

BOARD ACTION

April 15, 2008

PRESENTATION	Sales Surtax Oversight Advisory Committee Report given by Mr. Keith Mullins, Chairman of the Sales Surtax Oversight Advisory Committee.	CADWELL
APPROVED	Tab 1. Minutes of February 26, 2008 (Regular Meeting - Resubmitted), as amended; March 7, 2008 (Special Meeting – Budget Workshop - Resubmitted), as presented; March 11, 2008 (Special Meeting – Water Issues), as presented; March 18, 2008 (Regular Meeting), as presented; March 25, 2008 (Regular Meeting), as amended.	CADWELL
APPROVED	Tab 2. Clerk of Court's Consent Agenda, as follows: <u>TIME CERTAIN PRESENTATION</u> - Comprehensive Annual Financial Report (CAFR), including various audit reports for FY 2007, by the County's external auditors, Moore, Stephens, and Lovelace, P.A. The Board accepted the Comprehensive Annual Financial Report, as presented. <ol style="list-style-type: none">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.2. Property placed on the Lands Available List. Lake County has until June 23, 2008 to purchase property from Lands Available List, before it is available to the public.3. Annual Financial Audit for 2006/2007 and Annual Financial Report for the Lake County Water Authority.4. City of Mascotte Community Redevelopment Agency Annual Report for FY 2006/2007.5. Ordinances from the Town of Lady Lake, as follows: Ordinance No. 2007-01 Ordinance No. 2008-09	KELLY

APPROVED	Tab 11. Request from Growth Management for approval to advertise Amendment to Nuisance Abatement Ordinance, increasing height of grass for code violation from 8 inches to 10 inches.	KING
APPROVED	<p>Tab 3. Request from Budget for approval of the following:</p> <ol style="list-style-type: none"> 1. Budget Transfer – Parks Capital Projects Fund, Department of Public Works, Parks and Trails Division. Transfer \$26,300 from Improvements Other Than Buildings – General Parks to Improvements Other Than Buildings – Twin Lakes Park Project. These funds are part of the Lake Idamere Grant reimbursement. Funds available in General Parks account. 2. Budget Transfer – Parks Capital Projects Fund, Department of Public Works, Parks and Trails Division. Transfer \$62,119 from Improvements Other Than Buildings – Pine Forest Park Project to Improvements Other Than Buildings – PEAR Park Project to complete grant work. These funds came from the Lake Idamere Grant reimbursement. Funds available in the Pine Forest Park Project account. 3. Budget Transfer – General Fund, Department of Facilities Development and Management, Facilities Management Division, Jail and Sheriff Facilities Maintenance Section. Transfer \$510,000 from Repair and Maintenance to Buildings – Jail Locking System Upgrade Project. County Finance has requested that the Jail Locking System Upgrade be reclassified from Repair and Maintenance to Buildings. Funds available in Repair and Maintenance. 4. Budget Transfer – General Fund, Constitutional Officers/ Supervisor of Elections. Transfer \$167,000 from personal services and operating accounts to accounts for actual expenditures. A transfer is required to reconcile budgets to actual expenditures to cover costs related to early voting poll worker expenses, postage for absentee ballots, and reprographics charges for poll worker materials. Funds available in other personal services and operating accounts. 	KRUEGER
APPROVED	Tab 4. Request from Community Services for approval of the updated Paratransit Services Rider's Guide for Lake County Connection, contingent upon approval of Tab 37.	SMITH
APPROVED	Tab 5. Request from Community Services for approval of the Interlocal Agreement between the County and the Town of Lady Lake to sell LakeXpress Bus Passes (Fixed Transportation Route Passes).	SMITH

APPROVED	Tab 6. Request from Community Services for the Board to approve and authorize the Chairman to sign the First Amendment to the FY 2007/08 CDBG Partnership Agreement between the Yalaha Community Club, Inc. and the County. The Yalaha Community Club would like to add the ability to purchase property to the scope of work - Commission District 3.	SMITH
APPROVED	Tab 7. Request from Community Services for the Board to approve and authorize the Chairman to sign the Third Amendment to the FY 2005/06 Community Development Block Grant (CDBG) Partnership Agreement between the Forest Hills Association and the County - Commission District 5.	SMITH
APPROVED	Tab 8. Request from Community Services for approval and signature of the Memorandum of Understanding and the Project Contract between Elder Options and Communities for a Life Time Locality (County); and request for approval of Resolution No. 2008-54 , to receive unanticipated revenue from the Florida Department of Elder Affairs.	SMITH
APPROVED	Tab 9. Request from Community Services for approval for the Public Transportation staff to submit an application for the Florida Commission for the Transportation Disadvantaged Trip and Equipment Grant for FY 2008/2009; and approval of supporting Resolution No. 2008-55 .	SMITH
APPROVED	Tab 10. Request from Community Services for approval of the following: (1) Appointment of Mr. Fletcher Smith, Community Services Director, or an alternate designated by him, to serve as Lake County Government's representative on the FEMA Board; (2) Appointment of Mr. Jerry Smith, Emergency Management Director, or an alternate designated by the Public Safety Director, as the representative from Public Safety; (3) Authorization to submit a direct application for funding as a Local Recipient Organization or Fiscal Agent/Conduit for a Local Recipient Organization, if so directed by the FEMA Board; and (4) Authorization for Community Services to manage the program and prepare required plans, reports and other related documents, as directed by the FEMA Board and/or required by FEMA.	SMITH
APPROVED	Tab 12. Request from Growth Management for approval of the Interlocal Agreement between Lake County and the Town of Howey-in-the-Hills.	KING
PRESENTATION	Tab 13. Request from Growth Management for approval and execution of Release of Fine, Unlicensed Contractor Citation, paid by Mr. Fredrick Fay.	KING

APPROVED	Tab 14. Request from Procurement for approval to piggy-back the competitively competed Contract No. 06-123 that St. Johns County has with Florida Highway Products, Inc., to provide Asphalt Services - Chip Seal to Lake County.	SCHWARTZMAN
APPROVED	Tab 15. Request from Procurement that award be made to VP Title and Trust, LLC; Titlesearch Associates, Inc.; Title Insurance Services of Florida Inc.; and Booth Ern, Straughan, and Hiott, Inc.	SCHWARTZMAN
APPROVED	Tab 16. Request from Procurement for execution of a policy statement establishing a Disadvantaged Business Enterprise (DBE) program, in support of projects utilizing Department of Transportation (DOT) Funding or Grants.	SCHWARTZMAN
APPROVED	Tab 17. Request from Procurement that the Board award ITB No. 08-0814, for six (6) three compartment recycling roll off containers, to Wastequip Industrial, in the amount of \$37,992.00.	SCHWARTZMAN
APPROVED	Tab 18. Request from Public Safety Fire Rescue Division for approval of Mutual Aid Agreement between Lake County and Marion County.	KAISER
APPROVED	Tab 19. Request from Public Works for approval of Re-certification of Local Agency Qualification Agreement with FDOT.	STIVENDER
APPROVED	Tab 20. Request from Public Works for authorization to amend the Developer's Agreement between Lake County and Ladd Development, Inc., to extend the term by one year. Highland Groves Phase II consists of 34 lots and is located in Section 13, Township 23 South, Range 25 East - Commission District 2.	STIVENDER
APPROVED	Tab 21. Request from Public Works for authorization to amend the Developer's Agreement between Lake County and Ladd Development, Inc., to extend the term by one year. Highland Groves Phase III consists of 22 lots and is located in Section 13, Township 23 South, Range 25 East - Commission District 2.	STIVENDER
APPROVED	Tab 22. Request from Public Works for approval of Resolution No. 2008-56 , authorizing the posting of 25 mph speed limit signs on the following roads in the Lakes and Springs subdivision: Gator Point Drive (3121A), Highlander Court (3121B); Spring Mountain Lane (3122), Hammock View Court (3122A), Mooring Cove Court (3122B), Otter Creek Court (3122C), Birds Nest Court (3122D), and Cypress Glen Court (3122E) - Commission District 3.	STIVENDER

APPROVED	Tab 23. Request from Public Works for approval to advertise Ordinance regarding Sylvan Shores Park "Lake Gertrude", to allow launching and retrieval of non-motorized canoes and kayaks, deleting Section 4. - Sunset Provision, on Page 2 of the Ordinance, and inserting language (not to be included in the Code) requiring the County Manager to monitor the lake for six months and report back to the Board about what activity has occurred on the lake during that six month period.	STIVENDER
APPROVED	Tab 24. Request from Public Works for approval of Resolution No. 2008-57 , to advertise Public Hearing for Vacation Petition No. 1128, James J. Jones/First Baptist Church of Sorrento, to vacate rights of way known as Craig Avenue and a portion of Third Street, in the Plat of Craigs Addition to Sorrento, in the Sorrento area - Commission District 4.	STIVENDER
APPROVED	Tab 25. Request from Public Works for authorization to accept a maintenance bond, in the amount of \$73,514.00, as surety, in accordance with a Developer's Agreement between Lake County and Groveland Shoppes, LLC, Groveland Associates, LLC, and The City of Groveland, regarding the realignment of CR 565A at SR 50 - Commission District 2.	STIVENDER
APPROVED	Tab 26. Request from Public Works for authorization to accept the final plat for Bella Collina North Entrance and all areas dedicated to the public, as shown on the Bella Collina North Entrance final plat; accept a performance bond, in the amount of \$2,047,555.40; and execute a Developer's Agreement for Construction of Improvements between Lake County and Ginn-LA Pine Island Ltd., LLLP. Bella Collina North Entrance consists of 0 lots and is located in Section 11, Township 22 South, Range 26 East - Commission District 2.	STIVENDER
APPROVED	Tab 27. Request from Public Works for authorization to amend the Developer's Agreement between Lake County and Colina Bay, LLC, to extend the term by one year. Colina Bay consists of 73 lots and is located in Section 23, Township 22 South, Range 25 East - Commission District 3.	STIVENDER
APPROVED	Tab 28. Request from County Attorney for approval of Perpetual Utility Easement to Sumter Electric, regarding county property located at 25302 County Road 42 in Paisley; and to authorize Chairman to execute Perpetual Utility Easement document - Commission District 5.	MINKOFF
APPROVED	Tab 29. Request from County Attorney for approval of Distribution Easement to Progress Energy, regarding Motorola Tower located at 16300 CR 474 in Clermont; and to authorize Chairman to execute Distribution Easement document - Commission District 2.	MINKOFF

PRESENTATION	Tab 30. Presentation by Ms. Shelley Lauten, Project Director, myregion.org, to update the Board, regarding implementation of the regional vision.	CADWELL
PRESENTATION	Tab 31. Presentation by Mr. Neil Armingeon of the River Keepers.	CADWELL
APPROVED	Tab 32. Request from Community Services for approval of Resolution No. 2008-58 , to support continued coordination of Medicaid Non-Emergency Transportation through Florida's Coordinated Transportation System.	SMITH
APPROVED	Tab 33. Request from Community Services for Public Transportation staff to submit application to Florida Commission for the Transportation Disadvantaged, for the Shirley Conroy Rural Capital Assistance Support Grant Program for FY 2008-2009; and approval of supporting Resolution No. 2008-59 .	SMITH
APPROVED	Tab 34. Request from Community Services for approval of Resolution No. 2008-63 , repealing Resolution No. 1994-119 (as amended), creating the Lake County Comprehensive Health Care Committee.	SMITH
APPROVED	Tab 35. Request from Public Works for approval to continue with the placement of concrete barriers at Roper Boulevard and Hammock Ridge Road - Commission District 2, for an additional two years, at which time it will be determined whether the barricades will remain in place, or be removed.	STIVENDER
APPROVED	Tab 36. PUBLIC HEARING: Amended Budget for Fiscal 2008, to include mid-year budget adjustments; and approval of Resolution No. 2008-60 , adopting a Supplemental Budget for Fiscal Year 2008.	CADWELL
APPROVED	Tab 37. PUBLIC HEARING: Public Hearing to approve Co-Pay Rate Increase for the County's Paratransit Service, as recommended by the Lake County Transportation Disadvantaged Coordinating Board.	CADWELL
APPROVED	Tab 38. Appointment affirmation of Ms. Lily Kliot, to serve as Lady Lake Public Library's Member Representative, and of Mr. James Page, to serve as Alternate Member Representative, on the Lake County Library Advisory Board.	CADWELL
PULLED	Tab 39. Appointment of individuals to vacant and upcoming vacant positions on the Children's Services Council, until a later date.	CADWELL

APPROVED	Tab 40. Approve Tolling Agreement for Claims with the Environmental Protection Agency.	CADWELL
FOR YOUR INFORMATION	<p>Mr. Sandy Minkoff, County Attorney, alerted the Board about the fact that the County will be closing on the Prestige property (former cement plant located within the Christopher C. Ford Commerce Park), noting that he anticipates the closing will take place later this week or next week. He stated that the owners have asked whether they could rent the facility for a couple of months, for the storage of some cement blocks that are currently located on the site. If not, they will remove the blocks prior to closing.</p> <p>The County Attorney was authorized to negotiate a rental agreement with Prestige regarding the matter, unless Commr. Renick, the Commissioner for that district, who is scheduled to meet with the residents of The Woodlands subdivision, which is located in close proximity to the former cement plant, on Wednesday, April 16th, reports back to the Board that truck activity on the property will create a problem for the residents of that subdivision.</p> <p>The County Manager informed the Board that staff will be bringing back to them on the Consent Agenda a budget amendment that places the dollars in the proper account to close on the Prestige property.</p>	MINKOFF
FOR YOUR INFORMATION	<p>Ms. Cindy Hall, County Manager, asked for Board direction on a memorandum that she sent them regarding a delay in the South Tavares Projects. She stated that, with that delay in mind, staff would like to work with the Sheriff to identify expansion space for him in the Historic Courthouse, once the Tax Collector and the Property Appraiser move to their new facility, and would like to start working on that space design now.</p> <p>The Board approved for staff to do so.</p>	HALL
APPROVED	Request from County Manager for approval to prepare a letter for the Chairman's signature to the Lake County School Board and the Superintendent of Schools requesting that they consider sharing the cost of the School Resource Officers Program, suggesting a 50/50 split for the funding of that program.	HALL

<p>FOR YOUR INFORMATION</p>	<p>Commr. Renick informed the Board that the Water Alliance would like to have legal representation at their meetings and that she had indicated to them that she would ask whether the County Attorney's Office might be able to provide that service.</p> <p>It was noted that the Board did not have a problem with the County Attorney's Office offering said support, but that it might put the County Attorney in an awkward position at times.</p> <p>The County Attorney stated that he did not see a problem with his office providing legal representation at said meetings, if the Board wished, but that it would have to be understood that their main client is the County. He noted that, if a conflict were to arise, it would be pointed out to everybody involved at that time.</p>	<p>RENICK</p>
<p>FOR YOUR INFORMATION</p>	<p>Commr. Renick reminded the Board that they had asked the County Attorney to attend a City of Groveland Council Meeting, where the issue of an annexation that would create an enclave for the County was scheduled to be discussed. She stated that the City voted down the annexation, but that the matter was not going away, noting that she had received a call from one of the Council Members about it.</p> <p>The County Attorney stated that the first reading of the annexation was denied, by a 3 to 2 vote, but that the City has decided to put it back on their agenda, to reconsider it in May of this year. He stated that, if they were to approve it, the County would have to challenge it in court, or the County could drop its challenge, but he feels the best way to handle it would be for the City and the County, as well as the developer, to sit down and discuss not only the area in question, but the area that will be left in the enclave, and as to how the County would deal with it in the future. He stated that neither the City nor the County has asked each other to sit down and discuss the matter as of yet. He indicated that he feels the choice is going to be litigation, however, noted that he hates to see the County and the City knocking heads together in front of a Circuit Judge, when there is a possibility that they could sit down and discuss the matter. He noted that, during the litigation, under Chapter 164, they would be required to do so anyway.</p> <p>It was noted that Commr. Renick would discuss the matter further with the County Attorney, to figure out the best way to handle it.</p>	<p>RENICK</p>
<p>APPROVED</p>	<p>Tab 41. Approval of Resolution No. 2008-61, supporting the St. Johns River Alliance's creation of a specialty license plate to support the Alliance and its mission.</p>	<p>CADWELL</p>

APPROVED	Tab 42. Approval and execution of Proclamation No. 2008-62 , proclaiming May, 2008, as Law Enforcement Month.	CADWELL
FOR YOUR INFORMATION	Commr. Cadwell informed the Board that he, the County Manager, and the Director of Public Safety would be going to Washington, D.C., to meet with the County's legislative delegation, with regard to the County's legislative agenda, being: (1) a request for \$3.5 million for the bus facility; (2) additional dollars for the 800 MHZ radio system; and (3) funding for the Emergency Operations Center (EOC).	CADWELL

CITIZEN QUESTION AND COMMENT PERIOD

Mr. Timothee Sallin, Director of Marketing for Cherry Lake Tree Farm and The Magic of Landscapes, addressed the Board stating that he was very impressed with the information that was presented to the Board by the representatives of myregion.org and the River Keepers, noting that he feels the regional discussion that is being held in both cases is very fruitful and helpful to understanding what can be done, as a region, to make sure that it is moving forward in a direction that is going to be not only sustainable for its economic needs, but also sustainable for its environmental needs, community needs, etc. He stated that he felt the River Keepers' presentation, in particular, brought up some interesting points about the need for sustainable development that is going to incorporate practices such as energy star, water star, low impact development, and green development. He stated that he is very involved in myregion.org and other organizations, at which time he noted that he had sent the Board some information about The Magic of Landscapes organization, which is a collaborative partnership of many regional players that focus on the issues of quality of life, regional growth, sustainable growth, planning, etc. He stated that their particular interests are in the areas of landscaping, green space management, and open space systems development, because they feel that a lot of issues can be solved with an approach that focuses on the outdoor environment. They feel that water conservation issues can be solved in great part by how people manage their landscapes - by selecting the right plants, design the right irrigation systems, promote the right maintenance practices, etc., and how they create not only water quantity treatment systems, but water quality treatment systems, with low impact development techniques and systems that treat water quality where it falls. As the Chairman of the Board of Directors for The Magic of Landscapes, he invited the Board to attend an event that they are putting on, where there will be nationally recognized speakers addressing said issues. He stated that it is a program that has been going on for seven years, in partnership with the Florida Department of Transportation, Rollins College, the Epcot International Flower and Garden Festival, the American Horticultural Society, the nursery industry and others. He stated that they also want to bring into the dialogue the elected officials and local government, because they, in the decisions that they make, are ultimately going to be the ones who are going to have the greatest impact on what kind of progress can be made in these areas. He stated that, if the Board cannot attend the Magic of Landscapes event, perhaps they can make a presentation to the Board. He invited the County to call on The Magic of Landscapes at any time, as they have some very interesting best practices information on the topics that were discussed.

	<p style="text-align: center;">-----</p> <p>Mr. George Wolf, a resident of Hawthorne at Leesburg, addressed the Board stating that the key to the water issue is conservation and that the information presented this date was invaluable. He stated that Hawthorne has its own water utility and they have been working with a consulting firm to get their Consumptive Use Permit, which expired in July of 2007, renewed; however, one of the players in the matter is the Lake County Water Authority, who took some exception to them requesting that their permit be renewed. He noted that it appears they will be granted a renewal of their permit, but that, in the process of trying to get it renewed, they discovered that there seems to be a question between the view of the Lake County Water Authority and the St. Johns River Water Management District. He stated that they do not have the finances to make major investments in such water systems, which is a concern to the residents and one that they feel the County needs to address.</p>	
<p>APPROVED</p>	<p><u>PUBLIC HEARING: - 5:05 P.M. – Ordinance No. 2008-16</u>, amending Chapter 2, 3, and 9 of the Land Development Regulations (LDRs), to increase protection of residential uses impacted by industrial uses, as amended, by deleting Item D. 1. – Incinerator, on Page 2 of the Ordinance, and placing the language contained in that item, being: “A facility in which Solid Waste or Recovered Materials are disposed of through a burn process.” in parenthesis on Page 3, Line 29 of the Ordinance, under Item D. 3. - Industrial Use, Heavy; and to delete the line pertaining to Incinerator from the chart on Page 4 of the Ordinance.</p>	<p>CADWELL</p>
<p>FOR YOUR INFORMATION</p>	<p>Commr. Cadwell informed the Board that a ceremony will be held at the State Emergency Medical Services Meeting that is scheduled to be held in Orlando on July 9th naming Lake-Sumter Emergency Medical Services as the EMS Provider of the Year. He noted that a press release will be coming out about it sometime in the middle of May.</p>	<p>CADWELL</p>