

BOARD ACTION

January 22, 2008

APPROVED	<p>Tab 1. Approval of the following Minutes: December 11, 2007 (Regular Meeting), as corrected. December 18, 2007 (Regular Meeting), as presented.</p>	KELLY
APPROVED	<p>Tab 2. Clerk of Courts' Consent Agenda, as follows:</p> <ol style="list-style-type: none">1. Request to acknowledge receipt of 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.2. Request to acknowledge receipt of City of Leesburg Planning & Zoning Division Notice of Public Hearing for January 10, 2008 at 3:30 p.m., at Leesburg City Commission Chambers, Third Floor, City Hall, 501 West Meadow Street, Leesburg, to consider a request from Christian Worship Center for an amendment to the Future Land Use Map of the Leesburg Growth Management Plan, changing the future land use designation from County Urban to City Low Density. The property's general location is west of County Road 468 and North of Veech Road.3. Request to acknowledge receipt of Tourism Development/Resort Tax Chart and attached memo noting that Fiscal Year November 2008 revenue is up 5.7 percent compared to Fiscal Year November 2007 and up 2.3 percent compared to Fiscal Year November 2006 and that the next TDC regularly scheduled meeting will be held on Wednesday, March 19 at 5:30 p.m. in Commission Chambers in Tavares.4. Request to acknowledge receipt of letter from the City of Mascotte serving as notification of the re-publication of Notice of Public Hearing Proposed Annexation Ordinances for applicant, Greg Beliveau, AICP, LPG, on behalf of Maury Carter & Associates, Tuscanooga Investment Company, Inc. and Florida State Missionary Baptist Foundation properties, along with the attached copies of these Notices of Public Hearing for Ordinance No. 2007-12-455, Ordinance No. 2007-12-456, and Ordinance No. 2007-12-457.5. Request to acknowledge Monthly Distribution of Revenue Traffic/Criminal Cases, Month Ending December 31, 2007. Disbursements due to Board: \$149,999.57 Same period, last year: \$159,429.10	KELLY

APPROVED	Tab 3. Request from Procurement for approval to award to Tip Tops of America, PromoConcepts, Inc. and Promotional & Advertising Products to provide promotional items for Lake County.	SCHWARTZMAN
FOR YOUR INFORMATION	Tab 4. FOR INFORMATION ONLY- NO ACTION REQUIRED. The Procurement Policy revisions enacted by the BCC on September 27, 2007 delegated authority to the County Manager to complete certain individual purchase actions in excess of \$25,000 under "term and supply" contracts. At the BCC meeting on October 2007, there was discussion regarding a need to provide information to the BCC regarding such actions for a limited period of time. The "Term & Supply" contract discussed below falls within these informational parameters.	SCHWARTZMAN
APPROVED	Tab 5. Request from Public Works for authorization to accept the final plat for Mt. Plymouth Club Estates and all areas dedicated to the public as shown on the Mt. Plymouth Club Estates plat. Mt. Plymouth Club Estates consists of 4 lots and is located in Section 32, Township 19 South, Range 28 East. Commission District 4.	STIVENDER
APPROVED	Tab 6. Request from Public Works for approval and signature of Resolution No. 2008-6 to advertise Public Hearing for Vacation Petition No. 1114, to vacate a portion of a right of way known as Appaloosa Trail, and two (2) utility easements, in the Plat of Trails of Montverde, located in Section 10, Township 22 S, Range 26 E in the Montverde area. Commission District 3.	STIVENDER
APPROVED	Tab 7. Request from Public Works for approval and signature of Resolution No. 2008-7 to advertise Public Hearing for Vacation Petition No.1129, to vacate a portion of right of way known as Mink Road, according to the unrecorded plat of Astor Forest Campsites, located in the Section 19, Township 15 S, Range 28 E, in the Deland area. Commission District 5.	STIVENDER
APPROVED	Tab 8. Request from Public Works for approval and signature of Resolution No. 2008-8 to advertise Public Hearing for Vacation Petition No.1130, to vacate a portion of a drainage easement, in the Plat of Lake Dora Harbor, located in the Section 35, Township 19 S, Range 26 E, in the Mt. Dora area. Commission District 3.	STIVENDER

PULLED	Tab 9. Request from County Attorney for approval of increase in rates for Outside Counsel – Nabors, Giblin & Nickerson. County Attorney will look into negotiating the travel time rates mentioned in the contract.	MINKOFF
PRESENTATION	Tab 10. Presentation to the BCC by Glatting-Jackson on the CR 455 Scenic Byway Study. Ms. Patty Hurd and Mr. Dan Manley of Glatting Jackson gave an overview of the project and the summary of the recommendations that came out of it. She related that the Green Mountain Scenic Byway ran through the towns of Oakland and Montverde and the community of Ferndale. She noted that the Master Plan consisted of seven elements, which were the Recreational and Open Space Plan, the rural spaces preservation, the places, transportation, corridor enhancements, landscape standards, and wayfinding.	CADWELL
APPROVED	Tab 11. Request from Budget for approval of amendment to FY 2008 fees and Resolution No. 2008-9.	BUDGET
APPROVED	Tab 12. Request from Community Services for approval of a Joint Participation Agreement with Florida Department of Transportation for funding under the Public Transit Block Grant Program and approval of related Resolution 2008-10 for Unanticipated Revenue in the amount of \$275,244.	SMITH
APPROVED	Tab 13. PUBLIC HEARING: Approve Ordinance No. 2008-1 for the creation of an Adopt-A-Lake Program. Approve funding from the Environmental Recovery Fund reserve for operations in the amount of \$1,500.00 per the attached Budget Change Request Form. Per Resolution No. 1994-20 of the Laws of Florida, these monies can be utilized for the restoration of polluted areas. Ms. Cathie McGwier from Environmental Services, the Adopt-a-Lake Coordinator, gave a presentation about the Adopt-a-Lake Program, including the reasons it was needed, the conservation element objectives, the goals of the program, education outreach, roles of County staff, and possible future program activities. She also mentioned that if approved, they were planning a kick-off event for Monday, February 25, before the Ibini Tera event, and they were looking to publicize both of those events together.	CADWELL

CONSENSUS	Tab 14. Discussion regarding continuances for Public Hearings. Ms. Amye King, Deputy Director of Growth Management, presented four recommendations based on the research of staff on the issue of applicant-requested continuances, which were recommending that the number of these continuances be limited to one and that additional continuances should only be granted by the Board upon showing of a good cause; that the notice for these continuances be a minimum of ten calendar days prior to the hearing; that a mailed notice of the continuance to the effected property owners be required; and that the applicant pay any cost incurred by the County, including the cost to advertise the postponement fee and the cost for the postcard mailings. She also stated that staff would like to recommend that the applicant be required to either proceed with the scheduled hearing or withdraw their application if a continuance was not granted by the Board. She related that staff would be happy to prepare an ordinance for the Board's review if they agreed with the recommendations. By consensus, the Board agreed to have staff move forward in bringing the ordinance back before the Board regarding the BCC, the Zoning Board, and the LPA for any future applications.	HALL
DENIED	Mr. Gregg Welstead, Deputy County Manager, asked the Board whether they wanted to be involved in the Florida Association of Counties' advertising regarding Amendment 1. The Board decided not to be part of that and to let voters make up their own mind regarding this issue.	HALL
APPROVED	Commr. Renick was concerned that Groveland was considering an annexation that would create several enclaves and that the County needed to take action to let Groveland know that creating an enclave was illegal. The Board moved to send Mr. Sandy Minkoff, County Attorney, to Groveland's meeting to convey the Board's objection to the creation of an enclave.	RENICK

CITIZEN QUESTION AND COMMENT PERIOD

Mr. Roy Hunter, Northeast Lake Chamber of Commerce, stated that with assistance from the Sheriff's Office, they collected cell phones for people that needed them, such as domestic violence victims and the elderly, and he asked that if anyone had any old cell phones, to please drop them off at Walgreen's at CR 19 and CR 44A or at the Paisley Library. He also mentioned that they would be having their next Chamber meeting on Valentine's Day, February 14, 6:30 p.m. at Spring Creek Elementary School, and the guest speaker would be Mr. Sean Parks from the Water Authority, who would address the Niagra Bottling issue. He added that they had received a request from Niagra Bottling to also speak at that meeting.

Mr. Bert McDonald, a resident of SR 44 in Casia, expressed his frustration and opinion about County regulations involving open-air vendors, specifically regarding a man that had been selling produce for a number of years and had been told continuously by code-enforcement officers that he was in violation of County regulations and that he could not operate in the many locations he has tried to operate out of. He also complained that he could not get a delineation definition of how a structure or a building was defined or a specific reason for the man's situation. He also felt that his tax money should not pay for investigating anonymous tips that were not regarding abuse of children or the elderly. He also pointed out that long ago Florida law allowed for the growth and sale of produce on agricultural land. He asked the Commissioners to take his comments and concerns into consideration at the workshop for this issue that was scheduled for January 29. Commr. Cadwell stated that they understood that there was a problem and that it did not make common sense, but they would look into how people Mr. McDonald was referring to could make a living.