

**PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON DECEMBER 9, 2014 AT 3:00 PM
IN THE COUNTY COMMISSIONERS' MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
ARCADIA, FLORIDA**

The Board of County Commissioners held a Public Meeting on December 9, 2014 with the following persons present:

Commissioner, Buddy Mansfield, Dist#1
Commissioner, James Selph, Dist#2
Chairman, Gabriel Quave, Dist#3
Commissioner, Elton Langford, Dist#4
Commissioner, Bob Miller, Dist#5
County Administrator, Mandy Hines
County Attorney, Don Conn
Facilities Director, Richard Metzger
Transcribing Secretary, Jill Thompson
County Engineer, Mike Giardullo
Fire Chief, Larry Taylor
Admin. Services Director, Linda Nipper

Office Manager, Lauri Terry
Compliance Director, Jorge Hernandez
Purchasing Director, Cindy Talamantez
HR Director, Don Kesterson
Building Official, Lester Hornbake
Parks Director, Tara Anderson
Road & Bridge Director, Shawn Edwards
Library Director, Linda Waters
Planning Manager, Tom Cookingham

CALL TO ORDER 3:00 PM

PRAYER- Pastor Doug King/Temple Baptist Church

PLEDGE OF ALLEGIANCE

INTRODUCTION OF ELECTED OFFICIALS

Sheriff Will Wise, Susie Coker, Arcadia City Council, Judy Strickland, Arcadia City Council.

SET/AMEND- Chairman Quave requested the addition of item #4B to the agenda; FDOT Tentative 5 year WorkPlan. A motion was made by Commissioner Langford to waive the agenda process. Seconded by Commissioner Mansfield, Motion carried unanimously. A motion was made by Commissioner Langford to add agenda item #4B. Seconded by Commissioner Selph. Motion carried unanimously.

PUBLIC FORUM FOR NON-AGENDA ITEMS

None

CONSENT AGENDA-MOTION TO APPROVE

A motion was made by Commissioner Langford to approve the Accounts and Warrants drawn according to schedule of bills payable; Declaration of Surplus Property; Initiate a cooperative equipment loan with Florida Department of Agriculture and Consumer Services, Florida Forest Service; Contract Amendment assigning the Dumont Company contract to Hawkins, Inc. Seconded by Commissioner Mansfield. Motion carried unanimously.

PRESENTATIONS

4B. Presentation/FDOT 5 Year Tentative WorkPlan

Laura Lockwood, Liaison Administrator with FDOT, District 1 presented the 5 Year Tentative WorkPlan beginning fiscal year 2016 thru 2020. There are two public hearings scheduled to solicit public comment; the first will be December 10, 2014 in Bartow and on December 12, 2014 in Naples. D'Juan Harris reviewed project highlights that included State Road 31-new road

construction, State Road 70-resurfacing, Hillsborough Avenue-resurfacing, S.E. Durrance Street-resurfacing, S.W. Shores Avenue-widen and resurface, N.W. Windy Pine Avenue-resurfacing, State Road 35-resurfacing and Roberts Avenue-sidewalk. Commissioner Miller commented he did not have this information in his packet and this is very important information to understand. Mandy Hines has reviewed the information presented by FDOT. No motion is required. Ms. Lockwood commented she would like BOCC endorsement.

A motion was made by Commissioner Langford to accept and endorse the tentative work program report given today by FDOT for DeSoto County. Seconded by Commissioner Mansfield. Motion carried unanimously. Commissioner Miller commented that with everything going on in the Lake Suzy area; two years ago we were not aware of all the things popping up in that area, so things change as we go. There is much concern over the increase in traffic due to possible 4-5 new developments in that area. He feels we might need to adjust our plans for Kings Highway with DOT due to what has the potential to develop in Lake Suzy. Further discussion ensued. Chairman Quave questioned if there is a specific department or person to speak with regarding repaving and widening of our roads. Ms. Lockwood stated that D’Juan is the liaison for DeSoto County and Jeff Deamer is the primary liaison working with the Heartland Regional Transportation Planning Organization. Commissioner Selph commented the issue with the FDOT sign blocking the marquee has been resolved after approximately one year.

5. Presentation/4th Quarterly Report for Fiscal Year 2013/14

Linda Nipper presented the final quarterly report for fiscal year 2103/14. Ms. Nipper commented in the General Revenue Fund we received over \$100,000 more than anticipated. In Transportation Funds; Road & Bridge, Engineering and Fuel Tax were combined and by doing so, we will meet the goal of paying our deficit in 2 years rather than 3 years. Public Safety did well all year but the revenue was overstated and resulted in \$21,000 deficit; it will be remedied this year. The Landfill ending fund balance is \$155,000 + over the budgeted balance due to better than budgeted, charges for services and efficiencies in spending. Landfill Trust is well over 5 million and solely funded by the Solid Waste MSBU that everyone has on their taxes. Utilities ended with a fund balance increase in all of their funds. All other minor funds are as expected. Further discussion ensued.

REGULAR BUSINESS

6. Resolution/Budget Amendments

Linda Nipper presented a Resolution amending the 2014/15 Budget including attachments #2015-08 and #2015-09. A motion was made by Commissioner Langford to adopt a Resolution amending the 2014/15 Budget including attachments. Seconded by Commissioner Miller. Motion carried unanimously.

7. Resolution/Wild Kingdom Childcare

Eddie Miller presented a request to adopt a Resolution to accept the water facilities constructed at the Wild Kingdom Childcare Facility. There was a directional bore from 760A into the childcare facility; this is the combination of all that work. Ms. Hines commented all that work that was completed by Ms. Lowe is being conveyed and the County is accepting conveyance of those facilities. A motion was made by Commissioner Mansfield to adopt the Resolution accepting water facilities constructed by Wild Kingdom Childcare Center. Seconded by Commissioner Langford. Motion carried unanimously.

8. Contract/Property Purchase and Sale

Eddie Miller presented a request for approval of the contract for property purchase and sale with the Nocatee Church of God to allow construction of a lift station. A motion was made by Commissioner

Selph to approve the contract for property purchase and sale with Nocatee Church of God for property to be used for a lift station. Seconded by Commissioner Mansfield. Further discussion ensued. Motion carried unanimously.

9. Contract/Property Purchase and Sale

Eddie Miller presented a request to approve the contract for property purchase and sale with ATP Land LLC and David W. and Joan V. Shepard for property located in Lake Suzy to be used for a lift station. A motion was made by Commissioner Langford to approve the contract for property purchase and sale with ATP Land LLC and David W. and Joan V. Shepard for property located in Lake Suzy to be used for a lift station. Seconded by Commissioner Selph. Motion carried unanimously.

10. Agreement/BV Oil Company, Inc.

Cindy Talamantez presented a request to approve the agreement amendment for the supply of gasoline and diesel fuel for the County. The County has been put as a priority to still be able to get fuel in case of a power outage due to Fire Rescue and Police. The Sheriff's Office and the School Board both piggyback on our main contract for this supply. There are two plants that we have access to for use. The contract will be renegotiated annually. A motion was made by Commissioner Langford to approve the Agreement Amendment for the supply of gasoline and diesel fuel with BV Oil Company, Inc. and authorize the Chairman to execute the Agreement. Seconded by Commissioner Mansfield. Motion carried unanimously.

11. Agreement Amendment/B & J Thornton Creek LLC and DJF Thornton Creek, LLC

Eddie Miller requested approval of Amendment #2 to the B & J Thornton Creek, LLC and DJF Thornton Creek, LLC water and waste water Capacity Reservation Agreement and Consent to Assignment. A motion was made by Commissioner Mansfield to authorize the Chairman to execute Amendment #2 to the B & J Thornton Creek, LLC and DJF Thornton Creek, LLC Water and Wastewater Capacity Reservation Agreement and also Consent to Assignment. Seconded by Commissioner Miller. Motion carried unanimously.

12. Road Striping Priority/FY 2014-15

Mike Giardullo requested approval of a prioritized striping list. This list is generated based on need. The annual striping budget is \$50,000. Commissioner Mansfield questioned if we continue at the current speed, how long will it take to restripe every road in the county? Mr. Giardullo commented one every 80 years. A motion was made by Commissioner Mansfield to approve the fiscal year 2014/15 Striping Priority List. Seconded by Commissioner Langford. Motion carried unanimously.

13. Annual Paving Project Roads/Fiscal Year 2014/15

Mike Giardullo stated he was set to start priorities 1 & 2 but FDOT funded the Windy Pine Ave project with approximately \$600,000 so he will try to stretch those funds to include Magnolia Terrace if allowed by FDOT. Further projects on the list were discussed. Mr. Giardullo requested approval of N.E. Cross Avenue and N.E. Thomas Drive for this year's annual paving project. A motion was made by Commissioner Mansfield to approve the selection of N.E. Cross Avenue and N.E. Thomas Drive for the FY 2014/15 Annual Paving Project. Seconded by Commissioner Langford. Motion carried unanimously.

14. Amendment Agreement/City of Arcadia

Mike Giardullo requested approval of an Interlocal Agreement with the City of Arcadia and DeSoto County. This pertains to how LAP Projects are administered. The County has been the LAP qualifying entity and has been the one who submits the prioritizations which are approved into the 5 year plan; this is also done within the city limits. When projects are done within the city limits, the County expects the City to take over the ongoing maintenance. There are State funds to maintain

those improvements. Further discussion ensued. A motion was made by Commissioner Selph to approve the amendment to the Interlocal Agreement between the City of Arcadia and DeSoto County for Local Agency Program Projects. Seconded by Commissioner Miller. Motion carried unanimously.

15. Bid Award-Contract/Wright Construction Group, Inc.

Mike Giardullo commented this contract is to do improvements in the Downtown Arcadia as part of the LAP Bike/Pedestrian Master Plan. This project involves 3 intersections; only one bid was received. Mr. Giardullo is hopeful, if approved, work on the project will begin in January. A motion was made by Commissioner Mansfield to award the bid for the LAP Bike/Pedestrian Master Plan Construction Services and authorize the Chairman to execute the contract. Seconded by Commissioner Langford. Motion carried unanimously.

ADMINISTRATOR'S REPORT

Mandy Hines commented that the Board requested an estimate to update the county impact fees. The estimate received was \$24,200. The original impact fee study cost approximately \$180,000. It is recommended that they are updated about every 5 years. Ms. Hines requested further direction from the Board as whether to move forward with updating the schedule or allow the moratorium to continue and readdress at a later date. Commissioner Selph commented he is against it. Commissioner Langford verified that the study only needs to be done if impact fees are re-implemented; that price would give us a price per square foot for single-family, commercial, etc. and tell us where we need to be; Ms. Hines confirmed. Commissioner Langford is not in favor of the study. The impact fee study will take a minimum of 3 month, per Ms. Hines. Commissioner Mansfield is in favor of the study. Further discussion ensued.

Don Conn commented that impact fees, when assessed, are countywide and may be sufficient to build a new fire station or make new growth pay for itself. If the Board is not interested in reinstated then funds spent for the study would not be money well spent.

Commissioner Selph commented that Okeechobee County has eliminated impact fees and take a look at their growth. There is more control with a PUD than with impact fees. He feels impact fees will hold back any kind of growth.

Chairman Quave feels the rest of us are absorbing the impact of whoever decides to move to DeSoto County and build. Impact fees on new homes currently are too high. He is not in favor of the study currently but feels this matter should be revisited in 6 months when more development is closer. It was consensus of the Board to keep this information aside and revisit this at such time the Board feels necessary. Further discussion ensued.

The Charlotte Harbor National Estuary Program has approached the County regarding Morgan Park and the erosion issues. The Estuary Program has identified approximately \$80,000 of funding that they have offered to use a portion of to help develop a phase plan and work continuously with the County to address funding opportunities with addressing the erosion issue. Ms. Hines requested consensus of the Board to move forward in a partnership with the CHNEP for the Morgan Park Project. There was consensus of the Board.

Ms. Hines commented she has submitted the adopted Legislative Priorities to Senator Galvano's office for the Delegation Meeting being held tomorrow. She made amendments to the original adopted priorities and has shared those with the Board.

Ms. Hines requested the Board's consensus to continue the Community Conversation Campaign on an annual basis. She would like to host a series of conversations in April 2015. There was consensus of the Board.

Ms. Hines reminded the Board of the Employee Appreciation Picnic at the Turner Center.

Ms. Hines recognized Commissioner Mansfield and his family for his initiative to deliver meals to families in need over the Thanksgiving Holiday as well as the time and effort put into the Christmas Parade float.

COUNTY ATTORNEY'S REPORT

Mr. Conn commented he is trying to move things along regarding the PIE Case; pending since 2009. He is being assisted along with PRM Counsel which is no cost to the County.

Mr. Conn commented regarding the Gavriloff/Watson Case that he extended an offer to talk with Ms. Hines and the plaintiffs to discuss a possible resolution to mutually accommodate the concerns and at the same time allowing the development to proceed. At this point, the plaintiffs are not interested in having that discussion. He wished everyone a Merry Christmas.

BOARD MEMBER COMMENTS

Commissioner Langford wished everyone a Merry Christmas. He encouraged everyone to spend time with their family and enjoy the holidays. He thanked Commissioner Mansfield and his wife for their work on the Christmas Parade float. He also commented regarding the Veteran's Wall. He also asked all to pray for our Country.

Commissioner Mansfield appreciates all the kudos but it's unnecessary. The Vietnam Wall was very humbling and thanked all who were involved in the assembly. He wished everyone a Merry Christmas.

Commissioner Selph apologized for missing the previous meeting. The wall meant a lot to him and he is very appreciative to have had it in DeSoto County. He thanked Commissioner Mansfield and his wife for their work on the Christmas float. He asked everyone to think of those that are deployed on Christmas morning and wished all a Merry Christmas.

Commissioner Miller congratulated the newly elected City Council Members. He reminded everyone that work has begun on Carlstrom Field Road. He commented that he will not be able to attend the Employee Appreciation Luncheon but he appreciates the employees, what they do and how they conduct themselves. He commented the opening ceremony for the Vietnam Wall was very touching. He wished everyone a Merry Christmas.

Chairman Quave commented the Vietnam Wall brought up emotions in him and thanked Lee Gallagher. He thanked the Mansfield family for all their work on the Christmas float.

He commented that there were several people here at 9:00 am thinking there was a Board Meeting. He would like an e-mail list to inform the public of meetings. Mandy Hines commented the new Agenda Management Program has an e-mail system that will notify people of a change as well.

Commissioner Selph feels that no matter what is done to notify the public of changes in meeting dates and times; there will still be someone that will not get the information.

Chairman Quave wished everyone a Merry Christmas.


ADJOURNMENT

There being no further business, Chairman Langford adjourned the meeting at 4:50 PM.

ATTEST:



MANDY HINES
COUNTY ADMINISTRATOR

BOARD OF COUNTY COMMISSION
DESOTO COUNTY, FLORIDA


GABRIEL QUAVE
CHAIRMAN