

MEETING OF THE DISTRICTS
Tuesday, January 18, 2022
9:30 AM
600 S. Commerce Ave. Sebring, FL 33870
AGENDA

DISTRICTS LIST

AVON PARK ESTATES S. B. D.	ORANGE VILLA MOBILE HOME ESTATES S. B. D.
BONNETT CREEK ACRES S. B. D.	PLACID LAKES S. B. D.
DESOTO CITY S. B. F. D.	PLACID LAKES S. B. F. D.
HICKORY HILLS S. B. D.	RED HILL FARMS IMPROVEMENT DISTRICT
HIGHLANDS PARK ESTATES S. B. D.	SEBRING ACRES S. B. D.
HIGHLANDS PARK S. B. F. D.	SEBRING COUNTRY ESTATES S. B. D.
HIGHWAY PARK S. B. D.	SEBRING HILLS S. B. D.
LAKE HAVEN ESTATES S. B. D.	SEBRING MANOR S. B. D.
LAKE PLACID S. B. F. D.	SOMERVALE DOWNS S. B. D.
LEISURE LAKES S. B. F. D.	THUNDERBIRD ROAD WASTEWATER S. B. D.
LORIDA S. B. F. D.	VANTAGE POINTE II S. B. D.
ORANGE BLOSSOM ESTATES S. B. D.	VENUS SPECIAL B. F. D.
ORANGE BLOSSOM UNIT 12 S. B. D.	WEST SEBRING S. B. F. D.
ISTOKPOGA MARSH WATERSHED IMPROVEMENT DISTRICT	
SUN 'N LAKE ESTATES AND ACREAGE OF LAKE PLACID—S. B. D.	
SUN 'N LAKES OF LAKE PLACID RECREATION DISTRICT	
HIGHLANDS LAKES SPECIAL TAX DISTRICT	
COUNTYWIDE FIRE DISTRICT	
OAK MANOR AVENUE ROAD PAVING MUNICIPAL SERVICE BENEFIT DISTRICT	

1 MEETING CALLED TO ORDER

2 PUBLIC COMMENT

3 CONSENT AGENDA

- 3.A *Request approval of the minutes from the November 16, 2021 meeting of the Special Districts, the November 23, 2021 special meeting of the Special Districts and the December 07, 2021 meeting of the Special Districts.*
[111621SPC.pdf](#)
[112321SPC - Special.pdf](#)
[120721SPC.pdf](#)
- 3.B *Request approval of Budget Amendment 21-22-045 and Resolution to adjust Rollover Project balances in FY 21-22 for the Istokpoga Marsh Improvement District.*
David Nitz, OMB Manager
Angela Bollinger, Sr. Budget Analyst
The fiscal impact is an increase to the Istokpoga Marsh Improvement District Fund in the amount of \$48,612.31.
[21-22-045 FY20-21 SBD Rollover Project Adjustments to FY21-22 \(BA\).pdf](#)

4 ACTION AGENDA

- 4.A *Discussion on easement acquisitions for Istokpoga Marsh Watershed Improvement District (IMWID) Phase II Impoundment.*
Jonathan Harrison, Road and Bridge Director
No Fiscal Impact.

5 ADJOURN

Any person who decides to appeal any decision made by the Board of Supervisors of any of the Special Districts of Highlands County, Florida, in a public hearing or quasi-judicial proceeding 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 Supervisors of the Special Districts in 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 the Highland County Human Resources Department, ADA Coordinator at: 863-402-6509 (voice), or via Florida Rely 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 of a public meeting 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 meeting of the Board of Supervisors of the Special Districts of Highlands County shall be the voluntary offering of a private citizen. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by Highlands County, nor is Highlands County allowed by law to endorse the religious beliefs or views of any speaker.

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: 01/18/2022

PRESENTER:

SUBJECT/TITLE: Request approval of the minutes from the November 16, 2021 meeting of the Special Districts, the November 23, 2021 special meeting of the Special Districts and the December 07, 2021 meeting of the Special Districts.

RECOMMENDED ACTION

Move approval of the minutes from the November 16, 2021 meeting of the Special Districts, the November 23, 2021 special meeting of the Special Districts and the December 07, 2021 meeting of the Special Districts.

Attachments: [111621SPC.pdf](#)
[112321SPC - Special.pdf](#)
[120721SPC.pdf](#)

MEETING OF THE DISTRICTS, NOVEMBER 16, 2021

1. The meeting was called to order at 12:25 p.m., in the Highlands County Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Commissioner Kathleen G. Rapp
Commissioner Kevin J. Roberts
Commissioner Scott A. Kirouac

Commissioner Chris Campbell
Commissioner Arlene Tuck

Also, present: Randy Vosburg, County Administrator; Sherry G. Sutphen, County Attorney; Jerome Kaszubowski, Clerk of Courts; and Jill Ann Shields, Deputy Clerk.

2. CONSENT AGENDA

Commissioner Kirouac moved approval of the consent agenda as presented. Commissioner Tuck seconded the motion.

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

- A. Request approval of the minutes from the August 3, 2021, August 17, 2021, September 7, 2021, September 21, 2021, and October 5, 2021 Meetings of the Special Districts. See Clerk of Courts website.**

3. ACTION AGENDA

No action items presented.

4. CITIZENS NOT ON THE AGENDA

Jody Forsythe came before the Commission to address her concerns of the Sun 'N Lakes of Lake Placid Recreation District park being opened to the general public, the continuation of renting out the clubhouse and the exclusivity being pushed back another year. Commissioner Campbell and Commissioner Tuck addressed Ms. Forsythe's concerns.

Allen Hyman came before the Commission to address his concerns of the Sun 'N Lakes of Lake Placid Recreation District and stated that in the 20 years he has lived in this county, he has never seen government staff respond so quickly to requests received day in and day out.

Sherry Sutphen, County Attorney, addressed Ms. Forsythe and Mr. Hyman's concerns and addressed inconsistencies she found with the Board action that was taken in 1995 regarding the Sun 'N Lakes of Lake Placid Recreation District versus what the current MSBU law is and the benefit to the properties that are assessed under the MSBU. Ms. Sutphen stated that this action that was taken to create a "subsect" and allow certain people to utilize key cards was inappropriate and she will bring a resolution for the Commission's consideration that will include specific language as to the motion and will repeal any inconsistencies.

Commissioner Tuck expressed her concerns with the accessibility of Lake Grassy for the Sun 'N Lakes of Lake Placid Recreation District. Ms. Sutphen addressed Commissioner Tuck's concerns.

Commissioner Roberts expressed his gratitude towards Ms. Forsythe and Mr. Hyman's exhaustive work in their research and agrees with the direction of moving forward as suggested by the County Attorney.

Donna Davis came before the Commission to address her concerns regarding private corporations not paying assessments but receiving benefits to the clubhouse, selling gate cards, and posting signs in the Sun 'N Lakes of Lake Placid Recreation District. The County Attorney and County Administrator addressed Ms. Davis' concerns and the Commission's concerns.

Larry Walker came before the Commission to address that he is the president of the non-profit corporation Ms. Davis referred to, and provided further information on his corporation, as well as addressing the concerns regarding posted signs for activities at the Sun 'N Lakes of Lake Placid Recreation District's clubhouse. The County Attorney and County Administrator addressed the concerns regarding signage.

Commissioner Kirouac sympathized with citizens who are upset that this matter may take another 10 months, but is committed to moving forward in this matter and making sure everything is done legally and right this time.

5. ADJOURN

Commissioner Kirouac moved to adjourn the Meeting of the Districts. Commissioner Campbell seconded the motion.

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

The meeting was adjourned at 1:06 p.m.

**SPECIAL MEETING OF THE DISTRICTS for the purpose of considering
BUDGET AMENDMENTS for FISCAL YEAR 2020-2021**

NOVEMBER 23, 2021

1. The meeting was called to order at 9:08 a.m., in the Highlands County Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

**Commissioner Kathleen G. Rapp
Commissioner Scott A. Kirouac**

Commissioner Chris Campbell

Commissioner Kevin J. Roberts and **Commissioner Arlene Tuck** were absent from this meeting.

Also, present: Randy Vosburg, County Administrator; David "Matt" Raulerson, Assistant County Attorney; Sally Hood, Director of Accounting & Finance for the Clerk of Courts; and Jill Ann Shields, Deputy Clerk.

This public hearing was properly advertised, and a proof of publication was submitted to the Clerk to become part of the permanent record. ***See Proof of Publication file.***

2. CONSENT AGENDA

Commissioner Kirouac moved approval of the consent agenda as presented. Commissioner Campbell seconded the motion.

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

- A. Request approval of Budget Amendment 20-21-153 and Resolution for FY 20/21 end-of-year cost center cleanup for the Special Benefit Districts.** *See Res. Book 32 Page 80 (Res. No. 21-22-30) & SMB 145 Page 37.*

3. ACTION AGENDA

No action items presented.

4. ADJOURN

Commissioner Campbell moved to adjourn the Special Meeting of the Districts. Commissioner Kirouac seconded the motion.

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

The meeting was adjourned at 9:09 a.m.

MEETING OF THE DISTRICTS, DECEMBER 07, 2021

1. The meeting was called to order at 9:59 a.m., in the Highlands County Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

**Commissioner Kathleen G. Rapp
Commissioner Kevin J. Roberts
Commissioner Scott A. Kirouac**

**Commissioner Chris Campbell
Commissioner Arlene Tuck**

Also, present: Randy Vosburg, County Administrator; Sherry G. Sutphen, County Attorney; Sally Hood, Director of Accounting & Finance for the Clerk of Courts; and Jill Ann Shields, Deputy Clerk.

2. CONSENT AGENDA

Commissioner Tuck motioned to pull item 2B from the consent agenda and move it to the action agenda. Commissioner Roberts seconded the motion.

Upon roll call, all Commissioners voted aye, except for Commissioner Campbell, who voted nay. The motion carried.

Commissioner Tuck motioned to approve the consent agenda as amended. Commissioner Kirouac seconded the amended motion.

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

- A. **Request approval of the minutes from the October 19, 2021 and November 2, 2021 meetings of the Special Districts.** *See Clerk of Courts website.*

- ~~B. **To repeal prior resolutions and/or actions taken by the Board of Supervisors of the Sun 'n Lakes of Lake Placid Recreation District which are inconsistent with the action taken on November 2, 2021 and to direct staff to evaluate the current boundary in conjunction with the facility usage.**~~
This item was moved to the action agenda.

3. ACTION AGENDA

Commissioner Kirouac moved to set the action agenda as presented, with the addition of item 2B from the consent agenda to become item 3B. Commissioner Campbell seconded the motion.

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

- A. **Request Direction from the Board of County Commissioners on how to progress with the Istokpoga Marsh Watershed Improvement District (IMWID) Phase 2 Impoundment Project No. 14041.**

Jonathan Harrison, Road & Bridge Director, and Dawn Ritter, Natural Resource Manager, gave a brief presentation on the Istokpoga Marsh Watershed Improvement District Phase 2 Impoundment Project and requested direction from the Board whether to continue or discontinue the project.

The Commission expressed their concerns in great detail. Mr. Harrison and Ms. Ritter, along with the County Administrator and County Attorney, addressed concerns raised by the Commission.

Chairman Rapp opened the floor for public comment. Input was received from Frank Youngman.

Commissioner Tuck made a motion to direct Jonathan Harrison, Road & Bridge Director, to negotiate in writing by certified mail to the five (5) IMWID landowners with an amount required for their easement, and to report back to the Board of County Commissioners on February 1, 2022 with the landowners' responses. Commissioner Kirouac seconded the motion.

Commissioner Roberts questioned if the motion made by Commissioner Tuck could be amended by having the letters come from the county's legal department.

Commissioner Campbell questioned if the motion's deadline should be in January 2022 so that this can be addressed before the Board on February 1, 2022.

Randy Vosburg, County Administrator, stated that staff can have the letters sent out by the end of this week with a 30-day timeline and requested the Board delegate to him and the County Attorney the authority to make the offer based on the appraised value of the properties.

Commissioner Tuck amended her motion to direct the County Administrator and County Attorney to negotiate in writing by certified mail to the five (5) IMWID landowners with an amount required for their easement and to report back to the Board of County Commissioners on February 1, 2022 with the landowners' responses. Commissioner Kirouac seconded the amended motion.

Upon roll call, all Commissioners voted aye. The motion carried. **See SMB 145 Page 59.**

B. To repeal prior resolutions and/or actions taken by the Board of Supervisors of the Sun 'n Lakes of Lake Placid Recreation District which are inconsistent with the action taken on November 2, 2021 and to direct staff to evaluate the current boundary in conjunction with the facility usage.

Sherry Sutphen, County Attorney, presented the request.

Commissioner Kirouac commented on Mr. Mike Forsythe's concerns of exclusivity and the \$12,000 for the clubhouse cleanup after being rented. Mr. Vosburg stated they do have scheduled rentals for the FY 2021/2022 but will not commit to outside rentals for FY 2022/2023 and regarding the cleanup of the clubhouse, the budget is \$12,000 regardless of the number of rentals, and the cleanings occur on a routine basis. Valerie Fleeger, Budget Analyst II, confirmed the budgeted cost for the cleaning of the clubhouse, and stated that if the clubhouse is returned and left unclean, the security deposit of \$150.00 is deducted for the extra cleaning. If further cleaning is needed, Ms. Fleeger also stated that the renter will be billed for the extra amount due.

Chairman Rapp opened the floor for public comment. Input was received by Allen Hyman, Jody Forsythe, and Mike Forsythe.

Commissioner Roberts moved approval of Resolution 21-22-33 that repeals prior resolutions and/or actions taken by the Board of Supervisors of the Sun 'n Lakes of Lake Placid Recreation District, which are inconsistent with the action taken on November 2, 2021, and to direct staff to evaluate the current boundary in conjunction with the facility usage. Commissioner Campbell seconded the motion.

Upon roll call, all Commissioners voted aye, except for Commissioner Tuck, who voted nay. The motion carried. **See Res. Book 32 Page 90 (Res. No. 21-22-33) & SMB 145 Page 60.**

4. CITIZENS NOT ON THE AGENDA (Addressed before the Consent Agenda)

Mike Forsythe came before the Commission to address his concerns with the Sun 'N Lakes of Lake Placid Recreation District Clubhouse and its exclusivity.

Jody Forsythe came before the Commission to address several concerns with the Sun 'N Lakes of Lake Placid Recreation District. Ms. Forsythe presented notes to the Clerk to become part of the permanent record. **See SMB 145 Page 61.**

5. ADJOURN

Commissioner Campbell moved to adjourn the Meeting of the Districts. Commissioner Tuck seconded the motion.

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

The meeting was adjourned at 12:00 p.m.

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: January 18, 2022

PRESENTER: David Nitz, OMB Manager
Angela Bollinger, Sr. Budget Analyst

SUBJECT/TITLE: Request approval of Budget Amendment 21-22-045 and Resolution to adjust Rollover Project balances in FY 21-22 for the Istokpoga Marsh Improvement District.

STATEMENT OF ISSUE

This budget amendment is making adjustments to the Project rollovers in FY21-22 from FY 20-21 according to actuals after end-of-year close-out.

RECOMMENDED ACTION

Move to approve budget amendment 21-22-045 and associated resolution.

FISCAL IMPACT

The fiscal impact is an increase to the Istokpoga Marsh Improvement District Fund in the amount of \$48,612.31.

Attachments: [21-22-045 FY20-21 SBD Rollover Project Adjustments to FY21-22 \(BA\).pdf](#)
[21-22-045R FY20-21 SBD Rollover Project Adjustments to FY21-22 \(Resolution\).pdf](#)

January 11, 2022

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS

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

BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY FLORIDA

DATE: 1/6/2022

SUBMITTED BY: OMB

FUND(S):	109	FUND TITLE(S):	Istokpoga Marsh Improvement District	COST CENTER(S) #:	7989
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IMWID Water Quality Imp; IMWID Phase		
PROJECT(S) #:	13026; 14041	COST CENTER TITLE(S): Istokpoga Marsh Improvement District
PROJECT TITLE(S): II		

*list additional cost centers on reverse side of form

[illegible]

REASON: Fiscal Year (FY) 20-21 Istokpoga Marsh Improvement District Rollover Project Adjustments into FY 21-22 in accordance with Fiscal Year-End Close-Out Balances.

OFFICE USE ONLY

OMB RECOMMENDATION:

REQUEST # 21-22-045

TRANSFER TYPE:

Approval

ACTION:

Denial

Board	<u> </u>	Approved	<u> </u>	Denied
County Administrator	<u> </u>	Approved	<u> </u>	Denied

ITEM TO ITEM
RESERVE
XX BY RESOLUTION
SUPPLEMENTAL BUDGET

SIGNATURE: _____

Signature: _____

DATE: / /

Posted by Clerk:

Form Revised 08/05/2020

RESOLUTION NO. 21-22-66

**A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA
PERTAINING TO BUDGET AMENDMENT 21-22-045 TO
THE ISTOKPOGA MARSH IMPROVEMENT DISTRICT
FUND; PROVIDING FOR LEGISLATIVE FINDINGS AND
INTENT; PROVIDING FOR APPROVAL OF BUDGET
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, Florida Statutes, Section 129.06, (Execution and Amendment of Budget) provides that the Board of County Commissioners may by resolution amend its budget; and

WHEREAS, Highlands County has determined that the following budget amendment is necessary and proper within the Istokpoga Marsh Improvement District Fund.

**NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY,
FLORIDA 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. Approval of Budget Amendment. Budget Amendment 21-22-045 is hereby approved and authorized to the rollover project balances from FY 20/21 into the current FY 21/22 to properly budget the available funds in the projects in FY 21/22 to maintain the authorized balances for a net increase in the amount of \$48,612.31.

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 the budget amendment approved hereby, 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 upon adoption.

PASSED AND ADOPTED **this 18th day of January, 2022.**

HIGHLANDS COUNTY, FLORIDA

By: _____
Kathleen G. Rapp, Chairperson

ATTEST:

Jerome Kaszubowski, Clerk of Court

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: 1/4/2022

PRESENTER: Jonathan Harrison, Road and Bridge Director

SUBJECT/TITLE: Discussion on easement acquisitions for Istokpoga Marsh Watershed Improvement District (IMWID) Phase II Impoundment.

STATEMENT OF ISSUE

At the December 7th meeting, the Highlands County Board of County Commissioners gave direction to initiate offers to 4 property owners for the purpose of acquiring necessary easements for construction of the Phase II Above Ground Impoundment. Offers were made with a request to reply by December 31st, 2021. Updates relative to the responses will be provided for discussion.

RECOMMENDED ACTION

Discussion on easement acquisitions for Istokpoga Marsh Watershed Improvement District (IMWID) Phase II Impoundment.

FISCAL IMPACT

No Fiscal Impact.

Attachments: