

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**REGULAR MEETING**

**October 21, 2008**

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**COUNTY COMMISSIONERS**

**Welton G. Cadwell, Chairman**

**Jennifer Hill, Vice Chairman**

**Elaine Renick, District #2**

**Debbie Stivender, District #3**

**Linda Stewart, District #4**

**Cindy Hall, County Manager**

**Sanford A. Minkoff, County Attorney**

**Neil Kelly, Clerk to the Board**

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**DISCLAIMER**

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

**ITEMIZED AGENDA**

**October 21, 2008**

9:00 A.M. Invocation

Pledge of Allegiance

**I. AGENDA UPDATE**

Discussion regarding proposed revisions to today's Agenda.

## II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:  
September 16, 2008 (Regular Meeting)  
September 23, 2008 (Regular Meeting)

## III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 12)

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.  
  
Recommendation: Acknowledge Receipt
2. Ordinance 596-M which annexes a vacant parcel of land into the city limits of Clermont. The Ordinance was adopted by the Clermont City Council on September 23, 2008. The new address for this property is now 2750 Hartwood Marsh Road.  
  
Recommendation: Acknowledge Receipt
3. Copy of Fiscal Year 2008/2009 budget adopted by the Village Center Community Development District Board of Supervisors on September 19, 2008, in accordance with Chapter 190.008(2)(b)(c), Florida Statutes and Resolution 08-30 adopting same  
  
Recommendation: Acknowledge Receipt
4. Notice Before the Florida Public Service Commission:  
  
In re: Petition for approval of standard interconnection agreements for expedited interconnection of customer-owned renewable generation and associated net metering tariff, by Tampa Electric Company - Docket No. 080255-EI.  
  
In re: Petition for approval of net metering tariff, new interconnection Inc. - Docket No. 080257-EI.  
  
In re: Petition for approval of standard interconnection agreements for Tier 1 through Tier 3 customer-owned renewable generation systems and revisions to tariff sheets iv, 4.2, 4.16, and 9.1, by Gulf Power Company - Docket No. 080260-EI.  
  
In re: Petition for approval of net metering tariff and standard interconnection agreements, by Florida Power & Light Company - Docket No. 080265-EI.  
  
In re: Petition for approval of standard interconnection agreements for customer-owned renewable generation systems, by Florida Public Utilities Company - Docket No. 080294-EI; Order No. PSC-08-0624-TRF-EI; Issued: September 24, 2008.  
  
Order Approving Amended Tariffs and Interconnection Agreements
5. Notice Before the Florida Public Service Commission: Petition for waiver of Rule 25-17.250(1) and (2)(a), F. A.C., which requires Progress Energy Florida to have a standard offer contract open until a request for proposal is issued for same avoided unit in standard offer contract, and for approval of standard offer contract - Docket No. 080501-EI; Order No. PSC-08-0625-PCO-EI; Issued: September 24, 2008.  
  
Recommendation: Acknowledge Receipt

6. Public meeting schedule for Country Greens Community Development District for Fiscal Year 2009, pursuant to Chapter 189 Florida Statutes. The meetings will be held on the fourth Wednesday of the month at 10:00 a. m. at The Hampton Inn, 19700 U.S. Highway 441, Mount Dora.

Recommendation: Acknowledge Receipt

7. Copy of Notices of Public Hearing for Annexation for the following annexation ordinances from the City of Groveland:

Ordinance 2008-10-38, annexing 1.35 +/- acres.

Ordinance 2008-10-39, annexing 17.79 +/- acres.

Recommendation: Acknowledge Receipt

8. Notice Before the Florida Public Service Commission – In re: Application for increase in water and wastewater rates by Aqua Utilities Florida, Inc.; Docket No. 080121-WS, Rate Case Synopsis, Lake County.

Recommendation: Acknowledge Receipt

9. Copies of Ordinances from the Town of Lady Lake as follows:

Ordinance 2008-10 amending the Town of Lady Lake Land Development Regulations (Ordinance No. 2005-52); Chapter 10, Landscaping & Tree Protection Regulations.

Ordinance No. 2008-11 amending the Town of Lady Lake Land Development Regulations; Chapter 9 entitled Miscellaneous Regulations, adding Section 7 entitled “Underground Utilities”; adding provisions governing the installation of underground utilities.

Ordinance 2008-12 amending the Town of Lady Lake Comprehensive Plan, by adopting the Public Schools Facilities Element and updating the Intergovernmental Coordination Element and the Capital Improvement Element including goals, objectives, and policies.

Ordinance No. 2008-13 creating regulations controlling the solicitation of charitable donations in the Town of Lady Lake, including but not limited to, on public highways, roads, and rights of way, providing for administrative fines and for criminal penalties.

Ordinance No. 2008-20 providing for amendments to the Land Development Regulations of the Town of Lady Lake, amending provisions regarding the Planning and Zoning Board.

Ordinance No. 2008-22 amending Ordinance 2006-12 Section 2.4) to allow the additional use of storage and sale of automotive diesel under the Memorandum of Agreement for the special exception use for certain property currently owned by Racetrac Petroleum, Inc. located at 324 North Highway 27/441 within the town limits of the Town of Lady Lake.

Ordinance 2008-23 amending Lady Lake’s Land Development Regulations, Chapter 4 entitled Concurrency Management System, and amending Section 3 A), C) and F).

Ordinance No. 208-25 deleting Ordinance 2007-06 and Chapter VII Article VIII Cross Connections and Backflow Prevention and providing for enforcement of the cross connection control program.

Recommendation: Acknowledge Receipt

10. Notice of Applications for an Extension of Service Area from the Florida Public Service Commission – Notice is hereby given on the 2<sup>nd</sup> day of October, 2008, pursuant to Section 367.045, Florida Statutes, and Section 25-30.030 of the Florida Administrative Code, of the Application of Aqua Utilities Florida, Inc., 1100 Thomas Avenue, Leesburg, Florida 34748, of its intent to apply to the Florida Public Service Commission to extend its service area to provide water and wastewater service to the properties described below in Lake County, Florida:

Morningview Revised Legal Description, Township 20 South, Range 24 East, Lake County, Florida, Section 2

Kings Cove Revised Legal Description, Township 19 South, Range 24 East, Lake County, Florida, Section 1

Any objections to the Applications must be made in writing and filed with the Director, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days after the last date this notice was mailed or published, whichever is later, with a copy provided to Michael B. Twomey, Esquire, P. O. Box 5256, Tallahassee, Florida 32314-5256. The objection must state the grounds for the objections with particularity.

Recommendation: Acknowledge Receipt

11. Copy of City of Eustis' Annual Budget for FY 2008-09

Recommendation: Acknowledge Receipt

12. Copy of Comprehensive Annual Financial Report for the City of Umatilla for the year Ended September 30, 2007.

Recommendation: Acknowledge Receipt

#### **IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 16)**

##### **Budget**

###### Tab 3

1. Budget transfer – Various Funds, Various Departments. This amendment is needed to reclassify various revenue accounts to reflect Fiscal Year 2008-09 updates to the Uniform Accounting System Chart of Accounts required by the State of Florida.
2. Approval of request for payment of Florida Association of Counties membership dues for November 1, 2008 through October 31, 2009. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$26,694.00.
3. Approval of request for payment of first installment of three-year commitment for Myregion.org. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$30,000.00.
4. Approval of request for payment to Florida Hospital Medical Center for an inmate. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$28,619.72.

## **Community Services**

[Tab 4](#) Approval of the amendment to the Agreement between Lake County and Central Florida Health Alliance (Leesburg Regional Medical Center) for hospital services for jail inmates and authorization for Board Chairman to sign the amendment and any subsequent documents relating to this Agreement. Also pursuant to the Agreement, authorize the Lake County Jail Administrator to name an administrator to serve as the hospital contact.

## **Procurement**

[Tab 5](#) It is recommended that the Board (1) declare the items on the enclosed list(s) surplus to County needs, (2) authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director or designee to sign vehicle titles.

## **Public Safety**

[Tab 6](#) Approve Chairman's signature for the Embarq tariff charges for Lake County E9-1-1 annual monthly charges per contract.

## **Public Works**

[Tab 7](#) Approve and execute a Temporary Construction Easement needed to replace a driveway in conjunction with the South Dewey Robbins Road Project. Commission District 3.

[Tab 8](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1133, Lake County Environmental Lands, to vacate tracts and right of way in the Plat of Groveland Farms. Commission District 2.

[Tab 9](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1135, Tony Lambert, to vacate rights of way in the Plat of Lake King Gardens, in the Altoona area. Commission District 5.

[Tab 10](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1145, Joseph Zagame, to vacate the entire Plat of St. James Place, in the Lady Lake area. Commission District 5.

[Tab 11](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1146, R. Neil Britt, to vacate the entire Plat of John's Lake Plaza, in the Clermont area. Commission District 2.

[Tab 12](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1143, Clermont Motor Sales LLC, in the Plat of Lake Highlands Co., in the Clermont area. Commission District 2.

[Tab 13](#) Request authorization to release a letter of credit for performance for construction of improvements in the total amount of \$55,550.00 that was posted for Timuquana Park. Timuquana Park consists of 18 lots and is located in Section 32, Township 19 South, Range 28 East, Commission District 4.

[Tab 14](#) Request authorization to accept the final plat for View Point and all areas dedicated to the public as shown on the View Point plat. View Point consists of 4 lots and is located in Section 31, Township 19 South, Range 25 East. Commission District 1.

[Tab 15](#) Approve the Interlocal Agreement with the City of Mt. Dora to improve water quality and drainage on Lake John and Dogwood Mountain outfall in the Gertrude Drainage Basin and also approve transfer of funds from the reserve account. Commission District 2.

[Tab 16](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1144, Interlachen Investments LLC, to vacate right of way in the Plat of Monte Vista Park Farms, in the Clermont area. Commission District 2.

**V. COUNTY ATTORNEY'S CONSENT AGENDA (Tab 17 through Tab 20)**

- [Tab 17](#) Approval of Resolution changing the speed zone on a portion of Lake Griffin. Commission District 1.
- [Tab 18](#) Approval to process invoice for payment of \$41,143.26 to Foley & Lardner, LLP.
- [Tab 19](#) Approval of Request to Modify Development Restrictions in the Lake County Commerce Park. Commission District 3.
- [Tab 20](#) Approval of renewal of lease agreement between Lake County and Ali Jawad for Tax Collector lease space. Commission District 2.

**VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

**Community Services**

- [Tab 21](#) Approval to continue the direct pay procedure during FY 08/09 for the monthly Medicaid Nursing Home and Hospital bills as well as for direct pay for the monthly Health Care Responsibility Act (HCRA) bills received by the Department of Community Services, effective with the fiscal year beginning October 1, 2008.
- [Tab 22](#) **9:00 A.M.** - The Affordable Housing Advisory Committee and staff recommend denial of the request for a 50% waiver of impact fees for Cagan Crossings-The Glenn. Commission District 2.

**VII. PUBLIC HEARINGS**

**PUBLIC HEARING - 9:00 A.M. or As Soon Thereafter**

- [Tab 23](#) Approval of Amended Budget to include project carry-forwards from Fiscal Year 2007-08.
- [Tab 24](#) Approval of the Resolution for the issuance of Orange County Industrial Development Authority Industrial Development Revenue Bonds (Roman Catholic Diocese of Orlando, Florida), Series 2008 in an aggregate principal amount not to exceed \$65,000,000; and the execution of the Interlocal Agreement with Orange County, Florida.

**VIII. REPORTS**

- A. **County Attorney**
- B. **County Manager**  
Update on Clermont Fire Service
- C. **Commissioner Hill - Vice Chairman and District #1**
- D. **Commissioner Renick - District #2**
- E. **Commissioner Stivender - District #3**
- F. **Commissioner Stewart - District #4**
- G. **Commissioner Cadwell - Chairman and District #5**

[Tab 25](#) Approval to proclaim November as Epilepsy Awareness month.

[Tab 26](#) Presentation of NACO Achievement Award for "Festival of Reading" program to Library Services staff.

**IX. Presentation on Forest Lands/PLAAC**

**CITIZEN QUESTION AND COMMENT PERIOD**

**At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration.** NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

**The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.**

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Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, 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 may include the testimony and evidence upon which the appeal is to be based.

**Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.**