

BOARD ACTION

March 17, 2009

APPROVED	Tab 1. Minutes of January 13, 2009 (Special Meeting), as corrected; January 27, 2009 (Regular Meeting), as presented; February 10, 2009 (Special Meeting), as corrected; and February 17, 2009 (Regular Meeting), as presented.	CADWELL
APPROVED	Tab 2. Clerk of Court's Consent Agenda, as follows: <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 compact disk containing the 2009 Consolidated Annual Report for the Southwest Florida Water Management District, including the District Water Management Plan Annual Report, Minimum Flows and Levels Annual Priority List and Schedule, Annual Five-Year Capital Improvements Plan, Alternative Water Supplies Annual Report, Annual Five-Year Water Resource Development Work Program, Florida Forever Water Management District Work Plan, and Mitigation Donation Annual Report.3. Request for approval to refund non-resident recreation fees to individuals participating in the Clermont Girls Softball League and South Lake Little League, in the amount of \$25 each.4. Request to acknowledge receipt of Final DCA Order No. DCA09-OR-049, from the State of Florida, Department of Community Affairs, In re: Lake County Land Development Regulations approved by Lake County Ordinance No. 2008-86, adopted December 18, 2008, pertaining to the Green Swamp Area of Critical State Concern.5. Request to acknowledge receipt of copy of Ordinance No. 2009-02-07, from the City of Groveland, extending and increasing the corporate limits of the City of Groveland, annexing 25.57 +/- acres of Lake County thereto a certain area of land contiguous to and not embraced within the present limits of the City.6. Request to acknowledge receipt of Notice Before the Florida Public Service Commission, In re: Application for general rate increase in water and wastewater systems in Lake County by Southlake Utilities, Inc. - Docket No. 080597-WS; Order No. PSC-09-0116-FOF-WS; Issued: February 25, 2009 - Order Suspending Proposed Final Rates and Approving Interim Rates Subject To Refund.	KELLY

7. Request to acknowledge receipt of Notification of Action within Joint Planning Area, from the City of Eustis, for Annexation and Comprehensive Plan Amendments, as follows:

Annexation of approximately .9 acres on the south side of Suanne Avenue (Block 10, Lots 10-18); Comprehensive Plan Amendment to change the land use from Urban, in Lake County, to Suburban Residential, in the City of Eustis.

Annexation of approximately .8 acres at 1940 Country Club Road; Comprehensive Plan Amendment to change the land use from Suburban, in Lake County, to Suburban Residential, in the City of Eustis.

Annexation of approximately .29 acres at 2643 Country Club Road; Comprehensive Plan Amendment to change the land use from Suburban, in Lake County, to Suburban Residential, in the City of Eustis.

8. Request to acknowledge receipt of City of Mount Dora's Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2008.
9. Request to acknowledge receipt of Final DCA Order from the State of Florida, Department of Community Affairs, In re: Lake County Land Development Regulations Approved by Lake County Ordinance No. 2009-01. Final Order approving a land development regulation adopted by a local government within the Green Swamp Area of Critical State Concern.
10. Request to acknowledge receipt of Consulting Engineer's Solid Waste Operations Monitoring Annual Report for Lake County's Covanta Lake Resource Recovery Facility for FY 2008 (October 1, 2007 through September 30, 2008), including summary of fourth quarter for FY 2008 (July 1, 2008 through September 30, 2008).

APPROVED	<p>Tab 3. Request from Budget for approval of Change Requests and Check Request (Direct Pay), as follows:</p> <ol style="list-style-type: none"> 1. Budget Transfer – Parks Capital Projects Fund, Department of Public Works, Parks and Trails Division. Transfer \$55,000 from Capital Parks – Lake Jem Park and \$25,000 from Capital Parks – Marsh Lake to Capital Parks – North Lake Community Park. Funds are needed to complete the Florida Recreation Development Assistance Program (FRDAP) Grant for the North Lake Community Park. The deadline for the completion is April 2009. Funds that were previously allocated from the Sales Tax Parks Capital Fund are available in Capital Parks – Lake Jem Park and Capital Parks – Marsh Lake. 2. Budget Transfer - General Fund, Department of Facilities Development and Management. Transfer \$36,000 from Facilities - Repair and Maintenance to Sheriff - Transfer/Law Enforcement - Other Expenses. The flooring in restricted areas of the Sheriff's Administration Building requires replacement, due to wear, and has been identified as a safety concern. The work will be procured by the Sheriff's Purchasing staff. Funds have been identified in the Facilities Maintenance account for this work. 3. Approval of request from the Sheriff's Office for disbursement of court costs designated as Crime Prevention Funds, pursuant to F.S. 775.083. The funds will be used for crime prevention activities. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$300,000.00. 	KRUEGER
APPROVED	<p>Tab 4. Request from Community Services to: (1) Appoint Fletcher Smith, Community Services Director, or an alternate designated by him, to serve as Lake County Government's representative on the local FEMA Board; (2) Appoint Jerry Smith, Emergency Management Director, or an alternate designated by the Public Safety Director, as the representative from Public Safety; (3) Authorize the submission of a direct application for funding as a local Recipient Organization or Fiscal Agent/Conduit for a Local Recipient Organization, if directed by action of the local FEMA Board; and (4) Authorize Community Services Department to manage the program and prepare required plans, reports, and other related documents, as directed by the local FEMA Board, and or required by FEMA.</p>	SMITH
APPROVED	<p>Tab 5. Request from Community Services for Board to sign First Amendment to Agreement between Lake County and Lake County Health Department for Prescription Assistance for Low Income Persons.</p>	SMITH

APPROVED	Tab 6. Request from Conservation and Compliance for approval of Satisfaction and Release of Fine, Property Owner: Superior Concrete Construction, LLC - Commission District 2.	WELSTEAD
APPROVED	Tab 7. Request from Conservation and Compliance for approval of Satisfaction and Release of Fine, Property Owner: Sourcelink Communications, Inc., Case No. 2007030191 - Commission District 3.	WELSTEAD
APPROVED	Tab 9. Request from Procurement for approval to award Cooper Memorial Library Opening Day Collection Services to Baker & Taylor, Inc.	SCHWARTZMAN
APPROVED	Tab 10. Request from Public Safety for approval of updated Interlocal Agreement with City of Groveland for First Responder Fire Rescue Services, in which, starting Fiscal Year 2008/2009, the County shall reimburse the City a total of \$121,842.00, per annum, for fire rescue services provided to the County - Commission District 3.	KAISER
APPROVED	Tab 11. Request from Public Works for approval and execution of Supplemental Agreement with Bowyer-Singleton for additional engineering services for design of CR 470 - Commission District 3.	STIVENDER
APPROVED	Tab 12. Request from Public Works for authorization to accept settlement check, in the amount of \$19,509.00, and execute any required settlement documents with bonding agent, due to developer's failure to complete infrastructure within Hunter Oaks subdivision. Hunter Oaks consists of 18 lots and is located in Section 1, Township 18 South, Range 26 East - Commission District 5.	STIVENDER
APPROVED	Tab 13. Request from Public Works for authorization to release maintenance bond, in the amount of \$26,159.15, posted for Biscayne Grove. Biscayne Grove consists of 27 lots and is located in Section 32, Township 18 South, Range 26 East - Commission District 4.	STIVENDER
APPROVED	Tab 15. Request from Public Works for approval and execution of Purchase Agreement with Robert O. Thomas, for utility easement needed for water line for school and park project at intersection of CR 437 and Wolf Branch Road, in Section 20, Township 19 South, Range 28 East, in the Sorrento area - Commissioner District 4.	STIVENDER

APPROVED	Tab 16. Request from Public Works for authorization to accept final plat for Darian Estates and all areas dedicated to the public, as shown on the Darian Estates final plat; accept a performance bond, in the amount of \$286,685.75; and execute a Developer's Agreement for Construction of Improvements between Lake County and David DiMassino and Robin A. DiMassino, his wife. Darian Estates consists of 6 lots and is located in Section 32, Township 18 South, Range 28 East - Commission District 5.	STIVENDER
APPROVED	Tab 8. Request from Environmental Utilities for approval of Resolution No. 2009-31 , expressing Lake County's support of waste-to-energy technology as a renewable energy source, thus qualifying waste-to-energy technology to be eligible for the Renewable Energy Credit Program.	D.SMITH
APPROVED	Tab 14. Request from Public Works for approval and execution of Purchase Agreement with John R. Beatty, for utility easement needed for water line for school and park project at intersection of CR 437 and Wolf Branch Road, in Section 20, Township 19 South, Range 28 East, in the Sorrento area - Commissioner District 4.	STIVENDER
APPROVED	Tab 17. Request from County Attorney for approval of Lease Agreement with Triangle Industrial Park, Inc., for Building No. 2, located at 31150 Industry Drive, Tavares, for Public Works office space.	MINKOFF
APPROVED	Tab 18. Request from County Attorney to award sale of surplus property to Lake Frances Property Owners Association, in the amount of \$260.10 - Commission District 3.	MINKOFF
APPROVED	Tab 30. Request for approval and execution of Resolution No. 2009-32 , in support of funding of public education, requesting that state legislators find alternative funding source for education during the 2009 Legislative Session.	STEWART
PRESENTATION	Tab 28. Ms. Cindy Hall, County Manager, responded to request from Commr. Conner that staff report be given, in writing, on Dodge Dealership that Lake County purchased for Sheriff's Department, which included specific information on what has been done since purchase, what is going on now, and complete budget and timetable for completion.	CONNER
PRESENTATION	Tab 19. – PRESENTATION: Update and status report on workforce development in Lake County by Larry Strickler, Sr., Vice President of Public Affairs for Workforce Central Florida.	CADWELL

PRESENTATION	<p>Tab 20. – PRESENTATION: Presentation on current status of approved construction and renovation projects, including Phase I Downtown Tavares Projects and Judicial Center. Also, update and direction was given regarding Furniture, Fixtures & Equipment (FF& E) process for Phase I Downtown Tavares Project.</p> <p>Board approved to rebid furniture, fixtures, and equipment (FF&E).</p>	CADWELL
PULLED	<p>Tab 21. Request from Economic Growth and Redevelopment for approval to enter into partnership with City of Clermont, to pay for design, engineering, permitting, and construction of sewer line on Granville Road, south of SR 50, east of Clermont City limits; and approval of attached budget transfer, until a later date.</p>	KEEDY
APPROVED	<p>Tab 22. Request from Growth Management for approval to provide determination on appeal of impact fee double payment refund denial - Commission District 2.</p> <p>Board directed staff to refund impact fee, due to double payment.</p>	KING
APPROVED	<p>Tab 23. Public Land Acquisition Advisory Council's (PLAAC) approved Management Plan for the "Pasture", as requested by the Public Works Department - Commission District 2.</p>	STIVENDER
APPROVED	<p>Tab 24. Removal of Loula Parks as Town of Montverde's Alternate Member on Lake County Library Advisory Board.</p>	CADWELL
POSTPONED	<p>Tab 25. Action regarding request from County Attorney concerning commercial lease, with option to purchase property located at 2900 Kurt Street, in Eustis, for Fleet Management - Commission District 4, until a later date.</p>	MINKOFF
APPROVED	<p>Tab 26. Request from County Attorney for approval of First Amendment to Interlocal Agreement between Lake County and Lake County School Board, regarding joint use of East Lake Park and Elementary School "J", with changes, as noted by County Attorney.</p>	MINKOFF
APPROVED	<p>Tab 27. Request from County Attorney for approval of Settlement Agreement between Lake County and Robert R. Gibson, Jr.</p>	MINKOFF

FOR YOUR
INFORMATION

Commr. Renick recognized Mayor Richard Smith, City of Groveland, who was present in the audience, and informed the Board that the City of Groveland is trying to acquire over 500 acres of land for conservation and that smaller cities are eligible, through the Florida Communities Trust Grant, to get 100% funding to acquire such properties. She stated that she met with Mayor Smith and his consultants, along with Ms. Amye King, Growth Management Director, to determine if the City could get more points, if they had proof that there was a cooperative effort with the County. She suggested that the Board direct staff to prepare a letter of support, for the Chairman's signature, indicating that they support the City's efforts and would help them with their management plans. She noted that the property is in the area of the Palatlahaha, which is an area that everybody has wanted to preserve for a long time.

RENICK

The Board approved for staff to prepare a letter of support, for the Chairman's signature, indicating their support of the City of Groveland acquiring over 500 acres to be utilized for conservation and participate with the City in a cooperative effort and help them with their management plans.

Commr. Renick mentioned that scrub jays were being killed along Monte Vista Road and noted that she would like to have a consensus for staff to erect signs on said road designating it as part of the "Florida Scrub Jay Trail", in order to caution drivers to slow down in the area.

It was the consensus of the Board for staff to erect said signs.

Commr. Renick suggested that a letter be written to the East Central Florida Regional Planning Council requesting clarification about the Secret Promise DRI for the Leesburg area.

It was the consensus of the Board for staff to write said letter.

	<p>Commr. Renick stated that the Board recently approved a Resolution in support of not withdrawing water from the St. Johns River and she wanted to make sure that it was not just a gesture, but that the Board really wants to do what it can to ensure that the St. Johns River Water Management District will consider it. She stated that she would like to have the Board's position formally presented to them.</p> <p>It was the consensus of the Board that Commr. Renick make said presentation to the St. Johns River Water Management District.</p>	
<p>FOR YOUR INFORMATION</p>	<p>Commr. Conner informed the Board that he recently toured the Sheriff's Office and was very impressed with what has been done, utilizing inmate labor, and suggested that any of the Commissioners that have not recently toured the Sheriff's Office do so, noting that he felt it might help prepare them for what they were going to be asked to do concerning the Dodge dealership in Clermont.</p>	<p>CONNER</p>
<p>APPROVED</p>	<p>Tab 29. Resolution No. 2009-33, urging the Governor, the Florida Department of Elder Affairs, and the Florida Legislature to not reduce funding to critical programs for the elderly.</p>	<p>STEWART</p>
<p>FOR YOUR INFORMATION</p>	<p>Commr. Stewart stated that the Orange County Expressway Authority has taken over the Wekiva Parkway and is going to turn it into a toll road and that a number of concerns have been expressed by residents in the Wekiva area about plans for SR 46 and the Wekiva Parkway, noting that some of the residents who live in the Wekiva Basin are going to have to use the toll road every time they leave their homes and they are going to be affected by having to pay a toll each time they use the road. She commented that she has discussed some concerns she has about the matter with the Expressway Authority, as well as with Mr. Mike Snyder, Director of the Expressway Authority, in the past and that they have been very open to listening to staff and working with the County, but she feels the Board should have a plan in place, as to what they want, when the parkway is completed, because they are going to have some say in the matter and they need to be ready, when it is their turn to address the Expressway Authority.</p> <p>It was noted that the Chairman and Mr. Jim Stivender, Jr., Public Works Director, will meet with Mr. T. J. Fish, Executive Director, Lake-Sumter Metropolitan Planning Organization, and the Expressway Authority regarding the matter.</p>	<p>STEWART</p>

	<p style="text-align: center;">-----</p> <p>Commr. Stewart informed the Board that the Mt. Plymouth/Sorrento Planning Advisory Committee has done their job regarding the County's Land Development Regulations (LDRs) and, due to current economic conditions and the fact that they cannot afford to continue to hold meetings, because they often go after hours, requiring them to pay overtime, etc., she requested approval to advertise an Ordinance rescinding the Ordinance that created the Mt. Plymouth/Sorrento Planning Advisory Committee.</p> <p>The Board approved to advertise said Ordinance.</p> <p style="text-align: center;">-----</p> <p>Commr. Stewart stated that the Chairman appointed her as the Liaison to the Black Bear Scenic Byway Committee, which she feels is a great group of people and has enjoyed working with them; however, she has been asked to be a member of the Executive Committee, which requires that she no longer be the Liaison, therefore, recommended that Mr. David Hansen, Public Lands Manager, Public Works Department, be appointed as the Liaison to the Committee, replacing her. She commented that he had offered to do so.</p> <p>The Board approved for Mr. Hansen to replace Commr. Stewart as Liaison to the Black Bear Scenic Byway Committee.</p> <p style="text-align: center;">-----</p> <p>Commr. Stewart discussed the fact that the Lake County Alliance Team qualified for the Nationals and, in addition to that, received the most prestigious award a team can be bestowed - the Chairman's Award, which is presented to the team judged to have created the best partnership effort among team participants and to have best exemplified the true meaning of "first" through measurable impacts on the participants, school, and community at large. She noted that they are doing very well and she wanted to commend them.</p>	
<p>FOR YOUR INFORMATION</p>	<p>Commr. Cadwell stated that, even though the traffic signal at Estes Road and SR 44, which has always been a very dangerous intersection, is not operational yet, what the Public Works Department has done in the area has made that intersection much safer than it used to be, and he wanted them to know that he appreciated the job they did.</p>	<p>CADWELL</p>
	<p><u>CITIZEN QUESTION AND COMMENT PERIOD</u> - No one present wished to address the Board.</p>	

PRESENTATION	<p style="text-align: center;"><u>BUDGET WORKSHOP</u></p> <p>Mr. Doug Krueger, Budget Director, presented the Board with a Fiscal Analysis for FY 2008/09, at which time he gave a brief overview of Schedules I and II; Budget Reductions in the General Fund; and Property Tax Projections for Fiscal Year 2009/10.</p>	KRUEGER
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