

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
Tuesday, January 19, 2021
9:00 AM
600 S. Commerce Ave. Sebring, FL 33870
AGENDA

1 MEETING CALLED TO ORDER: Invitation to fill out “citizens not on the agenda” forms.
Please silence all cell phones and devices.

2 INVOCATION

3 PLEDGE OF ALLEGIANCE

4 ANNOUNCEMENTS

The Children’s Services Council will hold a General Body meeting at 8:00 a.m. on January 20, 2021 in the Board room, 600 S. Commerce Avenue, Sebring

The Evaluation Committee will meet at 1:30 p.m. on January 21, 2021 to evaluate & score proposal submissions for RFP 20-024 Professional Services Library, Category 6, in the Board room, 600 S. Commerce Avenue, Sebring

The Tourist Development Council will meet at 8:15 a.m. on January 28, 2021 in the Board room, 600 S. Commerce Avenue, Sebring

5 CONSTITUTIONAL OFFICERS – ANNOUNCEMENTS:

6 RECOGNITIONS, PRESENTATIONS AND PROCLAMATIONS:

- 6.A *Present Certificate to Ms. Ericka Search, Winner of the Highlands County Historic Preservation Commission Logo Contest.*
Ann Pollard, Highlands County Historic Preservation Commission, Chair
Sandra S. Vázquez, Planner I
No fiscal impact
[Logo contest winning design .pdf](#)

7 CITIZENS NOT ON THE AGENDA

8 CONSENT AGENDA

- 8.A *Request approval to pay all duly authorized bills January 19, 2021.*
- 8.B *Request approval of the minutes from the January 5, 2021 Regular Meeting of the Board.*
[010521REG.pdf](#)

- 8.C *Request approval of Pay without PO for R1/Advanced Data Processing, Inc., Invoice # INVADPI30878 in the amount of \$5,471.76, Invoice #3273 in the amount of \$940.29 and Invoice # 6384 in the amount of \$9,510.11.*
Marc Bashoor, Public Safety Director
The fiscal impact is \$15,922.16 to Cost Center 5105 account #53400, contractual services.
[Pay without PO.pdf](#)
[Inv. INVADPI30878.pdf](#)
[Inv 3273.pdf](#)
[Inv 6384.pdf](#)
- 8.D *Request approval to reappoint five (5) current members to the Lake Istokpoga Management Committee (LIMC).*
Dawn Ritter, Natural Resources Manager
No fiscal impact.
[LIMC Committee Application 2021-2024.pdf](#)
- 8.E *A Resolution of the Board of County Commissioners of Highlands County, Florida, Pertaining to Succession Management; Providing for Legislative Findings and Intent; Providing for Adoption of Policy; Providing for the Implementation of Administrative Actions; Providing for a Savings Clause; Providing for Scrivener's Errors; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.*
Sherry Sutphen, County Attorney
The fiscal impact is unknown. Similar to the lead worker provisions in Section 405:5 of the Highlands County Personnel Manual, some of the individuals identified as a result of the plan may be eligible for additional compensation. However, in those cases the increase will be up to and no more than 5%. Additionally, there will be training required for the individuals identified, which will be provided for within the adopted budget.
[Resolution and Succession Management Policy.SGS.pdf](#)
- 8.F *Request approval of Budget Amendment #20-21-047 and Resolution to approve and appropriate funding in the amount of \$ 133,377.96 for Project #19049 CARES Act Relief Provider Relief Funds, State Grant that was received in FY 19-20 from the US Department of Health and Human Services to accomplish the scope of the grant funds.*
Marc Bashoor, Public Safety Director
Fiscal Impact will be \$ 133,377.96 to the general fund.
[20-21-047R Proj 19049 CARES Act Provider Relief Funds \(Resolution\).pdf](#)
[20-21-047 Proj 19049 CARES Act Provider Relief Funds \(BA\).pdf](#)
- 8.G *Agreement between The Board of County Commissioners, Highlands County, Florida and Paul Blackman, as Sheriff of Highlands County, Florida for the Environmental Law Program*
Sherry Sutphen, County Attorney
Garett Roberts, Attorney for Highlands County Sheriff's Department
No fiscal impact. The Sheriff's budget for FY 20/21 is \$105,870.00 and is included in the FY 20/21 Adopted Budget for Fund 401 – Solid Waste, Cost Center 4210-Refuse Disposal System. The Program cost each fiscal year will be included in the budget by the Sheriff and submitted to the Board for approval.
[New Environmental Law Enforcement Program -011221.pdf](#)

- 8.H *Request to approve a pay without a Purchase Order, Bell & Roper, P.A. Invoices for County Attorney Services*
Randy Vosburg, County Administrator
Services received are for multiple departments and cost centers. The total with this approval is 132.5 hours for a total of \$23,814.00.
- 8.I *Request to approve a Pay without PO to Lamberts Cable Splicing Company, LLC in the amount \$28,590.02.*
Clinton Howerton, Jr., P.E., County Engineer
There is no fiscal impact for this charge because the PO (201678) for the Prime Contractor is being reduced by \$28,590.02 which will satisfy the reimbursement to the County.
[Pay without PO Lamberts 1-19-21 Board Meeting.pdf](#)
- 8.J *Request approval of a Mutual Aid Agreement between Highlands County Florida and Polk County Florida for Fire Protection and Rescue Services.*
Marc Bashoor, Public Safety Director
No fiscal impact.
[Polk County Aid Agreement.pdf](#)
- 8.K *Re-appoint committee members to the Natural Resources Advisory Commission (NRAC).*
Michael McMillian, Environmental Specialist
No fiscal impact

9 CONSENT AGENDA (2): Request approval to pay all bills with voting conflicts

10 PUBLIC HEARING

- 10.A *Public hearing to consider adoption of Small Scale Comprehensive Plan Future Land Use Amendment CPA-21-581SS, for approximately 0.24 acres, from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C).*
Sandra S. Vazquez, Planner I
There is no fiscal impact.
[Staff Report CPA-21-581SS.pdf](#)
[Application CPA-21-581SS.pdf](#)
[Ordinance CPA-21-581SS.pdf](#)
- 10.B *Public hearing to consider adoption of P&Z Hearing No. 2066, changing the Official Zoning Atlas for approximately 0.24 acres, from Industrial District (I-1) to Business District (B-3).*
Sandra S. Vázquez, Planner I
No fiscal impact.
[Staff Report P&Z 2066.pdf](#)
[Application P&Z 2066.pdf](#)
[Resolution P&Z 2066.pdf](#)

11 ACTION AGENDA

- 11.A *Request Board direction regarding the modification to the Memorial Drive Pipe Replacement Project, No. 12054, and approval of BA 20-21-046 and Resolution if the Board wishes to proceed.*
Clinton Howerton, Jr., P.E., County Engineer
The fiscal impact will be an increase to Fund 151 (Infrastructure Surtax) and Project 12054 (Memorial Drive Pipe Replacement) in the amount of \$159,998.00 if approved.
[1.19.21 Board Meeting Presentation_Memorial Dr Pipe Replacement.pdf](#)
- 11.B *A Resolution of the Highlands County Board of County Commissioners Pertaining to Winery Signage within the County Right of Way; Providing for Legislative Findings and Intent; Providing for the Repeal of Prior Resolution; Providing for the adoption of the Revised Winery Signage Policy; Providing for the Implementation of Administrative Actions; Providing for a Savings Clause; Providing for Scrivener's Errors; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date.*
Sherry Sutphen, County Attorney
Clinton Howerton, Jr., County Engineer
The fiscal impact is unknown.
[Final Resolution winery signage -011421.pdf](#)

12 COUNTY ADMINISTRATOR AND LEGAL

- 12.A *Commissioner's Priorities and the Project Status Report*
Randy Vosburg, County Administrator
No Fiscal Impact.
[Status - Commissioner's 2021 Priorities \(FINAL\) 1.19.2021.pdf](#)
[Status - Project Updates \(FINAL\)1.19.2021.pdf](#)
- 12.B *County Attorney Status Report*
Sherry Sutphen, County Attorney
There is no fiscal impact.
[COUNTY ATTORNEY LOG.pdf](#)

13 COMMISSIONERS

14 ADJOURN

Any person who decides to appeal any decision made by this Board of County Commissioners of Highlands County, Florida, in public hearing or meeting is hereby advised that he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which such appeal is to be based.

The Board of County Commissioners of Highlands County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to, participation, employment or treatment in its programs or activities. "Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act or Section 286.26 Florida Statutes should contact Human Resources, ADA Coordinator at: 863-402-6509 (voice), or via Florida Relay Service 711, or by e-mail: hrmanager@highlandsfl.gov." Requests for CART or interpreter services should be made as soon as possible but no later than 48 hours in advance to permit coordination of the service.

Please note our new website address: www.highlandsfl.gov/

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Ann Pollard, Highlands County Historic Preservation Commission, Chair
Sandra S. Vázquez, Planner I

SUBJECT/TITLE: Present Certificate to Ms. Ericka Search, Winner of the Highlands County
Historic Preservation Commission Logo Contest.

STATEMENT OF ISSUE

As a means to promote the recognition of historical structures and sites, and thereby the history of Highlands County, the Historic Preservation Commission (HPC) conducted a logo contest. The contest was proposed to develop a symbol/logo that can be used to identify structures 50 years and older, to be used as HPC letterhead, and for other miscellaneous uses. The logo contest was also intended to elicit community interest in historical structures, the history of the county, and the upcoming 100th Year Anniversary of Highlands County.

After the HPC judged and reviewed several entries, a logo was chosen on November 12, 2020 as the winner and approved by the Board of County Commissioners on January 5th, 2021. On behalf of the Highlands County Historic Preservation Commission, we are delighted to congratulate Ms. Ericka Search on submitting the winning logo for the Historic Preservation Commission Logo Contest.

FISCAL IMPACT

No fiscal impact

Attachments: [Logo contest winning design .pdf](#)



**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER:

SUBJECT/TITLE: Request approval to pay all duly authorized bills January 19, 2021.

RECOMMENDED ACTION

Move approval to pay all duly authorized bills January 19, 2021.

Attachments:

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER:

SUBJECT/TITLE: Request approval of the minutes from the January 5, 2021 Regular Meeting of the Board.

RECOMMENDED ACTION

Move approval of the minutes from the January 5, 2021 Regular Meeting of the Board.

Attachments: [010521REG.pdf](#)

REGULAR MEETING OF THE BOARD, JANUARY 5, 2021

1. The meeting was called to order at 9:00 a.m., in the Highlands County Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

**Commissioner Scott A. Kirouac
Commissioner Kevin J. Roberts
Commissioner Chris Campbell**

**Commissioner Kathleen G. Rapp
Commissioner Arlene Tuck**

Also present: Randy Vosburg, County Administrator; Laurie Hurner, Assistant County Administrator; Sherry Sutphen, Interim County Attorney; Jerome Kaszubowski, Clerk of Courts; and Pamela Gamez, Deputy Clerk.

2. **INVOCATION**

The meeting opened with a prayer led by Ed Sager, with the Highlands Grace Reformed Church.

3. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Ret. Col. Michael Borders, U.S. Army.

4. **SWEARING-IN CEREMONY OF CONSTITUTIONAL OFFICERS:**

- A. **Swearing-in of Constitutional Officers by the Honorable Judge Angela Cowden:**

Penny Ogg, Supervisor of Elections, Eric T. Zwyer, Tax Collector, Raymond McIntyre, Property Appraiser, and Paul Blackman, Sheriff, were sworn in by the Honorable Judge Angela Cowden. **See SMB 141 Page 68.**

- B. **Swearing-in of a Constitutional Officer by the Honorable Judge Heather Beato Angela Cowden:**

Jerome Kaszubowski, Clerk of Courts, was sworn in by the Honorable Judge Angela Cowden. **See SMB 141 Page 69.**

5. **ANNOUNCEMENTS**

A public bid opening will be held on Tuesday, January 5, 2021 at 3:30 p.m., for ITB 20-036 Tower Street Sidewalk Improvements ADA Transition Plan project in the Engineering Training Room, 505 S. Commerce Ave., Sebring, FL.

The Construction Licensing, Enforcement & Appeals Board will meet on Tuesday, January 5, 2021 at 7:00 p.m., in the Boardroom of the Highlands County Government Center, 600 S. Commerce Ave., Sebring, FL.

The Children's Services Council will hold an agenda planning meeting on Wednesday, January 6, 2021 at 11:00 a.m., in the Engineering Conference Room, 505 S. Commerce Ave., Sebring, FL.

A public Bid opening will be held on Wednesday, January 6, 2021 at 3:30 p.m., for ITB 21-001 Fire Station No. 19 Driveway Improvement in the Engineering Training Room, 505 S. Commerce Ave., Sebring, FL.

The Evaluation Committee will meet on Thursday, January 7, 2021 at 1:30 p.m., to evaluate and score proposal submissions for RFP 20-024 Professional Services Library-Category 5 in the Boardroom, 600 S. Commerce Ave., Sebring, FL.

The Highlands County Planning & Zoning Commission and the Local Planning Agency will meet on January 12, 2021 at 3:00 p.m., in the Boardroom, 600 S. Commerce Ave., Sebring, FL.

A Public Hearing of the Highlands County Code Enforcement Special Magistrate Pamela T. Karlson will be held on Thursday, January 19, 2021 at 1:30 p.m., in the Engineering Conference Room, 505 S. Commerce Ave., Sebring, FL.

The Historic Preservation Commission will meet on January 14, 2021 at 2:30 p.m., in the Veteran Services Office Conference Room, 7209 S. George Blvd, Sebring, FL.

The Highlands Soil & Water Conservation District will meet today at 3:00 p.m., at the Bert J. Harris Agricultural Center, 4505 George Blvd, Sebring, FL.

The Veteran's Advisory Board will hold a regular meeting on January 7, 2021 at 3:30 p.m., in the Veteran Services Office Conference Room at 7209 S. George Blvd, Sebring, FL.

6. CONSTITUTIONAL OFFICERS – ANNOUNCEMENTS:

No report.

7. RECOGNITIONS, PRESENTATIONS AND PROCLAMATIONS:

A. County Administrator Randy Vosburg: Presentation of Years of Service Awards.

Chief Marc Bashoor, Public Safety Director, presented an award to Mr. Kevin Cornine, Lieutenant, for his 5 years of service to the county; to Ms. Melissa Kowalski, EMT, for her 15 years of service to the county; and to Mr. Lance Duvall, Paramedic Captain, for his 25 years of service to the county. Jonathan Harrison, Road & Bridge Director, presented an award to Ms. Lisa McNew, Administrative Coordinator, for her 20 years of service to the county. The Commission congratulated and thanked the employees for their years of service. **See SMB 141 Page 70.**

B. Casey Hartt, TDC Lead Marketing Consultant: Tourist Development Council End of Year Update to the Highlands County Board of County Commissioners.

Casey Hartt, TDC Lead Marketing Consultant, presented an end-of-year update for the Tourist Development Council and addressed concerns raised by the Commission. Public input was received from Ms. Beth Degnan. The Commission thanked Ms. Hartt for the presentation. **See SMB 141 Page 71.**

C. Update of COVID-19

Latosha Reiss, Emergency Management Manager, provided a COVID-19 update and presented summary data for Highlands County. Testing is still available by appointment at the Florida Department of Health and through the Community Drive-Thru free testing events, where registration is not required. In regards to the COVID-19 vaccinations, Ms. Reiss stated that registration for the vaccine began on Monday, January 4, 2021 and stated that the 900 available spaces for vaccines were filled in less than two minutes. The vaccinations will be administered at the Lake Shore mall and site safety measures will be in effect, including mandatory masks. Ms. Reiss urged everyone to continue the practice of social distancing and proper hygiene and addressed concerns raised by the Commission. **See SMB 141 Page 72.**

Chairman Kirouac stated that the Florida Department of Health (FDOH) is the lead organization when it comes to vaccinations in Highlands County and that the county has offered their assistance to the Department of Health to help make the process more efficient, effective and quicker. The FDOH informs the county about the number of vaccinations that will be allotted to the county the week before they are allotted. Chairman Kirouac asked citizens to please be patient and respectful of staff and those helping to put this process together.

Mr. Tim Brinling, business owner and president of the Boys and Girls Club of Highlands County, came before the Commission to address his concerns regarding funding from the CARES Act. Chairman Kirouac stated that he will look into the issue with staff and will provide an answer back to Mr. Brinling.

Ms. Beth Degnan came before the Commission to question why citizens are receiving ambulance bills for transportation purposes when related to COVID-19. Chief Marc Bashoor, Public Safety Director, stated that there is nothing in place from the governor directing staff to follow anything other than their normal process.

Ms. Michelle Gresham came before the Commission to question if vaccinations will be held back for second doses. Ms. Reiss stated that the state does not allow the holding back of vaccines or they could jeopardize getting further allotments, and that when it is time for second doses, they have to use from what is allotted at that time.

Ms. Penny Pringle, with the Florida Department of Health – Highlands County, stated that their goal is to ask for more allotment and ensure deployment of that vaccine.

8. CONSENT AGENDA

Commissioner Tuck made a motion and Commissioner Campbell seconded the motion, to move to approve the consent agenda as presented.

Upon roll call, all Commissioners voted aye. The motion carried.

A. Request approval to pay all duly authorized bills January 5, 2021. See Check Report file.

General Fund	7,035,989.45
County Transport Trust	36,041.29
E911 Operations Fund	97,388.09
Local Govt Infra Surtax	135,653.20
Tourist Dev Trust Fund	7,000.00
Affordable Housing Asst	1,760.00
SHIP	310.00
Sebring Parkway Maint	4,299.00
State Court Facilities TF	8,301.73
Court Tech 28.24(12)(E)1	5,311.27
Fire Assessment Fund	7,407.56
Solid Waste	1,864.21
Energy Recovery	75,066.47

B. Request approval of the minutes from the December 15, 2020 Regular Meeting of the Board. See Clerk of Courts website.

C. Request to accept into record the Audited Financial Statements and Independent Auditor's Report for Fiscal Year Ended (FYE) June 30, 2020 with Comparative Totals for June 30, 2019 for Tri-County Human Services, Inc. See Tri-County Human Services, Inc. file.

D. Request to accept into record the Financial Statements and Independent Auditor's Report for Fiscal Year Ended (FYE) June 30, 2020 and 2019 for Peace River Center for Personal Development, Inc. See Peace River Center file.

- E. **Request to waive the Landfill Tipping Fees and the approval to donate, deliver and haul away up to 9 loads of clean sand by Road and Bridge for the Highlands County Junior Livestock Show at the Highlands County Fair.** *See SMB 141 Page 73.*
- F. **Request approval for the reappointment of Bob Howard as a regular member of the Zoning Board of Adjustment (BOA) and the Planning and Zoning Commission/Local Planning Agency (P&Z).** *See SMB 141 Page 74.*
- G. **Request approval to appoint Victoria Gamez and Dr. Felicia Dozier as voting members of the Children's Services Council.** *See SMB 141 Page 75.*
- H. **Request approval to move forward with the direct sale of 41 County owned surplus properties and provide the Chair the authority to execute the Sale and Purchase Agreement For Available Property List Properties and Deeds.** *See SMB 141 Page 76.*
- I. **Request to approve recommended logo design from the Highlands County Historic Preservation Commission's logo contest.** *See SMB 141 Page 77.*
- J. **Request approval of Budget Amendment 20-21-044 and Resolution to approve and appropriate awarded Florida Fish and Wildlife Conservation Commission (FWC) awarded grant/project funds for gopher tortoise habitat management at Grassy Lake Scrub.** *See Res. Book 31 Page 62 & SMB 141 Page 78.*
- K. **Request approval of Budget Amendment 20-21-045 and Resolution to approve and appropriate awarded VOCA FY20/21 grant/project funds.** *See Sheriff's Office file, Res. Book 31 Page 63 & SMB 141 Page 79.*

9. CONSENT AGENDA (2): Request approval to pay all bills with voting conflicts.

There being no further items with potential voting conflicts, this item was not motioned for approval.

10. PUBLIC HEARING

No public hearings.

11. ACTION

Commissioner Campbell made a motion and Commissioner Roberts seconded the motion, to move to set the action agenda as presented.

Upon roll call, all Commissioners voted aye. The motion carried.

A. Request approval of Budget Amendment 20-21-043 and Resolution for FYE 19-20 Rollover Project Adjustments and Corrections into FY 20-21.

David Nitz, OMB Manager, presented the request and addressed concerns raised by the Commission.

Commissioner Rapp made a motion and Commissioner Tuck seconded the motion, to move to approve Budget Amendment 20-21-043 and associated Resolution.

Chairman Kirouac called for public comment. Input was received from Ms. Beth Degnan.

Upon roll call, all Commissioners voted aye. The motion carried. **See Res. Book 31 Page 64 & SMB 141 Page 80.**

B. Request approval for installation of a ten (10) Station Fit-Trail Equipment System around the Martin Luther King Baseball Field, estimated at \$6,214.00.

Ric Fleeger, Parks & Facilities Superintendent, and Ms. Shirley Wilson, representing the Highway Park Neighborhood Council, presented the request and addressed concerns raised by the Commission.

Commissioner Tuck made a motion and Commissioner Roberts seconded the motion, to move to approve the installation of a ten (10) Station Fit-Trail Equipment System around the Martin Luther King Baseball Field, estimated at \$6,214.00 in total.

Chairman Kirouac called for public comment. Input was received from Mr. Ross Hendricks, Ms. Beth Degnan, Ms. Michelle Gresham, and Ms. Chantel Gilmore.

After further discussion, Commissioner Tuck amended her motion to include that the request is pending legal review and contingent upon the County confirming that they can, in fact, take ownership of the equipment. Commissioner Roberts seconded the amendment.

Upon roll call, all Commissioners voted aye. The motion carried. **See SMB 141 Page 81.**

12. COUNTY ADMINISTRATOR & LEGAL

A. County Attorney Status Report

Sherry Sutphen, Interim County Attorney, presented the County Attorney's updated status report. **See SMB 141 Page 82.**

B. Commissioner's 2020 Priorities and the Project Status Report

Randy Vosburg, County Administrator, presented the updated 2020 Priorities and the Project Status Report. **See SMB 141 Page 83.**

13. CITIZENS NOT ON THE AGENDA

Chairman Kirouac stated that starting with the next meeting, this section will be moved to the front part of the agenda to give citizens the opportunity to have their voices heard without having to sit through the entire meeting. Input will be limited to 3 minutes and if more time is required, citizens will be aligned with staff or with the commissioner of their district to take a further look into any issues.

Attorney William Roe, representing Mr. Kfir Baranes, 1040 Lake June Road, stated that Mr. Baranes received a code enforcement violation for having a recreational vehicle (RV) parked in his lot, which is currently under construction, and questioned if the county would consider amendments to their current ordinance that would allow for an RV to be temporarily parked on the lot during construction, as is a mobile home. Mr. Roe also questioned if the Commission would consider holding off on the code enforcement violations until this is resolved. Rachel Barry, Zoning Official, stated that the current ordinance allows for the temporary parking of a mobile home during construction, but that it does not allow for temporary permission to park an RV. Sherry Sutphen, Interim County Attorney, stated that she will gladly speak with Mr. Roe, because it would definitely require a change to the current ordinance. In regards to putting a hold on the code enforcement violations, Ms. Sutphen stated that it would be up to the discretion of the County Administrator or the Code Enforcement Special Magistrate. Randy Vosburg, County Administrator, stated that staff will look further into this issue and will work with Mr. Baranes and his attorney.

14. COMMISSIONERS:

Chairman Kirouac wished everyone a happy and positive new year.

Former Commissioner William R. Handley stated that there has been a push towards possibly bringing a Veterans Administration (VA) hospital into our local hospital (Highlands Regional), and asked that the Commission take into consideration that the group currently leasing the hospital is very active and that they have expressed interest in purchasing the property. Mr. Handley asked that the Commission reach out to the group and continue negotiations with them. Mr. Handley also stated that while having a VA hospital here is important, he does not believe the county has the time to wait and go through the bureaucratic timeline and risk scaring off a potential buyer. Commissioner Tuck stated that the request for a VA hospital is already in the hands of the Florida government and stated that she believes now is a good time to move forward. Commissioner Roberts questioned if the current lessee is very much interested in purchasing the property. Mr. Handley stated yes. Mr. Vosburg stated that the latest update was that the lessee had their real estate team come down from Tennessee to survey the building and they were putting together a letter indicating their interest, possibly an offer, and that they were willing to participate with a common appraiser.

15. ADJOURN

Commissioner Campbell made a motion and Commissioner Tuck seconded the motion, to move to adjourn the Regular Meeting of the Board.

Upon roll call, all Commissioners voted aye. The motion carried.

The meeting was adjourned at 11:45 a.m.

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Marc Bashoor, Public Safety Director

SUBJECT/TITLE: Request approval of Pay without PO for R1/Advanced Data Processing, Inc., Invoice # INVADPI30878 in the amount of \$5,471.76, Invoice #3273 in the amount of \$940.29 and Invoice # 6384 in the amount of \$9,510.11.

STATEMENT OF ISSUE

Invoices were received 6 months after contract had ended and purchase order had been closed. The vendor did not fulfill the contract once the contract had ended of allowing Highlands County to access files required to process patients accounts. Vendor has now provided the information required by contract to Highlands County.

RECOMMENDED ACTION

Move to approve the Pay without PO for R1/Advanced Data Processing, Inc., Invoice # INVADPI30878 in the amount of \$5,471.76, Invoice #3273 in the amount of \$940.29 and Invoice # 6384 in the amount of \$9,510.11.

FISCAL IMPACT

The fiscal impact is \$15,922.16 to Cost Center 5105 account #53400, contractual services.

Attachments: [Pay without PO.pdf](#)
[Inv. INVADPI30878.pdf](#)
[Inv 3273.pdf](#)
[Inv 6384.pdf](#)



HIGHLANDS COUNTY
BOARD OF COUNTY COMMISSIONERS
Purchasing Division

**REQUEST FOR PAYMENT FOR INVOICE WITHOUT A PURCHASE ORDER
 FOR INVOICE GREATER THAN \$7,500.00**

To: Purchasing Manager

From: 5105/EMS 53400/Contractual Svc
 Department / Division Name

Roxanna Taylor
 Requesting Employee's Name

Date: 11/23/2020

Purchase order to R1/Advanced Data Processing, Inc. #008985 [Vendor's Name] was not created for the purchase billed on the attached invoice, for the following reason(s):

Recieved invoices 6 months after PO was closed and contract had ended. Vendor did not fulfill the contract once contract had ended of allowing Highlands County to access files required to process patients accounts. Vendor has now provided the information required by contract to Highlands County.

By my signature I certify that:

- 1.) The goods or services were ordered by a County employee or volunteer approved to request a PO.
- 2.) The goods or services were received in good order and needed by the Department
- 3.) Funds are budgeted and available to pay for the goods or services.

Roxanna Taylor 11/23/2020

Employee's Signature & Date

[Signature] 12/1/20
 Manager / Director's Signature & Date

Request to pay \$15,922.16 Cost Center 5105 Account #53400

Approval:

No other purchasing rules or procedures would be broken by approving the payment.

Christine Davis

Digitally signed by Christine Davis
 Date: 2020.12.01 17:14:27 -05'00'

Purchasing Division - Signature

Date

Funds are available for payment and the amount is greater than \$7,500.00.

[Signature]
 Digitally signed by David M. Nitz
 Date: 2020.12.08 12:44:45 -05'00'

OMB Division - Signature

Date

Approved for payment based on the above information.

Randy Vosburg

County Administrator - Signature

Digitally signed by Randy Vosburg
 Date: 2020.12.08 13:24:48 -05'00'

Date

Date of Board approval

Requesting Employee's Initials



Invoice

Advanced Data Processing, Inc.

401 N Michigan Avenue
Suite 2700
Chicago, IL 60611
312-324-7820
Tax ID # 22-3875190

Date	Invoice #
10/31/2019	INVADPI30878

Bill To

Highlands County
7205 S. George Blvd
Sebring FL 33875-5803

Terms	Due Date	PO/Contract	Billing Period From	Billing Period To	
Net 30	1/9/2020	121374	10/1/2019	10/31/2019	
Description			Quantity	Rate	Amount
Gross Collections			136,015.56	0.05	0.00
Patient Refunds			-2,869.70	0.05	0.00
Medicaid Collections			-10,110.75	0.05	0.00
Net Collections			123,035.11	0.05	6,151.76
Medicaid Account Processing Fee			-68.00	10.00	-680.00



R1 RCM Inc.
Advanced Data Processing, Inc.
P.O. Box 734737
CHICAGO, IL 60673-4736

Bill To

Highlands County
7205 S. George Blvd
Sebring FL 33875-5803

Invoice

Date : 04/15/2020
Invoice# 3273
Service Period : Nov-19 - Nov-19
Terms : NET 30
Due Date : 05/15/2020
Customer ID : 1138-01
Currency : USD
PO/Contract# :

Description	Quantity	Rate	Amount
Highlands County			
Gross Collections	55,425.03	0.00000	0.00
Patient Refunds	-33,972.31	0.00000	0.00
Medicaid Collections	-4,646.89	0.00000	0.00
Net Collections	16,805.83	0.05000	840.29
Medicaid Account Processing Fee	10.00	10.00000	100.00
Questions? Concerns? Contact your account manager or email billing@R1RCM.com			Sub Total Tax Total
			\$940.29 \$0.00 940.29

Wire Transfer or ACH Information

J.P Morgan
ADPI Operating
Account Number 529115765
ACH Routing Number 071000013
Wire Routing Number 021000021

OR

Mail Payment To:

Advanced Data Processing, Inc.
P.O. Box 734737
CHICAGO, IL 60673-4736



R1 RCM Inc.
Advanced Data Processing, Inc.
P.O. Box 734737
CHICAGO, IL 60673-4736

Bill To
 Highlands County
 7205 S. George Blvd
 Sebring FL 33875-5803

Invoice

Date : 06/30/2020
 Invoice# 6384
 Service Period : Jul-18 - Jun-19
 Terms : NET 30
 Due Date : 07/30/2020
 Customer ID : 1138-01
 Currency : USD
 PO/Contract# :

Description	Quantity	Rate	Amount
Highlands County Certified Public Expenditures Receipt: Reporting Period July 1 2018 □ June 30 2019	63,400.71	0.15000	9,510.11
Questions? Concerns? Contact your account manager or email billing@R1RCM.com		Sub Total Tax Total	\$9,510.11 \$0.00 \$9,510.11

Wire Transfer or ACH Information

J.P Morgan
 ADPI Operating
 Account Number 529115765
 ACH Routing Number 071000013
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Mail Payment To:

Advanced Data Processing, Inc.
 P.O. Box 734737
 CHICAGO, IL 60673-4736

RECEIVED JUL 13 2020

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Dawn Ritter, Natural Resources Manager

SUBJECT/TITLE: Request approval to reappoint five (5) current members to the Lake Istokpoga Management Committee (LIMC).

STATEMENT OF ISSUE

The LIMC recommends Robert Galloway for reappointment as the Lake Resident North Citizen position, James Reed as the Lake Resident South Citizen position, William Dwinell as the Friends of Istokpoga position, Dr. Paul Gray as the Professional, Environmental Community position, with Roberta Lake as the Alternative Professional Environmental Community position for another four (4) year term as applied.

RECOMMENDED ACTION

Move to reappoint Robert Galloway, James Reed, William Dwinell, Dr. Paul Gray, and Roberta Lake to the Lake Istokpoga Management Committee (LIMC).

FISCAL IMPACT

No fiscal impact.

Attachments: [LIMC Committee Application 2021-2024.pdf](#)

Name = William Dwinell
Address = 36 Bald Cypress St.
City = Lake Placid
State = FL
Zip_Postal_Code = 33852
Phone = 8639401673
Email = bdwinell@comcast.net
Request = Lake Istokpoga Management Committee Membership Type = Regular Member Current Employment
Experience: = I am the Founder of the Friends of Istokpoga Lake Association. Inc, and currently serve as a director of this organization. My association selects out representative to the Lake Istokpoga Management Committee (LIMC). And they have selected me to represent them on this committee. My membership on this committee expired on 12/31/2019.
Previous Employment Experience: = US Navy 4 years IBM 31 years Currently retired High School = High School
College = College Special Training: = Special Training Activities & Interest: = Interested in the health and welfare of Lake Istokpoga Photography Current positions on boards, committees, elected offices, law enforcement positions: = LIMC Relation = No Relative Name: =
Relationship: =
Conviction = No
Gender = Male
Disabled = No
Age =
Race: = White
Signature Certification: = Checked indicating Electronically Signed Client IP = 73.55.75.217

Name = Roberta Lake
Address = 229 Racoon Lane
City = Lorida
State = Florida
Zip_Postal_Code = 33857
Phone = 863-599-0124
Email = robertalake49@yahoo.com
Request = Lake Istokpoga Management Committee Membership Type = Alternate Member Current Employment
Experience: = Retired Previous Employment Experience: = Miami Dade Public Schools 1972 - 2002 Hendry
County Public Schools 2003 - 2014 High School = High School 1967 College = College AA Miami Dade College,
BS Biscayne College,, MS Nova Southeastern U Special Training: = Special Training Post Graduate Doctoral
Program Computer Education Activities & Interest: = Highlands County Audubon Society, Director Current
positions on boards, committees, elected offices, law enforcement positions: = Lake Istokpoga Management
Committee Alternate Professional Environmental Community Highlands County Audubon Society, Director
Relation = No Relative Name: =
Relationship: =
Conviction = No
Gender = Female
Disabled = No
Age = 71
Race: = White
Signature Certification: = Checked indicating Electronically Signed Client IP = 67.142.112.32

Name = James M. Reed
Address = 441 Bright Hill Ave.
City = Lake Placid
State = FL
Zip_Postal_Code = 33852
Phone = 863-699-2965
Email = jmreed441@earthlink.net
Request = Lake Istokpoga Management Committee Membership Type = Regular Member Current Employment
Experience: = Retired; Board of Directors, Friends of Istokpoga Lake Association, Inc. (citizen group) Coordinator
for the FWC Highlands Lakes Volunteer Program (unpaid position) Previous Employment Experience: = --
Biologist, FWC (surveys, program management
-- CEO Hitek Learning Systems (programs for at-risk youth)
-- Program Manager, Florida Yards and Neighborhoods (Palm Beach County) (homeowner educational program) --
Director, Business Development - Asia, Unisys Defense Systems (international business based in Hong Kong, for
Asia-Pacific region)
-- Military assignments in U.S., Hong Kong, Canada, Thailand, Vietnam (34 years service, pol-mil, national security
affairs, experimental flight test pilot) High School = High School - Ann Arbor (Michigan) High School College =
College: BS, USAF Academy; MBA, Auburn University; Special Training: = Special Training: Experimental Flight
Test; space flight; Chinese, Thai lng Activities & Interest: = -- Administer Lake Istokpoga Facebook page;
-- Work with Highlands County TDC on lake facilities improvements;
-- Maintain the class history for the USAF Academy first class (1959) including website and Facebook pages;
-- Preparing unique memorialization for graduates of USAFA Class of '59;
-- Motor sports as track marshal and organizer for FIA rallies (Hong Kong to Beijing) and sports car races (Macau
Grand Prix);
-- U.S. - China relations, national security, and China travel.
Current positions on boards, committees, elected offices, law enforcement positions: = Lake Istokpoga Management
Committee (LIMC) Relation = No Relative Name: =
Relationship: =
Conviction = No
Gender = Male
Disabled = No
Age = 83
Race: = White
Signature Certification: = Checked indicating Electronically Signed Client IP = 71.215.105.133

Name = Paul N Gray
Address = PO Box 707
City = Lorida
State = FL
Zip_Postal_Code = 33857
Phone = 8632026658
Email = paul.gray@audubon.org
Request = Lake Istokpoga Management Committee Membership Type = Regular Member Current Employment
Experience: = I am a Science Coordinator for Audubon Florida's Everglades Restoration Program and have been
with Audubon for 25 years. I work from my office in Lorida on issues throughout the Everglades and statewide.
Serve on FWC's Aquatic Plant Management Technical Advisory Group (2019-present). Served on the M_CORES
Southwest Connector Committee (2020), DEP's Biosolids Technical Advisory Committee (2018), DEPs Statewide
Stormwater Rule TAC (2008). Water Resource Advisory Commission (~2007-2013) and more.
Previous Employment Experience: = Florida Fish and Wildlife Conservation Commission, Missouri Department of
Conservation, graduate school High School = Central High School, St. Joseph, MO College = PhD from UF, MS
from Texas Tech, BS from University of Missouri Special Training: = Ecologist Activities & Interest: = reading,
nature study, hunting, fishing, tending cows on my ranch in Hardee County Current positions on boards,
committees, elected offices, law enforcement positions: = none Relation = No Relative Name: =
Relationship: =
Conviction = No
Gender = Male
Disabled = No
Age = 64
Race: = White
Signature Certification: = Checked indicating Electronically Signed Client IP = 71.215.16.78

Name = robert galloway
Address = 225 wild duck pt.
City = Lorida
State = Florida
Zip_Postal_Code = 33857
Phone = 8636553439
Email = gallowaybert12@gmail.com
Request = Lake Istokpoga Management Committee
Membership Type = Regular Member
Current Employment Experience: = Retired
Previous Employment Experience: = Miami Dade County Public Works
High School = High School Plymouth Whitemarsh High Plymouth Meeting Pa.
College = College Miami Dade College Dade County Fl.
Special Training: = Special Training
Activities & Interest: = Conservation and Fishing
Current positions on boards, committees, elected offices, law enforcement positions: = Lake Istokpoga Management Committee
Relation = No
Relative Name: =
Relationship: =
Conviction = No
Gender = Male
Disabled = No
Age =
Race: = White
Signature Certification: = Checked indicating Electronically Signed
Client IP = 65.141.15.218

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Sherry Sutphen, County Attorney

SUBJECT/TITLE: A Resolution of the Board of County Commissioners of Highlands County, Florida, Pertaining to Succession Management; Providing for Legislative Findings and Intent; Providing for Adoption of Policy; Providing for the Implementation of Administrative Actions; Providing for a Savings Clause; Providing for Scrivener's Errors; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

STATEMENT OF ISSUE

Highlands County recognizes that the purpose of a succession management plan is to provide continuity of leadership in the event of a key position vacancy and has determined that establishing a succession management plan will contribute to the continued success of the organization. This plan will provide for continuity in leadership, as well as, provide for additional training for those identified in the plan. Adoption of this plan is consistent with the adopted 2019-2020 Board Priorities.

RECOMMENDED ACTION

Adopt Resolution 20-21-61 of the Board of County Commissioners of Highlands County, Florida, Pertaining to Succession Management; Providing for Legislative Findings and Intent; Providing for Adoption of Policy; Providing for the Implementation of Administrative Actions; Providing for a Savings Clause; Providing for Scrivener's Errors; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

FISCAL IMPACT

The fiscal impact is unknown. Similar to the lead worker provisions in Section 405:5 of the Highlands County Personnel Manual, some of the individuals identified as a result of the plan may be eligible for additional compensation. However, in those cases the increase will be up to and no more than 5%. Additionally, there will be training required for the individuals identified, which will be provided for within the adopted budget.

Attachments: [Resolution and Succession Management Policy.SGS.pdf](#)

RESOLUTION NO. 20-21-61

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO SUCCESSION MANAGEMENT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ADOPTION OF POLICY; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Highlands County recognizes that the purpose of a succession management plan is to provide continuity of leadership in the event of a key position vacancy; and

WHEREAS, the County has determined that establishing a succession management plan will contribute to the continued success of the organization; and

WHEREAS, the County has determined that it is in the best interest of the citizens of Highlands County to implement a succession management policy as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Highlands County, Florida, that:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Adoption of Succession Management Policy. The Highlands County Succession Management Policy, attached hereto as **Exhibit "A"**, is hereby adopted.

SECTION 3. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 3. Savings Clause. All prior actions of Highlands County pertaining to the succession management as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 4. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 5. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 6. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 7. Effective Date. This Resolution shall become effective immediately upon adoption.

DONE AND ADOPTED, this ____ day of January 2021.

BOARD OF COUNTY COMMISSIONERS
OF HIGHLANDS COUNTY, FLORIDA

By: _____
Scott Kirouac, Chairman

(SEAL)

ATTEST: _____
Jerome Kaszubowski, Clerk

Exhibit “A”
Succession Management Policy

Highlands County Board of County Commissioners Succession Management Policy

Effective Date: January 19, 2021

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Highlands County, Florida, that:

The Highlands County Board of County Commissioners recognizes that succession management is an on-going responsibility of any organization. Changes in management are inevitable; therefore, Highlands County government has established a succession management policy to provide continuity in leadership and to avoid extended and costly vacancies in key positions.

1. PURPOSE

It is the policy of Highlands County to assess the leadership needs of the organization to ensure the selection of qualified leaders that are diverse and a good fit for the organization's vision, mission, core values, core practices and goals and have the necessary skills for the organization. The succession management policy does not guarantee a specific position to any particular employee. Instead, it provides a systematic process to identify and develop high-potential candidates to compete for critical County positions when they become vacant.

Highlands County's succession management policy is designed to identify positions critical to the success of our "People Focused, Performance Driven" culture and the core competencies needed to successfully perform in these positions, as well as prepare candidates to move into these key positions in the organization when they become vacant for various reasons.

2. ADMINISTRATION

The succession management policy will be administered by Human Resources and will be carried out as follows:

- A. Annually identify areas of the organization in which predictable turnover, resulting from retirements or other changes, will lead to special needs for talent management.
- B. Determine those key positions, integral to the success of the County and identify necessary skills and competencies associated with successful performance in such positions.

- C. Identify County employees that demonstrate or show an aptitude for the required skills and/or competencies to perform in key positions.
- D. Develop actions that will prepare individuals to assume greater roles of responsibility in the future.
- E. Maintain a database to identify high performing/high potential individuals and maintain a talent pool as a source of possible successors in the organization.
- F. Annually review results from the previous year's succession planning efforts and plan for the present year's process.

3. DESIRED RESULTS

The desired results of the succession management policy are to develop a succession planning program that, when implemented, will help County leaders:

- A. Identify those positions that are critical to organizational success.
- B. Identify the competencies needed for successful performance in those positions deemed critical to the success of the County.
- C. Identify high-potential employees capable of advancement to positions with higher responsibility than those they presently occupy.
- D. Ensure the systematic and long-term development of individuals to replace key incumbents as the need arises due to various matters such as death, disability, retirement, and other unexpected loss.
- E. Provide a continuous pool of talented employees to best meet the changes and challenges facing the County.

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Marc Bashoor, Public Safety Director

SUBJECT/TITLE: Request approval of Budget Amendment #20-21-047 and Resolution to approve and appropriate funding in the amount of \$ 133,377.96 for Project #19049 CARES Act Relief Provider Relief Funds, State Grant that was received in FY 19-20 from the US Department of Health and Human Services to accomplish the scope of the grant funds.

STATEMENT OF ISSUE

Highlands County received \$133,377.96 from the US Department of Health and Human Services for Provider Relief Funds as a stimulus to provide support to healthcare providers fighting the COVID-19 pandemic. The funds will be utilized for COVID safety, personnel overtime and equipment. The budget amendment will appropriate the \$133,377.96 to Project # 19049 Cost Center 5105 EMS, Account #56400Z machinery and equipment, Cost Center 5105 EMS, Account #55200Z operating supplies, and Cost Center 5105 EMS, Account #51400Z personnel overtime.

RECOMMENDED ACTION

Move to approve the Budget Amendment # 20-21-047 and associated Resolution.

FISCAL IMPACT

Fiscal Impact will be \$ 133,377.96 to the general fund.

Attachments: [20-21-047R Proj 19049 CARES Act Provider Relief Funds \(Resolution\).pdf](#)
[20-21-047 Proj 19049 CARES Act Provider Relief Funds \(BA\).pdf](#)

RESOLUTION NO. 20-21- _____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS IN AND
FOR HIGHLANDS COUNTY, FLORIDA, AUTHORIZING AMENDMENT TO
THE GENERAL FUND.**

WHEREAS, Section 129.06, Florida Statute (Execution and Amendment of Budget) Provides that the Board of County Commissioners may by resolution or by motion in the Minutes execute and amend the budget; and

WHEREAS, the following budget amendment is necessary and proper within the General Fund; and

WHEREAS, to appropriate funding in the amount of \$133,377.96 for Project #19049 CARES Act Relief Provider Relief Funds, State Grant revenue that was received in FY 19-20 from the US Department of Health and Human Services; and

WHEREAS, the funds must be appropriated to accomplish the scope of the grant funds.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners in and for Highlands County, Florida this ____ day of _____, 2021 that budget amendment 20-21-047 is hereby approved and authorized.

**BOARD OF COUNTY COMMISSIONERS OF
HIGHLANDS COUNTY, FLORIDA**

Chairperson

Attest: _____
Clerk of Courts

Approved as to Budgetary Requirements

OMB Department

January 8, 2021

O.M.B DEPARTMENT
HIGHLANDS COUNTY FLORIDA

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS

(Transfers over \$5,000 require Board approval)

DATE: 1/8/2021

SUBMITTED BY: Roxanna Taylor

FUND(S): 005 FUND TITLE(S): General COST CENTER(S) #: 5105

PROJECT(S) #: 19049 PROJECT TITLE(S): CARES Act Provider Relief Fund COST CENTER TITLE(S): Ambulance Service 005

*list additional cost centers on reverse side of form

TYPE	FUND	COST CENTER	ACCOUNT	ACCOUNT NAME	ACTIVITY	BUDGET	INCREASE	DECREASE	REVISED BUDGET
Project Fund Balance									
R	005		3999100Z	Forward	19049	0.00	133,377.96		133,377.96
E	005	5105	56400Z	Project Equipment	19049	0.00	36,683.94		36,683.94
E	005	5105	55200Z	Project Operating Supplies	19049	0.00	73,925.00		73,925.00
E	005	5105	51400Z	Project Overtime	19049	0.00	22,769.02		22,769.02
									0.00
									0.00
									0.00

REASON: To set up funding for Project 19049 CARES Act Provider Relief Fund that was received in FY19-20.

OFFICE USE ONLY

OMB RECOMMENDATION:

REQUEST # 20-21-047

TRANSFER TYPE:

 Approval
Denial

ACTION:

Board ☐ Approved ☐ Denied
County Administrator ☐ Approved ☐ Denied

☐ ITEM TO ITEM
☐ RESERVE
☒ BY RESOLUTION
☐ SUPPLEMENTAL BUDGET

SIGNATURE: _____

DATE: ____ / ____ / ____

Signature: _____

Posted by Clerk: _____

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Sherry Sutphen, County Attorney
Garett Roberts, Attorney for Highlands County Sheriff's Department

SUBJECT/TITLE: Agreement between The Board of County Commissioners, Highlands County, Florida and Paul Blackman, as Sheriff of Highlands County, Florida for the Environmental Law Program

STATEMENT OF ISSUE

The current Environmental Law Enforcement Program has been implemented to specifically combat illegal waste disposal in private and public areas in Highlands County and expires on January 31, 2021. The County and Sheriff desire to continue its desire to maintain a high level of professional environmental services to the citizens of Highlands County.

RECOMMENDED ACTION

Approve the Agreement between The Board of County Commissioners, Highlands County, Florida and Paul Blackman, as Sheriff of Highlands County, Florida for the Environmental Law Program

FISCAL IMPACT

No fiscal impact. The Sheriff's budget for FY 20/21 is \$105,870.00 and is included in the FY 20/21 Adopted Budget for Fund 401 – Solid Waste, Cost Center 4210-Refuse Disposal System. The Program cost each fiscal year will be included in the budget by the Sheriff and submitted to the Board for approval.

Attachments: [New Environmental Law Enforcement Program -011221.pdf](#)

**AGREEMENT BETWEEN
THE BOARD OF COUNTY COMMISSIONERS, HIGHLANDS COUNTY, FLORIDA
AND
PAUL BLACKMAN, AS SHERIFF OF HIGHLANDS COUNTY, FLORIDA
FOR
THE ENVIRONMENTAL LAW ENFORCEMENT PROGRAM**

THIS AGREEMENT is made and entered into this ____ day of _____ 2021, by and between the BOARD OF COUNTY COMMISSIONERS, HIGHLANDS COUNTY, FLORIDA, hereinafter referred to as the "BOCC," and PAUL BLACKMAN, AS SHERIFF OF HIGHLANDS COUNTY, FLORIDA, hereinafter referred to as "SHERIFF," and shall be effective as of the 7th day of February, 2017.

WHEREAS, the BOCC continues its desire to maintain a high level of professional environmental services to the citizens of Highlands County; and

WHEREAS, an Environmental Law Enforcement Program has been implemented to specifically combat illegal waste disposal in private and public areas in Highlands County; and

WHEREAS, the BOCC and the SHERIFF recognize the benefits of the Environmental Law Enforcement Program to the citizens of Highlands County, Florida; and

WHEREAS, the BOCC and SHERIFF agree that education is as important as enforcement in combating illegal waste disposal.

NOW, THEREFORE, the BOCC and SHERIFF, recognizing it is in the best interests of the citizens of Highlands County to establish an Environmental Law Enforcement Program, HEREBY AGREE AS FOLLOWS:

**ARTICLE I
Definitions**

For the purposes of this Agreement, the following terms shall have the respective meaning hereinafter set forth:

- A. Environmental Law Enforcement Program shall mean a special assignment from the SHERIFF to the BOCC Department of Solid Waste Management for the purpose of working together as a team for the prevention, intervention, and enforcement of environmental crime.
- B. Deputy shall mean one sworn deputy sheriff with all law enforcement training and credentials to investigate crime and arrest perpetrators.
- C. Investigative Unit shall mean the Deputy with all equipment necessary to perform the duties, including a fully equipped law enforcement vehicle.

ARTICLE II
Assignment and Duties of the Environmental Law Enforcement Program Deputy

The SHERIFF shall provide a Deputy to the Environmental Law Enforcement Program as follows:

- A. The SHERIFF shall assign a regularly employed full-time Deputy to the Environmental Law Enforcement Program. In the event that the assigned Deputy is unavailable for a period of thirty (30) days or more, the SHERIFF will use best efforts to provide a replacement. During the pendency of a replacement, the SHERIFF will utilize existing personnel to provide temporary coverage on an as-available basis. All personnel assignments will be in the sole discretion of the SHERIFF.
- B. The Deputy shall be assigned on a full-time basis. The Deputy may be temporarily unavailable due to sickness, leave, law enforcement emergency, or other matters requiring the Deputy's absence at the discretion of the SHERIFF, without need for temporary replacement of the Deputy.
- C. All equipment purchased by the SHERIFF for the Deputy to perform his or her duties will become the property of the SHERIFF.
- D. The Deputy will primarily investigate and enforce the *Florida Litter Law, Chapter 403, Florida Statutes*, but will also enforce all other Florida Statutes and provisions of the Code of Ordinances, Highlands County, Florida, associated with the Deputy's investigation of environmental crimes.
- E. The Deputy will work in conjunction with the BOCC Department of Solid Waste Management.
- F. The Deputy will be assigned to the Highlands County Sheriff's Office Criminal Investigations Unit.
- G. The Deputy will attend meetings related to the Environmental Law Enforcement Program when requested by the BOCC Department of Solid Waste Management.
- H. The Deputy will give assistance to other law enforcement officers and government agencies in matters regarding environmental crimes investigations.

ARTICLE III
Financing the Environmental Law Enforcement Program

- A. The BOCC shall establish a project for the Environmental Law Enforcement Program that will be carried from fiscal year to fiscal year for the duration of this Agreement.
- B. The Environmental Law Enforcement Program will be budgeted annually by the use of a project control record the SHERIFF will forward to the BOCC with a proposed budget. The BOCC will fund one hundred percent of the Program costs.

- C. All fund balance will be returned from the SHERIFF to the BOCC at the end of each County fiscal year.
- D. The total Program cost each fiscal year will be included in the budget by the SHERIFF and submitted to the BOCC for approval.

ARTICLE IV

Employment Status of the Deputy

The Deputy shall remain an employee of the SHERIFF and shall not be an employee of the BOCC. The BOCC and the SHERIFF acknowledge that the Deputy is a deputy sheriff who shall uphold the laws under the direct supervision and control of the SHERIFF. The Deputy shall remain responsive to the chain of command of the SHERIFF.

ARTICLE V

Dismissal of and Replacement of Deputy

- A. In the event that the BOCC feels that the Deputy is not effectively performing the Deputy's duties and responsibilities, the BOCC will recommend that the Deputy be removed from the Environmental Law Enforcement Program and will state the reasons for that recommendation in writing. Within a reasonable time after receiving the recommendation from the BOCC, the SHERIFF or a designee of the SHERIFF will meet with the Deputy to discuss or resolve any problems which may exist. At that meeting or meetings specific members of the staff of the BOCC may be requested by the BOCC or the SHERIFF to be present. If, within a reasonable amount of time after the SHERIFF receives the removal recommendation the problem is not resolved to the satisfaction of the SHERIFF and the BOCC, after due consideration of input from the BOCC, the Deputy will be removed from the Environmental Law Enforcement Program by the SHERIFF.
- B. The SHERIFF may remove or reassign the Deputy at the discretion of the SHERIFF.

ARTICLE VI

Term

This Agreement shall remain in full force and effect commencing January 19, 2021 and ending January 31, 2025, all dates inclusive, unless this Agreement is otherwise extended by the SHERIFF and the BOCC or terminated in accordance with its terms.

ARTICLE VII

Termination of Agreement

Should either party breach any of the covenants, terms or conditions of this Agreement the other party may give written notice to remedy that breach within thirty (30) days. In the event the breaching party fails to remedy the breach within thirty (30) days of written notice, the non-

breaching party may (a) continue this Agreement in effect and enforce all its rights and remedies hereunder, or (b) terminate this Agreement.

ARTICLE VIII
Good Faith

The BOCC and the SHERIFF agree to cooperate, and cause their respective agents and employees to cooperate, in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between the BOCC and the SHERIFF or their designees.

ARTICLE IX
Modifications

This Agreement constitutes the full understanding of the parties, and no terms, conditions, understandings or agreements purporting to modify or vary the terms of this Agreement shall be binding unless hereafter made in writing and signed by the party to be bound.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized officers.

ATTEST:

THE BOARD OF COUNTY
COMMISSIONERS, HIGHLANDS
COUNTY, FLORIDA

Jerome Kaszubowski, Clerk

By: _____
Scott Kirouac, Chairman

ATTEST:

THE SHERIFF OF HIGHLANDS
COUNTY, HIGHLANDS COUNTY,
FLORIDA

Print Name: _____

By: _____
Paul Blackman
In his official capacity
As Sheriff of Highlands County, Florida

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Randy Vosburg, County Administrator

SUBJECT/TITLE: Request to approve a pay without a Purchase Order, Bell & Roper, P.A. Invoices for County Attorney Services

STATEMENT OF ISSUE

The Invoices for services to be paid were from 2020 that were outstanding and were not paid prior to the Purchasing Order being closed.

RECOMMENDED ACTION

Approve to pay the Invoices from Bell & Roper, P.A.

FISCAL IMPACT

Services received are for multiple departments and cost centers. The total with this approval is 132.5 hours for a total of \$23,814.00.

Attachments:

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Clinton Howerton, Jr., P.E., County Engineer

SUBJECT/TITLE: Request to approve a Pay without PO to Lamberts Cable Splicing Company, LLC in the amount \$28,590.02.

STATEMENT OF ISSUE

On December 12, 2020, one of the County's fiber optic lines was damaged by a sub-contractor working on the Sebring Parkway, Phase II-A & II-B Project. Lamberts Cable Splicing Services was contracted without a PO to do an emergency repair for the damaged line. The Prime Contractor, Bergeron Land Development Inc., has agreed to a Change Order to deduct the cost of this repair from the Prime Contractor's contract amount.

RECOMMENDED ACTION

Move to approve a Pay without PO for Invoice # EM Fiber Cut 12/12/2020 in the amount of \$28,590.02.

FISCAL IMPACT

There is no fiscal impact for this charge because the PO (201678) for the Prime Contractor is being reduced by \$28,590.02 which will satisfy the reimbursement to the County.

Attachments: [Pay without PO Lamberts 1-19-21 Board Meeting.pdf](#)



HIGHLANDS COUNTY
BOARD OF COUNTY COMMISSIONERS
Purchasing Division

**REQUEST FOR PAYMENT FOR INVOICE WITHOUT A PURCHASE ORDER
FOR INVOICE GREATER THAN \$7,500.00**

To: Purchasing Manager

J.D. Langford, P.E.

From: Engineering Department
Department / Division Name

Requesting Employee's Name

Date: 12-Jan-21

Purchase order to Lamberts Cable Splicing Company, LLC was not
created for the purchase billed on the attached invoice, for the following reason(s):

This emergency service was needed as soon as possible after the cable was damaged by a subcontractor and Bergeron Land Development the Prime Contractor has agreed to a Change Order to deduct this cost from the Prime Contractor's contract amount.

By my signature I certify that:

- 1.) The goods or services were ordered by a County employee or volunteer approved to request a PO.
- 2.) The goods or services were received in good order and needed by the Department
- 3.) Funds are budgeted and available to pay for the goods or services.
- 4.) Supporting documentation.

James D. Langford, Jr.
Digitally signed by James D. Langford, Jr.
Date: 2021.01.12 16:37:10 -05'00'

Christine Davis 1-13-21

Employee's Signature & Date

Manager / Director's Signature & Date

Fund/Cost Ctr	Account	Project	Amount
4102A	56301Z	17062	28,590.02

Approval:

No other purchasing rules or procedures would be broken by approving the payment.

Christine Davis
Digitally signed by Christine Davis
Date: 2021.01.13 11:04:45 -05'00'

Purchasing Division - Signature

Date

Funds are available for payment and the amount is greater than \$7,500.00.

David M. Nitz
Digitally signed by David M. Nitz
Date: 2021.01.13 12:02:43 -05'00'

OMB Division - Signature

Date

Approved for payment based on the above information.

Randy Vosburg
Digitally signed by Randy Vosburg
DN: cn=Randy Vosburg, o=Highlands County BoCC,
ou=Administration, email=rvosburg@highlandsf.gov, c=US
Date: 2021.01.13 14:56:21 -05'00'

County Administrator - Signature

Date

Date of Board approval

Requesting Employee's Initials

ATTN: BONITA GREENE / TERESA ADCOCK



itinvoices@hcclerk.org (863) 402-6583

Invoice Date	Invoice Number
12/14/2020	EM Fiber Cut 12/12/2020

Req Date	Requisition Number
12/14/2020	EM Fiber Cut 12/12/2020

Work Order # / Job Name
PO# To be produced / Emergency Repair of 72 Fiber Cut

Description	AMOUNT
Emergency Repair of 72 Fiber Cut	\$ 28,590.02
Materials and Labor	
Repair Location: Higlands Avenue/ Sebring Parkway & US 27, Sebring	
TOTAL	\$ 28,590.02

45



HIGHLANDS COUNTY
BOARD OF COUNTY COMMISSIONERS
PURCHASING DIVISION
600 SOUTH COMMERCE AVE.
SEBRING, FL 33870-3809
(863) 402-6526 FAX: (863) 402-6735
web site: www.hcbcc.net

PURCHASE ORDER NO. 201678-4

PAGE NO. 1

THIS PURCHASE ORDER NUMBER MUST
APPEAR ON ALL PACKAGES, INVOICES
AND CORRESPONDENCE.

VENDOR: 23693 FAX: 954-680-0666
BERGERON LAND DEVELOPMENT INC
19612 SW 69TH PLACE
FT. LAUDERDALE FL 33332

SHIP TO: COUNTY ENGINEER/PUBLIC WORKS D
ACCEPT DELIVERIES M-F 7AM-5PM
505 SOUTH COMMERCE AVE
SEBRING FL 33870-3869
ATTN: VICKEY LINSINBIGLER

REQUESTOR: vlinsinb
CONT/BID#:

INCLUDE INVOICE OR MAIL TO THE SHIP TO ADDRESS

ORDER DATE: 09/24/20		BUYER: CMDAVIS		REQ. NO. 201791R		REQ. DATE:	
TERMS: NET 30 DAYS		F.O.B.:		DESC.: DEPARTMENT TO SCHEDULE			
ITEM#	QUANTITY	UOM	DESCRIPTION		UNIT PRICE	EXTENSION	
01	1.00	EA	CONSTRUCTION SERVICES FOR SEBRING PARKWAY PHASE II-A (17062) & II-B (17063) PER THE BCC CONTRACT DATED 5/19/20 AND AMMENDMENT 1 DATED 6/2/20		10730827.9800	10,730,827.98 10,702,237.96	
Please do a Change Order to deduct \$28,590.02 from 4102A, 56301Z, 17062 and reduce the Overall totals as indicated. Thank You, Vickey Linsinbigler 1-12-21							
					\$ 10,702,237.96		
ITEM#	ACCOUNT		AMOUNT	PROJECT CODE	PAGE TOTAL \$ 10,730,827.98		
01	4102A	56301Z	5,604,355.98	17062	TOTAL \$ 10,730,827.98		
01	4102A	56301Z	5,632,946.00	17062	1. EACH SHIPMENT MUST BE COVERED BY A SEPARATE INVOICE.		
01	4120	56301Z	3,692.08	17062	2. MAKE ALL SHIPMENTS AS SHOWN ABOVE. HIGHLANDS COUNTY BOARD IS EXEMPT FROM STATE SALES AND USE TAX. CERTIFICATE NO. 85-8013878621C-1 FEDERAL TAX EXEMPT NO. 59-6000455 FOR NC BOCC.		
					3. VENDOR MUST HAVE P.O. IN POSSESSION BEFORE DELIVERY OF ANY MERCHANDISE.		
					4. SUBMIT MATERIAL SAFETY DATA SHEETS FOR SUBSTANCES FOUND ON THE CURRENT FLORIDA TOXIC SUBSTANCE LIST, IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 422.106.		
					TERMS AND CONDITIONS FOR THIS PURCHASE ORDER CAN BE VIEWED ON THE COMPANY'S WEBSITE: http://bit.ly/POTerms		

RECEIVED BY:

DATE

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

(Instructions on reverse side)

TO: Highlands County Board of County Commissioners
Purchasing Division
600 S. Commerce Avenue
Sebring, FL 33870-3809

PROJECT: **Sebring Parkway**
County PO #: **201678**
PHASE IIA (BID FORM 1)
County Project: **17602**

APPLICATION NO: **3**
PERIOD: **12/1/20 thru 12/31/20**
PROJECT NO: **030**

Distribution to:
OWNER

FROM:

Bergeron Land Development, Inc.
19612 SW 69 Place
Fort Lauderdale, Florida 33332

INVOICE # 3



CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	<u>\$5,468,578.77</u>
2. Net change by Change Orders	<u>(\$25,396.83)</u>
3. CONTRACT SUM TO DATE (Line 1 + 2)	<u>\$5,443,181.94</u>
4. TOTAL COMPLETED & STORED TO DATE (Column L on G703)	<u>\$995,677.87</u>
a.	
5. WITHHOLDING:	
a. 10% Retainage	<u>\$ 99,567.79</u>
(Column J+ K on G703)	
6. FUEL ADJUSTMENT:	
(Previous Fuel Adjustment)	<u>\$ -</u>
(Total Line 5a + 6a)	<u>\$ 99,567.79</u>
7. TOTAL EARNED LESS RETAINAGE AND ADDING FUEL (Line 4 less Line 5 and 6a Total)	<u>\$ 896,110.08</u>
8. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 7 from prior Certificate)	<u>\$ 698,423.56</u>
9. CURRENT PAYMENT DUE	<u>\$ 197,686.52</u>
10. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)	<u>\$4,547,071.86</u>

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

For Bergeron Land Development, Sean Nicholl, Project Manager

** See page 4 of 4 for Change Order deduction for cost of Fiber Optic repair performed by Lamberts Cable Splicing Company, LLC. **

CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data

comprising this application, the General Contractor certifies to the Owner that to the best of the General Contractor's knowledge, information and belief the Work has progressed as indicated the quality of the Work is in accordance with the Contract Documents and the Contractor is entitled to payment of the AMOUNT CERTIFIED

AMOUNT CERTIFIED \$ 197,686.52

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

Owner or Owner's Representative:

By: James D. Langford, Jr.

Date: 2021.01.11 14:42:55 -0500

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein, issuance, payment and acceptance of payment are without prejudice to any right of the Owner or Contractor under this Contract.

BERGERON

LAND DEVELOPMENT, INC.

APPLICATION NUMBER: 3
 APPLICATION DATE: 1/1/2021
 PERIOD TO: 12/1/20 thru 12/31/20
 PROJECT NAME: Selving Parkway
 PROJECT NO. 030

							PREL. JOB AMOUNT County		\$19,729,322.00					
							ORIG. JOB AMOUNT County		\$19,724,718.51					
							QUANTITIES				\$ AMOUNTS			
TASK	SUB ITEM	DESCRIPTION	UNIT	PLAN QTY.	UNIT PRICE	TOTAL COST	PREVIOUS	THIS ESTIMATE	TOTAL TO DATE	PREVIOUS	THIS ESTIMATE	TOTAL TO DATE	BALANCE TO FINISH	%
Part #1 SELVING PARKWAY PHASE 1A							PREL. JOB AMOUNT		\$5,443,161.94					
							ORIG. JOB AMOUNT		\$5,438,478.77					
1	100	MOBILIZATION	LS	1.000	\$540,000.00	\$540,000.00	0.500	0.250	0.750	\$270,000.00	\$135,000.00	\$405,000.00	\$135,000.00	75.00%
2	200	BONDS AND INSURANCE	LS	1.000	\$25,000.00	\$25,000.00	1.000		1.000	\$25,000.00	\$0.00	\$25,000.00	\$0.00	100.00%
3	300	CONSTRUCTION SURVEY STAKING INCLUDING ASBUILTS	LS	1.000	\$95,300.00	\$95,300.00	0.250	0.050	0.500	\$23,825.00	\$4,765.00	\$28,590.00	\$66,710.00	30.00%
4	400	TESTING	LS	1.000	\$58,700.00	\$58,700.00	0.100	0.025	0.125	\$5,870.00	\$1,467.50	\$7,337.50	\$51,362.50	12.50%
5	500	MAINTENANCE OF TRAFFIC	LS	1.000	\$550,000.00	\$550,000.00	0.091	0.045	0.136	\$30,000.00	\$25,000.00	\$75,000.00	\$475,000.00	13.64%
6	600	BUSINESS SIGNS	EA	3.000	\$37.80	\$113.40	3.000		3.000	\$37.80	\$0.00	\$37.80	\$0.00	100.00%
7	700	PORTABLE CHANGEABLE MESSAGE SIGNS, TEMPORARY TWO	ED	365.000	\$11.50	\$4,197.50	108.000	31.000	139.000	\$1,242.00	\$356.50	\$1,598.50	\$2,599.00	38.08%
8	800	SEDIMENT BARRIER TEMPORARY	LF	8,400.000	\$2.05	\$17,220.00	5,000.000		5,000.000	\$10,250.00	\$0.00	\$10,250.00	\$6,970.00	59.52%
9	900	CLEARING AND GRUBBING INCLUDING TREE REMOVAL	LS	1.000	\$250,000.00	\$250,000.00	0.400		0.400	\$100,000.00	\$0.00	\$100,000.00	\$150,000.00	40.00%
10	1000	REMOVAL OF EXISTING CONCRETE PAVEMENT DRIVEWAYS	SY	472.000	\$8.00	\$3,776.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$3,776.00	0.00%
11	1100	REMOVAL OF EXISTING ASPHALT PAVEMENT (DRIVEWAYS AND ROADWAY) VIA MILLING	SY	14,764.000	\$2.80	\$41,339.20	0.000		0.000	\$0.00	\$0.00	\$0.00	\$41,339.20	0.00%
12	1200	REGULAR EXCAVATION	CY	21,200.000	\$4.14	\$87,768.00	1,098.000	1,458.000	2,556.000	\$4,545.72	\$6,036.12	\$10,581.84	\$77,186.16	12.06%
13	1300	EMBANKMENT (IN-PLACE)	CY	4,500.000	\$4.10	\$18,450.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$18,450.00	0.00%
14	1400	TYPE B STABILIZATION, LBR 40 12" COMPACTED THICKNESS (ROADWAY)	SY	24,991.000	\$18.40	\$459,834.40	0.000		0.000	\$0.00	\$0.00	\$0.00	\$459,834.40	0.00%
15	1500	OPTIONAL BASE GROUP 9, 10" COMPACTED THICKNESS (ROADWAY, SIDE STREETS)	SY	24,820.000	\$21.70	\$538,594.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$538,594.00	0.00%
16	1600	OPTIONAL BASE GROUP 4, 6" COMPACTED THICKNESS (RESIDENTIAL DRIVEWAYS)	SY	491.000	\$22.60	\$11,096.60	0.000		0.000	\$0.00	\$0.00	\$0.00	\$11,096.60	0.00%
17	1700	MILLING EXISTING ASPHALT PAVEMENT, 1.5" AVG DEPTH	SY	2,826.000	\$7.40	\$20,912.40	0.000		0.000	\$0.00	\$0.00	\$0.00	\$20,912.40	0.00%
18	1800	SUPERPAVE ASPHALTIC CONCRETE, 3" THICK, RAP 30% MAX, PLACED IN 2 EQUAL LAYERS	TN	4,053.000	\$120.00	\$486,360.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$486,360.00	0.00%
19	1900	SUPERPAVE ASPHALTIC CONCRETE, 1/2" THICK, RAP 30% MAX, COMMERCIAL DRIVEWAYS	TN	98.000	\$140.00	\$13,720.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$13,720.00	0.00%
20	2000	SUPERPAVE ASPHALTIC CONCRETE, 1.5" THICK, RAP 30% MAX, COMMERCIAL DRIVEWAYS	TN	141.000	\$140.00	\$19,740.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$19,740.00	0.00%
21	2100	CONCRETE SIDEWALKS AND DRIVEWAYS, 4" THICK, INCLUDING RAMP CONSTRUCTION	SY	2,789.000	\$35.50	\$99,009.50	0.000		0.000	\$0.00	\$0.00	\$0.00	\$99,009.50	0.00%
22	2200	CONCRETE SIDEWALKS AND DRIVEWAYS, 6" THICK, INCLUDING RAMP CONSTRUCTION	SY	491.000	\$50.10	\$24,599.10	0.000		0.000	\$0.00	\$0.00	\$0.00	\$24,599.10	0.00%
23	2300	CONCRETE CURB, TYPE E	LF	2,295.000	\$22.20	\$50,949.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$50,949.00	0.00%
24	2400	CONCRETE CURB, TYPE F	LF	8,325.000	\$22.20	\$184,815.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$184,815.00	0.00%
25	2500	CONCRETE CURB, DROP CURB	LF	1,172.000	\$28.70	\$33,636.40	0.000		0.000	\$0.00	\$0.00	\$0.00	\$33,636.40	0.00%
26	2600	CONCRETE TRAFFIC SEPARATOR (SPECIAL) (TYPE I) (3' WIDE)	LF	205.000	\$90.00	\$18,450.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$18,450.00	0.00%
27	2700	INDEX NO. 870 - ALUMINUM PIPE GUIDERAIL	LF	26.000	\$62.28	\$1,619.28	0.000		0.000	\$0.00	\$0.00	\$0.00	\$1,619.28	0.00%
28	2800	15" (HDPE) HIGH DENSITY POLYETHYLENE PIPE	LF	406.000	\$61.20	\$24,847.20	124.000	12.000	136.000	\$7,588.80	\$734.40	\$8,323.20	\$16,524.00	33.50%
29	2900	18" (HDPE) HIGH DENSITY POLYETHYLENE PIPE	LF	1,647.000	\$64.50	\$106,231.50	870.000	132.000	1,002.000	\$64,115.00	\$8,514.00	\$72,629.00	\$33,602.50	60.84%
30	3000	18" (RCP) REINFORCED CONCRETE PIPE	LF	1,030.000	\$115.00	\$118,450.00	219.000	55.000	274.000	\$25,185.00	\$6,325.00	\$31,510.00	\$86,940.00	26.60%
31	3100	24" (RCP) REINFORCED CONCRETE PIPE	LF	1,099.000	\$99.86	\$109,746.14	891.000		891.000	\$88,975.26	\$26,770.88	\$115,746.14	\$0.00	81.07%
32	3200	24" (HDPE) HIGH DENSITY POLYETHYLENE PIPE	LF	386.000	\$78.40	\$30,262.40	174.000		374.000	\$29,321.60	\$0.00	\$29,321.60	\$940.80	96.89%
33	3300	18" X 12" (RCP) REINFORCED CONCRETE PIPE	LF	640.000	\$155.00	\$99,200.00	0.000	202.000	202.000	\$31,310.00	\$0.00	\$31,310.00	\$67,890.00	31.56%
34	3400	2" SCHEDULE 40 PVC BRIGATION SLEEVE	LF	362.000	\$14.00	\$5,068.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$5,068.00	0.00%
35	3500	2" SCHEDULE PVC CONDUIT PIPE	LF	5,505.000	\$27.50	\$151,412.50	0.000		0.000	\$0.00	\$0.00	\$0.00	\$151,412.50	0.00%
36	3600	INDEX NO 211 - CURB INLET TYPE 5 (LEFT) WITH RECTANGULAR STRUCTURE BOTTOM	EA	13.000	\$4,830.00	\$62,790.00	8.000	1.000	9.000	\$38,640.00	\$4,830.00	\$43,470.00	\$19,320.00	69.23%
37	3700	INDEX NO 211 - CURB INLET WITH RECTANGULAR STRUCTURE BOTTOM	EA	10.000	\$4,830.00	\$48,300.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$48,300.00	0.00%
38	3800	PRECAST CURB INLET TYPE 6 (EDGE)	EA	5.000	\$5,800.00	\$29,000.00	1.000		1.000	\$5,800.00	\$0.00	\$5,800.00	\$23,200.00	20.00%
39	3900	INDEX NO 214 - CURB INLET TYPE 9 WITH RECTANGULAR STRUCTURE BOTTOM	EA	8.000	\$3,870.00	\$30,960.00	5.000		5.000	\$19,350.00	\$0.00	\$19,350.00	\$11,610.00	62.50%
40	4000	INDEX NO 232 - DITCH BOTTOM TYPE C	EA	5.000	\$2,040.00	\$10,200.00	3.000	1.000	4.000	\$8,160.00	\$2,040.00	\$10,200.00	\$0.00	80.00%
41	4100	JUNCTION BOX	EA	1.000	\$3,650.00	\$3,650.00	1.000		1.000	\$3,650.00	\$0.00	\$3,650.00	\$0.00	100.00%
42	4200	MODIFIED TYPE C INLET UNDER WALK	EA	2.000	\$2,580.00	\$5,160.00	1.000	1.000	2.000	\$2,580.00	\$2,580.00	\$5,160.00	\$0.00	100.00%
43	4300	MODIFIED TYPE C BOX	EA	20.000	\$2,790.00	\$55,800.00	0.000	3.000	3.000	\$8,370.00	\$8,370.00	\$16,740.00	\$39,060.00	15.00%
44	4400	MITERED END SECTION 15" HDPE	EA	1.000	\$1,930.00	\$1,930.00	1.000		1.000	\$1,930.00	\$0.00	\$1,930.00	\$0.00	100.00%
45	4500	MITERED END SECTION 18" X 12"	EA	14.000	\$1,930.00	\$27,020.00	0.000	4.000	4.000	\$7,720.00	\$7,720.00	\$15,440.00	\$11,580.00	28.57%

APPLICATION DATE: 1/11/2021

PERIOD TO: 12/31/2006 thru 12/31/2006

PROJECT NAME Solberg Parkway

PROJECT NO. 000

Page 3 of 4

BERGERON

LAND DEVELOPMENT, INC.

APPLICATION NUMBER: 3
 APPLICATION DATE: 1/11/2021
 PERIOD TO: 12/1/20 thru 12/31/20
 PROJECT NAME: Subbing Parkway
 PROJECT NO: 690

							PRES. JOB AMOUNT County		\$10,750,322.00					
							ORIG. JOB AMOUNT County		\$10,784,718.91					
							QUANTITIES			S AMOUNTS				
TASK	BID ITEM	DESCRIPTION	UNIT	PLAN QTY.	UNIT PRICE	TOTAL COST	PREVIOUS	THIS ESTIMATE	TOTAL TO DATE	PREVIOUS	THIS ESTIMATE	TOTAL TO DATE	BALANCE TO FINISH	%
96	10200	TRAFFIC CONTROLLER ASSEMBLY, F&I NEMA, 1 PREEMPTION	AS	2,000	23,300.000	\$46,600.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$46,600.00	0.00%
97	10300	TRAFFIC CONTROLLER ASSEMBLY, REMOVE CONTROLLER WITH	AS	1,000	\$447.820	\$447.82	0.000		0.000	\$0.00	\$0.00	\$0.00	\$447.82	0.00%
98	10400	UNINTERRUPTIBLE POWER SUPPLY, F&I LINE INTERACTIVE WITH	EA	2,000	7,340.000	\$14,680.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$14,680.00	0.00%
99	10500	OVERHEAD SIGN BRACKET ARM (ONE ARM)	AS	4,000	1,710.000	\$6,840.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$6,840.00	0.00%
100	10600	INTERNALLY ILLUMINATED SIGN, F&I OVERHEAD MOUNT, UP TO 12	EA	4,000	1,750.000	\$15,000.00	0.000		0.000	\$0.00	\$0.00	\$0.00	\$15,000.00	0.00%
Change Orders														
	3	Cost Proposal 3 - Additional Costs for Drainage Connections	LS	1,000	3,193.190	\$3,193.19	0.000	1,000	1,000	\$0.00	\$3,193.19	\$3,193.19	\$0.00	100.00%
	3	Cost Proposal 4 - Backcharge for Fiber Repair 12/12/20	LS	1,000	-28,590.020	(\$28,590.02)	0.000	1,000	1,000	\$0.00	-\$28,590.02	-\$28,590.02	\$0.00	100.00%
Total: Subbing Parkway Phase III Submittal														

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Marc Bashoor, Public Safety Director

SUBJECT/TITLE: Request approval of a Mutual Aid Agreement between Highlands County Florida and Polk County Florida for Fire Protection and Rescue Services.

STATEMENT OF ISSUE

This agreement outlines the benefits of mutual aid in response to incidents involving firefighting and rescue agency emergencies. It is agreed that the parties may respond expeditiously and efficiently outside of but contiguous to the jurisdiction in which the emergency occurs to protect the public health, welfare and safety of the citizens.

RECOMMENDED ACTION

Move to approve the Mutual Aid Agreement between Highlands County Florida and Polk County Florida for Fire Protection and Rescue Services.

FISCAL IMPACT

No fiscal impact.

Attachments: [Polk County Aid Agreement.pdf](#)

**AUTOMATIC AID INTERLOCAL AGREEMENT
BETWEEN HIGHLANDS COUNTY AND POLK COUNTY
FOR FIRE PROTECTION AND RESCUE SERVICES**

THIS AGREEMENT is made and entered into between HIGHLANDS COUNTY, a political subdivision of the State of Florida, and POLK COUNTY, a political subdivision of the State of Florida, as follows:

RECITALS

WHEREAS, HIGHLANDS COUNTY and POLK COUNTY have established and maintain fire departments with firefighting equipment, advanced life support equipment, firefighting personnel and rescue personnel; and

WHEREAS, the boundaries of HIGHLANDS COUNTY and POLK COUNTY are adjacent, and

WHEREAS, the parties are desirous in providing the most expeditious and efficient response in their respective jurisdiction to protect the public health, welfare and safety, and

WHEREAS, the parties recognize that, in some instances, the most expeditious response may be provided by the firefighting and rescue agency outside of, but contiguous to, the jurisdiction in which the emergency occurs, and

WHEREAS, the parties deem it desirable to make provisions for an initial response in case of such emergency from the firefighting and rescue agency closest to such emergency so that, via cooperative effort, the parties may make the most efficient use of their resources and is authorized by and entered into pursuant Chapter 163, Florida Statutes, and other applicable law.

NOW THEREFORE, in consideration of the above Recitals and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties agree that each shall assist the other under the follow stipulations, provisions and conditions:

1. **DEFINITIONS:** For the purpose of this Agreement, the following definitions shall apply:
 - A. Automatic Aid: Immediate response of emergency personnel by the Responding Party (as defined below) closest to the scene within the Receiving Party's (defined below) jurisdiction where personnel may be responding on behalf of or with the Receiving Party.

- B. Receiving Party: The Receiving Party is the party to which aid is being rendered pursuant to this Agreement.
- C. Responding Party: The Responding Party is the party providing aid pursuant to this Agreement.
- D. Jurisdiction: The term "jurisdiction" shall mean the real property areas, as defined by boundaries for each of HIGHLANDS COUNTY and POLK COUNTY.

2. AUTOMATIC AID ASSISTANCE

- A. Automatic Aid assistance shall be based on the "Operational Plan" as agreed to by the parties hereto, and attached hereto as Exhibit "A" and incorporated herein by reference, which results in the immediate response of emergency personnel by the Responding Party to the scene of an emergency in the Receiving Party's jurisdiction on behalf of or with the Receiving Party. The process shall be initiated through the Receiving Party's communications center. The Operational Plan may be amended from time to time by mutual written agreement of the parties hereto.
- B. The Responding Party's response shall be proportionate to the amount and type of equipment/apparatus used by the Receiving Party to respond to a similar emergency. The Responding Party shall not be responsible to respond if staffing is not available. No party shall be liable to the other party for the damages caused as a result of the Responding Party's failure to respond to a request for assistance. Notwithstanding the foregoing or anything to the contrary contained herein, in the event the Responding Party determines that the necessary staffing to respond to any given emergency is not available to it, it will promptly notify the Receiving Party of such determination in a manner that is consistent with normal emergency response communications between the parties hereto.

3. LIABILITY

- A. Each of the parties hereto shall act as an independent contractor and not as an employee of the other party in contracting for performance of the services contemplated herein. It is understood between the parties that nothing herein is intended, nor shall be interpreted to waive or limit any rights that either of the parties, its appointees, officers, agents, and employees have pursuant to principles of sovereign immunity or any other applicable law.
- B. Nothing herein shall be construed as consent by either party to be sued by third parties in any matter arising out of any contract.

- C. Neither party hereto, its respective officers or employees shall assume any liability for the acts, omissions, or negligence of the other party, its officers or employees.
- D. All liability for injury to personnel and for loss or damage to equipment shall be borne by the party employing such personnel and owning such equipment.
- E. Nothing herein shall be deemed a waiver, express or implied of either parties' sovereign immunity under Section 768.28, Florida Statutes or considered a waiver of immunity or the limits of liability beyond any statutorily limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in Section 768.28, Florida Statutes or other state statute. To the extent anything contained in this Agreement constitutes a waiver of sovereign immunity, such terms and conditions shall be interpreted to the fullest extent possible to effectuate the intent of the parties, but deleting any terms or conditions which would constitute a waiver of sovereign immunity.

4. REIMBURSEMENT

Neither HIGHLANDS COUNTY nor POLK COUNTY will receive payment or be reimbursed by the other party for any expenses or the like incurred in connection with services provided under this Agreement. Nothing herein prevents either party from receiving reimbursements from FEMA or any other state or federal reimbursement program.

5. TERM

This Agreement may be cancelled with or without cause by either party after a minimum of ninety (90) days written notice of intent to cancel said Agreement. The term of this agreement shall end at midnight on December 31, 2025, and there after shall automatically renew for one year periods, unless cancelled by either party, modified by mutual agreement of the parties or terminated by operation of law.

6. NOTICE

Any notice or correspondence required under this Agreement shall be provided in writing to the other party's Fire Chief at the following address:

Highlands County Public Safety Director
6850 W. George Blvd.
Sebring, FL 33875

Polk County Fire Chief
P. O. Box 1458
Bartow, FL 33831

7. AUTOMATIC AID AREA

The area identified for Automatic Aid is the northern area of HIGHLANDS COUNTY, normally referred to as the Highlands Lakes response area, and the southeastern area of POLK COUNTY, where it is contiguous to HIGHLANDS COUNTY, to include all addresses and roadways within the described area.

8. FIRE INVESTIGATIONS

All fires to be investigated are the responsibility of the receiving party. Supporting agency resources will make all efforts to protect the origin to assist in determining fire cause.

9. MISCELLANEOUS

- A. Officer in Charge Service Standard** – While providing Automatic Aid in the area where the emergency exists, the Responding Party personnel shall be subject to the orders and directions of the officer in charge of the operations. If an officer for the Receiving Party is not available at the scene, the highest ranking officer from the Responding Party will control the scene until its termination or an officer from the Receiving Party arrives and scene control is properly transferred. Ensuring consistency in Incident Management, Personnel Accountability, and 2-in / 2-out standards being paramount, emergency operations of the responding and receiving parties shall be conducted in accordance with Chapter 8 of the National Fire Protection Standard 1500 and satisfy compliance with Florida Statute 633.508. Failure to comply with the service standard may be deemed to be a breach of this Agreement and cause immediate termination.
- B. Application of Agreement** – This Agreement shall apply only to emergencies and other requests for service within the areas of protection of HIGHLANDS COUNTY and POLK COUNTY.
- C. Operational Plan** – The chiefs of the fire departments, or their designees, will meet and draft, and may thereafter revise, a written plan for procedures and operations necessary to effectively implement this Agreement. This operational plan will become effective upon written approval by the HIGHLANDS COUNTY Fire Chief and the POLK COUNTY Fire Chief. Written approval shall be evidence by the signatures of both parties' Fire Chief at the end of the "Operational Plan."

D. Conflict Resolution – Any non-contractual dispute arising from this Agreement shall be resolved by the HIGHLANDS COUNTY Fire Chief and the POLK COUNTY Fire Chief, or their duly authorized representative.

10.EFFECTIVE DATE

This Agreement will take effect as of the date of the last signature herein below. Neither party shall be obligated to provide automatic aid prior to the "Operational Plan" being approved by both parties to this Agreement.

11.GENERAL PROVISIONS

- A. Waiver:** Failure of the parties to enforce any right hereunder shall not be deemed a waiver of such right. No covenant, condition, or provision of this Agreement can be waived except with both parties' written consent. Any such waiver by the parties in one instance shall not constitute a waiver of a subsequent default, unless it specifically states in the written consent.
- B. Modification:** This Agreement may not be modified in any way, unless such modification is in the form of a written amendment properly executed by all parties to this Agreement.
- C. Governing Law and Venue:** This Agreement shall be governed and interpreted under the Laws of the State of Florida. Each of the parties hereto hereby irrevocably:
 - i. Agrees that any suit, action or other legal proceeding against any of them arising with respect to this Agreement shall be brought in the state courts of either Highlands County or Polk County.
 - ii. Waives any and all objections any of them might otherwise now or hereafter have to the laying of venue of any such suit, action or proceeding in any of the courts referred to in this Section, or to serve of any writ, summons or other legal process in accordance with applicable law.
- D. Enforcement:** In the event either party incurs legal expense or cost to enforce the terms of this Agreement, the prevailing party in any arbitration or legal proceeding hereunder shall be entitled to recover the costs such action incurred, including reasonable attorney fees.
- E. Severability:** If any term, covenant, or condition of this Agreement or application thereof to any person or circumstances shall to any extent

be deemed lawfully invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby; and each term, covenant, and condition of this Agreement shall be valid and enforced to the fullest extent permitted by law.

- F. Integration:** The Parties agree that this Agreement sets forth the entire Agreement between the Parties and that there are no promises or understandings other than those stated herein. This Agreement supersedes all prior agreements, contracts, proposals, representations, negotiations, letters, or other communications between the parties pertaining to the subject matter of this Agreement, whether written or oral.
- G. Joint Preparation:** The preparation of this Agreement has been a joint effort of the parties, and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.
- H. Headings:** The captions and headings contained in this Agreement are for convenience only and shall not be considered in the construction or interpretation of any provision hereof.
- I. Independence of Parties:** This Agreement is not intended and shall not be construed in a way so as to deprive any party of the jurisdictional powers vested in said party nor it is the intention of the parties to combine their individual departments into a single department in order to provide the services encompassed by this Agreement. In addition, it is the intention of this Agreement that the parties shall at all times act as independent governmental entities.

[signature page to follow]

WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duty authorized officials as of the day and year set forth below.

HIGHLANDS COUNTY, a political subdivision of the State of Florida
By Its Board of County Commissioners

Scott Kirouac, Chairman

Date _____

ATTEST:

Jerome Kaszubowski, Clerk

Date _____

POLK COUNTY, a political subdivision of the State of Florida


William D. Beasley, County Manager



ATTEST:

Stacy M. Butterfield, Clerk of the Court

BY:

Deputy Clerk

DATE:

1/12/2021

Approved as to form and legal sufficiency:


Polk County Attorney's Office

 $1/2/20$

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Michael McMillian, Environmental Specialist

SUBJECT/TITLE: Re-appoint committee members to the Natural Resources Advisory Commission (NRAC).

STATEMENT OF ISSUE

Request approval of Ben Butler and Dale McQuillen for re-appointment to NRAC with terms beginning upon approval and extending through September 2024.

RECOMMENDED ACTION

Move to re-appoint Mr. Benjamin Butler for four years on the Natural Resources Advisory Commission (NRAC) in an agricultural slot and to re-appoint Mr. Dale McQuillen for four years on NRAC in a professional slot. Their terms will run through September, 2024.

FISCAL IMPACT

No fiscal impact

Attachments:

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Sandra S. Vazquez, Planner I

SUBJECT/TITLE: Public hearing to consider adoption of Small Scale Comprehensive Plan Future Land Use Amendment CPA-21-581SS, for approximately 0.24 acres, from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C).

STATEMENT OF ISSUE

The Applicant is requesting a small-scale comprehensive plan amendment for an approximate 0.24-acre parcel to change the Future Land Use Map from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C). The parcel is vacant of structures and contains native vegetation. The Applicant is proposing to utilize the subject property, and two adjacent properties to the south under the same ownership, for future commercial development.

There is a companion request for a zoning change from Industrial District (I-1) to Business District (B-3), P&Z 2066.

The Planning and Zoning Commission recommended approval of CPA-21-581SS, as presented.

RECOMMENDED ACTION

Move to approve and adopt by Ordinance, CPA-21-581SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for approximately 0.24 acres, from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C), and transmit CPA-21-581SS to the Florida Department of Economic Opportunity for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.

FISCAL IMPACT

There is no fiscal impact.

Attachments: [Staff Report CPA-21-581SS.pdf](#)
[Application CPA-21-581SS.pdf](#)
[Ordinance CPA-21-581SS.pdf](#)

**HIGHLANDS COUNTY
PLANNING DIVISION
STAFF REPORT**

Type: Small Scale Comprehensive Plan Amendment	BCC Hearing Date: 1/19/2021
Case Number: CPA-21-581SS	Case Name: Antonio Iberia LLC
Agent: Kendall S. Phillips, PE	Property Owner: Antonio Iberia LLC
Public Hearing: BCC	Case Staff Member: Sandra S. Vazquez

Request: Change the Future Land Use Map (FLUM) for an approximate 0.24-acre parcel, from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C).

General Location: An approximate 0.24-acre parcel located west of US 27 N, south of Sun 'n Lake Boulevard, and north of Tanglewood Drive, on the west side of Frontage Road; the address being 5167 US 27, Sebring, Florida

PARCEL ID: C-04-34-28-231-0000-0040

Staff Recommendations and Minutes:

- 1. Staff Recommendation to the Board of County Commissioners (BCC) concerning the Planning and Zoning Commission (P&Z) Recommendation:** Move to approve and adopt by Ordinance, CPA-21-581SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for approximately 0.24 acres, from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C), and transmit CPA-21-581SS to the Florida Department of Economic Opportunity for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.
- 2. Staff Recommendation to the Planning and Zoning Commission (P&Z):** Recommend to the Board of County Commissioners to approve and adopt by Ordinance, CPA-21-581SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for approximately 0.24 acres, from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C), and transmit CPA-21-581SS to the Florida Department of Economic Opportunity for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.
- 3. Excerpt from the December 8, 2020, DRAFT P&Z Minutes and Recommendation to the BCC: "A. HEARING NUMBER CPA-21-581SS –**

ANTONIO IBERIA LLC. – C/O KENDALL PHILLIPS An approximate 0.24-acre parcel located west of US 27 N, south of Sun 'N Lake Boulevard, and north of Tanglewood Drive, on the west side of Frontage Road; the address being 5167 US 27, Sebring, Florida; and abbreviated legal as follows: An approximate 0.24-acre parcel located in Section 4, Township 34 South, Range 28 East, Highlands County, Florida.

The Applicant is requesting a small-scale plan amendment from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C). Mr. Ingler read the request; Ms. Vazquez and Mr. Phillips presented the request. There were no letters received; no one spoke in favor of or against the request.

Motion by Mr. Boring and seconded by Mr. Roberts to recommend to the Board of County Commissioners to approve and adopt by Ordinance, CPA-21-581SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for approximately 0.24 acres from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C), and transmit CPA-21-581SS to the Florida Department of Economic Opportunity for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.

Upon roll call, all members voted yes. **Motion carried 7-0.”**

Supplemental Material/Issue Analysis Report:

- 1. Request:** The matter for consideration is for a change to the Future Land Use Map of an approximate 0.24-acre parcel, from P to C.

The parcel is vacant of structures and contains native vegetation. The Applicant is proposing to utilize the property for future commercial development in conjunction with two adjacent properties to the south under the same ownership.

There is a companion request for a zoning change from Industrial District (I-1) to Business District (B-3), P&Z 2066.

- 2. Existing Use Analysis:**

LOCATION	EXISTING USE	LAND USE CATEGORY	ZONING
Subject Property	Vacant	P	I-1
Adjacent Property to the North	Sewage Plant	P	I-1
Adjacent Property to the South	Vacant Commercial	C	B-3

LOCATION	EXISTING USE	LAND USE CATEGORY	ZONING
Adjacent Property to the East	US 27/ Open Storage/ Commercial	CI (Commercial Industrial Mixed Use)	B-3
Adjacent Property to the West	Sewage Plant	P	I-2 CU (Industrial District with Conditional Use)

3. Applicable References:

Planning...§163.3194(1)(a) - (b), F.S.; Highlands County 2030 Comprehensive Plan: Future Land Use Policies: 1.1, General Growth Management Strategy; Policy 1.2.D.5, Public/Quasi-Public Facility and Institutional Lands (P) and Policy 1.2.D.7, Commercial (C).

Zoning...Highlands County Land Development Regulations (LDRs): Section 12.05.242: Business District (B-3) and Section 12.05.251: Industrial District (I-1).

4. Supporting Goals, Objectives, and/or Policies from Comprehensive Plan:

Future Land Use Element

Goal: Ensure a High Quality, Diversified Living Environment through the Efficient Distribution of Compatible Land Uses, Discourage Urban Sprawl, Protect Environmentally Sensitive Lands, Reduce Greenhouse Gas Emissions, and Provide Guidance for the Location, Type, and Intensity for New Development, within the 2010 to 2030 Planning Period

Objective 1: Growth Management Strategy:

Policy 1.1, General Growth Management Strategy:

A. The Future Land Use Element shall be used as a common framework to govern land use decisions by the public sector and to guide the development activities of the private sector. The General Growth Management Strategy consists of the following:

- 1. Encourage compatible future growth, including infill, in the planning period of 2010 to 2030;*
- 2. Allow and encourage compatible infill development wherever properties are already served by public infrastructure, but not utilized at the most suitable density and/or intensity or type of land use in relation to surrounding development;*

B. In general, the outward expansion of urban land uses from the municipal limits of Avon Park, Sebring, and Lake Placid shall connect to the existing and planned infrastructures and centralized services that support the communities, municipalities and many of the employment centers of Highlands County. In most instances, development decisions should

recognize this as a fundamental principle of policies governing future development within Highlands County. The County will give preference to:

- 4. Development opportunities which provide permanent jobs and improve the County's revenue base.*

Infrastructure Element

Objective 6: Provide Sufficient Potable Water to Residential and Nonresidential Users Within Water Service Areas Consistent with the Water Supply Facilities Work Plan:

Policy 6.5, Mandatory Connection to Central Water System:

C. Commercial and industrial uses, utilizing potable water, shall connect to an existing public water system if within ¼ mile of an available system.

5. Department Analysis and Comments of Petitioner's Proposal:

5.A. The Departments, Divisions, and Agencies listed below provided comments as follows:

Zoning Division: The staff has no objection to this request.

Engineering Department: Approved with conditions. At the time of development, the applicant shall undergo the development review process for and additional requirements may be identified at that time.

Florida Department of Health: No objection.

5.B. The following Departments, Divisions, and Agencies offered no comment: Florida Department of Environmental Protection.

5.C. The following Departments, Divisions, and Agencies did not respond: City of Sebring, Highlands County Natural Resources Division, Florida Department of Transportation, Highlands County Emergency Management, Highlands County Emergency Medical Services, and Highlands County Fire Rescue.

Planning Division: The following analysis and findings of fact describe the physical, legal and cultural characteristics of the Applicant's property:

6.A. Natural Features Analysis:

- 1. Topography:** The topographic map depicts the subject property as mostly level with an elevation between 135 and 140 feet.
- 2. Soils:** The soils underlying the site are *Archbold Sand, 0 to 5% Slopes and Satellite-Basinger-Urban Land Complex*.
Archbold Sand, 0 to 5% Slopes - The available water capacity of this soil is very low, with a very rapid permeability. Depth to the water table is between 40 to 60 inches during the summer rainy season and it recedes to a lower depth during the rest of the year. This soil is nearly level to moderately sloping, and

moderately well drained. Without irrigation, Archbold soil has very severe limitations for cultivated crops. Doughtiness and rapid leaching of plant nutrient reduce the potential yields. This soil has moderate limitations for urban and recreational uses. For the most part, these limitations are easily overcome by special designs and soil reclamation, such as, surfacing with suitable topsoil in conjunction with continued maintenance.

Satellite-Basinger-Urban Land Complex - This soil is nearly level and somewhat poorly drained. The complex consists of Satellite Sand, Basinger Sand and Urban Land that are mixed or too small to map separately. The Urban land part of this complex consists of housing developments, recreational areas, shopping centers and other urban structures, Open land areas are mainly lawns, playground, and vacant lots. Included in the mapping are small areas of Archbold, Immokalee, Myakka and Placid soils.

3. **Surface Waters:** The subject parcel has no surface water areas.
4. **Vegetative Cover:** The site has been cleared of native vegetation.

6.B. Land Use Analysis:

1. **Current Use of Land:** The current use of the land is vacant.
2. **Current Future Land Use Map (FLUM) Designation:** The site has a FLUM designation of Public\Quasi-Public Facility and Institutional Lands.
3. **Proposed FLUM Designation:** The proposed FLUM designation is Commercial.
4. **Current FLUM Intensity:** The current FLUM allows a maximum of 1.00 FAR; however, since the current FLUM and zoning district are not consistent, the current intensity cannot be determined.
5. **Proposed Intensity:** The proposed FLUM allows up to 0.70 FAR for office; up to 0.80 for other commercial uses.
6. **The Applicant's proposed development program:** The Applicant is proposing to use the site for commercial purposes. No residential uses are proposed.

6.C. Special Designated Areas:

1. **Environmental Protection:** The Conservation Overlay Map series of the Comprehensive Plan indicates that the site contains less than two acres of Xeric Upland habitat. Pursuant to Natural Resource Element Policy 3.3. of the Comprehensive Plan, the Applicant **is not required** to obtain Environmental Clearance at the time of development.
2. **Historic Resources:** The Florida Master Site File (FMSF) indicates that there are no known historic resources on the property.
3. **Archaeological Resources:** The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the FMSF indicate no known archaeological resources on the site.
4. **Floodplains (FEMA designation):** The property has a flood zone designation of X, for areas located outside the Special Flood Hazard Areas, as depicted on the Flood Insurance Rate Map Community Panel Number **12055C0119C**, effective November 18, 2015.

5. **Military Airport Zones (MAZ):** The property is located within MAZ III as designated by Section 12.12.800 of the Highlands County LDRs.
6. **Wellhead Protection Zones:** The property is not located within any of the defined protection zones as defined by Infrastructure Policy 6.6. of the Comprehensive Plan.
7. **Airport Surface Areas:** The property is not located within any of the defined surface areas as designated by Chapter 2.1 of the Highlands County Code of Ordinances.

6.D. Public Facilities and Services:

1. **Potable Water:** The property will be served by an off-site central potable water system provided by the Sun 'n Lake of Sebring Improvement District.
2. **Central Wastewater:** The property will be served by an off-site central wastewater system provided by the Sun 'n Lake of Sebring Improvement District.
3. **Solid Waste:** The property will be serviced by a county-approved refuse collection company.
4. **Vehicular Access and Traffic Circulation:** The site has direct access onto Frontage Road.
5. **Railroad Access:** The site is not located adjacent to any railroad tracks.
6. **Recreation:** The proposed development will not require the need for recreation.
7. **Drainage:** The Applicant will be required to comply with Section 12.13.104.F. of the Highlands County LDRs and the applicable water management district regulations.

6.E. Traffic Impacts: Pursuant to the Comprehensive Plan: Technical Support Section, a traffic analysis **is** required at the time of development.

6.F. Schools: The permitted uses within the Commercial Future Land Use designation are commercial in nature. Any project development will not generate student impacts to the school district; school concurrency **is not** required.

6.G. Airports: The subject property is located approximately 4.29 miles southeast of the Avon Park Executive Airport and 10.1 miles northwest of the Sebring Regional Airport.

6.H. Fundamental Planning Analysis ref. Comprehensive Plan:

Technical Support Section II. 3.b. (1-8) for the Future Land Use Element: Sprawl Rule Indicators:

- (1) *Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems:* The site is located in an area with other commercial uses. The site's access will be directly off of Frontage Road, with easy access to US 27, and surrounded by several doctor offices and a bank. The proposed use will not adversely impact the natural resources or ecosystems. All required

permits from appropriate agencies will need to be obtained prior to development.

- (2) *Promotes the efficient and cost-effective provision or extension of public infrastructure and services:* The future development will connect to existing central potable water and wastewater systems. Fire services and law enforcement are already available.
- (3) *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available:* The property is located adjacent to an existing shared bikeway along US 27, which in turn connects to downtown Sebring and Avon Park. This multi-use path will provide connectivity to customers and employees.
- (4) *Promotes conservation of water and energy:* The property is located in an existing commercial area with connectivity to off-site central water and wastewater systems. Connecting to existing infrastructure and infilling existing commercial areas, promotes conservation of water and energy.
- (5) *Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils:* This indicator is not applicable.
- (6) *Preserves open space and natural lands and provides for public open space and recreation needs:* This indicator is not applicable.
- (7) *Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area:* The proposed development is in an existing commercial area, with residential districts in close proximity. The commercial development may serve the needs of the residential neighborhoods in the area.
- (8) *Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164:* This indicator is not applicable.

7. Mandatory Findings of Fact:

Use Consistency Finding: The proposed Small Scale Comprehensive Plan Amendment **is consistent** with the patterns of existing development within this area and compatible with the surrounding land uses.

Plan Consistency Finding: The proposed Small Scale Comprehensive Plan Amendment **is consistent** with the goals, objectives, and policies of the adopted Comprehensive Plan.

Environmental Clearance Finding: Environmental Clearance, pursuant to Natural Resources Element Policy 3.3 of the Comprehensive Plan, **is not required** for the proposed Small Scale Comprehensive Plan Amendment.

Historical and Archaeological Clearance: The proposed Small Scale Comprehensive Plan Amendment **is not required** to obtain Historical and Archaeological clearance, pursuant to FLU Policy 7.1 and NRE Policy 1.3 of the Comprehensive Plan. The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the Florida Master Site File indicate that there are no known cultural resources on the property.

Conformity Finding: If approved, all future development actions for the property shall be made to conform to applicable Comprehensive Plan policies and to LDRs in effect at the time the applicable development order becomes effective as provided by law.

The Planning Division, based on the Mandatory Findings of Fact and Consistency with the Comprehensive Plan, recommend to the Board of County Commissioners to approve and adopt by Ordinance, CPA-21-581SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for approximately 0.24 acres from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C), and transmit CPA-21-581SS to the Florida Department of Economic Opportunity for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.

Attachments:

- Exhibit 1: Location Map
- Exhibit 2: Aerial Map
- Exhibit 3: Future Land Use Map
- Exhibit 4: Proposed Future Land Use Map
- Exhibit 5: Site Photographs

Exhibit 1:



Exhibit 2:

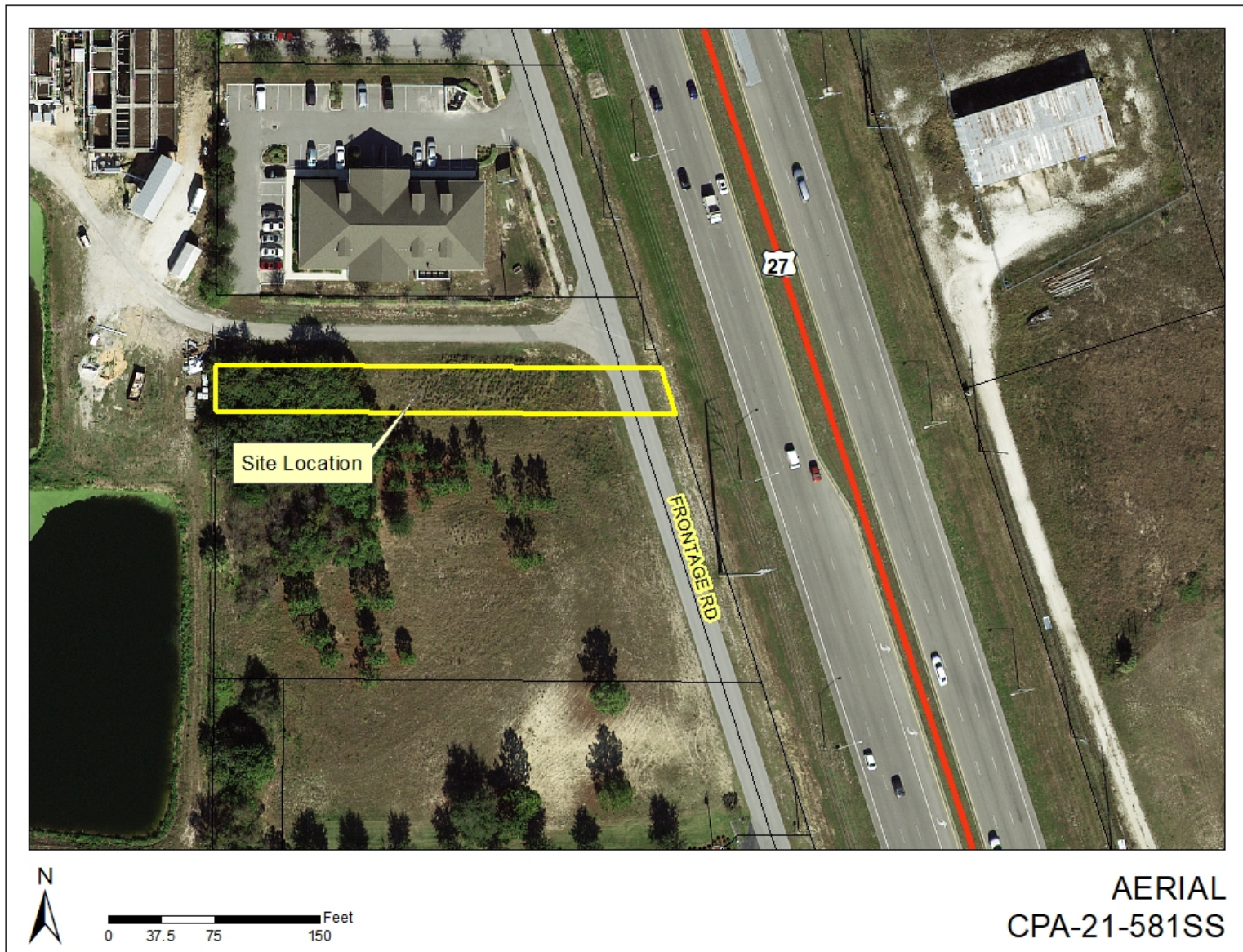


Exhibit 3:

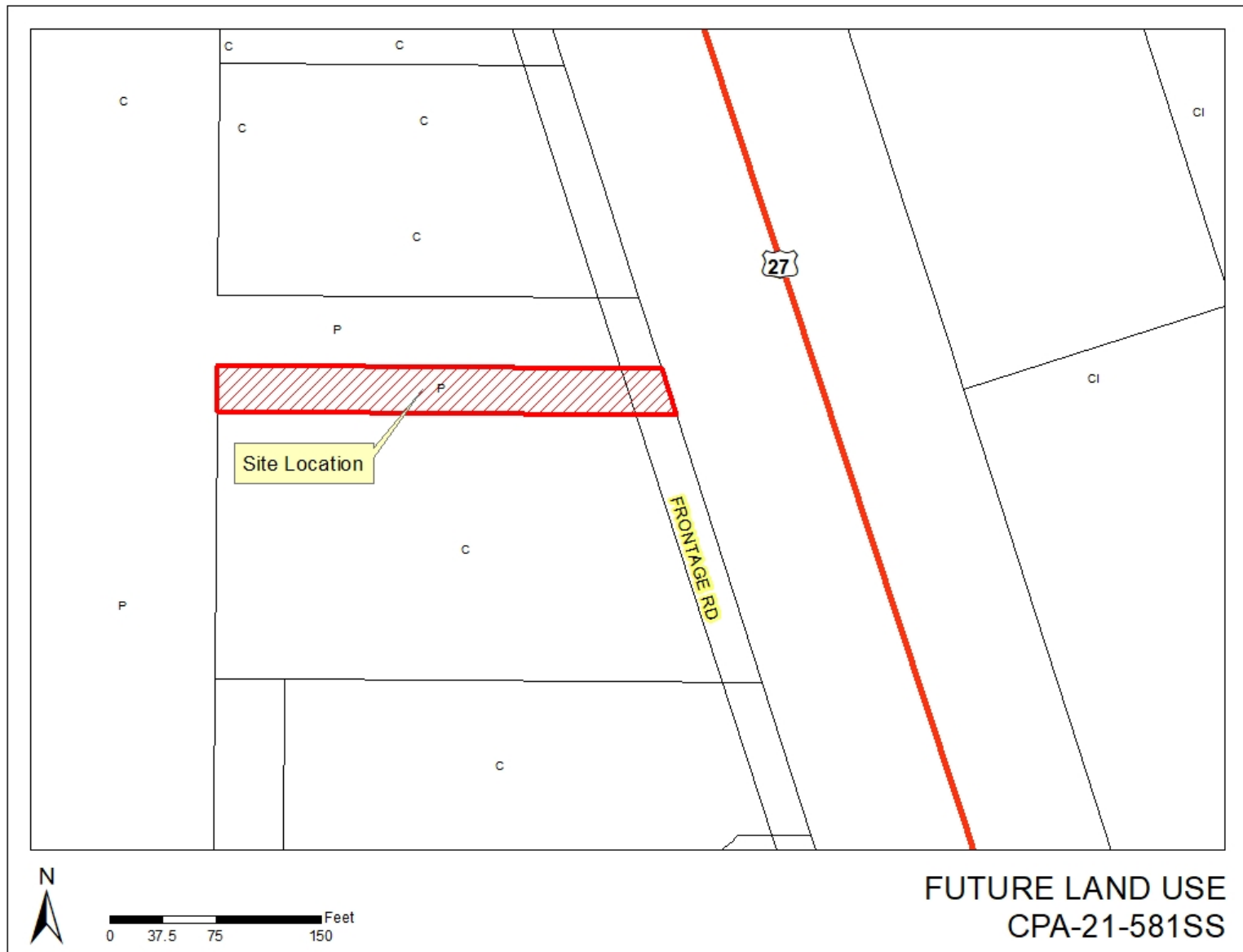


Exhibit 4:

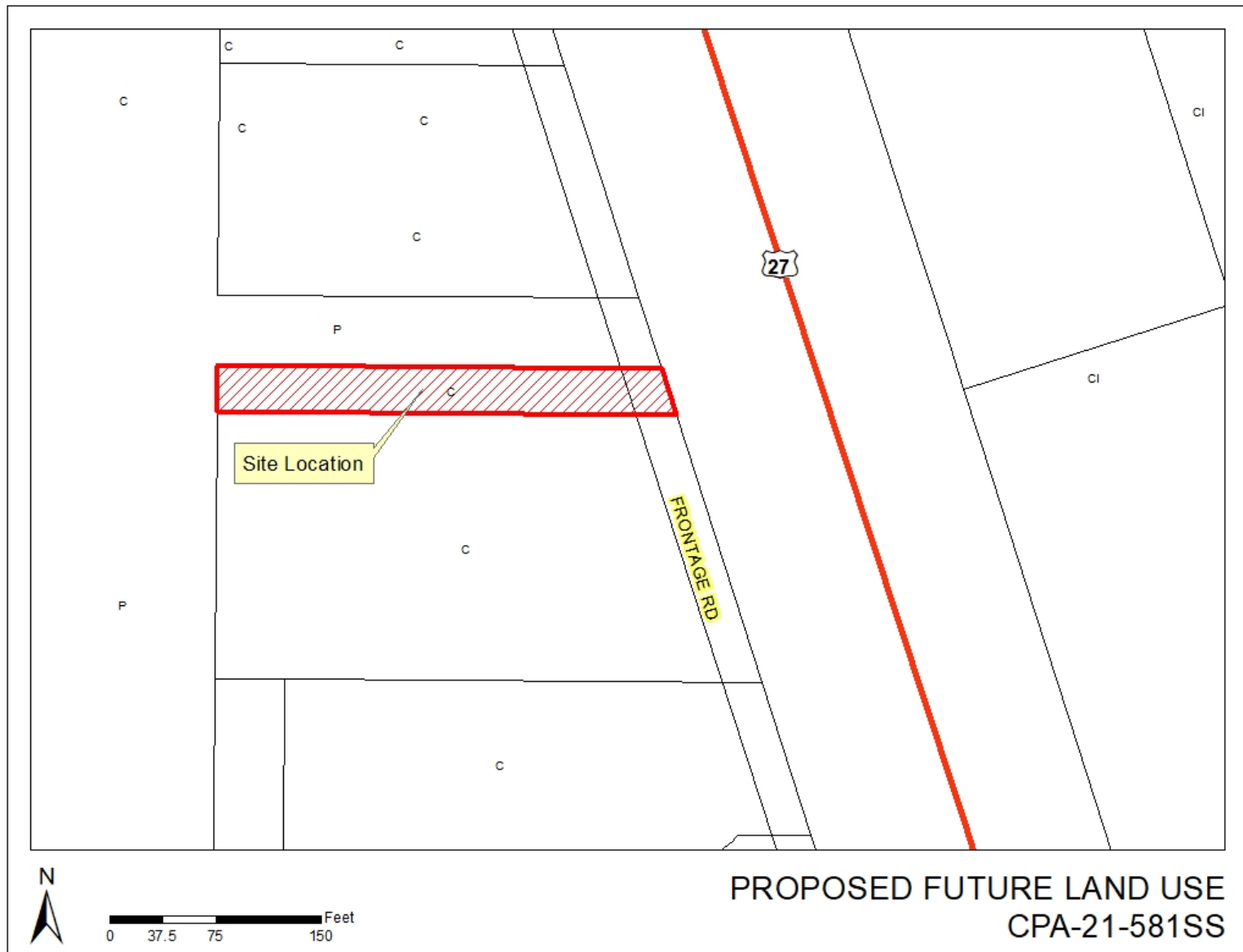


Exhibit 5:



Highlands County, Florida
Comprehensive Plan Amendment Application
 Small Scale Comprehensive Plan Map Amendment (20 acres or less)

Change from: P Change to: C

Note: Do not leave any blank lines; if something does not apply, indicate that it is not applicable.

STAFF USE ONLY:

Case Number: CPA-21 - 58 1 SS Date of Application: 10/15/2020
 Amount of Fee: \$ 1500.00 Tax Map No.: 26A
 Hearing Dates: P&Z 12/8/2020 BOCC 1/19/2021

This application has been reviewed for completeness and determined sufficient.

Melony Copper
 Signed: Planning Supervisor

10/20/2020
 Date

Property Identification Number(s) / Strap(s) of Property Covered by Application:

STRAP No. C-04 - 34 - 28 - 231 - 0000 - 0040 STRAP No. C-____-____-____-____-____-____
 STRAP No. C-____-____-____-____-____-____ STRAP No. C-____-____-____-____-____-____

APPLICANT INFORMATION:

1. **Name of Property Owner(s):** Owner(s) must sign the **Owner's Affidavit** (attached), which must accompany the application.

Print Name(s): Antonio Iberia LLC

Mailing Address: 10 Skidmore Rd., Winter Haven, FL 33884

Daytime Telephone No. (863) 385-2222

E-Mail Address: bonedoc777@gmail.com

2. **Name of Agent:** Complete the **Agent's Affidavit** (attached) from Property Owner, giving the Agent authority to represent this application. Attach completed affidavit to the application.

Print Name: Kendall S. Phillips, PE, Manager, LP Engineering Services

Mailing Address: 205 Century Blvd., Bartow, FL 33830

Daytime Telephone No. (863) 221-2298

E-Mail Address: kphillips@lpengineering.net

NOTARIZED AUTHORIZATION:

- ☒ If the Applicant is not the Owner of the property, a written, notarized authorization from each Owner must be provided with this application – use Form A, attached. Property Owner authorization is required. If the Property Owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- ☐ If an Agent is submitting the application for the Owner/Applicant – authorization from the Owner/Applicant is required – use Form B, attached.

PLAN AMENDMENT REQUEST INFORMATION:

3. Please provide a brief description of the proposed plan amendment, including the reason(s) the amendment should be approved: Narrow parcel is adjacent to larger parcels proposed for medical office.

4. Based upon the Highlands County Comprehensive Plan, please provide the goal(s), objective(s), and/or policy number(s) that support your proposed plan amendment.

a. Goal(s) Full Element Goal

b. Objective(s) 1. Growth Management Strategy

c. Policy(ies) 1.2.D.7

PROPERTY INFORMATION:

5. **Legal Description(s) of Property Covered by Application:** If subdivided: Lot, block, complete name of subdivision, plat book, page number, section, township and range. If metes and bounds description: complete description including section, township and range.

See attached

6. **Street Address(es) of Property Covered by the Application:** _____

5167 US 27, Sebring, Florida 33870

7. **Name of Project, Subdivision, or Overall Project or part of a larger project, if applicable:** Antonio Iberia Medical Office

8. **Existing Zoning District:** I-1 **Existing Future Land Use Classification:** P

9. **Current Use of the Property:** Number of existing dwelling units, type of commercial or industrial, etc. _____

vacant

10. **Are there existing structures on the property?** [] Yes ☒ No **If yes, what type?**
(Dwelling, Mobile Home, Accessory Structure, Commercial Building, Other) _____

If multiple units, the number of dwellings per building: _____

11. Existing Property Information: Size of Property (width) 32.5 feet, (depth) 264 feet, road frontage 34 feet, water frontage 0 feet, **Total acres:** 0.2404

If different from the total acreage, the developable portion is 0.2404 +/- acres.

12. Is the property located within the Lake Placid Regional Plan area? ☐ Yes ☒ No

13. Vesting: Is the property vested for specific property rights? ☒ Yes ☐ No If yes, explain:
BLIVR 78-001

14. Current Uses on the Adjacent Properties:

	Current Use(s)	FLUM Designation(s)	Zoning District(s)
North	Access Road	P	I-1
South	Heartland Bank	C	B-3
East	Frontage Road	C-I	B-3
West	Water Treatment Plant	P	I-2 CU

INFORMATION ABOUT THE PROPOSED USE:

15. Proposed Number of Dwelling Units and/or Square Feet of Commercial space: 8,761

16. Residential Density: The proposed density is 0 units per acre.

17. Intensity: The proposed intensity is 12,560 square feet at 10.3% Floor Area Ratio (FAR).

ADDITIONAL INFORMATION REQUIRED PERTAINING TO PUBLIC FACILITIES:

18. Potable Water: The proposed development will be served by an off-site central potable water system. ☒ Yes ☐ No

If yes, the potable water system requirements will be accommodated by the Sun N Lake Improvement District water system. PLEASE ATTACH A LETTER FROM THE SERVICE PROVIDER ACKNOWLEDGING CAPACITY. (See the attached sample letter requesting this information from the service provider.)

If No, the proposed development will be served by an on-site potable water (well) system that will be designed to connect to a central water system when it becomes available.

19. Wastewater Treatment: The proposed development will be served by an off-site central wastewater treatment system. ☒ Yes ☐ No

If Yes, the wastewater treatment system requirements will be accommodated by the Sun N Lake Improvement District system. PLEASE ATTACH A LETTER FROM THE SERVICE PROVIDER ACKNOWLEDGING CAPACITY. (See the attached sample letter requesting this information from the service provider.)

If No, the proposed development will be served by an on-site wastewater treatment system that will be designed to connect to a central wastewater treatment system when it becomes available.

20. Schools: Every application requesting a land use change that will generate new residential dwelling units and a permanent population shall secure from the Highlands County School District a letter that will certify information pertaining to the following concerns based upon the location of the Applicant's property: **IF APPLICABLE, PLEASE ATTACH A LETTER TO THIS APPLICATION.** (See *the attached sample letter requesting this information from the School District.*)

ADDITIONAL COMPREHENSIVE PLAN INFORMATION NEEDED AT THE TIME OF DEVELOPMENT:

- A. Environmental Clearance:** If the property contains Wetlands, Xeric Uplands and/or Cutthroatgrass Seeps.
- B. Flood Hazard Areas:** There may be Special Flood Hazard areas on the property.
- C. Historic Properties:** There may be historic resources on the property.
- D. Archaeological Resources:** There may be archaeological resources on the property.
- E. Military Airport Zones (MAZ):** The property may be located in a MAZ.
- F. Surface Drainage:** Storm water management must comply with the requirements of Section 12.13.104.F of the Highlands County Land Development Regulations (See County Engineer) and the applicable water management district regulations.
- G. Solid Waste Disposal:** The proposed development must be served by a County approved refuse collection company.
- H. Recreation and Open Space:** The recreation and open space LOS adopted by Highlands County must be met at the time of development.

END OF APPLICATION

ATTACHMENTS:

- 1. Owner's Affidavit(s) or Corporate Affidavit
- 2. Agent's Affidavit(s)
- 3. Notarized authorization from each owner, as applicable (Form A)
- 4. Notarized authorization for agent to submit petition, as applicable (Form B)
- 5. Public Utility Information Request Sample Letter
- 6. Public School Information Request Sample Letter
- 7. Application Due Dates
- 8. Fee Schedule

Tanya Cannady CPA, CDM, General Manager
 Michael Hurley, Facilities & Security Director
 Omar DeJesus CPA, CGFO, Finance Director
 Ariel Fells MBA, Community Services Director



Board of Supervisors:
 Neal Hotelling, President
 Michael Gilpin, Vice President
 Joe Branson, Supervisor
 Raymond Brooks, Supervisor
 Craig Herrick, Supervisor

September 29, 2020

Re: 5089 US 27
 C-15-34-28-030-0000-0022

To Whom it May Concern,

This letter is to confirm the Sun 'n Lake of Sebring Improvement District has sufficient water and Sanitary sewer capacity available to provide potable water and sewer services to the above reference location.

Please let me know if you have any questions or if I can be of any assistance.

Sincerely,

Israel Serrano

Israel Serrano
 Supervisor of Utilities/Dual Operator

ORDINANCE NO. 20-21-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE FUTURE LAND USE MAP OF THE HIGHLANDS COUNTY 2030 COMPREHENSIVE PLAN AND THAT PROPERTY IDENTIFIED BY THE HIGHLANDS COUNTY PROPERTY APPRAISER THROUGH PARCEL ID# C-04-34-28-231-0000-0040; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF LAND USE DESIGNATION CHANGE AND FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NON-CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 163.3167 empowers the Highlands County Board of County Commissioners to adopt and amend the Highlands County 2030 Comprehensive Plan (Plan); and

WHEREAS, the Property Owner of that property identified by the Highlands County Property Appraiser through Parcel ID# C-04-34-28-231-0000-0040 (Property), has requested a change to the Property which requires an amendment to the Future Land Use Map of the Plan; and

WHEREAS, the Highlands County Planning and Zoning Commission, held a duly noticed public hearing on December 8, 2020, to review the small-scale amendment to the Property, identified by CPA-21-581SS, which proposes a change to the Future Land Use Map of the Plan; and

WHEREAS, the Highlands County Planning and Zoning Commission recommended approval of CPA-21-581SS and adoption of the subject Future Land Use Map amendment; and

WHEREAS, the County has determined that the proposed Future Land Use Map amendment, CPA-21-581SS, is consistent with the patterns of existing development within this area of the County and is compatible with the surrounding land uses; and

WHEREAS, the County has determined that the proposed Future Land Use Map amendment, CPA-21-581SS, is consistent with the goals, objectives and policies of the Plan; and

WHEREAS, the County has determined that Environmental clearance, pursuant to NRE Policy 3.3 of the Plan, is not required for the proposed Future Land Use Map amendment, CPA-21-581SS; and

WHEREAS, the County has determined that the Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Plan and the Florida Master Site File indicate that there are no known cultural resources on the property and the proposed Future Land Use Map amendment, CPA-21-581SS, does not require Historical and Archaeological clearance, pursuant to FLU Policy 7.1 and NRE Policy 1.3 of the Plan; and

WHEREAS, the County has determined that the property that is the subject of CPA-21-581SS is not located within an area of critical state concern; and

WHEREAS, all future development actions for the Property shall be made to conform to applicable Plan policies and to the County's Land Development Regulations in effect at the time of development.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Highlands County, Florida, after due notice and public hearing, as follows:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The Board of County Commissioners for Highlands County has complied with all requirements and procedures of Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. APPROVAL OF LAND USE DESIGNATION CHANGE AND FUTURE LAND USE MAP AMENDMENT.

A. The land use designation for that Property identified by the Highlands County Property Appraiser through Parcel ID# C-04-34-28-231-0000-0040 consisting of approximately 0.24 acres and more particularly described as:

Lot 4, less the Northerly 50.00 feet thereof, of Northpoint Subdivision, according to the plat thereof recorded in Plat Book 15, Page 23, of the Public Records of Highlands County, Florida, said Northerly 50.00 feet being more particularly described as follows: Commence at the Northwest corner of Lot 4 of said Northpoint Subdivision, being a point on the Westerly right-of-way line of U.S. Highway 27, for the pint of beginning; thence run South 18°02'00" East along the Westerly right-of-way of U.S. 27 for a distance of 52.64 feet; thence run North 89°48'15" West for a distance of 316.60 feet to a point on the Westerly property line of said Lot 4; thence run North 00°11'45" East along the Westerly property line of said Lot 4 for a distance of 50.00 feet to the Northwest corner of said Lot 4; thence run South 89°48'15" East along the Northerly property line of said Lot 4 for a distance of 300.13 feet to the Point of Beginning.

is hereby changed from Property from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C).

B. The Future Land Use Map of the Plan is hereby amended to reflect that the land use for the Property is Commercial.

SECTION 3. IMPLEMENTING ADMINISTRATIVE ACTIONS. The County Administrator is hereby authorized and directed to take such actions as are deemed necessary and appropriate in order to implement the provisions of this Ordinance. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. SAVINGS CLAUSE. All prior actions of Highlands County pertaining to CPA-21-581SS, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. NON-CODIFICATION AND SCRIVENER'S ERRORS. The provisions of this Ordinance shall not be codified in the Board of County Commissioners of Highlands County Code of Ordinances. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. SEVERABILITY. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption; however, pursuant to Florida Statutes, Section 163.3187, the subject small-scale Future Land Use Map amendment shall become effective 31 days after adoption of this Ordinance by the County, unless otherwise challenged within 30 days after said adoption. In the event of a timely challenge, the subject small-scale Future Land Use Map amendment shall become effective once the Florida Department of Economic Opportunity or the Administration Commission issues a final order determining that the adopted small-scale Future Land Use Map amendment is in compliance with the Plan.

Signatures on Following Page

DONE AND ADOPTED this 19th day of January, 2021.

BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY, FLORIDA

(SEAL)

By: _____
Scott A. Kirouac, Chairman

ATTEST _____
Jerome Kaszubowski, Clerk

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Sandra S. Vázquez, Planner I

SUBJECT/TITLE: Public hearing to consider adoption of P&Z Hearing No. 2066, changing the Official Zoning Atlas for approximately 0.24 acres, from Industrial District (I-1) to Business District (B-3).

STATEMENT OF ISSUE

The Applicant is requesting to change the Official Zoning Atlas for an approximate 0.24-acre parcel, from Industrial District (I-1) to Business District (B-3). The parcel is vacant of structures and contains native vegetation. The Applicant is proposing to utilize the subject property, and two adjacent properties to the south under the same ownership, for future commercial development.

There is a companion request for a Future Land Use Map Amendment from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C), CPA-21-581SS.

The Planning and Zoning Commission recommended approval of P&Z Hearing No. 2066 as presented.

RECOMMENDED ACTION

Move to approve and adopt by Resolution, P&Z Hearing No. 2066, changing the Official Zoning Atlas for approximately 0.24 acres from Industrial District (I-1) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.

FISCAL IMPACT

No fiscal impact.

Attachments: [Staff Report P&Z 2066.pdf](#)
[Application P&Z 2066.pdf](#)
[Resolution P&Z 2066.pdf](#)

**HIGHLANDS COUNTY
PLANNING DIVISION
STAFF REPORT**

Type: Rezone	BCC Hearing Date: 1/19/2021
Case Number: P&Z 2066	Case Name: Antonio Iberia LLC
Agent: Kendall S. Phillips, PE	Property Owner: Antonio Iberia LLC
Public Hearing: BCC	Case Staff Member: Sandra S. Vazquez

Request: Rezone an approximate 0.24-acre parcel from Industrial District (I-1) to Business District (B-3)

General Location: An approximate 0.24-acre parcel located west of US 27 N, south of Sun 'n Lake Boulevard, and north of Tanglewood Drive, on the west side of Frontage Road; the address being 5167 US 27, Sebring, Florida

PARCEL ID: C-04-34-28-231-0000-0040

Staff Recommendations and Minutes:

- 1. Staff Recommendation to the Board of County Commissioners (BCC) concerning the Planning and Zoning Commission (P&Z) Recommendation:** Move to approve and adopt by Resolution, P&Z 2066, changing the Official Zoning Atlas for approximately 0.24 acres from Industrial District (I-1) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.
- 2. Staff Recommendation to the Planning and Zoning Commission (P&Z):** Recommend to the Board of County Commissioners to approve and adopt by Resolution, P&Z 2066, changing the Official Zoning Atlas for approximately 0.24 acres from Industrial District (I-1) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.
- 3. Excerpt from the December 8, 2020, DRAFT P&Z Minutes and Recommendation to the BCC: "B. HEARING NUMBER P&Z 2066 – ANTONIO IBERIA LLC - C/O KENDALL PHILLIPS** An approximate 0.24-acre parcel located west of US 27 N, south of Sun 'N Lake Boulevard, and north of Tanglewood Drive, on the west side of Frontage Road; the address being 5167 US 27, Sebring, Florida; and abbreviated legal as follows: An approximate 0.24-acre parcel located in Section 4, Township 34 South, Range 28 East, Highlands County, Florida.

The Applicant is requesting a zoning change from Industrial District (I-1) to Business District (B-3). Mr. Ingler read the request; Ms. Vazquez and Mr. Phillips presented the request. There were no letters received; no one spoke in favor of or against the request.

Motion by Mr. Roberts and seconded by Mr. Mack to recommend to the Board of County Commissioners to approve and adopt by Resolution, P&Z 2066, changing the Official Zoning Atlas for approximately 0.24 acres from Industrial District (I-1) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.

Upon roll call, all members voted yes. Motion carried 7-0.”

Supplemental Material/Issue Analysis Report:

1. **Request:** The matter for consideration is for a change to the Official Zoning Atlas of an approximate 0.24-acre parcel, from I-1 to B-3.

The parcel is vacant of structures and contains native vegetation. The Applicant is proposing to utilize the property for future commercial development in conjunction with two adjacent properties to the south under the same ownership.

There is a companion request for a Future Land Use Map Amendment from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C), CPA-21-581SS.

2. **Existing Use Analysis:**

LOCATION	EXISTING USE	LAND USE CATEGORY	ZONING
Subject Property	Vacant	P	I-1
Adjacent Property to the North	Sewage Plant/ Commercial	P	I-1
Adjacent Property to the South	Vacant Commercial	C	B-3
Adjacent Property to the East	US 27/ Open Storage/ Commercial	CI (Commercial Industrial Mixed Use)	B-3
Adjacent Property to the West	Sewage Plant	P	I-2 CU (Industrial District with Conditional Use)

3. Applicable References:

Planning...§163.3194(1)(a) - (b), F.S.; Highlands County 2030 Comprehensive Plan: Future Land Use Policies: 1.1, General Growth Management Strategy; Policy 1.2.D.5, Public/Quasi-Public Facility and Institutional Lands (P) and Policy 1.2.D.7, Commercial (C).

Zoning...Highlands County Land Development Regulations (LDRs): Section 12.05.242: Commercial District (B-3) and Section 12.05.251: Industrial District (I-1).

4. Department Analysis and Comments of Petitioner's Proposal:

4.A. The Departments, Divisions, and Agencies listed below provided comments as follows:

Zoning Division: The staff has no objection to this request.

Engineering Department: Approved with conditions. At the time of development, the applicant shall undergo the development review process for and additional requirements may be identified at that time.

Florida Department of Health: No objection.

4.B. The following Departments, Divisions, and Agencies offered no comment: Florida Department of Environmental Protection.

4.C. The following Departments, Divisions, and Agencies did not respond: City of Sebring, Highlands County Natural Resources Division, Florida Department of Transportation, Highlands County Emergency Management, Highlands County Emergency Medical Services, and Highlands County Fire Rescue.

Planning Division: The following analysis and findings of fact describe the physical, legal and cultural characteristics of the Applicant's property:

5.A. Natural Features Analysis:

1. **Topography:** The topographic map depicts the subject property as mostly level with an elevation between 135 and 140 feet.

2. **Soils:** The soils underlying the site are *Archbold Sand, 0 to 5% Slopes and Satellite-Basinger-Urban Land Complex*.

Archbold Sand, 0 to 5% Slopes - The available water capacity is very low, with a very rapid permeability. Depth to the water table of this soil is between 40 to 60 inches during the summer rainy season and it recedes to a lower depth during the rest of the year. This soil is nearly level to moderately sloping, and moderately well drained. Without irrigation, Archbold soil has very severe limitations for cultivated crops. Doughtiness and rapid leaching of plant nutrient reduce the potential yields. This soil has moderate limitations for urban and recreational uses. For the most part, these limitations are easily overcome by

special designs and soil reclamation, such as surfacing with suitable topsoil in conjunction with continued maintenance.

Satellite-Basinger-Urban Land Complex - This soil is nearly level and somewhat poorly drained. The complex consists of Satellite Sand, Basinger Sand and Urban Land that are mixed or too small to map separately. The Urban land part of this complex consists of housing developments, recreational areas, shopping centers and other urban structures, Open land areas are mainly lawns, playground, and vacant lots. Included in the mapping are small areas of Archbold, Immokalee, Myakka and Placid soils.

3. **Surface Waters:** The subject parcel has no surface water areas.
4. **Vegetative Cover:** The site has been cleared of native vegetation.

5.B. Zoning Analysis:

1. **Current Use of Land:** The current use of the land is vacant.
2. **Current Zoning Designation:** The site has a zoning designation of I-1.
3. **Proposed Zoning designation:** The proposed zoning designation is B-3.
4. **Current Intensity:** The current intensity is up to 0.80 FAR for commercial/industrial mixed use and up to 1.00 FAR when the comprehensive plan category is industrial; however, since the current zoning district and future land use designation are not consistent, the current intensity cannot be determined.
5. **Proposed Intensity:** The proposed zoning allows up to 0.70 FAR for office; up to 0.80 for other commercial uses.
6. **The Applicant's proposed development program:** The Applicant is proposing to use the site for commercial purposes. No residential uses are proposed.

5.C. Special Designated Areas:

1. **Environmental Protection:** The Conservation Overlay Map series of the Comprehensive Plan indicates that the site contains less than two acres of Xeric Upland habitat. Pursuant to Natural Resource Element Policy 3.3. of the Comprehensive Plan, the Applicant **is not required** to obtain Environmental Clearance at the time of development.
2. **Historic Resources:** The Florida Master Site File (FMSF) indicates that there are no known historic resources on the property.
3. **Archaeological Resources:** The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the FMSF indicate no known archaeological resources on the site.
4. **Floodplains (FEMA designation):** The property has a flood zone designation of X, for areas located outside the Special Flood Hazard Areas, as depicted on the Flood Insurance Rate Map Community Panel Number **12055C0119C**, effective November 18, 2015.
5. **Military Airport Zones (MAZ):** The property is located within MAZ III as designated by Section 12.12.800 of the Highlands County LDRs.
6. **Wellhead Protection Zones:** The property is not located within any of the defined protection zones as defined by Infrastructure Policy 6.6. of the Comprehensive Plan.

7. **Airport Surface Areas:** The property is not located within any of the defined surface areas as designated by Chapter 2.1 of the Highlands County Code of Ordinances.

5.D. Public Facilities and Services:

1. **Potable Water:** The property will be served by an off-site central potable water system provided by Sun 'n Lake Improvement District.
2. **Central Wastewater:** The property will be served by an off-site central wastewater system provided by Sun " Lake Improvement District.
3. **Solid Waste:** The property will be serviced by a county-approved refuse collection company.
4. **Vehicular Access and Traffic Circulation:** The site has direct access onto Frontage Road.
5. **Railroad Access:** The site is not located adjacent to any railroad tracks.
6. **Recreation:** The proposed development will not require the need for recreation.
7. **Drainage:** The Applicant will be required to comply with Section 12.13.104.F. of the Highlands County LDRs and the applicable water management district regulations.

5.E. Traffic Impacts: Pursuant to the Comprehensive Plan: Technical Support Section, a traffic analysis **is** required at the time of development.

5.F. Schools: The permitted uses within the Commercial Future Land Use designation are commercial in nature. Any project development will not generate student impacts to the school district; school concurrency **is not** required.

5.G. Airports: The subject property is located approximately 4.29 miles southeast of the Avon Park Executive Airport and 10.1 miles northwest of the Sebring Regional Airport.

6. Mandatory Findings of Fact:

Use Consistency Finding: The proposed zoning change **is consistent** with the patterns of existing development within this area and compatible with the surrounding land uses.

Plan Consistency Finding: The proposed zoning change **is consistent** with the goals, objectives, and policies of the adopted Comprehensive Plan.

Environmental Clearance Finding: Environmental Clearance, pursuant to Natural Resources Element Policy 3.3 of the Comprehensive Plan, **is not required** for the proposed zoning change.

Historical and Archaeological Clearance: The proposed zoning change **is not required** to obtain Historical and Archaeological clearance, pursuant to FLU Policy 7.1 and NRE Policy 1.3 of the Comprehensive Plan. The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the

Comprehensive Plan and the Florida Master Site File indicate that there are no known cultural resources on the property.

Conformity Finding: If approved, all future development actions for the property shall be made to conform to applicable Comprehensive Plan policies and to LDRs in effect at the time the applicable development order becomes effective as provided by law.

The Planning Division, based on the Mandatory Findings of Fact and Consistency with the Comprehensive Plan, recommend to the Board of County Commissioners to approve and adopt by Resolution, P&Z 2066, changing the Official Zoning Atlas for approximately 0.24 acres from Industrial District (I-1) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.

Attachments:

- Exhibit 1: Location Map
- Exhibit 2: Aerial Map
- Exhibit 3: Zoning Map
- Exhibit 4: Proposed Zoning Map
- Exhibit 5: Site Photographs

Exhibit 1:

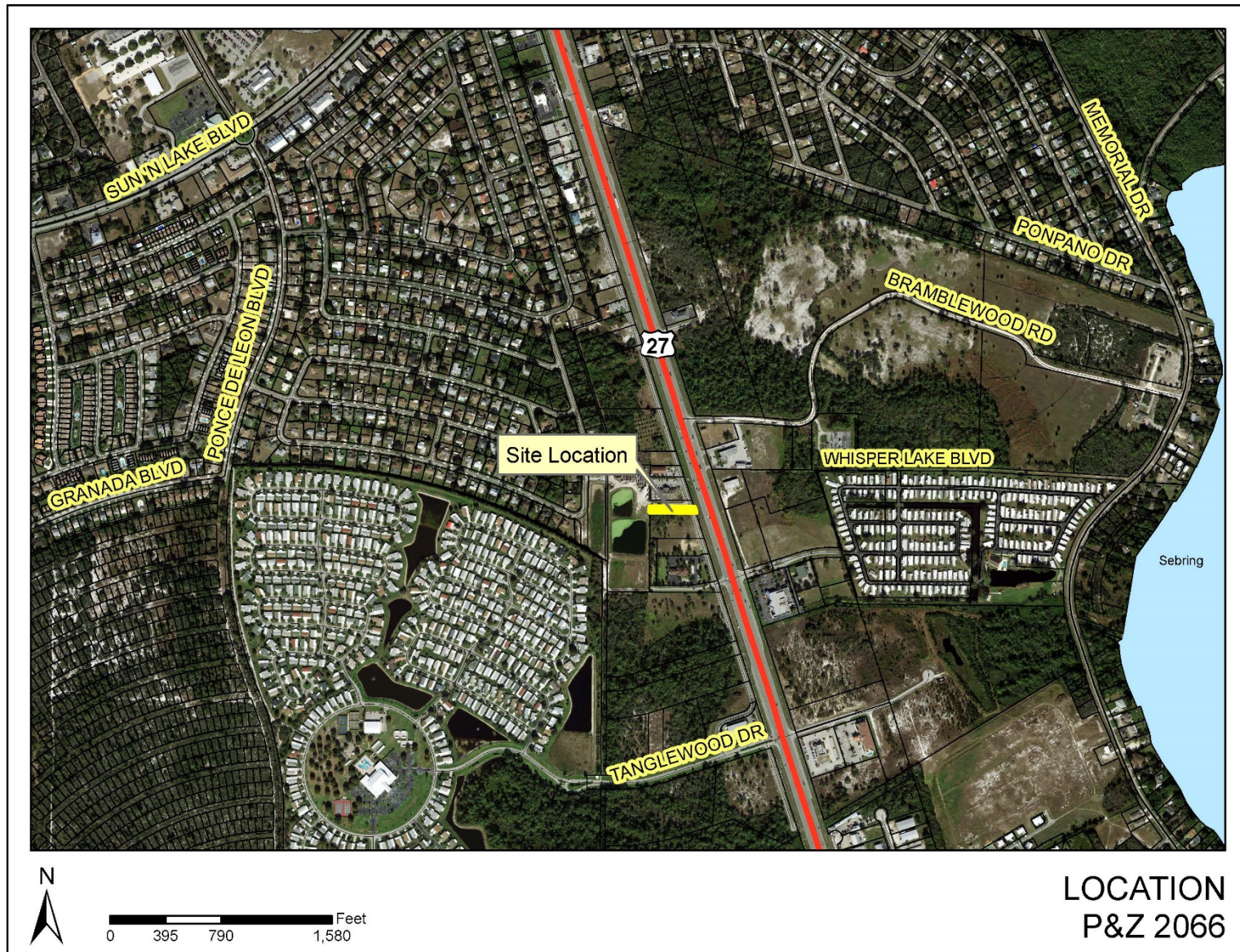


Exhibit 2:

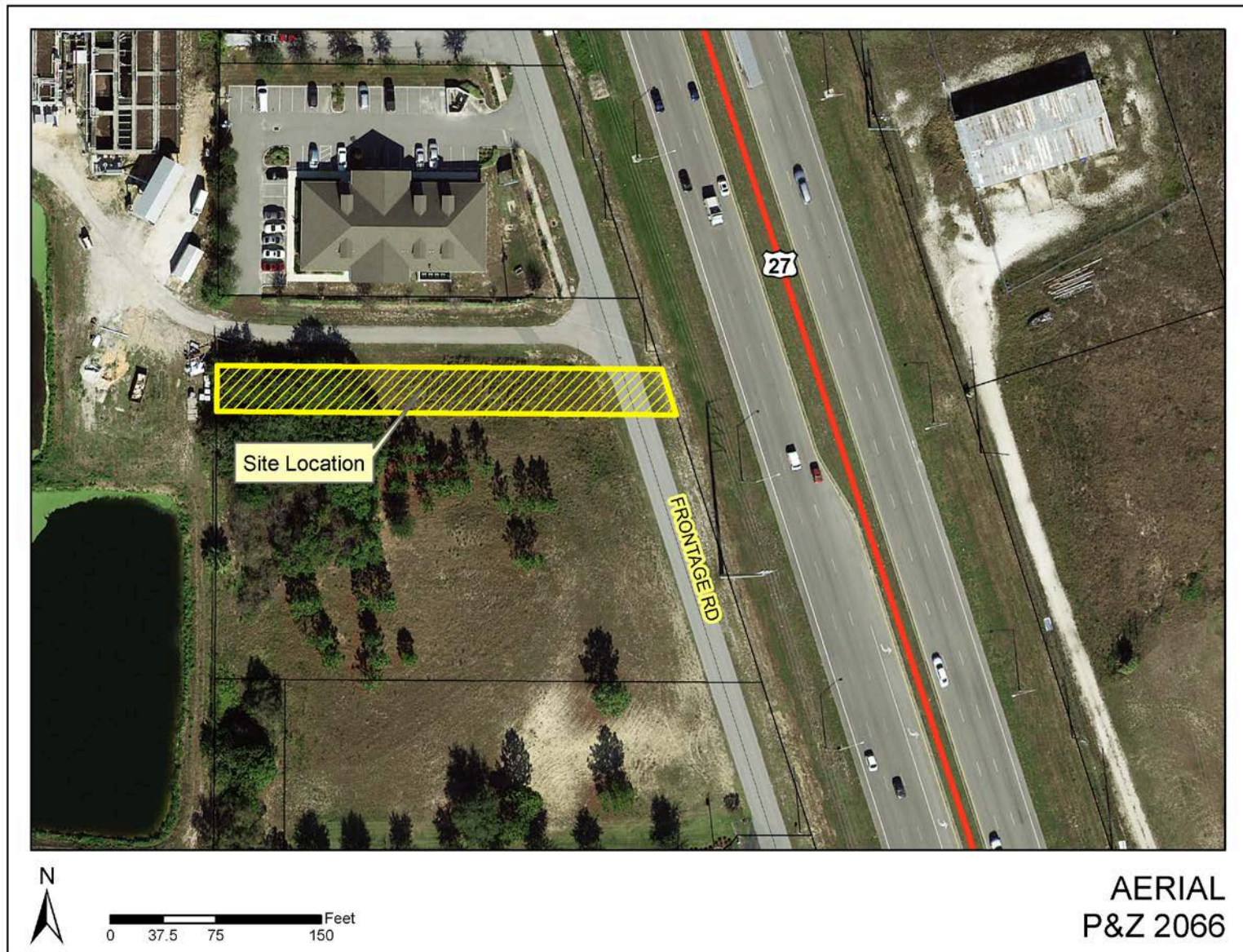


Exhibit 3:

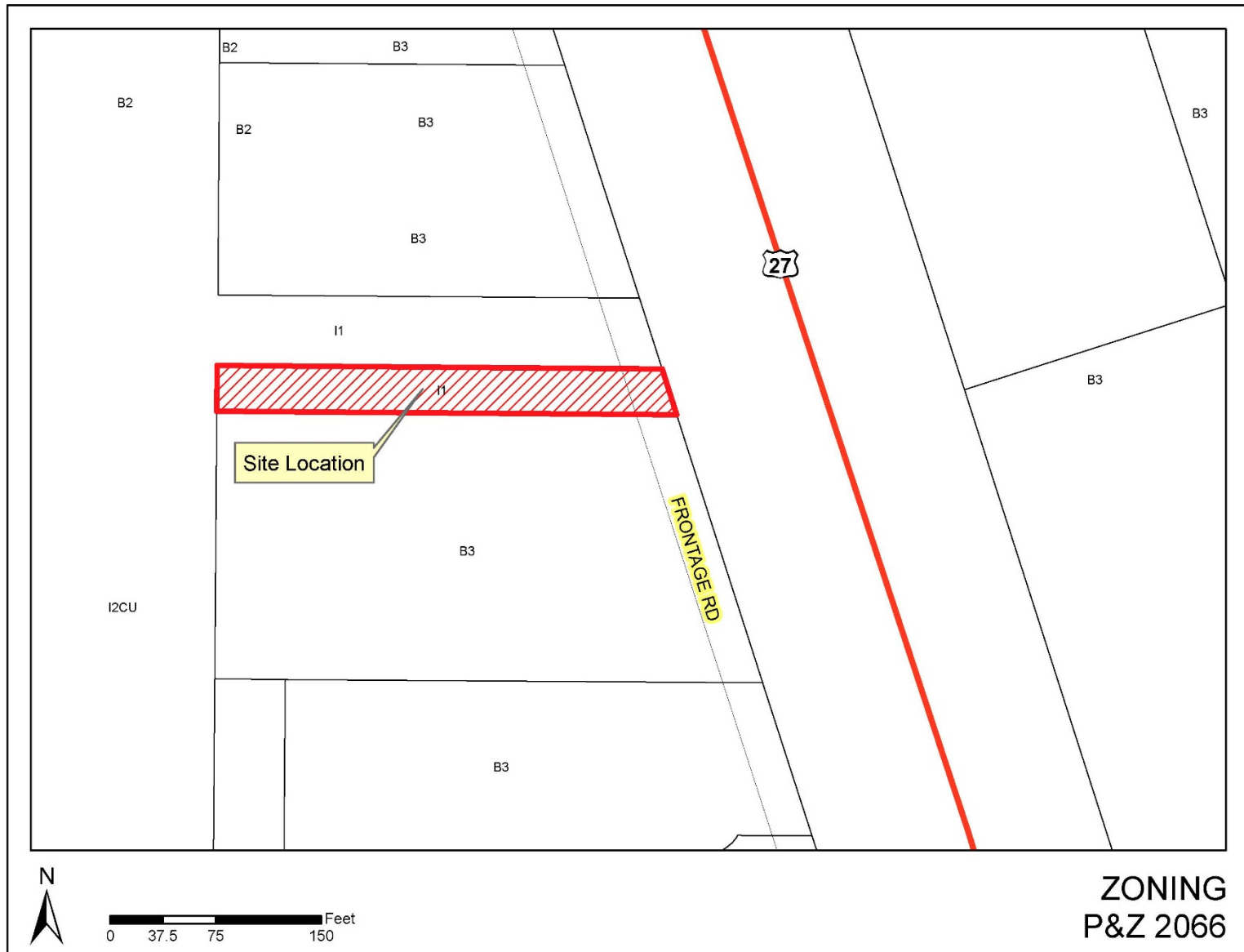


Exhibit 4:

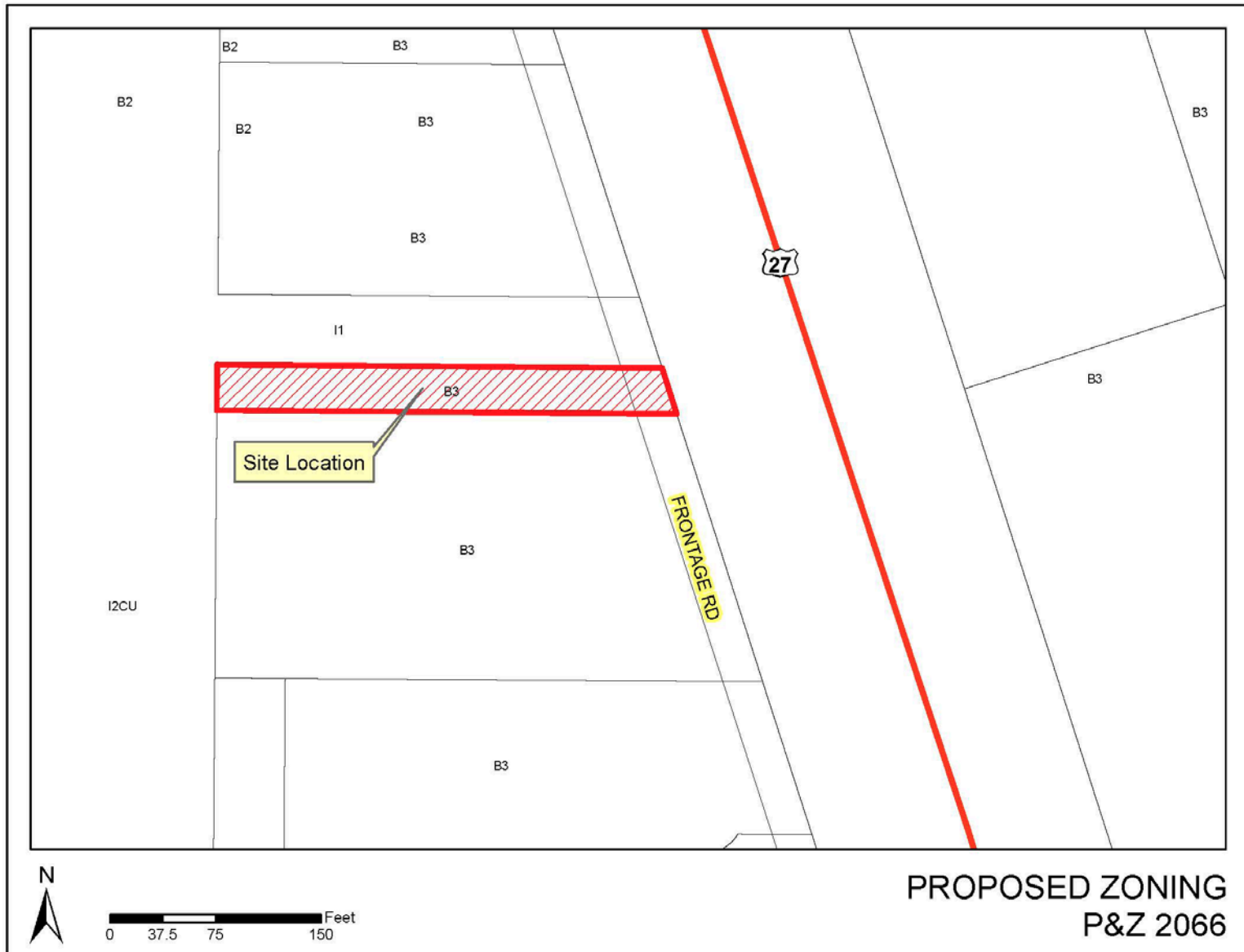


Exhibit 5:



Highlands County, Florida Zoning Change Application

Zoning change from: I-1
Zoning change to: B-3

Note: Do not leave any blank lines; if something does not apply, indicate that it is not applicable by using N/A

SECTION I: STAFF USE ONLY:

P&Z Hearing Number: 2066 Date of Application: 10/15/2020
Amount of Fee: \$ 1,950.00 Receipt No.: 20-00006 Tax Map No.: 26A
Hearing Dates: LP: ✓ P&Z: 12/8/2020 BCC: 1/19/2021

This application has been reviewed for completeness and determined sufficient:

Jacqui B. J.
Zoning Supervisor

Date

SECTION II: APPLICANT & PROPERTY INFORMATION:

- Name of Property Owner(s):** If more than one, all owners must sign the Owner's Affidavit (attached), which must accompany the application.
Print Name: ANTONIO IBERIA, LLC
Mailing Address: 10 SKIDMORE ROAD, WINTER HAVEN, FL 33884
Telephone No.: 863-385-2222 E-Mail Address: bonedoc777@gmail.com
- Name of Agent:** Complete the Agent's Affidavit (attached) from property owner, which must accompany application, giving agent authority to represent this application.
Print Name: KENDALL S. PHILLIPS, PE, MANAGER, LP ENGINEERING SERVICES
Mailing Address: 205 CENTURY BLVD., BARTOW, FL 33830
Telephone No.: 863-221-2298 E-Mail Address: kphillips@lpengineering.net

NOTARIZED AUTHORIZATION:

- ☐ If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application – use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
 - ☐ If an agent is submitting the application for the owner/applicant – authorization from the owner/applicant is required – use Form B, attached.
3. **Legal Description Covered by Application:** If subdivided: Lot, block, complete name of subdivision, plat book, page number, section, township and range. If metes and bounds description, complete description, including section, township and range SEE ATTACHED

4. Strap No.(s) of Property Covered by Application:

STRAP #: C- 04-34-28-231-0000-0040 STRAP #: C- _____
STRAP #: C- _____ STRAP #: C- _____

5. Street Address(es) of Property Covered by the Application: 5167 U.S. HWY 27 SEBRING, FL 33870

SECTION III: INFORMATION ABOUT EXISTING USES:

6. Existing Zoning District: I-1 Existing Land Use Classification: P
Are the Zoning and Comprehensive Plan Consistent? ☐ Consistent ☒ Not Consistent
7. Existing Property Information: Size of Property (width) 32.5 feet, (depth) 264 feet, street frontage 34 feet, water frontage — feet, Total acres 0.2404
If different from the total acreage, the upland, or developable portion is 0.2404 +/- acres.
8. Are there existing structures on the property? ☐ Yes ☒ No If Yes, what type (CBS, Frame, Stucco, Other Multiple Units, Number of Dwellings per Building), and what are they used for? _____
- If multiple units, the number of dwellings per building/number of buildings: _____
9. Is the property located within the Lake Placid Regional Plan (LPRP) area? ☐ Yes ☒ No If yes, please submit a draft PD Resolution and site plan as part of the application. A separate application meeting should be arranged with the Town of Lake Placid. Please ask the Town staff (County Planning Department) for assistance.
10. Vesting: Is the property vested for specific property rights? ☒ Yes ☐ No If Yes, list the Vesting Action or Order Number or the method used to grant vested rights (state binding letter, legal lot of record, etc.): BLIVR 78-001
11. Has a public hearing been held on this property within the last 12 months? ☐ Yes ☒ No If Yes, in whose name and when? _____

12. Information on the Adjacent Properties:

	Existing Uses	FLUM Designations	Zoning Districts
North	ACCESS ROADWAY	P	I-1
South	HEARTLAND BANK	C	B-3
East	FRONTAGE ROAD	C-1	B-3
West	TREATMENT PLANT	P	I-2 CU

SECTION IV: INFORMATION ABOUT THE PROPOSED CHANGE:

13. Reason for Proposed Change(s) (DO NOT INCLUDE SPECIFIC USES): MATCH USE TO SOUTH WIDTH = 32.5' OF VACANT LAND
14. Proposed Number of Dwelling Units Desired or Number of Square Feet of Commercial Space (if applicable): PROPOSED COMMERCIAL AREA = 8,761 SF (PARKING)
15. Proposed Development Standards (if applicable):

- A. Proposed parcel size (if increasing area with this application) 2.79 square feet/acre
- B. Proposed Floor Area Ratio (FAR): Gross floor area of existing building 12,560 SF divided by Parcel size 10.3 %

SECTION V: ADDITIONAL INFORMATION REQUIRED: 16 & 17 – NOT APPLICABLE FOR EXISTING DEVELOPMENT THAT IS NOT INCREASING IN SIZE; INDICATE N/A.

16. Potable Water: The proposed development will be served by an off-site central potable water system. ☒ Yes ☐ No
If Yes, the potable water system requirements will be accommodated by the SUN N LAKE IMPROVEMENT DISTRICT water system.

(See the attached model letter requesting this information from the respective servers). PLEASE ATTACH THEIR LETTER TO THIS APPLICATION. THIS APPLICATION WILL NOT BE COMPLETE WITHOUT THIS LETTER.

The Applicant must provide the following data of the water system that will be used (gallons per capita per day or gpcd):

- * NOT AVAILABLE AT THIS TIME
- The facility has the designed capacity for pumping and treating _____ gpcd.
 - The facility has a permitted capacity for _____ gpcd.
 - The facility has an average demand or committed capacity for _____ gpcd.
 - The facility has an excess capacity of _____ gpcd.
 - This proposed development will require approximately _____ gpcd.

Note: The required level of service (LOS) for potable water for Highlands County is:

Residence Type	Gallons per Capita per Day
RV Park	75
Mobile Home Park	100
Single Family or Multi-Family	120

If No, the proposed development will be served by an on-site potable water (well) system that will be designed to connect to a central water system when it becomes available. _____ Applicant's Initial

17. **Wastewater Treatment:** The proposed development will be served by an off-site central wastewater treatment system. ☒ Yes ☐ No

If Yes, the wastewater treatment system requirements will be accommodated by the SUN 'N LAKE IMPROVEMENT DISTRICT system.

(See the attached model letter requesting this information from the respective servers). PLEASE ATTACH THEIR LETTER TO THIS APPLICATION. THIS APPLICATION WILL NOT BE COMPLETE WITHOUT THIS LETTER.

The Applicant must provide the following data of the wastewater treatment system that will be used:

- The facility has the designed capacity for pumping and treating _____ gpcd.
- The facility has a permitted capacity for _____ gpcd.
- The facility has an average demand or committed capacity for _____ gpcd.
- The facility has an excess capacity of _____ gpcd.
- This proposed development will require approximately _____ gpcd.

Note: The required LOS for potable water for Highlands County is:

Residence Type	Gallons per Capita per Day
RV Park	75
Mobile Home Park	100
Single Family or Multi-Family	120

* NOT AVAILABLE

If No, the proposed development will be served by an on-site wastewater tank system that will be designed to connect to a central wastewater treatment system when it becomes available. _____ Applicant's Initial

18. **Surface Drainage:** I (we) certify that storm water management will comply with the requirements of Section 12.13.104.F of the Highlands County Land Development Regulations (See County Engineer) and the applicable water management district regulations: ☒ Yes ☐ No _____ Applicant's Initial

Note: The required LOS for the County is premised upon the applicable water management district standards.

SFWMD: 25-year/24-hour storm event (peak discharge, 25-year/36-hour)

SWFWMD: 25-year/24-hour storm event (peak discharge, 25-year/24-hour)

*Applicants must utilize the appropriate water management district standards for drainage procedures and methods to assure that post-development run-off will not exceed pre-development run-off for a minimum of 24-year/24-hour storm event, and that Best Management Practices shall be utilized to meet or exceed state water quality standards. Direct discharge into designated outstanding Florida waters requires a treatment area 1.5 times standard area.

19. **Solid Waste Disposal:** The proposed development will be served by the WASTE CONNECTION refuse collection company.

Note: The required LOS for the County is based upon the landfill capacity to accommodate at least 5.21 pounds/person/day.

20. **Recreation and Green Space:** The recreation and green space LOS adopted by Highlands County will be met at the time of development which will include, in part, the following facilities, if any: NA

Note: The required LOS for the County is to provide adequate facilities to maintain a County-wide standard of 10 acres/1,000 population.

21. **Military Airport Zones (MAZ):** Is this property located in an MAZ? ☒ Yes ☒ No
If Yes, please indicate the area as MAZ I, MAZ II, or MAZ III MAZ III

SECTION VI: ADDITIONAL ZONING AMENDMENT INFORMATION:

22. **Owner's Affidavit:** Owner's Affidavit(s) must be completed and submitted as part of all applications.
23. **Agent's Affidavit:** Agent's Affidavit(s), if applicable, must be completed and submitted as part of all applications.
24. **Map Properties within 500 Feet:** Submit a map which delineates the boundary of the proposed development site and its location on the map. Include each parcel of land within **500 feet** of the property being considered in the application.
25. **List of Property Owners:** List all current property owners within a 500-foot radius of the property being considered for a rezone, including names, mailing and site addresses, and STRAP numbers of their properties. If the property being considered for a rezone is an area currently zoned Agriculture, the list must contain a minimum of 6 different property owners adjacent to or in the vicinity of the rezoning being requested (Attach separate sheets to this application).
26. **Land Survey:** A copy of the survey, showing all dedications or easements within the property that is the subject of the application, prepared by a Florida registered land surveyor may be required and attached to the application.
27. **Proposed Flexible Unit Development (FUD) or Planned Development (PD) – Site Plan, Resolution, and Letter of Intent:** A site plan, a draft resolution, and a letter of intent are required which indicate uses, density, building locations, streets, site access, off-street parking, water courses or bodies, buffers, setbacks (dimensions), and environmentally sensitive areas. (See Section 12.05.291 of the Code of Ordinances for FUD requirements and Section 12.05.290 for PD requirements.)
28. **Surrounding Property Owners:** Have you discussed this rezoning request with the surrounding property owners?
☐ Yes ☒ No
29. **Contract to Sell:** Is this property under contract to sell contingent on the rezoning? ☐ Yes ☒ No
30. **Proposed Multiple Zoning Changes:** If more than one zoning change is being requested, it is necessary to show the exact areas to be covered by the different zoning designations. The legal description, along with an illustration showing the dimensions, of each different zoning designation must be included (Attach to the application if applicable).

END OF APPLICATION

ATTACHMENTS:

- 1) Owner's Affidavit(s) or Corporation Affidavit
- 2) Agent's Affidavit(s)
- 3) Notarized authorization from each owner, as applicable (Form A)
- 4) Notarized authorization for agent to submit petition, as applicable (Form B)
- 5) Public Utility Information Request Format
- 6) Application Due Dates
- 7) Fee Schedule

LEGAL DESCRIPTION:**PARCEL 2:**

LOT 4, LESS THE NORTHERLY 50.00 FEET THEREOF, OF NORTHPOINT SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 23, OF THE PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA, SAID NORTHERLY 50.00 FEET BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF LOT 4 OF SAID NORTH POINT SUBDIVISION, BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 27, FOR THE POINT OF BEGINNING: THENCE RUN SOUTH 18 DEGREES 02 MINUTES 00 SECONDS EAST ALONG THE WESTERLY RIGHT-OF-WAY OF U.S. 27 FOR A DISTANCE OF 52.64 FEET; THENCE RUN NORTH 89 DEGREES 48 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 316.60 FEET TO A POINT ON THE WESTERLY PROPERTY LINE OF SAID LOT 4; THENCE RUN NORTH 00 DEGREES 11 MINUTES 45 SECONDS EAST ALONG THE WESTERLY PROPERTY LINE SAID OF LOT 4 FOR A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE RUN SOUTH 89 DEGREES 48 MINUTES 15 SECONDS EAST ALONG THE NORTHERLY PROPERTY LINE OF SAID LOT 4 FOR A DISTANCE OF 300.13 FEET TO THE POINT OF BEGINNING.

Tanya Cannady CPA, CDM, General Manager
Michael Hurley, Facilities & Security Director
Omar DeJesus CPA, CGFO, Finance Director
Ariel Fells MBA, Community Services Director



Board of Supervisors:
Neal Hotelling, President
Michael Gilpin, Vice President
Joe Branson, Supervisor
Raymond Brooks, Supervisor
Craig Herrick, Supervisor

September 29, 2020

Re: 5115 US 27
C-15-34-28-030-0000-0010

To Whom it May Concern,

This letter is to confirm the Sun 'n Lake of Sebring Improvement District has sufficient water and Sanitary sewer capacity available to provide potable water and sewer services to the above reference location.

Please let me know if you have any questions or if I can be of any assistance.

Sincerely,

Israel Serrano

Israel Serrano
Supervisor of Utilities/Dual Operator

RESOLUTION NO. 20-21-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE ZONING CHANGE FOR THAT PROPERTY IDENTIFIED BY THE HIGHLANDS COUNTY PROPERTY APPRAISER THROUGH PARCEL ID# C-04-34-28-231-0000-0040; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF ZONING CHANGE AND ZONING ATLAS AMENDMENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Property Owner of that property identified by the Highlands County Property Appraiser through Parcel ID# C-04-34-28-231-0000-0040 (Property), has requested a change to the existing zoning classification on the Property for the specific purposes of furthering economic objectives; and

WHEREAS, the County has determined that the proposed zoning change is consistent with FLU Policy 1.1.A., which states that the Future Land Use Element shall be used as a common framework to govern land use decisions by the public sector and to guide the development activities of the private sector"; and

WHEREAS, the County has determined that the proposed zoning change is consistent with the goals, objectives and policies of the Highlands County 2030 Comprehensive Plan (Plan); and

WHEREAS, the County has determined that Environmental Clearance, pursuant to NRE Policy 3.3 of the Plan, is not required for the proposed changes to the Zoning Atlas; and

WHEREAS, the County has determined that the Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Plan and the Florida Master Site File indicate that there are no known cultural resources on the property and the proposed zoning change does not required Historical and Archaeological clearance, pursuant to FLU Policy 7.1, NRE Policy 1.3 of the Plan and the Highlands County Land Development Regulations; and

WHEREAS, all future development actions for the Property shall be made to conform to applicable Plan policies and to the County's Land Development Regulations in effect at the time of development.

NOW, THEREFORE BE IT RESOLVED, by the Board, after public hearing and comment that:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Approval of Zoning Change and Zoning Atlas Amendment.

A. The zoning designation for that Property identified by the Highlands County Property Appraiser through Parcel ID# C-04-34-28-231-0000-0040 and more particularly described as:

Lot 4, less the Northerly 50.00 feet thereof, of Northpoint Subdivision, according to the plat thereof recorded in Plat Book 15, Page 23, of the Public Records of Highlands County, Florida, said Northerly 50.00 feet being more particularly described as follows: Commence at the Northwest corner of Lot 4 of said Northpoint Subdivision, being a point on the Westerly right-of-way line of U.S. Highway 27, for the pint of beginning; thence run South 18°02'00" East along the Westerly right-of-way of U.S. 27 for a distance of 52.64 feet; thence run North 89°48'15" West for a distance of 316.60 feet to a point on the Westerly property line of said Lot 4; thence run North 00°11'45" East along the Westerly property line of said Lot 4 for a distance of 50.00 feet to the Northwest corner of said Lot 4; thence run South 89°48'15" East along the Northerly property line of said Lot 4 for a distance of 300.13 feet to the Point of Beginning.

is hereby changed from Industrial District (I-1) to Business District (B-3).

B. The official Zoning Atlas of the County is hereby amended to reflect that the zoning for the Property is Business District (B-3).

C. At the time of development on the Property, the Property Owner, or a representative thereof, shall undergo the development review, subject to submission of a traffic study and such other requirements imposed during the development review process.

SECTION 3. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. Savings Clause. All prior actions of Highlands County pertaining to P&Z 2066, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. Effective Date. This Resolution shall take effect immediately after Highlands County Ordinance 20-21-____, adopting a small-scale comprehensive plan amendment to change the land use designation on the Property from Public\Quasi-Public Facility and Institutional Lands (P) to Commercial (C).

DONE AND ADOPTED, this 19th day of January, 2021.

BOARD OF COUNTY COMMISSIONERS
OF HIGHLANDS COUNTY, FLORIDA

By: _____
Scott A. Kirouac, Chairman

(SEAL)

ATTEST: _____
Jerome Kaszubowski, Clerk

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Clinton Howerton, Jr., P.E., County Engineer

SUBJECT/TITLE: Request Board direction regarding the modification to the Memorial Drive Pipe Replacement Project, No. 12054, and approval of BA 20-21-046 and Resolution if the Board wishes to proceed.

STATEMENT OF ISSUE

The County Engineering staff is requesting direction from the Board regarding the proposed modification to Project 12054 to install a Type-H box and approximately 140 linear feet of 38"x60" elliptical reinforced concrete pipe and headwall at the Lake Lotela inflow area located off Memorial Drive. Due to recent high water levels, it has become increasingly difficult to construct the original design. Project 12054 was originally proposed to be a pipe replacement and was later amended to include a ditch closure to prevent erosion to adjacent properties during high flowtimes.

To complete this action, \$159,998.00 in additional funds will be necessary for additional Engineering Design, permitting, labor, and de-watering. BA 20-21-046 and Resolution are enclosed for your review and approval should the Board wish to proceed.

RECOMMENDED ACTION

Move to proceed with the Board's direction regarding the modification to the Memorial Drive Ditch Culvert Replacement and Extension Project, No. 12054, and approve BA 20-21-046 and Resolution if the Board wishes to proceed.

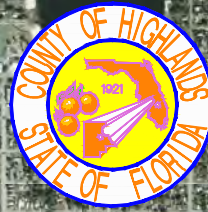
FISCAL IMPACT

The fiscal impact will be an increase to Fund 151 (Infrastructure Surtax) and Project 12054 (Memorial Drive Pipe Replacement) in the amount of \$159,998.00 if approved.

Attachments: [1.19.21 Board Meeting Presentation_Memorial Dr Pipe Replacement.pdf](#)

SR 64

Main St.



Highlands County Engineering
Department
505 S. Commerce Ave.
Sebring, FL 33870-3869



27

Memorial Drive

SR 17

Lake
Tulane

Lake
Anoka

PROJECT
LOCATION

Lake
Lelia

College Dr.

Lake
Glenada

27

Memorial Drive

Lake
Lotela

Seaboard Coastline Railroad

Lake
Denton

MEMORIAL DRIVE DITCH CULVERT REPLACEMENT AND EXTENSION

LOCATION MAP

Memorial Dr Pipe Replacement - 12054

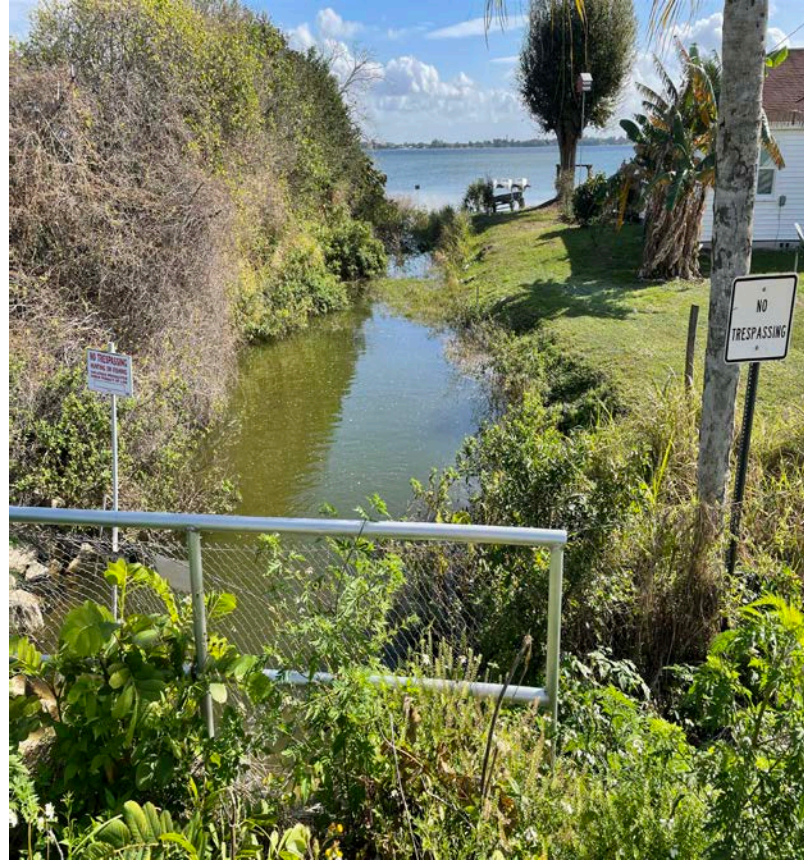
Presented By:
Clinton Howerton, Jr., P.E., County Engineer

Before and After
Images from 2/13/2013
and 1/8/2021

Looking E From Memorial Dr



2013



2021

Looking NE From Memorial Dr



2013



2021

Looking SE From Memorial Dr



2013



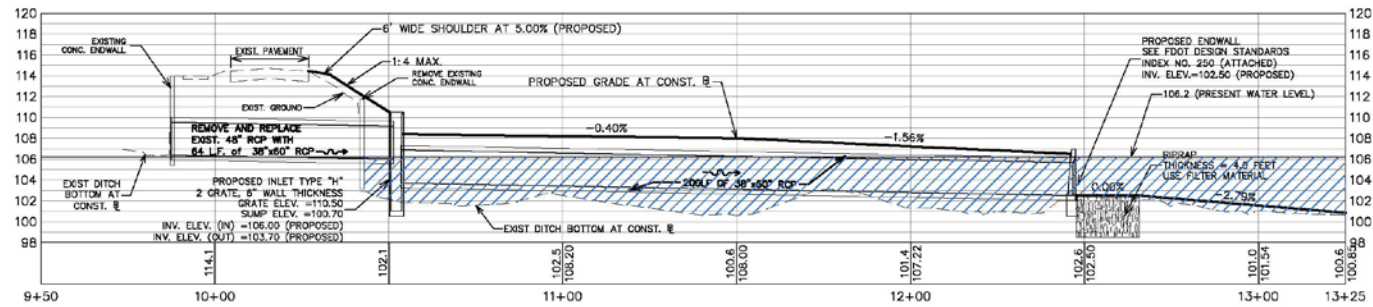
2021

Water Table Engineering Design Exhibits 1-3





EXHIBIT 2 : ORIGINAL DESIGN PRESENT WATER LEVEL





PAGE 1 of 1

(Transfers over \$5,000 require Board approval)

SUBMITTED BY: **Clinton Howerton, Jr., P.E.**

*list additional cost centers on reverse side of form

REASON: This Budget Amendment is necessary to reallocate funds within the Infrastructure Surtax Fund for the installation of a Type-H box and approximately 140 linear feet of 38" x 60" elliptical reinforced concrete pipe and headwall at the Lake Lotela inflow area located off Memorial Drive. The funds will be reallocated to Project 12054 (Memorial Drive Pipe Replacement) for the pipe replacement.

Form Revised 10/11/2010

RESOLUTION NUMBER 20-21-_____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS IN
AND FOR HIGHLANDS COUNTY, FLORIDA AUTHORIZING
AMENDMENT TO THE INFRASTRUCTURE SURTAX FUND.**

WHEREAS, Section 129.06, Florida Statutes (Execution and Amendment of Budget) provides that the Board of County Commissioners may by resolution or by motion in the minutes execute and amend the budget; and

WHEREAS, the following budget amendment is necessary and proper within the Infrastructure Surtax Fund; and

WHEREAS, to reallocate funds for Project 12054 Memorial Drive Pipe Replacement; and

WHEREAS, to appropriate those funds to Project 12054 to install a Type-H box and approximately 140 linear feet of 38" x 60" elliptical reinforced concrete pipe and headwall at the Lake Lotela inflow area located off of Memorial Drive.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners in and for Highlands County, Florida this _____ day of _____, 2021 that budget amendment 20-21-XXX is hereby approved and authorized.

**BOARD OF COUNTY COMMISSIONERS OF
HIGHLANDS COUNTY, FLORIDA**

Chairperson

Attest: _____
Clerk of Courts

**Approved as to
Budgetary Requirements**

OMB Department

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Sherry Sutphen, County Attorney
Clinton Howerton, Jr., County Engineer

SUBJECT/TITLE: A Resolution of the Highlands County Board of County Commissioners Pertaining to Winery Signage within the County Right of Way; Providing for Legislative Findings and Intent; Providing for the Repeal of Prior Resolution; Providing for the adoption of the Revised Winery Signage Policy; Providing for the Implementation of Administrative Actions; Providing for a Savings Clause; Providing for Scrivener's Errors; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date.

STATEMENT OF ISSUE

On August 4, 2020, resolution 19-20-114 was approved by the HCBOCC providing an avenue for a certified Florida Farm Winery to apply for and get permission to place trailblazer signs in the public right-of-way maintained by Highlands County.

A proposed applicant has requested that we modify the approved application process and conditions to reduce the cost to the applicant.

RECOMMENDED ACTION

Adopt Resolution No. 20-21-60 of the Highlands County Board of County Commissioners Pertaining to Winery Signage within the County Right of Way; Providing for Legislative Findings and Intent; Providing for the Repeal of Prior Resolution; Providing for the adoption of the Revised Winery Signage Policy; Providing for the Implementation of Administrative Actions; Providing for a Savings Clause; Providing for Scrivener's Errors; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date.

FISCAL IMPACT

The fiscal impact is unknown.

Attachments: [Final Resolution winery signage -011421.pdf](#)

RESOLUTION NO. 20-21-60

A RESOLUTION OF THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS PERTAINING TO WINERY SIGNAGE WITHIN THE COUNTY RIGHT OF WAY; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE REPEAL OF PRIOR RESOLUTION; PROVIDING FOR THE ADOPTION OF THE REVISED WINERY SIGNAGE POLICY; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 4, 2020, the County adopted Resolution 19-20-114 which provides a local winery with the ability to apply for a permit for the placement of wayfinding signs in the public right of way or on public lands; and

WHEREAS, from time-to-time it is necessary for the County to revise its policies and regulations to better serve the citizens of Highlands County; and

WHEREAS, the County has determined that it is necessary and appropriate to revise its winery wayfinding signage policy as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Repeal of Prior Resolution. Highlands County Resolution No.: 19-20-114, adopted on August 4, 2020, is hereby repealed in its entirety.

SECTION 3. Adoption of Winery Trail Signage Policy. The Policy for placement of Florida Certified Farm Winery Trail Signage in County Right-of-Way, attached hereto as **Exhibit "A"** is hereby adopted.

SECTION 4. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 5. Savings Clause. All prior actions of Highlands County pertaining to the adoption of the Winery Signage Policy, which is the subject of this Resolution, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 7. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of January, 2021.

**HIGHLANDS COUNTY BOARD OF
COUNTY COMMISSIONERS**

By: _____
Scott Kirouac, Chairman

ATTEST:

Jerome Kaszubowski,
Highlands County Clerk of Court

Exhibit "A"
Policy for Placement of
Florida Certified Farm Winery Trail Signage
in County Right-of-Way

**Highlands County Board of County Commissioners
Policy for Placement of
Florida Certified Farm Winery Trail Signage
in County Right-of-Way**

Effective Date: January 19, 2021

Reference: Florida Statutes, Section 599.004

Prior Policy Superseded by this Policy: Resolution 19-20-114 (adopted August 4, 2020)

In the event a State of Florida Department of Agriculture and Consumer Services certified Florida Farm Winery desires to have trail signage installed in the Highlands County right of way similar to such signage permitted by the Florida Department of Transportation in state rights of way, the following shall apply:

Step 1. An applicant must submit a complete application for the placement of certified winery trail signage in the public right of way to the Highlands County Department of Engineering. Applicant must:

- a. Include certified winery location information and such other information as deemed necessary and appropriate by the County.
- b. Comply with all conditions applicable on the application.
- c. Include a location map on a current aerial showing the location(s) of the proposed sign(s).
- d. Include application or correspondence with FDOT indicating any corresponding signage that will be posted on applicable FDOT roadways.
- e. Include copy of current registration with the State of Florida Department of Agriculture as an approved Florida Certified Farm Winery pursuant to Florida Statutes, Section 599.004.

Step 2. Upon review by the County Engineer, for location and compliance with technical standards, the County Engineer will either approve the application as submitted, approve with specified revisions or deny the application. Following the decision of the County Engineer, if there is a dispute as to the requested locations or other technical issues, at the applicant's request, the County Engineer will schedule a presentation to be heard by the Board of County Commissioners (BOCC) at the next possible regularly scheduled meeting for final approval.

Step 3. Upon final determination by the County Engineer or the BOCC, as applicable, the County Engineer will notify the Applicant. Thereafter, the Applicant shall execute a signage placement indemnity agreement in the form approved by the County Attorney and submit payment to the County for the actual cost of the materials, labor and installation of each sign. Once the County has received payment in full, the County will cause the signage to be constructed and installed accordingly. The actual cost of materials, labor and installation for each trail sign shall not exceed \$300.00 or such other amount as adopted annually hereafter by the BOCC through its Master Fee Schedule.

Step 4. At least thirty (30) days prior to the anniversary of an approved application for certified winery trail signage, the Applicant must provide the County Engineer with a copy of the annual renewal of the State of Florida Department of Agriculture and Consumer Services registration for the applicable winery. In the event of damage or destruction to a trail sign which requires replacement of the sign, the County will remove the sign from the right of way and immediately notify the Applicant of the removal. In order to have the sign replaced, the Applicant will be required to pay for a replacement sign in the amount of the actual cost of materials, labor and installation not to exceed \$300.00 or such other amount as adopted annually hereafter by the BOCC through its Master Fee Schedule.

G:\COUNTY\RESOLUTIONS\Engineering\Final Resolution winery signage -011421.docx

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Randy Vosburg, County Administrator

SUBJECT/TITLE: Commissioner's Priorities and the Project Status Report

STATEMENT OF ISSUE

Attached are the copies of the Commissioner's 2021 Priorities and Project Status Report as of January 12th, 2021.

RECOMMENDED ACTION

This information is being provided for informational purposes

FISCAL IMPACT

No Fiscal Impact.

Attachments: [Status - Commissioner's 2021 Priorities \(FINAL\) 1.19.2021.pdf](#)
[Status - Project Updates \(FINAL\)1.19.2021.pdf](#)

#	Assigned	Priority	Status	Next Action	Date of Next Action
Priority 1	Marc Bashoor	Reasonable, standard fire house design for the entire County	Board disapproved use of Architectural Services at 10/20/20 Board Meeting	Awaiting formal land purchase process to move forward with preliminary design with staff.	TBD
Priority 2	Marc Bashoor	Progress on development of Fire/EMS Department	Highlands County Fire Rescue continues to evolve 3 stations having 2-fire staff along with 2-EMS staff.. Two new fire engines are in the final stages of production, with two more due in mid 2021. The new ambulance was received on 1/11/21, and two more scheduled to be ordered/received in 2021. Construction and planning continues on five station/HQ projects. HQ ribbon cutting was on 12/17/20, with fence scheduled for install first week of February. Awaiting Civil work quote from Engineering, to finalize ITB to move forward for Venus station 45	Continuing project management and follow up.	TBD
Priority 3	Leah Sauls	Sell Highlands Regional & use funds for endowment for non-profits	Waiting on Highlands Regional/HCA Leadership to prepare written notification of their desire to buy the hospital facility and include their evaluation of what the facility is worth. Both parties, HCA and BOCC, have agreed to finding a single specialized appraiser for the facility, resultng in cost savings.	Communications contineu, awaiting letter from HCA leadership. Intend to find a specialized appraiser that both parties agree to use.	TBD
Priority 4	Interim: Meghan DiGiacomo	Develop a plan of action for utility extensions	Opened a Task Order for the amount of \$25,000 out of the 19-20 economic development budget with Kimley-Horn for ongoing general engineering, environmental and planning services for utilities (water & sewer) county-wide with hopes to continue services into ongoing years. Have spent approximately \$13,000 so far. Have additional \$25,000 set aside in current fiscal year budget (20-21) to continue services. Utility line maps have been compiled by Kimley-Horn into GIS format which has been shared with County GIS Team.	Kimley-Horn provided suggested next steps/deliverables with pricing included for ongoing efforts and implementation. Working our way down the list; within the bounds of funding. Kimley-Horn is working with utility partners and local engineers to compile missing data and beginning testing of lift stations to determine capacity and flow rates. Applied for rural toolkit grant to possibly reimburse up to \$25,000.	Ongoing
Priority 5	Laurie Hurner	Build reserves to 3.5 Months and plan for a millage reduction	Continuing to monitor the current COVID-19 situation and the immediate and anticipated financial impacts. OMB engaged PFM to assist with future revenue estimations. A hiring and spending freeze has been implemented. Directors continue to be fiscally responsible during the budget process.	Continue to monitor the impacts of COVID and to be fiscally responsible with spending, while maintaining County services.	Ongoing
Priority 6	Sarah Albritton/ Ric Fleegeer	Hurricane shelter upgrades including a Pet-Friendly shelter	Cost to expand the current dog Kennel project at Animal Control is \$41,000.	Pending approval of Animal Control project.	TBD

#	Assigned	Priority	Status	Next Action	Date of Next Action
Priority 7	TBD	Planning for family-oriented tourism assets utilizing 3rd penny tourism tax	Review feedback from Tourist Development	Staff is looking to meet with leadership to establish goals and objectives in a post-Covid environment.	Ongoing
Priority 8	Randy Vosburg	Support Administration in designing & preparing a succession plan	Receiving succession plan suggestions from Directors.	Review suggestions & present information to the Board.	1/19/2020
Priority 9	Laurie Hurner	Work to streamline County bureaucracy to protect & grow economy; encourage economic development to focus on grants to retain & expand existing businesses, also keep an eye on new opportunities	1st draft submitted to County Administrator for review and comment.	Review with County Administrator.	TBD
Priority 10	Clinton Howerton	Recycling Program	Work to improve recycling efficiency from residents. Evaluating alternative options to meet State mandated goals.	Additional public education efforts have begun, including videos, mailouts, and meetings.	Ongoing

#	Departments	Project - Pending Items List	Status	Next Action	Date of Next Action
1	Engineering	Sebring Parkway Phase IIA	Construction began 10/12/2020	Construction Final Completion	09/01/22
2	Engineering	Sebring Parkway Phase IIB	Construction began 10/12/2020	Construction Final Completion	09/01/22
3	Engineering - Road & Bridge	Lacey Hills Improvement Projects	No change	Included in Carter Creek Watershed Study area. Awaiting results from study.	Pending funding
4	Engineering - Road & Bridge	Evaluation of Sebring Falls drainage issues	No change	Included in Sebring Watershed Study. Awaiting results from study.	Pending funding
5	Engineering - Road & Bridge	Memorial Drive Culvert Replacement and Extension	Project being re-designed to avoid or minimize dewatering costs and reduce other impacts.	Complete re-design and construct spring 2021	Ongoing
6	Solid Waste	Landfill Storm Closure / Transfer Station	No change	Ongoing discussions with Waste Connections and staff regarding options.	Ongoing
7	Economic Development	Econ. Dev. Strategic Plan Progress Update	Implementing Strategic Plan Initiatives	Still working on ESF 18 functions, pushing out information relating to the new stimulus package and meaning for businesses. Despite COVID-19, still doing a lot of day-to-day economic development office work. Have had numerous developers looking at multi-family housing projects that Highlands desperately needs. Working with numerous active prospects doing due diligence on property acquisition and project viability. Also continuing to work with marketing firm to create content and implement marketing/communications plan. Applied for several rural development grants through Enterprise Florida and DEO. The marketing compenent was approved and we will submit agreement to board for approval once received.	Ongoing
8	Community Programs	Homeless Roundtable Update	Samaritan's Touch Care Center has identified a building for the resource center and overnight shelter. Funding will need to be raised to lease the building and perform the remodel.	Homeless taskforce meeting.	01-13-21
9	Engineering	MCORE	Task Force has sent their recommendations for considerations of routing criteria to the State for consideration. Invite DOT consultants to present information about project to the Board.	Awaiting potential corridor information from FDOT to determine potential project needs and possible improvements needed to minimize impacts and provide greatest benefit.	Ongoing
10	Legislative Affairs & Grants	Broadband/ Highspeed Internet	Board passed resolution in support of State broadband initiatives.	To monitor Office of Broadband and State initiatives	Ongoing

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 19, 2021

PRESENTER: Sherry Sutphen, County Attorney

SUBJECT/TITLE: County Attorney Status Report

STATEMENT OF ISSUE

Attached is a copy of the pending items on the County Attorney File Log as of January 13, 2021.

RECOMMENDED ACTION

None. This is being provided for informational purposes.

FISCAL IMPACT

There is no fiscal impact.

Attachments: [COUNTY ATTORNEY LOG.pdf](#)

County Attorney Log

	DATE	RECEIVED FROM	REQUEST	STATUS
1		Clinton Howerton	Solid Waste Contract - Review and Amend	Meeting Needed/ Additional Information Needed
2		Clinton Howerton	Review and amend Solid Waste Ordinance/research garbage as a utility	Meeting Needed/ Additional Information Needed
3	7/31/20	Clinton Howerton	Review Somervale Downs Right-of-way dedications	Assigned – SS/-under review
4	8/6/20	Dawn Ritter	Review IMWID Easements and Agreements	Assigned-SS/Under review
5	8/7/20	Randy Vosburg	Review and revise Trespassing Policy	Assigned – MR-need further information
6	11/17/20	Clinton Howerton	Review revised EMS Station layout	Assigned –SS/additional information needed
7	11/17/20	Board	M-CORES/Broadband Resolution	Under review
8	12/8/20	Clinton Howerton	Prepare Dedication of Right of Way - Parkway	Meeting to be set
9	12/11/20	Melony Culpepper	Review LDS Amendment to Right of way dedication	Assigned-SS-Under review
10	1/5/21	Trisha Sapp	Review revisions regarding Bound Tree Agreement	Assigned-MR-under review
11	1/7/21	Jonathan Harris	Review Shell Pit Occupancy Agreement	Assigned-SS-Under review
12	1/7/21	Meghan DiGiacomo	Review PACE Tax Collector Agreements	Assigned-SS-Under review
13	1/8/21	Melony Culpepper	Review question regarding conditions of future land use – Lake June Road, Lake Placid	
14	1/8/21	J.D. Langford	Review question regarding Sample Driveway Joint Access Agreement and Legal for 141 & 145 Hardee St	Assigned-SS-Under review
15	1/11/21	Cynthia Acevedo	Review Covid-19 Screening Form – pre home visits	Assigned-SS-under review

16	1/12/21	Jo Anne Sawdy	Review CPA-21-581SS Ordinance and P&Z Resolution 2066 and 2068	Assigned -SS-Under review
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STATUS NOTES

Assigned – will be followed by initials of attorney

Under Review – being worked on by attorney

Additional Information Needed – information being sought

Meeting Scheduled or Needed – meeting scheduled or coordination underway

Pending – newly provided without sufficient time to assign or perform cursory review

Blank – lacking information and detail when added to log