

**PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON OCTOBER 14, 2014 AT 9:00 AM
IN THE COUNTY COMMISSIONERS' MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
ARCADIA, FLORIDA**

The Board of County Commissioners held a Public Meeting on October 14, 2014 with the following persons present:

Commissioner, Buddy Mansfield, Dist#1	Planning Manager, Thomas Cookingham
Commissioner, James Selph, Dist#2	Compliance Director, Jorge Hernandez
Commissioner, Gabriel Quave, Dist#3	Purchasing Director, Cindy Talamantez
Chairman, Elton Langford, Dist#4	HR Director, Don Kesterson
Commissioner, Bob Miller, Dist#5	Office Manager, Lauri Terry
County Administrator, Mandy Hines	Parks Director, Tara Anderson
County Attorney, Don Conn	Utilities Director, Eddie Miller
Facilities Director, Richard Metzger	Environmental Svcs. Director, Henry Grimes
Transcribing Secretary, Jill Thompson	Library Director, Linda Waters
Administrative Services Director, Linda Nipper	Turner Center Director, Jody Sullivan
County Engineer, Mike Giardullo	Social Services Director, Peggy Waters
Fire Chief, Larry Taylor	Road & Bridge Director, Shawn Edwards

CALL TO ORDER 9:00 AM

PRAYER- Richard Metzger

PLEDGE OF ALLEGIANCE

INTRODUCTION OF ELECTED OFFICIALS

Sheriff Will Wise, Karen Whaley with Rep. Albritton's Office and Beth Carston, Interim City Administrator

SET/AMEND- A motion was made by Commissioner Quave to set the agenda as presented. Seconded by Commissioner Mansfield. Motion carried unanimously.

PUBLIC FORUM FOR NON-AGENDA ITEMS

Mary Kay Burns informed the Board about Food Day. This day is to focus on healthy eating and weight as well as the importance of how food gets to the table. With DeSoto County being an agricultural community, it has a vital role in how that happens.

Ms. Burns reminded everyone to get their flu shots.

Dave Chaloupka spoke to the Board regarding his request to open a winery in DeSoto County on property he owns. The winery is clean production, can be a viable income similar to blueberries and blackberries.

CONSENT AGENDA-MOTION TO APPROVE

A motion was made by Commissioner Mansfield to approve the Accounts and Warrants drawn according to schedule of bills payable; Minutes of September 9, 2014 BOCC Public Meeting and Declaration of Surplus Property. Seconded by Commissioner Selph. Motion carried unanimously.

REGULAR BUSINESS

4. Resolution/Budget Amendment

Linda Nipper presented a request to approve budget amendments 2014-159, 2014-161 and 2014-162. A motion was made by Commissioner Mansfield to adopt a Resolution amending the 2013/2014 Budget including attachments. Seconded by Commissioner Selph. Motion carried unanimously.

5. Resolution/Community Development Block Grant Procurement Policy

Peggy Waters stated the Policy was last adopted in 1997. Section 4.01 has been updated to mirror the County Policy. A motion was made by Commissioner Miller to adopt the Resolution approving the Community Development Block Grant Procurement Policy. Seconded by Commissioner Quave. Motion carried unanimously.

6. Feasibility Study/FPL Services, LLC

Cindy Talamantez stated in July 2014 the Board renewed the Master Agreement with FPL with the intent to allow FPL to conduct a study on energy savings. When the feasibility study is complete; FPL will go before the Board with the results.

Chris Gibson stated the feasibility study is the next step in this process. Performance Contracting enables the reallocation of an existing portion of energy spent and acquire infrastructure improvements that are required by law to be budget neutral.

Ms. Hines commented that at the end of the study, the Board can accept the recommendations or chose not to move forward and pay \$25,147.

Commissioner Selph questioned why the Extension Office was not included in the study. Mr. Gibson replied that there has to be a limit to the study due to costs.

A motion was made by Commissioner Quave to approve the Scope of Work with FPL Services for Demand Side Management and Energy Efficiency Services and authorize a Feasibility Study. Seconded by Commissioner Miller.

7. Work Assignment/The Weiler Engineering Corporation

Cindy Talamantez presented Work Assignment #56 for current fiscal year. The \$120,000 covers day to day, general projects as they come up throughout the year. She feels this is an adequate amount for the budget. It also leaves approximately \$50,000 for anything that Weiler does not cover in-house. A motion was made by Commissioner Mansfield to approve Work Assignment #56 with Weiler Engineering Corporation for General Miscellaneous Engineering Services and authorize the Chairman to execute the Work Assignment. Seconded by Commissioner Selph. Motion carried unanimously.

8. Contract/Department of Corrections-DCI Work Squad #WS945

Tara Anderson stated this replaces current contract #WS796. The new contract will begin January 21, 2015. It provides for one Correctional Work Squad Officer to supervise an Inmate Work Squad of up to eight inmates. This squad will maintain all 9 County Parks to include preparation of 6 baseball fields during season. A motion was made by Commissioner Selph to approve and authorize the Chairman to execute the new contract #WS945 replacing current contract #WS796 with the Department of Corrections. Seconded by Commissioner Miller. Motion carried unanimously.

9. Bid Award/HDPE Corrugated Water Tight Pipe

Shawn Edwards stated this is for the pipe that was put back out for bid due to the company wanted to apply a 10% increase on cost. A motion was made by Commissioner Quave to award the bid for HDPE Corrugated Water Tight Pipe to HD Supply Waterworks and authorize the Chairman to execute the contract. Seconded by Commissioner Mansfield. Motion carried unanimously.

10. Bid Award-Contract/Zabatt Power Systems, Inc.

Richard Metzger presented a contract for generator maintenance countywide. The figures given are for maintenance only. Repairs would be an additional cost. A motion was made by Commissioner Selph to approve the contract with Zabatt Power Systems, Inc. and authorize the Chairman to execute the contract. Seconded by Commissioner Miller. Motion carried unanimously.

11. Bid Award-Contract/Excavation Point

Mike Giardullo stated this request is to move forward with the improvement on CR 661 railroad crossing. A motion was made by Commissioner Mansfield to approve the contract with Excavation Point, Inc. and authorize the Chairman to execute the contract. Seconded by Commissioner Quave. Commissioner Selph commented the County has to do this because there is a safety issue that was caused by CSX Railroad. He is in favor of correcting the problem but CSX should be responsible for the costs. Commissioner Mansfield and Commissioner Miller agreed. Mr. Giardullo believes the project will be complete in approximately one week. Motion carried unanimously.

12. Bid Award-Contract/Go Underground Utilities

Eddie Miller stated this is to install a force main to tie Big Tree RV Resort to the County Wastewater System and perform upgrades to North Booster Station. Commissioner Quave questioned if the \$473,000 will completely tie in Water and Wastewater so that everything will be metered from this point on? Mr. Miller replied yes. The County will own the diesel generator included in the request. Further discussion ensued. A motion was made by Commissioner Mansfield to approve the contract with Go Underground Utilities for the North Booster Station upgrade and Big Tree RV Resort Master Lift Station construction. Seconded by Commissioner Selph. Motion carried unanimously.

13. Bid Award-Contract/Precision Lift Stations, Inc.

Eddie Miller stated this request is for rehabilitation services for Lake Suzy Lift Station #6. Chairman Langford questioned the large variance in the proposals? Ms. Talamantez commented that Precision only rehabs and installs lift stations. The other companies on the list are underground utility companies that sub out the work. Further discussion ensued.

A motion was made by Commissioner Quave to approve the contract with Precision Lift Stations, Inc. for rehabilitation services for the Lake Suzy Lift Station #6. Seconded by Commissioner Mansfield. Motion carried unanimously.

14. Release of Utility Lien

Don Conn presented a proposed Release of Lien. The property is owned by Peace River Land Group. In April 2012 the Board terminated Utility Agreements with this land owner. The developer had paid \$900,000 to the County, which was retained. The Board specifically decided not to record liens on the property of developers whose utility agreements were terminated at that time. However, a Notice of Intent to Record as well as a Termination of Agreement was recorded in the Official Records of DeSoto County. The land owner wants to sell this property but the purchaser requires a release of lien. Presently there is not a recorded lien on the property. Further discussion ensued. Commissioner Miller commented a lien is a tool to help get money owed. Mr. Conn stated it is in the best interest of the County to approve the Release of Lien. A motion was made by Commissioner Quave to approve the Agreement and Release of Lien with Peace River Land Group and purchasers of the Peace River/CR-769 Project property. Seconded by Commissioner Miller. Chairman Langford stated this money was owed to the County under contract and was never paid. He expressed his discontent with this issue. Motion carried unanimously.

15. Agreement/Saul & Evelyn Paster

Don Conn presented two consents to assignment that involve Oak Haven Park and Lettuce Lake Travel Resort which have been purchased by Saul & Evelyn Paster. The Pasters will be required to meet all the obligations under the agreements. The purpose today is to get formal consent of the Board to those assignments. A motion was made by Commissioner Mansfield to approve Consents to Assignment of Water and Wastewater Utility Agreement from Oak Haven Park and Lettuce Lake Travel Resort to Saul and Evelyn Paster. Seconded by Commissioner Miller. Motion carried 4-0 with Commissioner Quave absent.

ADMINISTRATOR'S REPORT

Mandy Hines requested direction from the Board regarding purchasing Halloween candy for the community event at the Turner Center. It was consensus of the Board to purchase the candy with funds from Administration Social/Civic budget.

Ms. Hines gave an update on the Downtown LAPP Project. This project is for enhancement of three intersections in the Downtown Historic District of Arcadia. Improvements and enhancements were discussed. The project came in under budget at \$144,947. City Council has agreed to participate financially in the amount of \$30,000. There is still an unfunded balance of \$115,000. It was presented to the Economic Development Advisory Committee as a possibility to use a portion of the Re-Development Trust Fund established by the Board for these types of projects.

Commissioner Selph questioned the guarantee by the paving company with the stamped pavement. Mr. Giardullo stated there are DOT standards and requirements for the paving but is unsure of the guarantee. A large portion of the costs are in the pattern pavement. Commissioner Miller commented that LAPP is DOT money. The City needs roads fixed more than making the roads pretty and this project is not where the priority needs to be. Ms. Hines stated that LAPP has certain requirements to be met. Further discussion ensued. There was consensus of the Board to use \$115,000 from the Re-Development Trust Fund.

Ms. Hines discussed the status of the former DJJ property. The property went out to bid twice and there were no bids received. There is more interest in the property with the preparation of it going out to bid a third time. The land use designation for this land is Public Institutional. Ms. Hines requested Board authorization to move forward with a Board initiated Comp Plan Amendment to change the future land use element back to Rural Agricultural. There was consensus of the Board to do so.

Ms. Hines briefly mentioned the Greenfield proposal.

COUNTY ATTORNEY'S REPORT

Mr. Conn prepared and reviewed a summary of LDR issues that were raised at the last public hearing, as well as some others.

Mr. Conn commented Development Plans are not normally reviewed by the BOCC according to the current LDRs. In the revisions presented, there is an allowance that the Board, on a case by case basis, could request that these come to the Board for review.

Mr. Conn discussed the issue of whether or not to specifically list retail winery sales as a permitted use in A-5 and A-10 zoning. There is nothing in the current LDRs that addresses microbreweries.

Dave Chaloupka commented that a Winery is usually a boutique item. Further discussion ensued regarding fermenting and revenue.

BOARD MEMBER COMMENTS

Commissioner Quave commented he received a call regarding the amount of trucks by the WCA property and the fact that some are parking in the middle of Highway 70 with their flashers on at

6:00 am. He made a few calls and was reassured there will be more patrol of the area. He also contacted Mr. Gabbert and Mr. Avery to discuss the issue and he was quickly reminded it was not their problem. He made an effort to discuss possible solutions and WCA is not willing to cooperate. He also commented this weekend Pine Level Methodist Church is being put on the National Historic Registry.

Commissioner Mansfield commented last week the Commissioners worked on a home with Habitat for Humanity. It was a humbling and rewarding experience. He reminded everyone of the PRCA Rodeo on November 1st & 2nd.

Commissioner Selph requested that as the Veterans Park Policy is developed; include a background check for event promoters. In December there will be a review of impact fees and he would like to see the fees terminated.


Commissioner Miller had no further comments.

Chairman Langford commented he enjoyed helping with Habitat for Humanity. He also commented there will be a PRCA Rodeo November 1st & 2nd. Also on November 1st there will be a BBQ at Veterans Park to help raise funds for the Traveling Veterans Memorial Wall.


ADJOURNMENT

There being no further business, Chairman Langford adjourned the meeting at 11:05 AM.

ATTEST:



MANDY HINES
COUNTY ADMINISTRATOR

BOARD OF COUNTY COMMISSION
DESOTO COUNTY, FLORIDA


ELTON A. LANGFORD
CHAIRMAN