



DeSoto County

Board of County Commissioners

Meeting Minutes

Tuesday, February 25, 2025

3:00 PM

CALL TO ORDER

ROLL CALL

Present: Commissioner JC Deriso
Commissioner Judy Schaefer
Commissioner Steven Hickox
Commissioner Elton Langford
Commissioner Jerod Gross

TURN OFF OR SILENCE ALL CELL PHONES

PRAYER/PLEDGE OF ALLEGIANCE

Pastor Ed Horne, with Pine Level Church, gave the invocation.

INTRODUCTION OF ELECTED OFFICIALS

None

SET/AMEND

Commissioner Gross made a motion, seconded by Commissioner Langford, to amend the agenda by pulling Agenda Item #4. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

PUBLIC FORUM FOR NON-AGENDA ITEMS

Ashley Brown (Arcadia Community Board for the YMCA): addressed the Board on behalf of the Arcadia Community Board for the YMCA. She presented a "Save the Date" flyer for the event on April 12th and requested vendors to participate. Ms. Brown expressed excitement about the Speer Center being back in operation.

Karen Smoke (Florida Bicycle Association): spoke to the Board regarding Safe Cycling in DeSoto County. She highlighted that March is Florida Bicycle Month. Ms. Smoke shared statistics about cycling and distributed cards with a QR code linking to information about cycling tests. She proceeded to discuss cycling safety and issues in DeSoto County.

CONSENT AGENDA-MOTION TO APPROVE

Approval of the Consent Agenda

A motion was made by Commissioner Gross, seconded by Commissioner Schaefer, to approve the Consent Agenda. The motion carried by the following vote:

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

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1. **Minutes/BOCC Workshop 1-28-2025; BOCC Public Meeting for 2-11-2025** [25-724](#)

Attachments: [01-28-2025 BOCC Workshop on Subdivisions of Lands](#)
 [02-11-2025 BOCC Meeting](#)
This Minutes was approved.
 2. **Accounts and Warrants Drawn Per Schedule of Bills Payable** [25-738](#)

Attachments: [AP Check Report - Warrants 01-28-25 to 02-10-25](#)
 3. **New proposed road names** [25-756](#)

Attachments: [New Road name for Sunshine Acres minor plat](#)
 [SUNSHINE ACRES MPB1PG308](#)
 4. **Resolution/Affordable Housing/County Owned Real Property Inventory** [25-754](#)

Attachments: [2025 INVENTORY RESOLUTION .pdf](#)
This Resolution was pulled.
 5. **Resolution / Reappointing Planning Commission/ Board of Adjustment members** [25-755](#)

Attachments: [Resolution for Reappointment - Martin-Howard](#)
 Enactment No: 2025-013
 6. **Resolution/Tourism Marketing Matching Grant Revisions** [25-767](#)

Attachments: [Revised 2025 TDC Marketing Matching Grant Resolution Draft](#)
 Enactment No: 2025-014
 7. **Resolution/2025 Local Mitigation Strategy** [25-771](#)

Attachments: [2025 LMS Plan \(final\)](#)
 [FDEM.DeSoto LMS APA Letter](#)
 [LMS Revision Resolution](#)
 Enactment No: 2025-015

REGULAR BUSINESS

8. **Proclamation/Flood Awareness Week** [25-748](#)

Attachments: [Flood Awareness Week proclamation](#)

 Mandy Hines read the Proclamation into the record to proclaim March 3rd - 9th, 2025, Flood Awareness Week.
 A motion was made by Commissioner Langford, seconded by Commissioner Hickox, to approve the Proclamation for Flood Awareness Week 2025. The motion carried unanimously.

 Aye: Deriso, Schaefer, Hickox, Langford, and Gross
 9. **Harbour Lakes Phase 2 Wastewater Utility Service and Conveyance Agreement Amendment** [24-641](#)
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Attachments: [Harbour Lakes ERU Agreement Amendment_0001](#)

Greg Harris presented a request to the Board to approve an Amendment to the Utility Services and Conveyance Agreement. The Amendment is with D.R. Horton, Inc., and Charlotte Harbor Landing, LLC. They are transferring from Phase 2 - 6.45 Wastewater ERUs to the Liverpool project leaving 923.55 Wastewater ERUs for the Harbour Lakes project.

A motion was made by Commissioner Hickox, seconded by Commissioner Schaefer, to approve the Utility Service and Conveyance Agreement with D.R. Horton, Inc., and Charlotte Harbor Landing, LLC, for the Harbour Lakes project, reducing and transferring 6.45 of the 930 Phase 2 Wastewater ERUs that have already been approved and for which capital charges have been paid, to the Liverpool project. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

10. Water and Phase 1 Wastewater Utility Service and Conveyance Agreement for Liverpool Project [24-642](#)

Attachments: [Liverpool Project ERU Agreement_0001](#)

Greg Harris presented a request to the Board to approve a Utility Service and Conveyance Agreement with D.R. Horton, Inc. This will allocate 364.55 Water and 358.1 Wastewater ERUs for the Liverpool project. It also will accept the transfer of the 6.45 Wastewater ERUs from the Harbour Lakes project.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to approve a Utility Service and Conveyance Agreement with D.R. Horton, Inc., and the Trustees of the Robert M. Tiffany Living Trust and the Trustees of the Barbara G. Tiffany Living Trust, allocating 364.55 Water and 358.1 Phase 1 Wastewater ERUs for the Liverpool project, and accepting the transfer of 6.45 Wastewater ERUs from the Harbour Lakes project. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

11. Resolution/Budget Amendment Fiscal Year 2024/2025 [25-725](#)

Attachments: [Resolution](#)
[2025-41 Mosquito Control](#)
[2025-45 SHIP](#)
[2025-47 Capital Road Grant Projects](#)

Brian Wagner present a request to adopt a Resolution amending the 2024/2025 Fiscal Year Budget.

A motion was made by Commissioner Gross, seconded by Commissioner Schaefer, to adopt a Resolution relating to the attached budget amendments affecting the 2024/2025 adopted budget. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

Enactment No: 2025-016

12. Weiler Work Authorization 24-25-05 - County Road 661 SCRAP Design Services [25-766](#)

Attachments: [WORK AUTHORIZATION FORM weiler 24-25-05 CR661 SCR/](#)
[DESIGN SERVICES](#)
[WA_CR661SCRAP448742-1](#)

Cindy Talamantez presented a request to approve a Work Authorization with Weiler Engineering for design services for County Road 661.

A motion was made by Commissioner Langford, seconded by Commissioner Gross, Approve Work Authorization 24-25-05 for the Design Services for the County Road 661 SCRAP Grant Funded Project. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

**13. Resolution / Agreement FDOT SCRAP Resurfacing of CR 661 from [25-772](#)
SR 72 to CR 760**

Attachments: [448742-1 Draft Agreement - approved](#)
[448742-1-54-01 Resolution](#)

Cindy Talamantez presented a request to the Board to adopt a Resolution and accept an Agreement for funding the resurfacing of County Road 661 from State Road 72 to County Road 760.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to adopt a Resolution and Agreement acknowledging and accepting F.D.O.T. SCRAP Agreement # 448742-1-54-01 for the Resurfacing of CR 661 from SR 72 to CR 760. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

Enactment No: 2025-017

ADMINISTRATOR'S REPORT

Mandy Hines stated that she did not have a report at this time but took the opportunity to remind the Board about the upcoming conferences. She highlighted Legislative Days, scheduled for March 19th, and the FAC Annual Conference, which will take place from June 25th to 27th.

COUNTY ATTORNEY'S REPORT

Valerie Vicente brought a request before the Board seeking consensus on a Settlement Agreement with e3 Solutions regarding a pilot leachate evaporation program. She explained that a dispute had arisen concerning the adequacy of the contractor's performance as outlined in the contract. Ms. Vicente requested that the Board authorize the Administrator to issue a purchase order for \$50,000 in accordance with the Settlement Agreement. The Board agreed to authorize the request.

BOARD MEMBER COMMENTS

Commissioner Schaefer reminded the Board about Pioneer Days and provided information regarding a tunnel at Mount Rushmore. Commissioner Hickox commented on the ongoing road construction. Commissioner Langford had no comment. Commissioner Gross updated the Board, explaining that Mr. Harris had confirmed that Peace River does not fluoridate its water. He also shared that he had been approached by the Rodeo Association and local business managers about amending the Ordinance concerning the sale of alcohol on Sundays, specifically to allow sales before noon. After further discussion, Board members expressed they were not interested in changing the Ordinance. Commissioner Deriso expressed his satisfaction in seeing activities at the Rodeo and Turner Center.

RECESS UNTIL 6:30 PM PUBLIC HEARING**QUASI-JUDICIAL PUBLIC HEARING**

Valerie Vicente explained the Quasi-Judicial processes. The Clerk administered the Oath to all who wished to speak at the hearing. Chairman Deriso then inquired of each Commissioner of any ex parte communications and the Chairman stated he had and would file the necessary forms. No other Commissioner had any ex parte communications.

**14. Resolution / Newberry Lots at Peace River (minor plat) /
PLAT-0183-2024****[25-760](#)****Attachments:**[Staff Report - Newberry](#)[Resolution with exhibit - Newberry](#)[Location Map](#)[FLUM](#)[Zoning Map](#)[182-3 Newberry Lots at Peace River Plat 01-07-25](#)

Laura McClelland presented a request to the Board to approve a minor plat to be known as Newberry Lots at Peace River. The request is to subdivide two lots from the un-platted parent parcels. She explained each lot meets or exceeds the required minimum lot size. The parent parcels are located on the east side of NW County Road 661. There was further discussion regarding the easement and access. Commissioner Gross made a motion to close the Public Hearing, seconded by Commissioner Langford. The motion carried unanimously.

Commissioner Langford made a motion, seconded by Commissioner Gross, to enter into the record the staff report and approve the resolution for the minor plat to be known as "Newberry Lots at Peace River" with the recommended conditions of approval. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

Enactment No: 2025-018

**15. Resolution / Maasaam Investments & Funding (M.D. Abedin) /
SITE-0134-2024****[25-753](#)****Attachments:**[Staff Report Abedin SITE-0134-2024](#)[Resolution with attachments-Abedin](#)[Exhibit A Location Map](#)[Exhibit B FLUM](#)[Exhibit C Zoning Map](#)[Exhibit D Site Plan](#)

Misty Servia presented a request for the Board to either adopt, deny, or table the proposed resolution concerning a development plan for a 14' x 42' storage building to be constructed on the southeast side of the existing gas station convenience store located at 761 Grocery/Exxon. Ms. Servia clarified that there will not be a need for an improvement plan; however, the owner, Mr. Abedin, will be required to go through the building permitting processes. Mr. Abedin's project will also be subject to all applicable standards as would be applied to an improvement plan. The placement of the storage building on the property was

discussed. Mr. Abedin addressed the Board to provide clarification on the specific area where the building will be located. He also stated it is a pre-made building for strictly storage. Local resident, Phil Rizzo, of 9779 SW Kissimmee Road, voiced concerns about the location of the building. However, he expressed that after hearing Mr. Abedin's explanation of the placement, he had no further issues with the proposed location. Commissioner Gross made a motion to close the Public Hearing, which was seconded by Commissioner Schaefer. The motion carried unanimously.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to adopt the proposed resolution for a development plan and to enter into the record this development review report and the findings and conclusions and all other competent substantial evidence presented at the hearing. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross

Enactment No: 2025-019

**16. Resolution / J F Terhune, Inc. (Howards Pool World) /
SITE-0132-2024**

[25-752](#)

Attachments: [2025-01-10 Howard's Pool SITE-0132-2024 Staff Report](#)
[Resolution with exhibits Howards Pool World](#)
[Exhibit A Location Map](#)
[Exhibit B FLUM](#)
[Exhibit C Zoning Map](#)
[Exhibit D Site Plan](#)

Misty Servia presented a request for the Board to either adopt or deny the proposed resolution concerning a development plan for an offsite commercial parking addition for an existing pool cleaning service office. Ms. Servia explained that the proposal includes the construction of up to 85 parking spaces to be used by employees, with access from Kingsway Circle and Kings Highway. She clarified that no new structures are planned for the subject property. Ms. Servia further outlined six conditions related to the project and discussed them in detail. Jim Sanders, representing the applicant, answered questions regarding the application. A discussion followed concerning the entrance to the parking lot. Commissioner Gross raised concerns about the proposed entrance on Kingsway Circle. Maureen Stasi, a property owner on Kingsway Circle, expressed her concerns about the potential traffic impact and difficulty accessing Kings Highway from Kingsway Circle. She requested that the Board deny the application.

Commissioner Gross made a motion to close the Public Hearing, which was seconded by Commissioner Hickox. The motion carried unanimously.

A motion was made by Commissioner Langford, seconded by Commissioner Hickox, that this Resolution be adopted. The motion carried by the following vote:

Aye: Deriso, Schaefer, Hickox, and Langford

Nay: Gross

Enactment No: 2025-020

ADJOURNMENT

Being no further business before the Board, Chairman Deriso adjourned the meeting at 7:55 pm.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
DESOTO COUNTY, FLORIDA

MANDY HINES
COUNTY ADMINISTRATOR

J.C. DERISO
CHAIRMAN

SUPPLEMENTAL BOARD DOCUMENTS

NOTE: For quasi-judicial matters, any party desiring a verbatim record of the proceeding of this hearing for the purpose of an appeal is advised to make private arrangements for the production of a record and anyone wishing to present documents or other written evidence to the Board must provide eight (8) copies of the written material . If special accommodations are required in accordance with the Americans with Disabilities Act, individuals should contact the County Administrator's Office by calling 863-993-4800 at least 48 hours prior to the hearing.