



DeSoto County

Board of County Commissioners

Meeting Minutes - Final

Tuesday, May 27, 2025

3:00 PM

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 Amy Harper, Fort Ogden Community Church gave the invocation.

INTRODUCTION OF ELECTED OFFICIALS

Susan Pooley Desoto County Tax Collector was present.

SET/AMEND

A motion was made by Commissioner Gross, seconded by Commissioner Langford to amend the agenda, adding Agenda item 13a.

PUBLIC FORUM FOR NON-AGENDA ITEMS

Carol Mahler thanked the Board for a wonderful Memorial Day Service. She stated that she spoke to several community members who said they could not hear anything during the service. Ms. Mahler wanted to implore the Board to look into and budget for better sound equipment to make events like this in the future more memorable for the community.

CONSENT AGENDA-MOTION TO APPROVE

Approval of the Consent Agenda

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

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

1. Minutes/BOCC Workshop 04-08-2025 and Public Meeting 04-22-2025

Attachments: [04-08-2025 BOCC Workshop Legal Access](#)
[04-22-2025 BOCC Meeting](#)

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

Attachments: [AP Check Report - Warrants 04-22-25 to 05-12-25](#)

3. Furniture for Mills Avenue Building / Tax Collector's Office

Attachments: [DeSoto County Tax Collector Furniture Quote](#)

4. Florida Power and Light Agreements-815 N. Mills Ave.

Attachments: [815 N MILLS - UG AGREEMENTS - May 14 2025](#)

5. School Board of DeSoto County Shelter Agreement

Attachments: [Renewal Amendment DeSoto Shelter Agreement](#)
[DeSoto Middle School Shelter 5 Year Agreement](#)

PRESENTATION**6. State Road 70 Project Update**

Attachments: [DeSoto BoCC SR 70 project Summary](#)

Joe Lauk with FDOT spoke about the ongoing improvement efforts on SR 70 in Desoto County. He presented a summary report of the purpose and need for improvement for widening the roadway. He also briefly discussed timeline for public engagement and completion of projects. There was further discussion in regards to the improvements to SR 70 from Peace River to SE Baker Street, such as timeline of completion and progression of project. Carol Mahler spoke on behalf of the Desoto County Historical Society in regards to a road that runs parallel to SR 70 that has great historical value to Arcadia and she would like to see this area preserved as well as other historical sites along the construction path.

REGULAR BUSINESS**7. Forerunner Floodplain Management Software**

Attachments: [Forerunner MSA + SOW Partially Executed](#)
[Forerunner Sole Source Justification Letter](#)

Lester Hornbake presented a request to approve an agreement with Forerunner Industries INC. for floodplain management software, for a fixed rate 5 year contract agreement.

A motion was made by Commissioner Schaefer, seconded by Commissioner Hickox, to approved the agreement. The motion carried by the following vote:

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

8. Bid Award/ SHIP and HHRP

Attachments: [Bid Tab.pdf](#)
[Notice to Bidders.pdf](#)
[Rogers Bid.pdf](#)
[SW Grace Ave Bid.pdf](#)

Mandy Hines presented a request to approve bid funded though the SHIP and HHRP programs for 2 out of 4 properties. The lowest bid for the rehabilitation at 212 South Roger Ave came in at \$53,500 from CSP Contracting and the only bid for the demolition rebuild at 2422 SW Grace Ave came in at \$162,000 from White Sands Construction.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to approved this agreement. The motion carried by the following vote:

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

9. Central Florida Behavioral Health Network, Inc./Agreements

Attachments: [Central Florida Subrecipient Purchase Agreement \(May agenda\)](#)
[DeSoto Business Agreement \(May agenda\)](#)

Peggy Waters presented a request to approve the Agreement with the Central Florida Behavioral Health Network, She explained that The Department of Children and Families (DCF) requires Central Florida Behavioral Health Network, Inc. (CFBHN) to enter into agreements with non-qualified Counties under the Florida Opioid Allocation and Statewide Response Agreement.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to approved this agreement. The motion carried by the following vote:

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

10. Audit Request / Womack Sanitation

Attachments: [Womack Proposed Audit Agreement AUP Dec 2024](#)

Mandy Hines requested Board action to approve/deny a formal request to audit Womack Sanitation as the curbside household garbage collection Franchisee providing for scope of the audit, formal notice, and a reasonable timeframe. She presented some history stating, during the September 10th workshop the Board provided direction to initiate an Audit of Womack Sanitation's book in accordance with a provision of the Ordinance. Pierce with Purvis and Gray was present. Ultimately, it was determined that the most efficient method would be through the preparation of a written agreement outlining the proposed scope and process for a limited audit (the "Agreed Upon Procedures"). The Audit firm and County staff worked through a draft contract and presented the document to the Franchisee. There has been significant time spent since December of 2024 to have a contract for the audit finalized and agreed to by the parties. Ms. Hines is requesting a formal motion clearly providing that an audit in accordance with the contract terms is required of the Franchisee, with direction to provide the Franchisee with formal notification and a reasonable timeframe to comply with the request, which audit shall either be through the Agreed upon Procedures or a full audit. Mr. Bryan S. Kessler, J.D., LL.M. legal counsel for the franchisee spoke on his clients behalf. There was much discussion as to the objective of 5 year audit vs an audit for 2024 only. There was discussion on the purpose and scope of audit as it pertains to Desoto County only as the Franchisee does business in other counties Valerie Vincente discussed the need to come to agreement as to the procedures and what is reasonable and customary for an audit that is agreed upon by all parties. A consensus among the board was reached for a 2024 revenue and expenses audit for Desoto County only with standard parameters and a written timeframe for compliance, and associated cost to the county, as per the Franchise Agreement. Valerie Vicente suggested tabling this item until the second meeting in June with agreed upon procedures and if there is

no agreement or compliance of agreed upon procedure could result in breach of contract at which time a public hearing will be held to suspend franchise agreement. Mr. Ed Johnson a member of the community spoke requesting that the audit be conducted by Purvis, Gray And Company, LLP listing all ownership of Womack Sanitation. Mr. Robert Womack was also present.

A motion was made by Commissioner Langford, seconded by Commissioner Schaefer, that this agenda item be tabled by the Board of County Commissioners. The motion carried by the following vote:

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

11. DeSoto County 3rd Floor Courtroom Remodel

Attachments: [25-04-00RFP Contract - Final](#)

Cindy Talamantez presented a request to approve the contract with SEMCO Construction INC. for the renovation of the third floor courtroom. A selection committee evaluated 3 submittals and unanimously ranked SEMCO to have the best and most qualified proposal. Staff began negotiations as the initial price was significantly more than was budgeted. A budget amendment will follow this item, the best and final offer of \$295,800 which includes \$50,000 for contingency and possible after hours work. If the contingency and after hours work aren't necessary, the contract will not exceed \$245,800. There was further discussion on Budget Amendment to cover the shortfall.

A motion was made by Commissioner Hickox, seconded by Commissioner Gross, to approve this contract. The motion carried by the following vote:

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

12. Contract Award / FDOT LAP Construction Services for CR 661 Over Bunker Creek / Thomas Marine Construction, Inc.

Attachments: [24-19-00ITB Bid Tabulation](#)
[24-19-00ITB Contract](#)

Mike Giardullo presented a request to approve the contract with Thomas Marine Construction, Incorporated, for the FDOT Local Agency Program Construction Services for County Road 661 Over Bunker Creek at Bridge No. 040044. In 2024, DeSoto County was awarded FDOT LAP funding for the construction of permanent repairs to CR 661 over Bunker Creek at Bridge No. 040044, which sustained damage during Hurricane Ian. An Invitation to Bid was issued on February 7, 2025, and seven bids were received. Thomas Marine Construction, Inc., was the lowest responsive, responsible bidder with a bid of \$405,655.50-exceeding the original LAP funding allocation of \$235,726.00. Staff coordinated with FDOT, resulting in a Supplemental Agreement for an additional \$169,930.00, bringing the total project budget to \$405,656.00 to fully fund the scope of repairs.

A motion was made by Commissioner Langford, seconded by Commissioner Gross, to approve this contract. The motion carried by the following vote:

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

13. Resolution/Budget Amendment Fiscal Year 2024/2025

Attachments: [Resolution](#)
 [Summary and Narrative](#)
 [2025-96 Sheriff](#)
 [2025-98 Court House Facilities](#)

Brian Wagner presented a request to adopt a Resolution /Budget Amendment Fiscal Year 2024/2025 budget.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to adopt the Resolution be adopted. The motion carried by the following vote:

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

Enactment No: 2025-035

EMERGENCY ITEM

13a Resolution/ Burn Ban/Drought Emergency expires

Attachments: [Resolution - Burn Ban Ending](#)

Mandy Hines request approval to adopt a Resolution ending the Formal Declaration of Drought Emergency . This Resolution shall take effect immediately upon its adoption.

A motion was made by Commissioner Schaefer, seconded by Commissioner Hickox, to adopt the Resolution be adopted. The motion carried by the following vote:

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

Enactment No: 2025-036

ADMINISTRATOR'S REPORT

Mandy Hines requested Commissioners consensus to extend an employment offer to Kendall Gill as the new livestock agent for the extension office. Commissioner Gross also participated in the interview process by serving on the advisory committee. Ms. Hines also advised of a notice letter from FDOT regarding the SR 31 extension project development and extension study from SR 70 to US 17.

COUNTY ATTORNEY'S REPORT

No report.

BOARD MEMBER COMMENTS

Commissioner Gross stated he would like the county to contact our representative for FPL who are constructing the solar farm on McIntyre St. there is a bridge that is shut down to vehicle traffic however there are FPL service trucks hauling panels that are still using the roadway. Troy Hughes with Road and Bridge stated there is posted signage in regards to truck traffic and he has spoken with the Safety coordinator with FPL who is aware of this situation and requested that photos be taken of the vehicles that are not abiding the truck routes and proper action will be taken. He advised the commissioners to forward any calls relating to this to him so he can work with FPL to address this matter. Commissioner Langford thanked the staff for all of there hard work and he wanted to say how proud he felt while he attended the Memorial Day Service at the County Courthouse, on how good the Courthouse looks after all the recent renovations. Commissioners Hickox and Schaefer thanked the staff. Commissioner Schaefer joked showing a yellow phone book she received in the mail stating she hasn't seen a phone book in years.

RECESS UNTIL 6:30 PM PUBLIC HEARING**PUBLIC HEARING****14. Ordinance / Amending Article X of Chapter 20 of the DeSoto County Land Development Regulations related to the Planning Commission/LPA composition**

Attachments: [Ordinance re Planning Commission composition CA](#)
[County Attorney Memo with Analysis Planning Commission](#)
[Composition](#)
[Fla. Stat. 163.3174](#)
[Triparty Interlocal between School, County and City](#)

Valerie Vicente County Attorney, presented a request for approval of an Ordinance to Article X “Boards and Agencies” of Chapter 20 of the DeSoto County Land Development Regulations to modify the membership and composition of the planning commission which is designated as the LPA for the County, and also serves as the County’s Board of Adjustment as it relates to the school board appointee and reducing the membership to five members.

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

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

Enactment No: 2025-005

15. Ordinance / Amending certain articles of Chapter 20 of the DeSoto County Land Development Regulations Related to Subdivisions

Attachments: [2025-05-19 LDR 2025 Plat Subdiv SR for BOCC](#)
[County Attorney Memo with Analysis Hurricane Bill and Limitati](#)
[on Restrictive LDR amendments 5.19](#)
[2025-05-19 Ordinance Amending Subdivision Regulations for BO](#)

Valerie Vicente, County Attorney, started the presentation stating this a lengthy ordinance however is only requesting a portion be considered at this time. In May of 2024, Planning staff presented “Planning 101” and a “Plat Process” presentations to the Planning Commission and the Board of County Commissioners. In both January and February of 2025, staff presented a follow-up to the “Plat Process” presentation and included a daytime and an evening workshop to seek public comments and Board input. The presentations included an overview of issues and highlighted areas where clarity of the Board’s policy is needed in the LDRs. The Board also suggested changes that would help to streamline the review process. The proposed ordinance addresses a myriad of issues related to the subdivision and platting of land, incorporating the recommendations provided throughout the various workshops; however, in light of Chapter No. 2023-304, Laws of Florida, which prohibits a handful of counties Desoto being one of them from enacting any land development regulations or procedure that are more restrictive or burdensome related to development until October of 2026, as amended, it is recommended that only those portions of the ordinance that allow for administrative approval of certain lot splits; exempt certain large Agricultural parcels from the County’s subdivision regulations altogether if certain requirements are met; allow for design exceptions to the

County's engineering standards if certain requirements are met since these are relaxations of the amendments and provide for defined terms that support the newly streamlined and flexible processes. Misty Servia gave further clarification on each of those standards by highlighting the pro's and con's. Ms. Servia proposed setting a fee of \$200.00 for the administrative lot splits during the workshop so that staff could begin assisting eligible property owners immediately upon adoption. the Chairman called for public comment. Mr. Parker Hall addressed the Board in support of the amendments and asked that the board consider allowing for the 10-acre parcels. He further spoke about his family ranch specifics. Mr. Cole Brewer addressed the board asking about how specific cases would meet the requirements. Further board discussion ensued. Ms. Vicente concluded stating administrative lot splits to certified agricultural lots splits be limited to two. Newly created parcel not to be less the 40 acres.

A motion was made by Commissioner Langford, seconded by Commissioner Gross, to adopt the Ordinance. The motion carried by the following vote:

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

Enactment No: 2025-007

QUASI-JUDICIAL PUBLIC HEARING

16. Ordinance / Lucky and Wendy Muse Trustees / RZNE-0056-2024

Attachments: [Staff Report Lucky Muse RZNE 0056 2024](#)
 [Lucky Muse Ordinance BOCC](#)
 [Location Map](#)
 [ZONING MAP](#)
 [FLUM](#)

Valarie Vicente County Attorney explained county procedures for Quasi-Judicial and Ex Parte Communication. Commissioners all then gave a brief list of constituents they have had correspondence with via phone, e-mail or in person as well and time and dates of any site visits. Misty Servia request approval for rezoning of the Muse Family Trust. To change the zoning district of 10 + acres from Agricultural - 5 (A-5) to Residential Single Family - 1 (RSF-1). The property is generally located in central DeSoto County, at 1634 SE King Street, between SE Airport Road and SE Hillsborough Avenue. Jason Utley with Planning Analytics spoke on behalf of the applicants requesting for a rezone for RSF-1 designation. Several members for the community spoke out against the rezoning suggesting that allowing one acres lots will decrease property values, would allow for other lot subdivisions that will bring more people and traffic to the area. They voice concerns about water and sewer , septic issues that may increase flooding and drainage issues. Lucky and Wendy Muse spoke stating they are requesting this rezone to provide support for their family and grandchildren who are currently living on the property have the 1 acre lots for their future stability. Commissioner Gross made a motion to close the Public Hearing, which was seconded by Commissioner Langford. There was further discussions regarding future land uses and the impacts on water and sewage.

A motion was made by Commissioner Hickox, seconded by Commissioner Langford, to adopt the Ordinance. The motion carried by the following vote:

Aye: Deriso, Schaefer, Hickox, Langford, and Gross
Enactment No: 2025-006

17. Resolution / Kings Acres Minor Plat / PLAT-0172-2024

Attachments: [2025-04-23 Staff Report - Kings Acres with mms edits - cao tc \(00](#)
[2025-04-24 Resolution - Kings Acres with mms edits - cao tc \(002](#)
[Location Map - Kings Acres](#)
[Approved Plat](#)

Laura McClelland, Planner I presented a request for approval of a minor plat to be known as “King’s Acres”. The request is for the current parcel of ±10 acres to be subdivided into a total of 5 lots. The owners are requesting to split the parcel into 5 lots. All 5 lots will have access onto SE King Street by way of a 60-foot private easement. SE King Street is a local street, not a functionally classified road. Commissioner Gross made a motion to close the Public Hearing, which was seconded by Commissioner Langford.

A motion was made by Commissioner Langford, seconded by Commissioner Gross, to adopt the Resolution. The motion carried by the following vote:

Aye: Deriso, Schaefer, Hickox, Langford, and Gross
Enactment No: 2025-037

18. Resolution / George Hernandez / USE-0183-2024

Attachments: [2025-024-07 Hernandez USE 0183 2023 SR for BOCC](#)
[USE-0183-2024 Location Map](#)
[USE-0183-2024 FLUM](#)
[USE-0183-2024 Zoning Map](#)
[USE-0183-2024 Site Plan - Truck Parking](#)
[2025-04-07 Resolution Hernandez USE 0183 2024 for PC](#)

Misty Servia presented a request for approval of a Special Exception Use application (USE 0183-2024) for the parking of a commercial vehicle (semi-tractor trailer) on a 2.45-acre parcel zoned Agricultural-5 (A-5). The property is located on the east side of NE Cubitis Avenue, south of County Road 660, and west of Highway 17. Section 20-98(b) of the Land Development Regulations (LDR) requires approval of a Special Exception for the parking or storage of commercial vehicles in the A-5 zoning district when the land does not meet minimum lot size dimensions required in the A-5 zoning district. Ms. Servia discussed the recommended conditions for approval. This request was presented to the Planning Commission on May 6, 2025 and was approved. There was further discussion on the recommended conditions such as buffering and staging of commercial vehicle. The applicant was not present. Commissioners has several question for the applicant. Commissioners recommended this agenda item be tabled to allow the applicant to be present. Commissioner Langford made a motion to close the Public Hearing, which was seconded by Commissioner Schaefer.

A motion was made by Commissioner Langford, seconded by Commissioner Gross,

that this Resolution be tabled by the Board of County Commissioners, due back on 6/24/2025. The motion carried by the following vote:

Aye: Deriso, Schaefer, Hickox, Langford, and Gross
Enactment No: 2025-052

19. Resolution / Church Hatcher DeSoto Subdivision Minor Plat / PLAT-0182-2024

Attachments: [2025-04-24 Staff Report - Church Hatcher Final](#)
[2025-04-24 Resolution - Church-Hatcher Final](#)
[LOCATION MAP](#)
[Hatcher Minor Plat revision](#)

Laura McClelland, Planner I presented a request for approval of a Minor Plat to be known as “Church Hatcher DeSoto Subdivision”. The request is to split the parcel into 2 lots. Per the Florida Department of Transportation (FDOT), both lots are required to use one shared access point. Lot 2 will have direct access onto SW Highway 17 (classified as an arterial roadway), Lot 1 will use the same entrance, then cross over the east side of Lot 2 by way of a 25-foot ingress/egress & utility easement. The proposed subdivision request qualifies for approval as a “minor subdivision” pursuant to Section 20-230 of the County’s Land Development Regulations (LDRs) and can be found to be consistent with the applicable Land Development Regulations. Commissioner Gross made a motion to close the public hearing seconded by Commissioner Langford.

A motion was made by Commissioner Gross, seconded by Commissioner Langford, to adopt the Resolution. The motion carried by the following vote:

Aye: Deriso, Schaefer, Hickox, Langford, and Gross
Enactment No: 2025-038

20. Resolution / Quail Avenue Estates Minor Plat / PLAT-0174-2024

Attachments: [2025-04-24 Staff Report - Quail Avenue Estates with mms edits](#)
[2025-04-24 Resolution - Quail Ave. Estates with mms edits - cao t](#)
[\(002\)](#)
[Location Map](#)
[Quail Ave Prelim Plat Map](#)

Lara McClelland, Planner I presented a request for approval of a Minor Plat to be known as “Quail Avenue Estates”. The owner requests to split the parcel into 2 lots. Both lots will have direct access onto SE Quail Avenue. SE Quail Avenue is a local street, not a functionally classified road. All driveways shall be designed and constructed pursuant to the standards in Article XIII, Divisions 3 and 4, of the Land Development Regulations and the County Engineering Standard Details Manual prior to any building permits being issued. The proposed plat can be found to be in compliance with the regulations outlined in these documents. Commissioner Gross made a motion to close the public hearing seconded by Commissioner Langford.

A motion was made by Commissioner Langford, seconded by Commissioner Hickox, adopt the Resolution. The motion carried by the following vote:

Aye: Deriso, Schaefer, Hickox, Langford, and Gross
Enactment No: 2025-039

21. Resolution / Snow Acres Minor Plat / PLAT-0185-2025

Attachments: [2025-04-25 Staff Report - Snow Acres withmms edits - cao tc](#)
[2025-04-25 Resolution - Snow Acres with mms edits - cao -tc \(002](#)
[Location Map](#)
[Snow Acres Plat Map](#)

Laura McClelland, Planner I presented a request for an approval of a minor plat to be known as “Snow Acres”. The request is for the current parcel of 29.58± acres to be subdivided into a total of 3 lots. All 3 lots will have direct access onto SE Hog Bay Avenue South, which is a local street, not a functionally classified road. Commissioner Langford questioned if there is enough land to build as there are two large ponds on the property. Ms. McClelland stated It appears all three lots have enough land to meet the required setbacks of 50 feet in the front, 50 feet in the rear, and 30 feet on the sides. Linda Howard, the property owner spoke and stated that a neighbor will be purchasing the southern most 5 acre lot to build a barn. Commissioner Langford made a motion to close the public hearing seconded by Commissioner Gross.

A motion was made by Commissioner Schaefer, seconded by Commissioner Hickox, to adopt the Resolution. The motion carried by the following vote:

Aye: Deriso, Schaefer, Hickox, Langford, and Gross
Enactment No: 2025-040

ADJOURNMENT

Being no further business before the board, Chairman Deriso adjourned the meeting at 9:40pm.

ATTEST:
COMMISSIONERS

BOARD OF COUNTY
DESOTO COUNTY, FLORIDA

MANDY HINES
COUNTY ADMINISTRATOR

J.C. DERISO
CHAIRMAN

Board Documents 05-27-2025 BOCC Public Meeting

Attachments: Agenda item 6 FDOT SR 31 extension project
Agenda item 6 speaker card
Agenda item 6 SR 70 Peace River-Baker St
Agenda item 10 speaker card
Agenda item 15 speaker card
Agenda item 16 speaker card
Non agenda item speaker card

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.