

**PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
HELD ON FEBRUARY 28, 2017 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 February 28, 2017.

**ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Juril "Buddy" Mansfield	Commissioner, District 1	Present	
James Selph	County Commissioner, District 2	Present	
Judy Schaefer	County Commissioner, District 3	Present	
Elton Langford	Chairman, District 4	Present	
Terry Hill	County Commissioner, District 5	Present	
Mandy Hines	County Administrator	Present	
Donald Conn	County Attorney	Present	
Jill Kersey	Transcribing Secretary	Present	
Richard Metzger	Facilities Director	Present	
Thomas Moran	Emergency Management Director	Present	
Deanna Thompson	Agriculture Agent/Interim CEO	Present	
Henry Grimes	Environmental Services Director	Present	
Larry Taylor	Public Safety Chief	Present	
Linda Waters	Library Director	Present	
Tara Anderson	Parks & Recreation Director	Present	
Lauri Benson	Office Manager	Present	
Eddie Miller	Utilities Director	Present	
Linda Nipper	Budget Coordinator	Present	
Peter Danao	Interim Finance Director	Present	
Cindy Talamantez	Purchasing Director	Present	
Michael Giardullo	County Engineer	Present	
Jody Sullivan	Turner Center Director	Present	
Shawn Edwards	Road & Bridge Director	Present	
Earl Hahn	Development Director	Present	
Latrinda Jones	Interim Human Resources Director	Present	

**CALL TO ORDER**

**3:00 PM**

**TURN OFF OR SILENCE ALL CELL PHONES**

**PRAYER/PLEDGE OF ALLEGIANCE**

Commissioner James Selph

**INTRODUCTION OF ELECTED OFFICIALS**

Sheriff James Potter

**SET/AMEND**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Juril "Buddy" Mansfield, Commissioner, District 1  
**SECONDER:** James Selph, County Commissioner, District 2  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

**PUBLIC FORUM FOR NON-AGENDA ITEMS**

John Lawrence Jolley spoke regarding rivers and water flow issues.

**CONSENT AGENDA-MOTION TO APPROVE**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Judy Schaefer, County Commissioner, District 3  
**SECONDER:** Juril "Buddy" Mansfield, Commissioner, District 1  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

1. Accounts and Warrants Drawn Per Schedule of Bills Payable
2. Approval of Contract No. 2017-JAGD-DESO-2-F8-072, which is an award of the Edward Byrne Memorial Justice Assistance Grant (JAG) subgrant to the DeSoto County Board of Commissioners in the amount of \$4,545.00 for the project entitled, EQUIPMENT GRANT.

**PRESENTATIONS**

**3. Recognition / Healthy Weight Community Champion**

Mary Kay Burns presented the Healthy Weight Community Champion Recognition.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** James Selph, County Commissioner, District 2  
**SECONDER:** Judy Schaefer, County Commissioner, District 3  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

**4. Presentation/Peace River Manasota Regional Water Supply Authority**

John Shearer with Shearer Consulting gave an update on the Strategic Plan Implementation. He reviewed who we are, water supply needs, who we will be, plan framework, mission, core values, financial stability, cooperation and collaboration, water advocacy and implementation steps. Pat Lehman thanked the Board for their participation. Further discussion ensued.

**REGULAR BUSINESS**

**5. Resolution/Budget Amendment**

Linda Nipper requested adoption of budget amendments #2017-39, #2017-40, #2017-41, #2017-45, #2017-46 and #2017-47.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Juril "Buddy" Mansfield, Commissioner, District 1  
**SECONDER:** Judy Schaefer, County Commissioner, District 3  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

**6. Agreement/DeSoto County Health Department**

Mandy Hines presented a request to approve a property agreement with the Health Department as presented. Several years ago the DeSoto County Health Department submitted a request to the State for a fixed capital outlay project to construct a new facility. They are not allowed to own the land so an agreement is required to dedicate a parcel of land in order to be considered by the Legislature.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** James Selph, County Commissioner, District 2  
**SECONDER:** Juril "Buddy" Mansfield, Commissioner, District 1  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

**7. Contract/Crowder Gulf**

Thomas Moran presented a request to approve the contract with Crowder Gulf for debris removal services in the event of a disaster. No further discussion ensued.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Juril "Buddy" Mansfield, Commissioner, District 1  
**SECONDER:** Judy Schaefer, County Commissioner, District 3  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

**8. Secondary Contract/Ceres Environmental, Inc.**

Thomas Moran presented a request to approve an agreement between the BOCC and Ceres Environmental, Inc. for secondary debris removal services in the event of a disaster. No further discussion ensued.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** James Selph, County Commissioner, District 2  
**SECONDER:** Judy Schaefer, County Commissioner, District 3  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

**9. Bid Award-Contract/Gator Grading and Paving LLC for FY 16/17 annual Paving Project**

Mike Giardullo presented a request to award a contract to Gator Grading and Paving for FY 16/17 Annual Paving Project. Commissioner Selph questioned on partial paving of roads. Mr. Giardullo commented that is something that can be done if necessary. Further discussion ensued.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Judy Schaefer, County Commissioner, District 3  
**SECONDER:** Terry Hill, County Commissioner, District 5  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

**10. Resolution/Outdoor Event Permit for DeSoto County Historical Society**

Earl Hahn presented a request to adopt a Resolution granting the Historical Society an outdoor event permit.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** James Selph, County Commissioner, District 2  
**SECONDER:** Judy Schaefer, County Commissioner, District 3  
**AYES:** Mansfield, Selph, Schaefer, Langford, Hill

**11. Resolution/Grace Mia, LLC Minor Plat Without Plat Recordation**

Earl Hahn Earl Hahn presented a request to adopt a Resolution granting a minor plat without recordation.

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Juril "Buddy" Mansfield, Commissioner, District 1
<b>SECONDER:</b>	James Selph, County Commissioner, District 2
<b>AYES:</b>	Mansfield, Selph, Schaefer, Langford
<b>ABSTAIN:</b>	Hill

### **ADMINISTRATOR'S REPORT**

Ms. Hines presented a memo to the Board to clarify the Red Rock agenda item. Sarasota County approved the purchase of the gradall and short bus.

Ms. Hines made a request to fill two positions. Commissioner Selph stated there is a need in Planning & Zoning with answering and returning phone calls. Further discussion ensued. There was Board consensus to approve Planning & Zoning Administrative Assistant position. Ms. Hines stated Linda Nipper will be retiring in May 2018 and requested to appoint Brian Wagner to move into the position. Further discussion ensued. There was Board consensus to approve the position.

### **COUNTY ATTORNEY'S REPORT**

Mr. Conn commented on the Senate Bill that deals with Solar Power and renewable energy sources and what a negative impact it will have on counties where solar energy is produced. House Bill 17 would preempt local government from the ability to regulate businesses, professions and occupations. An issue with the bill is vagueness and unintended consequences. House Bill 7021 recently filed on Local Government Ethics and seeks to discuss and clarify the continuing education requirements for County Commissioners and other locally elected officials. Other Bills have been filed on Public Records and the Sunshine Law. Further discussion ensued

### **BOARD MEMBER COMMENTS**

Commissioner Mansfield commented the Arcadia Rodeo will be March 9th through 12th. Commissioner Schaefer had no further comments.

Commissioner Hill thanked staff as well as Mary Kay Burns for continuing to do a great job. Commissioner Selph commented the Legislature makes requirements for others and he feels they should only take care of state matters. He spoke with the Public Service Commissioner and he stated that no-one in this state regulates internet speed and the only option is to send a letter of complaint to the Department of Agriculture and Consumer Services. He expressed his concern of weapons entering this building. Ms. Hines commented there is nothing in place other than what is required by statute. Commissioner Selph would like something posted that states no weapons allowed. He thanked all employees for a job well done.

Chairman Langford urged everyone to attend the Rodeo as it will be the last one at the old arena. Please continue to pray for our country.

### **RECESS UNTIL 6:30 PM PUBLIC HEARING**

### **QUASI-JUDICIAL PUBLIC HEARING**

Don Conn gave an opening statement on Quasi-Judicial Public Hearing proceedings. The Oath was administered. Ex-parte communications reported.

### **12. Ordinance/Rezoning Stanton property from RSF-3 to CG**

Earl Hahn presented and reviewed a request to adopt an Ordinance changing from Residential Single Family to Commercial General the zoning district of three lots and one-half of an alley totaling 0.355+ acre site. The request meets 11 of the 15 factors; 6, 7, 11 and 14 were not met. Staff recommends approval with one condition regarding sensory intrusion. Mr. Hahn commented there has been concern regarding a billboard.

Dan Cuigini, applicant spoke on the billboard and stated he will not illuminate the billboard. Eva Lowe expressed her concerns. She does not feel Baldwin Street or Norton Street are ready for commercial access. Further discussion ensued. Don Conn reminded the Board they are not approving a billboard, they are approving the re-zoning only. Further discussion ensued. A motion was made by Commissioner Mansfield to close the public hearing. Seconded by Commissioner Selph. Motion carried unanimously. Further discussion ensued.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	James Selph, County Commissioner, District 2
<b>SECONDER:</b>	Juril "Buddy" Mansfield, Commissioner, District 1
<b>AYES:</b>	Mansfield, Selph, Langford, Hill
<b>NAYS:</b>	Schaefer

**13. Ordinance/Rezoning Turner Property from RSF-3 to CG**

Earl Hahn presented a request to adopt an Ordinance changing from Residential Single Family 3 to Commercial General the zoning district of three lots and one-half of an alley totaling 0.355+ acre site. Eva Lowe expressed her concerns with the request. Commissioner Mansfield made a motion to close the public hearing. Seconded by Commissioner Schaefer. Motion carried unanimously. The motion removed the one condition of sensory intrusion.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Juril "Buddy" Mansfield, Commissioner, District 1
<b>SECONDER:</b>	James Selph, County Commissioner, District 2
<b>AYES:</b>	Mansfield, Selph, Langford, Hill
<b>NAYS:</b>	Schaefer

**14. Ordinance/Red Rock Land Corp Rezoning from A-10 to PUD**

Earl Hahn presented a request to adopt an Ordinance granting to Red Rock Land Corporation an Official Zoning District Atlas amendment (RZ2016-02). Staff recommends approval with nine conditions.

Jason Green with Weiler Engineering presented on behalf of the applicant. There are 64 single family dwelling units with a variety of dwelling sizes. There is a level service D and has a build out date of 2021 or 2022 which is why the traffic study only goes to 2022. Further discussion ensued.

Maureen Stasi spoke on behalf of the Lake Suzy Home Owners Association in opposition of the request and would like the application tabled until all proposed conditions and SWFMD review comments can be met with a revised development plan.

Joe Rezek, Licensed Professional Engineer spoke in opposition of the request. He is concerned with service vehicles, guest parking and payment for road damage by construction vehicles. He is also concerned about the airfield runway directly behind the proposed development and feels it is unsafe. He would like the request postponed until SWFMD concerns have been resolved.

George Wotkiewicz spoke in opposition of the request and is concerned about the condition of the Kingsway Circle.

Laura Lama gave her educational background and spoke in opposition of the request. She is concerned with the disruption of nesting Sandhill Cranes on the property in question as well as Roseate Spoonbill bird species. Please consider the wildlife and wetlands. She would like the request postponed until further information can be obtained.

Mary Denaster spoke in opposition of the request. Further discussion ensued.

Mike Carrier, co-owner of the airstrip expressed the dangers of homes being so close. Andrea, a resident of Lake Suzy stated there will be a home built soon in the area that owns 8 planes and the runway will be much busier. Jason Green addressed the questions of the Lake Suzy residents. There will be a buffer between the homes and the airstrip. Further discussion ensued. A motion was made by Commissioner Mansfield to close the public hearing. Seconded by Commissioner Schaefer. Motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Selph, County Commissioner, District 2
<b>SECONDER:</b>	Terry Hill, County Commissioner, District 5
<b>AYES:</b>	Mansfield, Selph, Schaefer, Langford, Hill

**ADJOURNMENT**

There being no further business, Chairman Langford adjourned the meeting at 9:46pm.

**ATTEST:**

**BOARD OF COUNTY COMMISSION  
DESOTO COUNTY, FLORIDA**

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**MANDY HINES  
COUNTY ADMINISTRATOR**

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**ELTON A. LANGFORD  
CHAIRMAN**