administrator, dated 04/12/03 provided.

*****SCROLL DOWN FOR BCC ZONING AGENDA*****

**HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS
ZONING MEETING
THURSDAY, APRIL 17, 2003 1:30 P.M.
HARDEE CO. HEALTH DEPARTMENT CONFERENCE ROOM
115 K. D. REVELL ROAD
A G E N D A**

Commissioners:	District I	William R. Lambert, Jr., Chairman
	District II	Clifton N. Timmerman
	District III	Gordon R. Norris, Vice-Chairman
	District IV	Bobby R. Smith
	District V	Walter B. Olliff, Jr.

**A. County Manager Lexton H. Albritton, Jr.
Clerk B. Hugh Bradley**

**County Attorney Ken Evers
Office Manager Susan Dick
Deputy Clerk Nancy Craft**

Mike Cassidy, Building Official

Chairman Lambert—Call meeting to Order.

Notice of Publication—The Herald Advocate 03/20/03 & 03/27/03

Chairman or Designee—Explain BCC Rules of Procedure.

Attorney Evers—Administer oath to witness who wish to offer testimony.

Building Official Cassidy—Notice that all properties were properly posted and all adjoining landowners notified.

Agenda Items:

EXCEPTION TO POLICY L1.15

03-22 John M./Virginia K. Ullrich, as Co-Trustees request an Exception to Policy L1.15 of the “Comp Plan” to allow transfer of a no-less-than-1.0MOL-ac-parcel from the 4.95MOL-ac-parent-parcel to immediate family member (daughter--Tiffany) for primary place of residence F-R (Farm-Residential) On or about South Florida Ave, Hardee County.

Action Recommended: Planning and Zoning Board and staff recommend approval with condition.

Copy of Application, letter of recommendation & staff report provided.

03-23 Rock C. Corriveau requests an Exception to Policy L1.15 of the “Comp Plan” to allow transfer of a no-less-than-2.5-ac-parcel from the 39.79MOL-ac-parent-parcel to immediate family member (grandson--Chad) for primary place of residence A-1 (Agriculture) on or about Lily County Line St, Hardee County.

Action Recommended: No action required. Planning and Zoning Board and staff has continued to the P/Z regular meeting of May 01, 2003 and BCC to hear on 05/15/03 at 1:30 pm.

Copy of letter dated 04/04/03 provided.

- 03-24 Rock C. Corriveau requests an Exception to Policy L1.15 of the “Comp Plan” to allow transfer of a no-less-than-2.5-ac-parcel from the 39.79MOL-ac-parent-parcel to immediate family member (grandson--Christopher) for primary place of residence A-1 (Agriculture) on or about Lily County Line St, Hardee County.**

Action Recommended: No action required. Planning and Zoning Board and staff has continued to the P/Z regular meeting of May 01, 2003 and BCC to hear on 05/15/03 at 1:30 pm.

Copy of letter dated 04/04/03 provided.

- 03-25 Rock C. Corriveau requests an Exception to Policy L1.15 of the “Comp Plan” to allow transfer of a no-less-than-2.5-ac-parcel from the 39.79MOL-ac-parent-parcel to immediate family member (grandson--Rodney) for primary place of residence A-1 (Agriculture) on or about Lily County Line St, Hardee County.**

Action Recommended: No action required. Planning and Zoning Board and staff has continued to the P/Z regular meeting of May 01, 2003 and BCC to hear on 05/15/03 at 1:30 pm.

Copy of letter dated 04/04/03 provided.

- 03-26 Rock C. Corriveau requests an Exception to Policy L1.15 of the “Comp Plan” to allow transfer of a no-less-than-2.5-ac-parcel from the 39.79MOL-ac-parent-parcel to immediate family member (grandson--Ryan) for primary place of residence A-1 (Agriculture) on or about Lily County Line St, Hardee County.**

Action Recommended: No action required. Planning and Zoning Board and staff has continued to the P/Z regular meeting of May 01, 2003 and BCC to hear on 05/15/03 at 1:30 pm.

Copy of letter dated 04/04/03 provided.

- 03-27 Xiong Her/James Xay Her request an Exception to Policy L1.15 of the “Comp Plan” to allow transfer of a no-less-than-2.5-ac-parcel from the 33.0MOL-ac-parent-parcel to immediate family member (nephew--James Her) for primary place of residence A-1 (Agriculture) on or about Jack Jones Rd, Hardee County.**

Action Recommended: Planning and Zoning Board and staff recommend approval with condition.

Copy of Application, letter of recommendation & staff report provided.

- 03-28 Jesse Willard Albritton requests an Exception to Policy L1.15 of the “Comp Plan” to allow transfer of a no-less-than-2.5-ac-parcel from the 92.38MOL-ac-parent-parcel to immediate family member (grandson--Jarrod) for primary place of residence A-1 (Agriculture) on or about E Main St, Hardee County.**

Action Recommended: Planning and Zoning Board and staff recommend approval with condition.

Copy of Application, letter of recommendation & staff report provided.

- 03-29 George A./Norma C. Wingate request an Exception to Policy L1.15 of the “Comp Plan” to allow transfer of a no-less-than-2.5-ac-parcel from the 75MOL-ac-parent-parcel to immediate family member (son--Larry) for primary place of residence A-1 (Agriculture) on or about Maude Rd, Hardee County.**

Action Recommended: Planning and Zoning Board and staff recommend approval with condition.

Copy of Application, letter of recommendation & staff report provided.

REZONE

- 03-30 Hardee County Board of County Commissioners requests a Rezone of 1,260.95MOL ac from A-1 (Agriculture) to P-R (Public Recreational) for the development of the Hardee Lakes project nearest county-maintained road: Ollie Roberts Rd., Hardee County.**

Action Recommended: Planning and Zoning Board and staff recommend approval.

Copy of Application, letter of recommendation & staff report provided.

OTHER BUSINESS

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 person who wishes to testify shall be administered an oath to swear or affirm to tell the truth.

**BCC Zoning Agenda
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April 17, 2003**

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

Next BCC Zoning meeting to be held on May 15, 2003 at 1:30 p.m. at Hardee Co. Health Dept. Conference Room, 115 K.D. Revell Road, Wauchula, FL. Next regular County Commission meeting to be held on May 01, 2003 at 8:30 a.m. at Hardee Co. Health Dept. Conference Room.

Meeting adjourned _____.

*****SCROLL DOWN FOR JOINT MEETING AGENDA*****

**HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS
CITY OF WAUCHULA
FLORIDA DEPARTMENT OF TRANSPORTATION
JOINT WORKSHOP
APRIL 17, 2003 2:30 P.M.
HEALTH DEPARTMENT CONFERENCE ROOM
115 K. D. REVELL ROAD, WAUCHULA
A G E N D A**

Commissioners:	District I	William R. Lambert, Jr., Chairman
	District II	Clifton N. Timmerman
	District III	Gordon R. Norris, Vice-Chairman
	District IV	Bobby Ray Smith
	District V	Walter B. Olliff, Jr.

County Manager Lexton H. Albritton, Jr.
Clerk B. Hugh Bradley
Deputy Clerk Nancy Craft

County Attorney Ken Evers
Office Manager Susan Dick

City Council:	Connie Spieth	Opal Saunders
	Charles Smith	Clarence Bolin
	David Royal	John Baxter
	Amy McClellan	

Mayor Kenny Lambert

Florida Department of Transportation Staff

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

- I. Purpose of Workshop is to discuss the Highway 17 Construction Project.**
 - A. Commission Chairman Bill Lambert – Opening remarks.**
 - B. Presentation by FDOT Staff.**
 - C. Discussion.**
 - D. Question and Answer Period**

Meeting adjourned at _____.