



DeSoto County

Board of County Commissioners

Meeting Minutes

Tuesday, December 17, 2024

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 Allen Ressor, with Trinity Methodist Church, offered the invocation.

INTRODUCTION OF ELECTED OFFICIALS

SET/AMEND

Commissioner Hickox made a motion to amend the agenda by adding Agenda Item #18a. The motion was seconded by Commissioner Schaefer. The motion carried unanimously.

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

PUBLIC FORUM FOR NON-AGENDA ITEMS

Mr. Jon Brown, the Chief Operating Officer of Eco Loop Recycling, addressed the Board about a property at 2347 Hwy 17 in Arcadia, formerly Allied Recycling. He explained that the site is currently non-operational, with materials piled up, and is undergoing an environmental cleanup. Mr. Brown expressed concerns about the slow permitting process and emphasized the need for the operation to fund the cleanup. He acknowledged that the development plan needs to be amended and requested the County's cooperation to reset their relationship and facilitate progress. This led to further discussion among Board members.

CONSENT AGENDA-MOTION TO APPROVE

Approval of the Consent Agenda

A motion was made by Commissioner Gross, seconded by Commissioner Langford to approve the Consent Agenda. The motion carried unanimously.

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

1. Accounts and Warrants Drawn Per Schedule of Bills Payable.

[24-584](#)

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- Attachments:** [AP Check Report - Warrants 10-22-24 to 11-18-24](#)
2. **Revised Classification and Pay Plan.** **24-592**
- Attachments:** [Classification & Pay Plan 12-17-24](#)
 [Assistant County Administrator](#)
 [Special Project Lieutenant](#)
3. **Capital Equipment Purchases FY 24/25- Purchase Order Authorization** **24-594**
- Attachments:** [Q DESOTO F250SVB-DCU](#)
 [QUOTE DESOTO REAR AIR- A-S](#)
 [Q DESOTO T250 fac](#)
 [UPDATE LANDFILL PICKUP](#)
4. **PRMRWSA 20 Years Water Needs Assessment** **24-595**
- Attachments:** [2025-2045 Water Needs Projections \(PRMRWSA\)](#)
 [12-17-24 Desoto County 20-Year Demand Report \(2025-2045\)](#)
5. **Resolution/Gain Time** **24-608**
- Attachments:** [Resolution - County Prisoners 12-17-24](#)
 Enactment No: 2024-105
7. **Declaration of Surplus Property** **24-621**
- Attachments:** [Surplus Declared 12-17-24](#)
8. **Change Order/ White Sands Construction** **24-623**
- Attachments:** [Change Order and Work write up.pdf](#)
9. **Public Official Bond for County Commissioner and Elected Officials.** **24-629**
- Attachments:** [Public Official Bond - Judith Schaefer](#)
 [Public Official Bond - Nadia Daughtrey](#)
 [Public Official Bond - David Williams](#)
 [Public Official Bond - Debbie Wertz](#)
 [Public Official Bond - Susan Pooley](#)
 [Sufficiency Bonds Listing - 12-17-24](#)

PRESENTATION

11. **Presentation/Florida Department of Transportation/CR 761 and US 17 Intersection Control** **24-612**
- Attachments:** [Dec 2024 US 17 at CR 761 PP Presentation for DeSoto County Commission](#)

Walter Bruggerman from the Florida Department of Transportation (FDOT), gave a detailed analysis of crash and fatality data at the intersection of US 17 and CR 761 to the Board. The discussion emphasized the need for safety improvements at this location. The FDOT recommended a Restricted Crossing U-Turn (RCUT) design, similar to the one recently implemented at Livingston on

Highway 17, citing the Office of Safety's endorsement of this as a proven safety countermeasure. The presentation delved into both interim and long-term improvement strategies. While the RCUT was supported as the best immediate solution, there were concerns about the availability of funding for long-term changes. Commissioner Gross raised a point about truck traffic, specifically from CoPart and WalMart, contributing to traffic challenges at the intersection. The Board agreed to prioritize and move forward with the RCUT option due to its effectiveness and the urgency of addressing the safety issues. There was also a discussion regarding the intersection of CR 760 in Nocatee. Though costs for an ideal roundabout were similar to those at CR 761, it was suggested that a traffic signal might be more suitable for this location due to the slower speeds observed in the area. The conversation concluded with a focus on the need for continued efforts toward long-term improvements, even as interim solutions like the RCUT are implemented.

REGULAR BUSINESS

12. Utilities Piggyback Contract / Engineered Coating Solution, LLC [24-582](#)

Attachments: [Piggyback Agreement City of North Port ECS](#)

Greg Harris presented a request to approve the utilization of a Piggyback Contract with Engineered Coating Solution, LLC bid through the City of North Port.

A motion was made by Commissioner Gross, seconded by Commissioner Hickox, to approve the contract with Engineered Coating Solution LLC. The motion carried unanimously.

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

13. Report/ Affordable Housing Advisory Committee Housing Incentive Strategies Report [24-593](#)

Attachments: [Final AHAC Report 2024.pdf](#)
[Public Meeting Ad.pdf](#)

Lauri Benson presented a request to approve the 2024 Housing Incentive Strategies Report.

A motion was made by Commissioner Langford, seconded by Commissioner Schaefer, to approve the 2024 Housing Incentive Strategies Report as presented. The motion carried unanimously.

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

14. Resolution/Budget Amendment Fiscal Year 2024/2025 [24-597](#)

Attachments: [Resolution](#)
[Summary and Narrative](#)
[2025-18 Administration](#)
[2025-19 General Fund-Non Departmental](#)

Brian Wagner presented a request to adopt a Resolution amending the 2024/2025

Fiscal Year Budget.

A motion was made by Commissioner Schaefer, seconded by Commissioner Hickox, to adopt a Resolution amending the 2024/2025 Fiscal Budget as presented. The motion carried unanimously.

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

Enactment No: 2024-111

15. Contract Award / Custodial Services / Eco Clean Maintenance, Inc. [24-622](#)

Attachments: [24-16-00ITB Contract](#)
[24-16-00ITB Bid Tabulation](#)

Harry Akins presented a request to approve a contract with Eco Clean Maintenance, Inc. for custodial services.

A motion was made by Commissioner Hickox, seconded by Commissioner Langford, to approve a contract with Eco Clean Maintenance, Inc. for custodial services as presented. The motion carried unanimously.

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

16. Contract/Assistant County Administrator. [24-628](#)

Attachments: [Justin_Smith_Resume](#)
[Employment Contract - Justin Smith](#)

Mandy Hines presented a request to confirm the appointment of Justin Smith to the position of Assistant County Administrator and approve the employment contract.

A motion was made by Commissioner Langford, seconded by Commissioner Schaefer, to confirm the appointment of Justin Smith as Assistant County Administrator and approve the employment contract as presented. The motion carried unanimously.

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

17. County Legislative Priorities / State year 2024-2025 [24-631](#)

Attachments: [Local Legislative Priorities](#)

Mandy Hines presented the 2024/2025 County Legislative Priorities. They included full funding of ad-valorem offsets for Fiscally Constrained Counties; the preservation of Home Rule Authority; the opposition to Unfunded Mandates; State Aid to Libraries; maintain funding of Florida's affordable housing programs, specifically the SHIP program funding. Small County Road Programs (SCRAP/SCOP); support full funding the FDOT for the FY 2022-23 workplan project requests for SCRAP and SCOP projects and maintain funding for health departments providing primary health care and dental service. Ms. Hines also discussed the Legislative Project Requests which are, Wastewater Disposal \$10,500,00; County Road 769 ROW Acquisition/Utility Relocation \$6,000,000; and a Fire Training Facility / Tower.

A motion was made by Commissioner Langford, seconded by Commissioner Gross to approve the priorities as presented. The motion carried unanimously.

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

18. Resolution / Appointing Planning Commission / Board of Adjustment Member**24-632**

Attachments: [2024-11-25 Lynn Banish PC Appointment](#)
[Lynn Banish Resume](#)

Misty Servia presented a request to appoint Lynn Banish as a member of the DeSoto County Planning Commission and to the Board of Adjustment.

A motion was made by Commissioner Schaefer, seconded by Commissioner Hickox, to adopt a Resolution appointing Lynn Banish as a member of the DeSoto County Planning Commission and the Board of Adjustments. The motion carried unanimously.

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

Enactment No: 2024-106

EMERGENCY ITEM**18a Florida Department of Corrections-Interagency Work Squad Agreement Renewal****24-639**

Attachments: [WSA1601](#)

Cindy Talamantez presented a request to approve an agreement with the Florida Department of Corrections for the interagency Work Squad Agreement renewal.

There was discussion regarding the agreement to be in place should the Department of Corrections be able to reactive the program.

A motion was made by Commissioner Gross, seconded by Commissioner Hickox, to approve the Agreement in substantially the form presented, and authorizing the County Administrator to execute the agreement and make any revisions deemed necessary provided said amendments do not materially adversely affect the interests of the County and are approved as to form and legal sufficiency by the County Attorney. The motion carried unanimously.

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

PUBLIC HEARING**19. Resolution / Neversail Acres Subdivision / PLAT-0173-2024****24-619**

Attachments: [Staff Report Neversail Acres](#)
[Location Map](#)
[22-588 PLAT APP RH 11-18-24](#)
[Resolution - Neversail Acres](#)

Laura McClelland presented a request to adopt a Resolution for the minor plat to be known as Neversail Acres Subdivision with recommended conditions. Mr. and Mrs. Hoff, owners, requested an approval of a minor plat which subdivides a 10 acre parcel into 2 lots.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to adopt a Resolution for the minor plat to be known as Neversail Acres Subdivision with recommended conditions. The motion carried unanimously.

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

Enactment No: 2024-107

ADMINISTRATOR'S REPORT

Mandy Hines discussed the upcoming letter that will be sent to residents along CR769 to inform them about the start of design work for the CR769 project. The letter will notify residents that surveyors will be conducting work in the area and have the legal right to enter properties as part of the project. Next, Ms. Hines addressed a workshop with the Planning Department regarding plats. She requested that the workshop be scheduled for January 28th at 1:00 p.m., and the Commissioners approved the proposed date. Finally, Ms. Hines shared that Hope DeSoto has received a grant for a building intended to house supplies for use during disasters. However, the grant amount is only sufficient to purchase the building itself, without covering the costs for construction or a concrete foundation. She inquired if the Board would support the construction of the building on County property, potentially located behind the Emergency Operations Center (EOC). Upon completion, Hope DeSoto would donate the building to the County for its intended use. After discussion, the Board agreed to the proposed building.

COUNTY ATTORNEY'S REPORT

Valerie Vicente stated she had no formal report.

BOARD MEMBER COMMENTS

The Commissioners wished everyone Merry Christmas and Happy New Year and welcomed newly hired staff.

RECESS UNTIL 6:30 PM PUBLIC HEARING**PUBLIC HEARING****20. Development Agreement for SW Liverpool Road - Second Reading [24-596](#)**

Attachments: [Development Agreement 12.17.24.docx](#)
 [Exhibits Dev Agree_0001.pdf](#)

Valerie Vicente presented a request to adopt the second reading of the Development Agreement with Charlotte Harbor Landing, LLC, for the paving of SW Liverpool Road from US-17 to Marlei Lane. Ms. Vicente explained this is a PUD condition for Charlotte Harbor Landings to pave SW Liverpool Road as required by Condition #15.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to adopt the second reading of the Development Agreement with Charlotte Harbor Landing, LLC, for the paving of SW Liverpool Road from US-17 to Marlei Lane. The motion carried by the following vote: unanimously.

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

21. Ordinance/Second Reading and Adoption/Prohibiting Public Camping or Sleeping Within County Buildings or Grounds, Public Streets, Sidewalks, Rights-of-Way and other Public Ways. [24-613](#)

Attachments: [Adoption Camping and Sleeping Ord 2024](#)

Mandy Hines presented a request to adopt an Ordinance - Second Reading prohibiting public camping or sleeping within county buildings or grounds, public streets, sidewalks, right-of-way or public ways to implement State HB 1365, creating F.S. 125.0231 prohibiting a County or Municipality from

authorizing or allowing public sleeping or camping.

A motion was made by Commissioner Hickox, seconded by Commissioner Schaefer, to adopt an Ordinance prohibiting public camping or sleeping within county buildings or grounds, public streets, sidewalks, rights-of-way and other public ways. The motion carried unanimously.

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

Enactment No: 2024-012

**22. Resolution / Laurence Todd & Michele L. Coward /
VAC-0018-2024**

[24-616](#)

Attachments: [Staff Report Coward \(Oltmanns Vac\) VAC-0018-2024 appr vac](#)
[Legal Ad Proof of Pub 12-6-2024](#)
[Legal Ad Tear Sheet 12-6-2024](#)
[Location Map](#)
[ROW LEGAL DESCRIPTION](#)
[SURVEY OF EASEMENT](#)
[Resolution VAC-0018-2024 Coward appr vac 1](#)

Misty Servia presented a request to adopt a Resolution vacating a Right-of-Way to the portion of NE Oltmanns Street adjacent to property owned by Laurence and Michele Coward. The Cowards requested the vacation and stated the adjacent property owners agreed to the vacation. There was Board discussion regarding the right-of-way currently unimproved is located in wetlands.

A motion was made by Commissioner Gross, seconded by Commissioner Hickox to adopt the proposed Resolution approving the vacation of Right of Way and 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: 2024-108

23. Resolution / Willie K. Campbell Trust / VAC-0019-2024

[24-617](#)

Attachments: [Staff Report Campbell VAC-0019-2024 appr vac](#)
[Legal Ad Proof of Pub 12-6-2024](#)
[Legal Ad Tear Sheet 12-6-2024](#)
[Location Map](#)
[Sketch & Description Showing ROW Between Block 8 & 9](#)
[Sketch & Description Legal Between Block 8 & 9](#)
[Sketch & Description Showing alley](#)
[Sketch & Description Legal for alley](#)
[Resolution VAC-0019-2024 Cambell appr vac 1](#)

Misty Servia presented a request to either adopt, deny, or table a proposed resolution for vacating a right-of-way and a portion of an alleyway submitted by property owner Willie K. Campbell Trust. Ms. Servia explained that the requested vacation pertains to a 60-foot wide and 450-foot-long section of right-of-way known as 3rd Street, as well as a portion of a platted alleyway that

measures 15 feet wide and 315 feet long. Both the right-of-way and alleyway are part of the Town of Fort Ogden Railroad Survey, recorded in Plat Book 1, Page 15 of DeSoto County official records, within Blocks 8 and 9 of the subdivision. The alleyway is generally located between lots 1 and 7, and lots 11 and 17 of Block 8. Jason Utley, the agent for the Campbell Trust, presented the request to have both the right-of-way and alleyway vacated. He clarified that the current request is specifically related to the vacation of the property in question, and discussions about potential future land use are not appropriate at this time. Mr. Utley emphasized that the County is responsible for maintaining the property. Willie Campbell addressed the Board, noting that while the future use of the property was often discussed, she had no plans to build a gas station. She also mentioned concerns about her neighbors, particularly regarding a fence that infringes on her property. Several individuals spoke against the approval of the vacation. These included Trish Grantham, Celeste Brady, Jacob Hobbs, Joshua Hobbs and John Fugate. Jacob Hobbs expressed opposition to the vacation, stating that as a neighboring landowner, he did not want the right-of-way and alleyway vacated. There was further Board discussion. Commissioner Langford commented that while the vacation would typically be straightforward to approve if both landowners were in agreement, the lack of agreement from one landowner made it difficult to approve the request at this time.

A motion was made by Commissioner Gross, seconded by Commissioner Hickox, to adopt a Resolution to deny the request by the Willie K. Campbell Trust to vacate the of Right of Way and alleyway in the plat of the Town of Fort Ogden Railroad Survey. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross
Enactment No: 2024-109

24. Ordinance / County Initiated LDR Amendment / LDR-0009-2024

[24-618](#)

Attachments: [2024-11-12 Staff Report LDR Commercial Legal Ad Publishers Affidavit - Adoption](#)
[Legal Ad Tear sheet - Adoption](#)
[2024-11-12 Ordinance FAR Amend LDR BOCC](#)

Misty Servia presented a second reading of an Ordinance and she requested the approval, denial or table the Ordinance amending the Land Development Regulation, Section 20-135 and Section 20-137 adding mini warehouse/self-storage facility as a permitted use. Ms. Servia reminded the Board regarding Comp Plan changes being processed currently and stated this will be appropriate in this area. There was further discussion regarding the amendment changes.

A motion was made by Commissioner Langford, seconded by Commissioner Schaefer, to adopt the Ordinance amending Land Development Regulation, Section 20-135 and Section 20-137 adding mini warehouse/self-storage facility as a permitted use only after the Comp Plan approval. The motion carried unanimously.

Aye: Deriso, Schaefer, Hickox, Langford, and Gross
Enactment No: 2024-013

25. Ordinance / CEB Management Services, LLC / COMP-0009-2024

[24-620](#)

Attachments: [Staff Report Burnett COMP-0009-2024](#)
[LOCATION MAP](#)
[ZONING MAP](#)
[FLUM](#)
[Ordinance](#)

Misty Servia presented a Comprehensive Plan Future Land Use Map Amendment application (COMP-0009-2024) filed by Chris Burnett, owner and registered agent, to amend the map designation from Low Density Residential to Commercial made up of one parcel totaling +/- 1.498 acres in SW DeSoto County on the west side of US17 just south of SW McCaskill/CR760A. The site is currently zoned Agriculture-10 (A-10) and a rezoning application (RZNE-0052-2024), which is consistent with the proposed Commercial Future Land Use Category has also been applied for. There was further explanation regarding the application and use.

A motion was made by Commissioner Gross, seconded by Commissioner Langford to adopt the proposed Ordinance adopting a small scale Comp Plan Amendment 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: 2024-014

26. Resolution / Thomas Estates Major Plat / PLAT-0162-2024

[24-626](#)

Attachments: [Staff Report Thomas Estates PLAT-0162-2024 for PC](#)
[Location Map](#)
[Zoning Map](#)
[FLUM](#)
[Thomas Estates Plat APP RH 11-05-24](#)
[2024-11-25 Plat Resolution-Thomas Estates PLAT-0162-2024](#)

Valerie Vicente requested this item be pulled and will be brought back to the Board on 2/25/2025.

This Resolution was pulled.

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 there was none.

27. Ordinance / Cody & Emma Fussell / RZNE-0058-2024

[24-614](#)

Attachments: [2024-11-25 Fussell RZNE 0058 2024 staff report FINAL](#)
[Location Map](#)
[ZONING MAP](#)
[FLUM](#)
[2024-11-25 Fussell RZNE-0058-2024 Ord](#)

Misty Servia presented a proposed Ordinance for rezoning application filed by owners Cody and Emma Fussell to change the zoning district of +/- 5 acres from

A-5 to Residential Single Family 1. Property is located in Greene Acres of Lettuce Lake Subdivision. Mr. Fussell spoke to the Board saying the purpose is to split the property to allow his in-laws to build a home adjacent to the Fussell home. Karen Borrego and Allen Carsten from the public spoke to the Board and after hearing the applicants intent they did not have objections to the application. A motion was made by Commissioner Gross, seconded by Commissioner Langford, to close the public hearing. The motion carried unanimously

A motion was made by Commissioner Langford, seconded by Commissioner Schaefer to adopt the proposed ordinance for rezoning and enter into the record this Development Review Report and all other competent substantial evidence presented at the hearing. The motion carried unanimously.

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

Enactment No: 2024-015

28. Resolution / Fussell Lots of Lettuce Lake / PLAT-0178-2024

[24-615](#)

Attachments:

[Staff Report - Fussell Minor Plat](#)

[LOCATION MAP](#)

[259-7 Plat Fussell Lots of Lettuce Lake APP RH 11-5-24](#)

[Resolution - Fussell Minor Plat](#)

Laura McClelland presented a request to adopt a Resolution approving a minor plat to be known as “Fussell Parcel at Lettuce Lake”. The request is for the current parcel of 5 acres to be subdivided into a total of 3 lots.

This request is for an approval of the re-plat of lot 7 of “Greene Acres of Lettuce Lake”, recorded in Plat Book 9, Page 97. The Greene Acres of Lettuce Lake major plat was approved by the DeSoto County Board of County Commissioners (Resolution 2024-038) on 5/28/2024 and was recorded. All 3 lots will have direct access onto SW Kissimmee Road, which is a local street, not a functionally classified road.

A motion was made by Commissioner Gross, seconded by Commissioner Hickox, to close the public hearing. The motion carried unanimously.

A motion was made by Commissioner Langford, seconded by Commissioner Schaefer, to enter into the record the staff report and approve the resolution for the minor plat to be known as “Fussell Parcel at Lettuce Lake” with the recommended conditions of approval. The motion carried unanimously.

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

Enactment No: 2024-110

ADJOURNMENT

Being no further business before the Board, Chairman Deriso adjourned the meeting at 8:40 pm.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
DESOTO COUNTY, FLORIDA

MANDY HINES
COUNTY ADMINISTRATOR

J.C. DERISO
CHAIRMAN

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.