

MEETING OF THE DISTRICTS
Tuesday, May 03, 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.	SOMERVILLE 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 PRESENTATIONS:

- 2.A *Istokpoga Marsh Watershed Improvement District (IMWID)*
Valerie Fleeger, Budget Analyst II/NAV
Jonathan Harrison, Road and Bridge Director
TBD
[IMWID Assessment Summary.docx](#)

3 PUBLIC COMMENT

4 CONSENT AGENDA

5 PUBLIC HEARING

- 5.A *Public hearing to consider proposed Ordinance No. 21-22-20 to repeal Chapter 9, Article XIX, Hickory Hills Special Benefit District.*
Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney

There is no fiscal impact.
[Ordinance.MSBU.Hickory Hills Repeal.SGS.pdf](#)
[Hickory Hills Repeal_Mailing.pdf](#)
[HH Public Notice_Affidavit of Publication.pdf](#)

- 5.B *Public hearing to consider proposed Ordinance No. 21-22-19 to repeal Chapter 9, Article IV, Sebring Manor Special Benefit District.*
Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney
There is no fiscal impact.
[Ordinance.MSBU.Sebring Manor Repeal.SGS..pdf](#)
[Sebring Manor Repeal_Mailing.pdf](#)
[SM Public Notice_Affidavit of Publication.pdf](#)
- 5.C *Public hearing to consider proposed Ordinance No. 21-22-18 to repeal Chapter 9, Article IX, Bonnett Creek Acres Special Benefit District .*
Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney
There is no fiscal impact.
[Ordinance.MSBU.Bonnett Creek Repeal.SGS.pdf](#)
[Bonnett Creek Repeal_Mailing.pdf](#)
[BC Public Notice_Affidavit of Publication.pdf](#)
- 5.D *Public hearing to consider proposed Ordinance No. 21-22-17 to repeal Chapter 9, Article XXXVII, Vantage Pointe II Special Benefit District.*
Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney
There is no fiscal impact.
[Ordinance.MSBU.Vantage Pointe Repeal.SGS..pdf](#)
[Vantage Point Repeal_Mailing.pdf](#)
[VP Public Notice_Affidavit of Publication.pdf](#)
- 5.E *Public hearing to consider proposed Ordinance No. 21-22-16 to repeal Chapter 9, Article XXI, Somervale Downs Special Benefit District.*
Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney
There is no fiscal impact.
[Ordinance.MSBU.Somervale Downs Repeal.SGS.pdf](#)
[Somervale Downs Repeal_Mailing.pdf](#)
[SD Public Notice_Affidavit of Publication.pdf](#)

6 ACTION AGENDA

7 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 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 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: May 3, 2022

PRESENTER: Valerie Fleeger, Budget Analyst II/NAV
Jonathan Harrison, Road and Bridge Director

SUBJECT/TITLE: Istokpoga Marsh Watershed Improvement District (IMWID)

STATEMENT OF ISSUE

A study by Cool & Cobb Engineering Co. was recently completed within IMWID and has shown that 3 culverts are in immediate need of replacement with an additional 13 culverts needing replacement within the next 9 years. The estimated cost to complete all culvert replacements will be approximately \$2,306,000 with an average yearly cost of \$256,222. This is in addition to the annual maintenance costs necessary to operate the District.

RECOMMENDED ACTION

None

FISCAL IMPACT

TBD

Attachments: [IMWID Assessment Summary.docx](#)



**Istokpoga Marsh Watershed Improvement District
Maintenance Assessment**

The operation and maintenance of the Istokpoga Marsh Watershed Improvement District is funded through a Special Assessment. This assessment covers the following maintenance items: ditch cleaning, spraying, culvert replacement, impoundment operation, mowing, and any other IMWID related maintenance concern.

All structures and/or culverts within IMWID have been assessed with all requiring needed maintenance due to the extended length of time (some as long as 55 years) they have been in operation. The following is a breakdown of the necessary replacements, with S-4, S-7, & S-8 receiving high priority due to the deteriorating conditions. Also, included is some annual maintenance costs of the District.

The estimated yearly revenue collected through the assessment is \$143,624.80/yr. accumulated from an \$8 per acre assessment. Below, is total cost for maintenance the last few years:

18-19 \$69,801.54

19-20 \$89,507.26

20-21 \$72,880.15

21-22 \$58,491.70 (YTD)

Phase I Impoundment Maintenance costs of \$38,000 must begin to be set aside for current maintenance activities and future needs. Activities associated are: vegetation control, pump repair, mowing, electrical, inspections, surveys, grading, mechanical maintenance, admin costs, planned pump replacement, etc.

List of culverts/structures needing replacement:

S-4	\$90,000 (Year 1)
S-7	\$98,000 (Year 1)
S-8	\$98,000 (Year 1)
S-3	\$70,000
S-6	\$110,000
S-2	\$110,000
S-12	\$60,000
S-5	\$250,000
S-1	\$300,000
S-9	\$300,000
S-10	\$250,000
S-13	\$45,000
S-11	\$110,000
S-18	\$60,000
S-17	\$110,000
S-17A	\$45,000
Design/Eng.	\$200,000 (\$20,000; Year 1)
Total	\$2,306,000

Present and Future Fund Balance

\$384,665	(Fund Balance as of 10/1/2021)
+\$143,624	(Incoming Assessments)
--\$283,000	(Easement Acquisition Costs)
--\$100,000	(Projected EOY Maintenance Costs)
--\$38,000	(Phase I Maintenance Costs)
= \$107,289	(Fund Balance as of 10/1/2022)
+\$143,624	(Incoming Assessments)
--\$85,000	(Average Maintenance Costs)
--\$38,000	(Phase I Maintenance Costs)
--\$306,000	(Year 1 Requirements; Culvert Replacements)
= --\$178,087	(Negative Fund Balance within 2023)

Negative Fund Balance of \$178,087 is equal to a 124% or \$9.92/acre deficit. This equates to a potential \$18/acre assessment (\$8/acre current + \$10/acre projection).

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: May 3, 2022

PRESENTER: Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney

SUBJECT/TITLE: Public hearing to consider proposed Ordinance No. 21-22-20 to repeal Chapter 9, Article XIX, Hickory Hills Special Benefit District.

STATEMENT OF ISSUE

Hickory Hills Special Benefit District was created March 3, 1987 for the purpose of providing public thoroughfares, recreational facilities, etc. in the area of the district. The purpose of this MSBU has been completed and no new or additional purpose has been established, dissolution is recommended.

RECOMMENDED ACTION

Move to approve and adopt Ordinance No. 21-22-20, to repeal Chapter 9, Article IX, Hickory Hills Special Benefit District in its entirety and the MSBU created thereby be dissolved and shall have no further force or effect.

FISCAL IMPACT

There is no fiscal impact.

Attachments: [Ordinance.MSBU.Hickory Hills Repeal.SGS.pdf](#)
[Hickory Hills Repeal_Mailing.pdf](#)
[HH Public Notice_Affidavit of Publication.pdf](#)

ORDINANCE NO. 21-22-20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 9, ARTICLE XIX, HICKORY HILLS SPECIAL BENEFIT DISTRICT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF CHAPTER 9, ARTICLE XIX, HICKORY HILLS SPECIAL BENEFIT DISTRICT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 125, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, specifically Florida Statutes, Section 125.01(1)(q), authorizes the County to establish a Municipal Service Benefit Unit (MSBU) for various purposes in order to effectively provide certain government services; and

WHEREAS, from time-to-time Highlands County determines that it's in its best interest to amend, revise or repeal an MSBU which it has established; and

WHEREAS, Highlands County has determined that there is no longer a current necessity for the Hickory Hills Special Benefit District, and it should, therefore, be abolished; and

WHEREAS, Highlands County has determined this Ordinance advances a legitimate public purpose and promotes and protects the health, safety and welfare of the citizens of the Highlands County.

NOW THEREFORE, BE IT ORDAINED BY HIGHLANDS COUNTY, FLORIDA AFTER DUE NOTICE AND PUBLIC HEARING, AS FOLLOWS:

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

SECTION 2. REPEAL OF CHAPTER 9, ARTICLE XIX, HICKORY HILLS SPECIAL BENEFIT DISTRICT. Highlands County Code of Ordinances, Chapter 9, Article XIX, Hickory Hills Special Benefit District, is hereby repealed in its entirety and the MSBU created thereby is dissolved and shall have no further force or effect.

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 the Board of County Commissioners of Highlands County pertaining to the repeal of Highlands County Code of Ordinances, Chapter 9, Article XIX, Hickory Hills Special Benefit District, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. CODIFICATION AND SCRIVENER'S ERRORS.

A. The repeal of Chapter 9, Article XIX, shall hereafter be reflected in the Highlands County Code of Ordinances.

B. 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 with the endorsement of the County Manager, or designee, without the need for a public hearing.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance 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 become effective immediately upon its passage and adoption.

Signatures on Following Page

DONE AND ADOPTED this _____ day of _____, 2022.

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

By: _____
Kathleen G. Rapp, Chairperson

(SEAL)

ATTEST:

Jerome Kaszubowski, Clerk



HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
NON-AD VALOREM ASSESSMENT

600 S. Commerce Ave.
Sebring, FL 33870

*** NOTICE ***

NAME
ADDRESS
CITY, STATE ZIP

RE: _____

You are hereby notified that since the County's purpose for establishing the Hickory Hills Special Benefit District (MSBU) are complete and there has not been a new or additional purpose established for the MSBU, the Highlands County Board of County Commissioners (Board) intends to hold a Public Hearing on Tuesday, May 3, 2022, at 9:00 a.m., or as soon thereafter as can be heard, at the Government Center Boardroom, 600 S. Commerce Avenue, Sebring, Florida, at which time the Board will receive and consider any public comments and information regarding the dissolution of the MSBU. All interested parties have the right to appear at the hearing and to file written objections with the Board. Written objections should be mailed to the Non-Ad Valorem Department, 600 S. Commerce Ave, Sebring, Florida 33870, and received within 20 days of this notice. If the Board determines that continuation of the hearing is necessary, the date, time, and location of the continuation of the hearing will be announced at the public hearing on May 3, 2022.

If you decide to appeal the decision made by the Board regarding this matter, you will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes Section 286.0105).

FOR ADDITIONAL INFORMATION PLEASE CALL (863) 402-6500.

**NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-20
NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:**

The Highlands County Board of County Commissioners will conduct a public hearing to consider and act upon the following proposed County Ordinance on **May 3, 2022 at 9:30 am.**, or as soon thereafter as possible, in the County Commissioners' Board Room of the Government Center, 600 South Commerce Avenue, Sebring, Florida or such other location **and/or with the assistance of Communications Media Technology as may be deemed necessary based on COVID-19 pandemic concerns:**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 9, ARTICLE XIX, HICKORY HILLS SPECIAL BENEFIT DISTRICT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF CHAPTER 9, ARTICLE XIX, HICKORY HILLS SPECIAL BENEFIT DISTRICT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A copy of the ordinance is available for inspection in the office of the County Administrator, 600 South Commerce Avenue, Sebring, Florida 33870 and the office of the Clerk of the Board of County Commissioners, Recording Division, 590 South Commerce Avenue, Sebring, Florida 33870. All interested persons may appear and be heard at the time and place specified above and may be continued to a future date or dates. The times, places, and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. Any person who might wish to appeal any decision made by the Board of County Commissioners of Highlands County, Florida, in public hearing or meeting is hereby advised that they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made which 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-discriminatory 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 Sherri Bennett, ADA Coordinator, at (863) 402-6509 (voice) or via Florida Relay Service 711, or by e-mail: hrmanager@hcbcc.org. Requests for CART or interpreter services should be made at least 24 hours in advance to permit coordination of the service.

AFFIDAVIT OF PUBLICATION

HIGHLANDS NEWS-SUN

Published Daily

SEBRING, HIGHLANDS COUNTY, FLORIDA

**Case No. NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-20
MAY 3, 2022**

**STATE OF FLORIDA,
COUNTY OF HIGHLANDS**

Before the undersigned authority, Janet Emerson, personally appeared who on oath says that she is the Classified Advertising Legal Clerk of Highlands News-Sun, a newspaper published at Sebring in Highlands County, Florida; that the attached copy or reprint of the advertisement, to the right, being a Public Notice, was published in said newspaper by print in the issues of or by publication on the newspaper's website, if authorized, on:

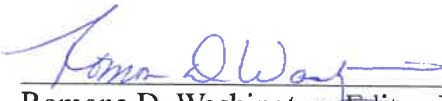
APRIL 20, 2022

Affiant further says that the Highlands News-Sun newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
SIGNED:



Janet Emerson

Sworn to and subscribed before me this 21st day of April, 2022 by Janet Emerson, who is personally know to me.



Romona D. Washington, Editor, Notary Number: GG 333543
Notary expires: June 20, 2023



ROMONA D WASHINGTON
Commission # GG 333543
Expires June 20, 2023
Bonded Thru Budget Notary Services

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: May 3, 2022

PRESENTER: Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney

SUBJECT/TITLE: Public hearing to consider proposed Ordinance No. 21-22-19 to repeal Chapter 9, Article IV, Sebring Manor Special Benefit District.

STATEMENT OF ISSUE

Sebring Manor Special Benefit District was created February 17, 1976 for the purpose of providing public roads in the area of the district. Property owners were never assessed and due to inactivity, dissolution is recommended.

RECOMMENDED ACTION

Move to approve and adopt Ordinance No. 21-22-19, to repeal Chapter 9, Article IV, Sebring Manor Special Benefit District in its entirety and the MSBU created thereby be dissolved and shall have no further force or effect.

FISCAL IMPACT

There is no fiscal impact.

Attachments: [Ordinance.MSBU.Sebring Manor Repeal.SGS..pdf](#)
[Sebring Manor Repeal_Mailing.pdf](#)
[SM Public Notice_Affidavit of Publication.pdf](#)

ORDINANCE NO. 21-22-19

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 9, ARTICLE IV, SEBRING MANOR SPECIAL BENEFIT DISTRICT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF CHAPTER 9, ARTICLE IV, SEBRING MANOR SPECIAL BENEFIT DISTRICT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 125, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, specifically Florida Statutes, Section 125.01(1)(q), authorizes the County to establish a Municipal Service Benefit Unit (MSBU) for various purposes in order to effectively provide certain government services; and

WHEREAS, from time-to-time Highlands County determines that it's in its best interest to amend, revise or repeal an MSBU which it has established; and

WHEREAS, Highlands County has determined that there is no longer a current necessity for the Sebring Manor Special Benefit District, and it should, therefore, be abolished; and

WHEREAS, Highlands County has determined this Ordinance advances a legitimate public purpose and promotes and protects the health, safety and welfare of the citizens of the Highlands County.

NOW THEREFORE, BE IT ORDAINED BY HIGHLANDS COUNTY, FLORIDA AFTER DUE NOTICE AND PUBLIC HEARING, AS FOLLOWS:

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

SECTION 2. REPEAL OF CHAPTER 9, ARTICLE IV, SEBRING MANOR SPECIAL BENEFIT DISTRICT. Highlands County Code of Ordinances, Chapter 9, Article IV, Sebring Manor Special Benefit District, is hereby repealed in its entirety and the MSBU created thereby is dissolved and shall have no further force or effect.

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 the Board of County Commissioners of Highlands County pertaining to the repeal of Highlands County Code of Ordinances, Chapter 9, Article IV, Sebring Manor Special Benefit District, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. CODIFICATION AND SCRIVENER'S ERRORS.

A. The repeal of Chapter 9, Article IV, shall hereafter be reflected in the Highlands County Code of Ordinances.

B. 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 with the endorsement of the County Manager, or designee, without the need for a public hearing.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance 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 become effective immediately upon its passage and adoption.

Signatures on Following Page

DONE AND ADOPTED this _____ day of _____, 2022.

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

By: _____
Kathleen G. Rapp, Chairperson

(SEAL)

ATTEST:

Jerome Kaszubowski, Clerk



HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
NON-AD VALOREM ASSESSMENT

600 S. Commerce Ave.
Sebring, FL 33870

*** NOTICE ***

NAME
ADDRESS
CITY, STATE, ZIP

RE: _____

You are hereby notified that since there has been no activity or amounts assessed against the properties within the boundaries of the Sebring Manor Special Benefit District (MSBU), the Highlands County Board of County Commissioners (Board) intends to hold a Public Hearing on Tuesday, May 3, 2022, at 9:00 a.m., or as soon thereafter as can be heard, at the Government Center Boardroom, 600 S. Commerce Avenue, Sebring, Florida, at which time the Board will receive and consider any public comments and information regarding the dissolution of the MSBU. All interested parties have the right to appear at the hearing and to file written objections with the Board. Written objections should be mailed to the Non-Ad Valorem Department, 600 S. Commerce Ave, Sebring, Florida 33870, and received within 20 days of this notice. If the Board determines that continuation of the hearing is necessary, the date, time, and location of the continuation of the hearing will be announced at the public hearing on May 3, 2022.

If you decide to appeal the decision made by the Board regarding this matter, you will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes Section 286.0105).

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COUNTY ORDINANCE NO. 21-22-19
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AFFIDAVIT OF PUBLICATION
HIGHLANDS NEWS-SUN
Published Daily
SEBRING, HIGHLANDS COUNTY, FLORIDA

Case No. NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-19
MAY 3, 2022

STATE OF FLORIDA,
COUNTY OF HIGHLANDS

Before the undersigned authority, Janet Emerson, personally appeared who on oath says that she is the Classified Advertising Legal Clerk of Highlands News-Sun, a newspaper published at Sebring in Highlands County, Florida; that the attached copy or reprint of the advertisement, to the right, being a Public Notice, was published in said newspaper by print in the issues of or by publication on the newspaper's website, if authorized, on:

APRIL 20, 2022

Affiant further says that the Highlands News-Sun newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
SIGNED:



Janet Emerson

Sworn to and subscribed before me this 21st day of April, 2022 by Janet Emerson, who is personally know to me.



Romona D. Washington, Editor, Notary Number: GG 333543
Notary expires: June 20, 2023



ROMONA D WASHINGTON
Commission # GG 333543
Expires June 20, 2023
Bonded Thru Budget Notary Services

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: May 3, 2022

PRESENTER: Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney

SUBJECT/TITLE: Public hearing to consider proposed Ordinance No. 21-22-18 to repeal Chapter 9, Article IX, Bonnett Creek Acres Special Benefit District .

STATEMENT OF ISSUE

Bonnett Creek Acres Special Benefit District was created January 15, 2012 for the purpose of providing public roads in the area of the district. Property owners were never assessed and due to inactivity, dissolution is recommended.

RECOMMENDED ACTION

Move to approve and adopt Ordinance No. 21-22-17, to repeal Chapter 9, Article IX, Bonnett Creek Acres Special Benefit District in its entirety and the MSBU created thereby be dissolved and shall have no further force or effect.

FISCAL IMPACT

There is no fiscal impact.

Attachments: [Ordinance.MSBU.Bonnett Creek Repeal.SGS.pdf](#)
[Bonnett Creek Repeal_Mailing.pdf](#)
[BC Public Notice_Affidavit of Publication.pdf](#)

ORDINANCE NO. 21-22-18

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 9, ARTICLE IX, BONNETT CREEK ACRES SPECIAL BENEFIT DISTRICT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF CHAPTER 9, ARTICLE IX, BONNETT CREEK ACRES SPECIAL BENEFIT DISTRICT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 125, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, specifically Florida Statutes, Section 125.01(1)(q), authorizes the County to establish a Municipal Service Benefit Unit (MSBU) for various purposes in order to effectively provide certain government services; and

WHEREAS, from time-to-time Highlands County determines that it's in its best interest to amend, revise or repeal an MSBU which it has established; and

WHEREAS, Highlands County has determined that there is no longer a current necessity for the Bonnett Creek Acres Special Benefit District, and it should, therefore, be abolished; and

WHEREAS, Highlands County has determined this Ordinance advances a legitimate public purpose and promotes and protects the health, safety and welfare of the citizens of the Highlands County.

NOW THEREFORE, BE IT ORDAINED BY HIGHLANDS COUNTY, FLORIDA AFTER DUE NOTICE AND PUBLIC HEARING, AS FOLLOWS:

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

SECTION 2. REPEAL OF CHAPTER 9, ARTICLE IX, BONNETT CREEK ACRES SPECIAL BENEFIT DISTRICT. Highlands County Code of Ordinances, Chapter 9, Article IX, Bonnett Creek Acres Special Benefit District, is hereby repealed in its entirety and the MSBU created thereby is dissolved and shall have no further force or effect.

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 the Board of County Commissioners of Highlands County pertaining to the repeal of Highlands County Code of Ordinances, Chapter 9, Article IX, Bonnet Creek Acres Special Benefit District, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. CODIFICATION AND SCRIVENER'S ERRORS.

A. The repeal of Chapter 9, Article IX, shall hereafter be reflected in the Highlands County Code of Ordinances.

B. 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 with the endorsement of the County Manager, or designee, without the need for a public hearing.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance 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 become effective immediately upon its passage and adoption.

Signatures on Following Page

DONE AND ADOPTED this _____ day of _____, 2022.

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

By: _____
Kathleen G. Rapp, Chairperson

(SEAL)

ATTEST:

Jerome Kaszubowski, Clerk



HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
NON-AD VALOREM ASSESSMENT

600 S. Commerce Ave.
Sebring, FL 33870

*** NOTICE ***

NAME
ADDRESS
CITY, STATE, ZIP

RE: _____

You are hereby notified that since there has been no activity or amounts assessed against the properties within the boundaries of the Bonnett Creek Acres Special Benefit District (MSBU), the Highlands County Board of County Commissioners (Board) intends to hold a Public Hearing on Tuesday, May 3, 2022, at 9:00 a.m., or as soon thereafter as can be heard, at the Government Center Boardroom, 600 S. Commerce Avenue, Sebring, Florida, at which time the Board will receive and consider any public comments and information regarding the dissolution of the MSBU. All interested parties have the right to appear at the hearing and to file written objections with the Board. Written objections should be mailed to the Non-Ad Valorem Department, 600 S. Commerce Ave, Sebring, Florida 33870, and received within 20 days of this notice. If the Board determines that continuation of the hearing is necessary, the date, time, and location of the continuation of the hearing will be announced at the public hearing on May 3, 2022.

If you decide to appeal the decision made by the Board regarding this matter, you will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes Section 286.0105).

FOR ADDITIONAL INFORMATION PLEASE CALL (863) 402-6520.

**NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-18
NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:**

The Highlands County Board of County Commissioners will conduct a public hearing to consider and act upon the following proposed County Ordinance on **May 3, 2022 at 9:30 am.**, or as soon thereafter as possible, in the County Commissioners' Board Room of the Government Center, 600 South Commerce Avenue, Sebring, Florida or such other location **and/or with the assistance of Communications Media Technology as may be deemed necessary based on COVID-19 pandemic concerns:**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 9, ARTICLE IX, BONNETT CREEK ACRES SPECIAL BENEFIT DISTRICT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF CHAPTER 9, ARTICLE IX, BONNETT CREEK ACRES SPECIAL BENEFIT DISTRICT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A copy of the ordinance is available for inspection in the office of the County Administrator, 600 South Commerce Avenue, Sebring, Florida 33870 and the office of the Clerk of the Board of County Commissioners, Recording Division, 590 South Commerce Avenue, Sebring, Florida 33870. All interested persons may appear and be heard at the time and place specified above and may be continued to a future date or dates. The times, places, and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. Any person who might wish to appeal any decision made by the Board of County Commissioners of Highlands County, Florida, in public hearing or meeting is hereby advised that they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made which 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-discriminatory 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 Sherri Bennett, ADA Coordinator, at (863) 402-6509 (voice) or via Florida Relay Service 711, or by e-mail: hrmanager@hcbcc.org. Requests for CART or interpreter services should be made at least 24 hours in advance to permit coordination of the service.

AFFIDAVIT OF PUBLICATION

HIGHLANDS NEWS-SUN

Published Daily

SEBRING, HIGHLANDS COUNTY, FLORIDA

**Case No. NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-18
MAY 3, 2022**

**STATE OF FLORIDA,
COUNTY OF HIGHLANDS**

Before the undersigned authority, Janet Emerson, personally appeared who on oath says that she is the Classified Advertising Legal Clerk of Highlands News-Sun, a newspaper published at Sebring in Highlands County, Florida; that the attached copy or reprint of the advertisement, to the right, being a Public Notice, was published in said newspaper by print in the issues of or by publication on the newspaper's website, if authorized, on:

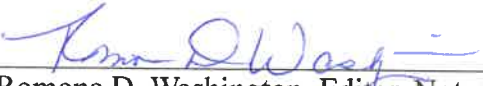
APRIL 20, 2022

Affiant further says that the Highlands News-Sun newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
SIGNED:



Janet Emerson

Sworn to and subscribed before me this 21st day of April, 2022 by Janet Emerson, who is personally know to me.



Romona D. Washington, Editor, Notary Number: GG 333543
Notary expires: June 20, 2023



ROMONA D WASHINGTON
Commission # GG 333543
Expires June 20, 2023
Bonded Thru Budget Notary Services

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: May 3, 2022

PRESENTER: Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney

SUBJECT/TITLE: Public hearing to consider proposed Ordinance No. 21-22-17 to repeal Chapter 9, Article XXXVII, Vantage Pointe II Special Benefit District.

STATEMENT OF ISSUE

Vantage Pointe II Special Benefit District was created March 21, 2000 for various purposes to include public thoroughfares, fire protection, street lighting, etc. in the area of the district. Property owners were never assessed and due to inactivity, dissolution is recommended.

RECOMMENDED ACTION

Move to approve and adopt Ordinance No. 21-22-17, to repeal Chapter 9, Article XXI, Article XXXVII, Vantage Pointe II Special Benefit District in its entirety and the MSBU created thereby be dissolved and shall have no further force or effect.

FISCAL IMPACT

There is no fiscal impact.

Attachments: [Ordinance.MSBU.Vantage Pointe Repeal.SGS..pdf](#)
[Vantage Point Repeal_Mailing.pdf](#)
[VP Public Notice_Affidavit of Publication.pdf](#)

ORDINANCE NO. 21-22-17

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 9, ARTICLE XXXVII, VANTAGE POINTE II SPECIAL BENEFIT DISTRICT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF CHAPTER 9, ARTICLE XXXVII, VANTAGE POINTE II SPECIAL BENEFIT DISTRICT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 125, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, specifically Florida Statutes, Section 125.01(1)(q), authorizes the County to establish a Municipal Service Benefit Unit (MSBU) for various purposes in order to effectively provide certain government services; and

WHEREAS, from time-to-time Highlands County determines that it's in its best interest to amend, revise or repeal an MSBU which it has established; and

WHEREAS, Highlands County has determined that there is no longer a current necessity for the Vantage Pointe II Special Benefit District, and it should, therefore, be abolished; and

WHEREAS, Highlands County has determined this Ordinance advances a legitimate public purpose and promotes and protects the health, safety and welfare of the citizens of the Highlands County.

NOW THEREFORE, BE IT ORDAINED BY HIGHLANDS COUNTY, FLORIDA AFTER DUE NOTICE AND PUBLIC HEARING, AS FOLLOWS:

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

SECTION 2. REPEAL OF CHAPTER 9, ARTICLE XXXVII, VANTAGE POINTE II SPECIAL BENEFIT DISTRICT. Highlands County Code of Ordinances, Chapter 9, Article XXXVII, Vantage Pointe II Special Benefit District, is hereby repealed

in its entirety and the MSBU created thereby is dissolved and shall have no further force or effect.

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 the Board of County Commissioners of Highlands County pertaining to the repeal of Highlands County Code of Ordinances, Chapter 9, Article XXXVII, Vantage Pointe II Special Benefit District, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. CODIFICATION AND SCRIVENER'S ERRORS.
A. The repeal of Chapter 9, Article XXXVII, shall hereafter be reflected in the Highlands County Code of Ordinances.

B. 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 with the endorsement of the County Manager, or designee, without the need for a public hearing.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance 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 become effective immediately upon its passage and adoption.

Signatures on Following Page

DONE AND ADOPTED this _____ day of _____, 2022.

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

By: _____
Kathleen G. Rapp, Chairperson

(SEAL)

ATTEST:

Jerome Kaszubowski, Clerk



HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
NON-AD VALOREM ASSESSMENT

600 S. Commerce Ave.
Sebring, FL 33870

*** NOTICE ***

NAME
ADDRESS
CITY, STATE, ZIP

RE: _____

You are hereby notified that since there has been no activity or amounts assessed against the properties within the boundaries of the Vantage Pointe II Special Benefit District (MSBU), the Highlands County Board of County Commissioners (Board) intends to hold a Public Hearing on Tuesday, May 3, 2022, at 9:00 a.m., or as soon thereafter as can be heard, at the Government Center Boardroom, 600 S. Commerce Avenue, Sebring, Florida, at which time the Board will receive and consider any public comments and information regarding the dissolution of the MSBU. All interested parties have the right to appear at the hearing and to file written objections with the Board. Written objections should be mailed to the Non-Ad Valorem Department, 600 S. Commerce Ave, Sebring, Florida 33870, and received within 20 days of this notice. If the Board determines that continuation of the hearing is necessary, the date, time, and location of the continuation of the hearing will be announced at the public hearing on May 3, 2022.

If you decide to appeal the decision made by the Board regarding this matter, you will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes Section 286.0105).

FOR ADDITIONAL INFORMATION PLEASE CALL (863) 402-6520.

**NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-17
NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:**

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The Board of County Commissioners of Highlands County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discriminatory 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 Sherri Bennett, ADA Coordinator, at (863) 402-6509 (voice) or via Florida Relay Service 711, or by e-mail: hrmanager@hcbcc.org. Requests for CART or interpreter services should be made at least 24 hours in advance to permit coordination of the service.

HIGHLANDS COUNTY BOARD OF
COUNTY COMMISSIONERS

AFFIDAVIT OF PUBLICATION

HIGHLANDS NEWS-SUN

Published Daily

SEBRING, HIGHLANDS COUNTY, FLORIDA

**Case No. NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-17
MAY 3, 2022**

**STATE OF FLORIDA,
COUNTY OF HIGHLANDS**

Before the undersigned authority, Janet Emerson, personally appeared who on oath says that she is the Classified Advertising Legal Clerk of Highlands News-Sun, a newspaper published at Sebring in Highlands County, Florida; that the attached copy or reprint of the advertisement, to the right, being a Public Notice, was published in said newspaper by print in the issues of or by publication on the newspaper's website, if authorized, on:

APRIL 20, 2022

Affiant further says that the Highlands News-Sun newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
SIGNED:



Janet Emerson

Sworn to and subscribed before me this 21st day of April, 2022 by Janet Emerson, who is personally know to me.



Romona D. Washington, Editor, Notary Number: GG 333543
Notary expires: June 20, 2023



ROMONA D WASHINGTON
Commission # GG 333543
Expires June 20, 2023
Bonded Thru Budget Notary Services

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: May 3, 2022

PRESENTER: Valerie Fleeger, Budget Analyst II/NAV
Sherry G. Sutphen, County Attorney

SUBJECT/TITLE: Public hearing to consider proposed Ordinance No. 21-22-16 to repeal Chapter 9, Article XXI, Somervale Downs Special Benefit District.

STATEMENT OF ISSUE

Somervale Downs Special Benefit District was created July 24, 2012 for the purpose of providing public roads in the area of the district. Property owners were never assessed and due to inactivity, dissolution is recommended.

RECOMMENDED ACTION

Move to approve and adopt Ordinance No. 21-22-16, to repeal Chapter 9, Article XXI, Somervale Downs Special Benefit District in its entirety and the MSBU created thereby be dissolved and shall have no further force or effect.

FISCAL IMPACT

There is no fiscal impact.

Attachments: [Ordinance.MSBU.Somervale Downs Repeal.SGS.pdf](#)
[Somervale Downs Repeal_Mailing.pdf](#)
[SD Public Notice_Affidavit of Publication.pdf](#)

ORDINANCE NO. 21-22-16

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 9, ARTICLE XXI, SOMERVALE DOWNS SPECIAL BENEFIT DISTRICT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF CHAPTER 9, ARTICLE XXI, SOMERVALE DOWNS SPECIAL BENEFIT DISTRICT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 125, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, specifically Florida Statutes, Section 125.01(1)(q), authorizes the County to establish a Municipal Service Benefit Unit (MSBU) for various purposes in order to effectively provide certain government services; and

WHEREAS, from time-to-time Highlands County determines that it's in its best interest to amend, revise or repeal an MSBU which it has established; and

WHEREAS, Highlands County has determined that there is no longer a current necessity for the Somervale Downs Special Benefit District, and it should, therefore, be abolished; and

WHEREAS, Highlands County has determined this Ordinance advances a legitimate public purpose and promotes and protects the health, safety and welfare of the citizens of the Highlands County.

NOW THEREFORE, BE IT ORDAINED BY HIGHLANDS COUNTY, FLORIDA AFTER DUE NOTICE AND PUBLIC HEARING, AS FOLLOWS:

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

SECTION 2. REPEAL OF CHAPTER 9, ARTICLE XXI, SOMERVALE DOWNS SPECIAL BENEFIT DISTRICT. Highlands County Code of Ordinances, Chapter 9, Article XXI, Somervale Downs Special Benefit District, is hereby repealed in

its entirety and the MSBU created thereby is dissolved and shall have no further force or effect.

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 the Board of County Commissioners of Highlands County pertaining to the repeal of Highlands County Code of Ordinances, Chapter 9, Article XXI, Somervale Downs Special Benefit District, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. CODIFICATION AND SCRIVENER'S ERRORS.
A. The repeal of Chapter 9, Article XXI, shall hereafter be reflected in the Highlands County Code of Ordinances.

B. 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 with the endorsement of the County Manager, or designee, without the need for a public hearing.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance 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 become effective immediately upon its passage and adoption.

Signatures on Following Page

DONE AND ADOPTED this _____ day of _____, 2022.

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

By: _____
Kathleen G. Rapp, Chairperson

(SEAL)

ATTEST:

Jerome Kaszubowski, Clerk



HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
NON-AD VALOREM ASSESSMENT

600 S. Commerce Ave.
Sebring, FL 33870

*** NOTICE ***

NAME
ADDRESS
CITY, STATE, ZIP

RE:

You are hereby notified that since there has been no activity or amounts assessed against the properties within the boundaries of the Somervale Downs Special Benefit District (MSBU), the Highlands County Board of County Commissioners (Board) intends to hold a Public Hearing on Tuesday, May 3, 2022, at 9:00 a.m., or as soon thereafter as can be heard, at the Government Center Boardroom, 600 S. Commerce Avenue, Sebring, Florida, at which time the Board will receive and consider any public comments and information regarding the dissolution of the MSBU. All interested parties have the right to appear at the hearing and to file written objections with the Board. Written objections should be mailed to the Non-Ad Valorem Department, 600 S. Commerce Ave, Sebring, Florida 33870, and received within 20 days of this notice. If the Board determines that continuation of the hearing is necessary, the date, time, and location of the continuation of the hearing will be announced at the public hearing on May 3, 2022.

If you decide to appeal the decision made by the Board regarding this matter, you will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes Section 286.0105).

FOR ADDITIONAL INFORMATION PLEASE CALL (863) 402-6500.

**NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-16
NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:**

The Highlands County Board of County Commissioners will conduct a public hearing to consider and act upon the following proposed County Ordinance on **May 3, 2022 at 9:30 am.**, or as soon thereafter as possible, in the County Commissioners' Board Room of the Government Center, 600 South Commerce Avenue, Sebring, Florida or such other location **and/or with the assistance of Communications Media Technology as may be deemed necessary based on COVID-19 pandemic concerns:**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 9, ARTICLE XXI, SOMERVALE DOWNS SPECIAL BENEFIT DISTRICT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF CHAPTER 9, ARTICLE XXI, SOMERVALE DOWNS SPECIAL BENEFIT DISTRICT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A copy of the ordinance is available for inspection in the office of the County Administrator, 600 South Commerce Avenue, Sebring, Florida 33870 and the office of the Clerk of the Board of County Commissioners, Recording Division, 590 South Commerce Avenue, Sebring, Florida 33870. All interested persons may appear and be heard at the time and place specified above and may be continued to a future date or dates. The times, places, and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. Any person who might wish to appeal any decision made by the Board of County Commissioners of Highlands County, Florida, in public hearing or meeting is hereby advised that they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based.

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AFFIDAVIT OF PUBLICATION

HIGHLANDS NEWS-SUN

Published Daily

SEBRING, HIGHLANDS COUNTY, FLORIDA

**Case No. NOTICE OF PUBLIC HEARING TO CONSIDER
COUNTY ORDINANCE NO. 21-22-16
MAY 3, 2022**

**STATE OF FLORIDA,
COUNTY OF HIGHLANDS**

Before the undersigned authority, Janet Emerson, personally appeared who on oath says that she is the Classified Advertising Legal Clerk of Highlands News-Sun, a newspaper published at Sebring in Highlands County, Florida; that the attached copy or reprint of the advertisement, to the right, being a Public Notice, was published in said newspaper by print in the issues of or by publication on the newspaper's website, if authorized, on:

APRIL 20, 2022

Affiant further says that the Highlands News-Sun newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
SIGNED:



Janet Emerson

Sworn to and subscribed before me this 21st day of April, 2022 by Janet Emerson, who is personally know to me.



Romona D. Washington, Editor, Notary Number: GG 333543
Notary expires: June 20, 2023



ROMONA D WASHINGTON
Commission # GG 333543
Expires June 20, 2023
Bonded Thru Budget Notary Services