

BOARD ACTION
August 17, 2004

REPORT	Mr. Bruce Whitehead, Emergency Management Director, presented an overview of what Lake County went through last week with Hurricane Charley.	KAISER
APPROVED	July 20, 2004 (Regular Meeting), as presented; and July 22, 2004 (Special Meeting - Budget Workshop), as presented.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 1 - List of warrants paid prior to this meeting, pursuant to Chapter 136.06(1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 2 - Proof of publication of unclaimed moneys and payment to the Board for those moneys advertised less claims and publication costs, pursuant to FS116.21. Fiscal/Budget Impact: \$7,311.54 less amounts claimed and publication costs will be receipted as fines and forfeits revenue before September 25, 2004.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 3 - Received from the Southwest Florida Water Management District: Agenda, July 27 and 28, 2004, Governing Board Meeting, Brooksville, Florida. Approved Minutes of the Governing Board meeting held May 21, 2004, Tampa, Florida. Approved Minutes of the Governing Board meeting held May 26, 2004, in Brooksville, Florida.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 4 - Received the Southwest Florida Water Management District August 1, 2004 Standard Format Tentative Budget Submission for Fiscal Year 2004-2005, pursuant to section 373.536, Florida Statutes.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 5 - Copy of Report No. 2005-004, Operational Audit of Lake-Sumter Community College, for the period January 1, 2003 through December 31, 2003, and selected transactions through March 31, 2004, from the Auditor General, State of Florida.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 6 - Received the St. Johns River Water Management District Tentative Budget Submission for Fiscal Year 2004-2005, pursuant to Section 373.536, Florida Statutes. The Governing Board will hear public input on the District's budget at its first public hearing on September 7, 2004, at 5:05 p.m., and its final public hearing on September 22, 2004, at 5:05 p.m.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 7 - Received the Lake County Water Authority 2003 Annual Report and 2003-2008 Five Year Plan, in accordance with Chapter 29222, Laws of Florida.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 8 - Before the Public Services Commission, Docket No. 040359-WS, Order No. PSC-04-0715-FOF-WS, Issued July 21, 2004, In re: Application for authority to operate under fictitious name, Aqua Utilities Florida, Inc., by AquaSource Utility, Inc., holder of Certificates 268-S, 503-S, 585-W, 371-S, 441-W, and 424-W; Arredondo Utility Company, Inc., holder of Certificates Nos.	WATKINS

	549-W and 479-S; Crystal River Utilities, Inc., holder of Certificate Nos. 441-S, 507-W, 510-S, 594-W, 396-W, 123-W, and 053-W; Jasmine Lakes Utilities Corporation, holder of Certificate Nos. 110-W and 083-S; Lake Suzy Utilities, Inc., holder of Certificates Nos. 514-S and 599-W; and Ocala Oaks Utilities, Inc., holder of Certificate No. 346-W - Order Approving Name Changes and Notice of Further Proceedings for Judicial Review.	
ACKNOWLEDGED RECEIPT	Tab 9 - Before the Florida Public Service Commission - Notice of Commission Hearing and Prehearing to KMC Telecom III LLC, KMC Telecom V. Inc., KMC Data LLC, Sprint-Florida, Incorporated and All Other Interested Persons, Docket No. 031047-TP, Petition of KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for Arbitration of Interconnection Agreement with Sprint-Florida, Incorporated - Public Hearing Tuesday, September 14, 2004, 9:30 a.m., Room 152 Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida - Prehearing Conference Monday, August 16, 2004, 1:30 p.m., same location, as noted.	WATKINS
ACKNOWLEDGED RECEIPT	Tab 10 - Clerk of Courts, Lake County, Florida, Semi Annual Investment Report for FY 03-04, June 30, 2004.	WATKINS
APPROVED	Tab 3 - 1 - Request from Budget for approval of a budget transfer – County Fire Control Fund, Department of Public Safety, Fire/Rescue Division, in the amount of \$47,334.00 is requested. Transfer \$47,334.00 from Machinery & Equipment to Office Supplies. Funds of \$50,000.00 were budgeted in Machinery & Equipment for a Records Management CAD System for Fire Rescue. The quote came in \$24,728.00. The software was a capital item when the cost was \$50,000.00. As the quote came in less than \$25,000.00, the funds for the CAD system need to be transferred to Office Supplies. The funds not required for the CAD system will be used to replace outdated or substandard computers. The computers need to be replaced due to the addition of T-1 high-speed connections in all fire stations this year, and the need for computer and software conformity throughout all County fire stations. Funds available in Machinery & Equipment.	FRAZIER
APPROVED	Tab 3 - 2 - Request from Budget for approval of a budget transfer – County Transportation Trust Fund, Department of Public Works, Road Operations Division, in the amount of \$93,497.00 is requested. Transfer \$93,497.00 from Reserve for Operations to Contractual Services. Lake County will upgrade and assume maintenance of the Leesburg traffic signals, beacons and flashers per an Interlocal Agreement with the City of Leesburg signed November 4, 2003. The agreement states the amount needed for upgrades will be reimbursed by the City of Leesburg or offset by FDOT when completed, and receipted back to Lake County reserves. Funds available in Reserve for Operations.	FRAZIER
APPROVED	Tab 3 - 3 - Request from Budget for approval of a budget transfer – Renewal Sales Tax Capital Projects Fund, Department of Public Works, in the amount of \$54,918.00 is requested. Transfer \$54,918.00 from Special Reserve to Machinery & Equipment. The	FRAZIER

	Sheriff's Office has submitted a requisition to order lightbar packages for new vehicles that will be purchased in Fiscal Year 2005. They have requested to purchase the lightbar packages now in order to receive them in October. Funds available in Special Reserve.	
APPROVED	Tab 3 - 4 - Request from Budget for approval of a budget transfer – General Fund, Department of Community Services, Administration Division, in the amount of \$3,970.00 is requested. Transfer \$3,970.00 from Reserve for Operations to Repair & Maintenance. Unanticipated costs were incurred for the installation of alarm systems at the Health Department offices located at the Van Dee Medical building as well as for the Delaporte leased space on Highway 441, Mt. Dora. Funds available in Reserve for Operations.	FRAZIER
APPROVED	Tab 3 - 5 - Request from Budget for approval of a Resolution 2004-119 to amend the Mosquito Management Fund in order to receive unanticipated revenue for Fiscal Year 2003/2004 in the amount of \$472.00 deposited into Surplus Furniture/ Fixtures/Equipment Sales and provide appropriations for the disbursement for Machinery & Equipment.	FRAZIER
APPROVED	Tab 4 - Request from Community Services for approval to extend the lease of the Van Dee Medical Building, which houses the Lake County Health Department, and approval of the related budget transfer in the amount of \$4,350.00.	SMITH
APPROVED	Tab 5 - Request from Economic Development and Tourism for approval to exercise the County's option to renew the current Agreement with Cramer-Krasselt, the Department's Advertising agency, for one single two-year period to expire on September 13, 2006, and approval for the Chairman to execute a letter confirming the renewal.	MIHALIC
APPROVED	Tab 6 - Request from Environmental Services for approval to release the Onyx Waste Services, Inc., Landfill Payment Bond dated June 1, 2003, and accept the replacement bond dated June 1, 2004.	HARDY
APPROVED	Tab 7 - Request from Environmental Services for approval for \$5,000.00 in matching funds to install a pilot rainwater harvesting system to capture and store rainwater collected from the Environmental Services Building roof for on-site irrigation; approval of Resolution to recognize \$5,000.00 matching funds from the Lake County Water Authority; and approval of related budget transfer of \$5,000.00 from Reserve for Operations to Improvements Other than Buildings.	HARDY
APPROVED	Tab 8 - Request from Growth Management for approval and execution of a Satisfaction and Release of Fine for property owned by William Booth, Case Number CEB 183-00.	WELSTEAD
APPROVED	Tab 9 - Request from Growth Management for approval and execution of a Satisfaction and Release of Fine for property owned by Steven Edward Brown, Case Number CEB 2003040110.	WELSTEAD

APPROVED	Tab 10 - Request from Growth Management for approval and execution of a Satisfaction and Release of Fine for property owned by Herman Louis Bedsole and Susan R. Bedsole, Case Number CEB 2002090219.	WELSTEAD
APPROVED	Tab 11 - Request from Growth Management for approval to advertise Ordinance creating the Mt. Plymouth/Sorrento Planning Advisory Committee.	WELSTEAD
APPROVED	Tab 12 - Request from Procurement Services for approval to authorize the removal of all of the items on the attached "Surplus" lists from the County's official fixed asset inventory system records; declare the items on the attached "Disposal" list surplus to County needs and authorize disposal as described; authorize the donation as requested; and authorize the Procurement Services Director to sign the vehicle title.	HAYSLETTE
APPROVED	Tab 13 - Request from Procurement Services for approval to award the contract for On Call Surveying Services to Berryman & Henigar, Southeastern Surveying, Inc. and Farner Barley and Associates in accordance with RFP Number 04-069.	HAYSLETTE
APPROVED	Tab 14 - Request from Public Safety for approval and signature on the Interlocal Agreement with the City of Leesburg to provide automatic aid and mutual aid response to calls near jurisdictional lines.	KAISER
APPROVED	Tab 15 - Request from Public Safety for approval and signature on the Interlocal Agreement for Communication Interoperability within the Florida's Region 5.	KAISER
APPROVED	Tab 16 - Request from Public Works for approval and signature on Amendment 2 amending the State Funds amount of the Tentative Certified Budget for Arthropod Control for Fiscal Year 2003-2004.	STIVENDER
APPROVED	Tab 17 - Request from Public Works for approval and authorization to release a Letter of Credit for Performance in the amount of \$341,289.00; accept a Letter of Credit for Maintenance in the amount of \$31,027.00; accept a Developer's Agreement for Construction of Improvements between Lake County and Shamrock Homes, Inc.; and execute Resolution 2004-120 accepting the following roads into the County Road Maintenance System: Tropical Wind Lane "Part" (County Road Number 6545A), Tropical Breeze Court (County Road Number 6545B), Glenview Lane (County Road Number 6545C), and Whispering Wind Street "Part" (County Road Number 6546B), all relating to Biscayne Heights Phase III. Biscayne Heights Phase III consists of 56 lots – Commission District 5.	STIVENDER
APPROVED	Tab 18 - Request from Public Works for approval and signature on extension of contract with HNTB, Inc. to December 31, 2004 for the Picciola Bridge Preliminary Engineering Study.	STIVENDER
APPROVED	Tab 19 - Request from Public Works for approval to accept the following listed public right of way deeds that have been secured in	STIVENDER

	conjunction with roadway and/or stormwater projects: one Drainage Easement Deed, three Statutory Warranty Deeds, and two Temporary Non-Exclusive Construction Easement Deed and Perpetual Grading Easement.	
APPROVED	Tab 20 - Request from Public Works for approval to accept a Maintenance Map for the intersection of CR 448A, Road Number 3064 and Duda Road, Road Number 3168.	STIVENDER
APPROVED	Tab 21 - Request from Public Works for approval and execution of a Purchase Agreement with Debra Cole, James A. Wright, Jeffrey H. Wright, Christopher J. Wright, and Jonathan D. Wright, Heirs of Opal Abston (formerly known as Opal Perrine), deceased, for right of way in conjunction with the Hilltop Special Assessment Project (Thoroughbred Trail), located in the Sorrento area.	STIVENDER
APPROVED	Tab 22 - Request from Public Works for approval and execution of a Purchase Agreement with Joan A. Jones, for right of way in conjunction with the Hilltop Special Assessment Project (Shetland Trail), located in the Sorrento area.	STIVENDER
APPROVED	Tab 23 - Request from Public Works for approval and execution of an Interlocal Agreement between Lake County and the City of Fruitland Park for Traffic Signal Maintenance.	STIVENDER
PULLED	Tab 24 - Request from Public Works for approval and authorization to accept the final plat for Rose of Eldorado and all areas dedicated to the public as shown on the Rose of Eldorado plat. Rose of Eldorado consists of 10 lots – Commission District 4. - This item to be rescheduled for Board approval next week.	STIVENDER
APPROVED	Tab 25 - Request from Public Works for approval and authorization of Resolution 2004-121 authorizing the posting of a "Right Turn Only" sign and "No Left Turn" sign on Lake Saunders Drive (4760) at its intersection with CR 19A (4561) in the Eustis area.	STIVENDER
APPROVED	Tab 26 - Request from Public Works for approval and authorization of Resolution 2004-122 authorizing the posting of a "STOP" sign on Indiana Avenue (4463) at its intersection with Palmetto Street (4463A) and Elray Boulevard (4463) in the Mount Dora area.	STIVENDER
APPROVED	Tab 27 - Request from Public Works for approval and signature on Resolution 2004-123 to advertise public hearing for Vacation Petition Number 1033, Merritt/Baptist Church of Okahumpka, Representative Steven J. Richey, P.A., to vacate and cease maintenance on County road known as the South Quarters Road (Number 3-3109), located in Section 15, Township 20 South, Range 24 East, in the Okahumpka area – Commission District 3.	STIVENDER
APPROVED	Tab 28 - Request from Public Works for approval to terminate the Purchase Agreement to acquire a 23 +/- acre parcel of land from Carrol E. and Renelda M. Gatch, located on the north side of Getford Road. The requested purchase price is \$281,920.00 (\$12,000.00 per acre).	STIVENDER

APPROVED	Addendum No. 1 - I.A.1. - Request from Public Works for approval to execute Lease Agreement for South Pointe Office Park for the Court Administration Staff and approve related budget transfer in the amount of \$90,000.00 subject to staff reviewing and seeing where they can reduce on some of the equipment and furnishing costs.	STIVENDER
NO ACTION TAKEN	PRESENTATION: Proclamation 2004-114 (approved by the Board on August 3, 2004) for Professional Firefighters of Lake County Appreciation Week, August 22-28, 2004 to Jared Mielke, Lake County Fire Fighter and Muscular Dystrophy Association Coordinator	
APPROVED	Tab 29 - PUBLIC HEARING: Adoption of Ordinance 2004-57 updating Chapter XI, Lake County Code, Land Development Regulations relating to Signs (including one change from staff, as noted in backup)	MINKOFF
APPROVED	Tab 30 - PUBLIC HEARING: Approval of the 2005-2009 Road Impact Fee Transportation Construction Program; Approval of the 2005-2009 Transportation Trust Fund Transportation Construction Program; and Approval of the 2005-2009 Infrastructure Sales Tax Transportation Construction Program; including the additional road, Groveland Collector to Cherry Lake Road.	STIVENDER
	<p>CITIZEN QUESTION AND COMMENT PERIOD:</p> <p>Mr. Roy Hunter addressed the Board to discuss his handout material relating to fire rescue and stressed the need for a paid fire station in Paisley. He pointed out that the residents in the Code 0006 area pay more than three other districts.</p> <p>Mr. Frank Royce, Chief Property Appraiser, explained the millage rate information that was provided to Mr. Hunter from the Property Appraiser's Office noting that these are millage districts that they have put a number to and not fire districts, as they may have been in the past, and that the map with the numbered districts is used in-house to help them assess property, and to break down certain millage groups.</p> <p>Mr. Gary Kaiser, Director of Public Safety, explained that staff is currently analyzing all of the first response areas of each station to determine the actual call load for all categories, and then they are going to look at the balance of service in each station. The Paisley area will be analyzed with the entire County, and staff should conclude the analysis within the next week.</p> <p>Ms. Nancy Carrico discussed communication with others regarding the fire station in Paisley, with individuals being told that, in no way would there be a fire station in Paisley.</p>	KAISER
	CITIZEN QUESTION AND COMMENT PERIOD:	

	<p>Mr. Travis Whigham stated that there is a need for a paid fire station in Paisley, because many homeowners in this area cannot afford to buy homeowners insurance. He feels that the County could raise money to create paid fire stations by charging a dollar or two dollars per acre non ad valorem tax on the undeveloped land in these regions. He has been working hard on his road project, because that will bring Pine Lakes that much closer to them. In regards to the impact fees for schools, he suggested that, instead of the proposed \$10,750 impact fee on new development, they consider a \$5,000 impact fee and a real estate transfer tax of \$1,000 which he knows would have to go before the state legislature. Mr. Whigham stated that they still need a community center in the Lake Mack area.</p>	
	<p>CITIZEN QUESTION AND COMMENT PERIOD:</p> <p>Ms. Susan Hertzog explained that there are a lot of beautiful people with a lot of heart in the Paisley area. She wanted the Board to look into the issues brought forth regarding fire protection, and to remember that it is not just a legal issue, or a protocol issue, it is also a moral issue.</p>	
APPROVED	To schedule a closed session on August 24, 2004 at 9 a.m., in regards to Covanta.	MINKOFF
NO ACTION TAKEN	Mr. Sandy Minkoff, County Attorney, reported that the County has two real estate purchases that staff is working on, one is the PEAR Park, and the other is a park in Umatilla, and staff is anticipating bringing these back to the Board on September 7, 2004 for the Board to make a final decision.	MINKOFF
APPROVED	Tab 31 - Request from Growth Management for approval to create 11 additional positions (two Plans Examiners, seven Building Inspectors, one Fire Inspector and one Associate Plans Examiner) and to approve the related budget transfer from Building Division Reserve to fund positions.	WELSTEAD
APPROVED	Tab 32 - Request from County Attorney for approval of Settlement Agreement and approval of Satisfaction and Release of Liens for the Code Enforcement Lien against James W. Hastings, Jr., Cynthia Rubert, Dennis Hastings, Michelle Desantis, and Alvin Desantis (Case Number CEB 2001-03-0097).	MINKOFF
APPROVED	Tab 33 - Request from County Attorney for approval and signature on Renewal of Agreement between Lake County and Brett L. Swigert relating to Outside Legal Services to serve as outside counsel to act as attorney/guardian/administrator ad litem in certain code enforcement foreclosure cases.	MINKOFF
APPROVED	Addendum No. 1 - II.A.1. - Request from County Manager for approval to continue to pay certain operating expenses for Guardian Ad Litem for the remainder of this fiscal year in the approximate amount of \$10,900.00.	NERON
DIRECTED	Staff to put the discussion of the role of the Lake County Board of	NERON

	Commissioners in providing transportation disadvantaged services in light of the recent establishment of the Municipal Planning Organization (MPO) on the August 24, 2004 Board agenda, to get direction from the Board.	
DIRECTED	Staff to place the fire protection report on the September 7, 2004 Board agenda.	NERON/ KAISER
DIRECTED	Staff to look at on-site temporary storage, which includes pods (portables on demand), pursuant to discussion brought forth by Commr. Hanson.	WELSTEAD/ HANSON
FOR YOUR INFORMATION	Commr. Hill wanted to echo her accolades to the staff, and the cities and communities that helped with the hurricane event, and to thank Mr. Neron and Commr. Stivender for staying the evening and keeping them very well informed.	HILL
APPROVED	Tab 34 - Request from Commr. Pool for approval and execution of Proclamation 2004-124 declaring September 17 through 23, 2004 as Constitution Week.	POOL
APPROVED	Tab 35 - Request from Commr. Stivender for retroactive approval of Resolution Number 2004-107 honoring Alice Waters (presentation was made at the August 3, 2004 Board meeting).	STIVENDER
FOR YOUR INFORMATION	Commr. Stivender informed the Board that they will hold a 7:30 a.m. breakfast at Lake Receptions for their State of the County event on October 21, 2004 at 7:30 a.m. at Lake Receptions.	STIVENDER
FOR YOUR INFORMATION	Commr. Stivender extended her appreciation to the County Manager and County Attorney and staff, and Public Works and EMS and everybody that worked so well together through the hurricane disaster.	STIVENDER