

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

**REGULAR MEETING**

**March 17, 2009**

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**COUNTY COMMISSIONERS**

**Welton G. Cadwell, Chairman**  
**Jennifer Hill, Vice Chairman**  
**Elaine Renick, District #2**  
**Jimmy Conner, 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**

**March 17, 2009**

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:  
January 13, 2009 (Special Meeting)  
January 27, 2009 (Regular Meeting)  
February 10, 2009 (Special Meeting)  
February 17, 2009 (Regular Meeting)

## III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 10)

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. 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.

Recommendation: Acknowledge Receipt

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.

Recommendation: Approval

4. Final DCA Order No. DCA09-OR-049, from the State of Florida, Department of Community Affairs, in regard to 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.

Recommendation: Acknowledge Receipt

5. 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.

Recommendation: Acknowledge Receipt

6. 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.

Recommendation: Acknowledge Receipt

7. 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.

Recommendation: Acknowledge Receipt

8. City of Mount Dora's Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2008.

Recommendation: Acknowledge Receipt

9. 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.

Recommendation: Acknowledge Receipt

10. 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 a summary of fourth quarter FY 2008 (July 1, 2008 through September 30, 2008).

Recommendation: Acknowledge Receipt

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

##### **Budget**

Tab 3 Approve Budget Change Requests and Check Request (Direct Pay).

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.

### **Community Services**

[Tab 4](#) 1) Appoint Fletcher Smith or an alternate designated by him to serve as Lake County Government's representative on the local FEMA Board. 2) Appoint Jerry Smith 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 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.

[Tab 5](#) For the Board of County Commissioners to sign the First Amendment to the Agreement between Lake County and the Health Department.

### **Conservation And Compliance**

[Tab 6](#) Satisfaction & Release of Fine, Property Owner: Superior Concrete Construction LLC. Commission District 2.

[Tab 7](#) Satisfaction & Release of Fine, Property Owner: Sourcelink Communications Inc., Case: 2007030191. Commission District 3.

### **Environmental Utilities**

[Tab 8](#) Approve a resolution that expresses 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.

### **Procurement**

[Tab 9](#) It is recommended that the Board approve award of the Cooper Memorial Library Opening Day Collection Services to Baker & Taylor, Inc.

### **Public Safety**

[Tab 10](#) Starting Fiscal Year 2008/2009 Lake County Department of Public Safety requests the approval of the updated Interlocal Agreement with the City of Groveland for First Responder Fire Rescue Services in which the County shall reimburse the City a total of \$121,842.00 per annum for the fire rescue services provided to the County. Commission District 3.

### **Public Works**

[Tab 11](#) Approve and execute a Supplemental Agreement with Bowyer-Singleton for additional engineering services for the design of County Road 470. Commission District 3.

[Tab 12](#) Request authorization to accept a settlement check in the amount of \$19,509.00 and execute any required settlement documents with the bonding agent, due to the developer's failure to complete the 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.

[Tab 13](#) Request authorization to release a 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.

[Tab 14](#) Approve and execute a Purchase Agreement with John R. Beatty for a Utility Easement needed for a water line for the school and park project at the intersection of CR 437 and Wolf Branch Rd. in Section 20, Township 19 South, Range 28 East in the Sorrento area. Commissioner District 4.

[Tab 15](#) Approve and execute a Purchase Agreement with Robert O. Thomas for a Utility Easement needed for a water line for the school and park project at the intersection of CR 437 and Wolf Branch Rd. in Section 20, Township 19 South, Range 28 East in the Sorrento area. Commissioner District 4.

[Tab 16](#) Request authorization to accept the 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.

## V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 17](#) Approval of Lease Agreement with Triangle Industrial Park, Inc. for Building #2 located at 31150 Industry Drive, Tavares, for Public Works office space.

[Tab 18](#) Award the sale of surplus property to Lake Frances Property Owners Association in the amount of \$260.10. Commission District 3.

## VI. PRESENTATIONS

[Tab 19](#) Update and status report on workforce development in Lake County by Larry Strickler, Sr., Vice President of Public Affairs for Workforce Central Florida.

[Tab 20](#) Presentation on the current status of the approved construction and renovation projects to include Phase I Downtown Tavares projects and the Judicial Center. Also, update and direction related to FF & E process for Phase I of the downtown project.

## VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

### Economic Growth And Redevelopment

[Tab 21](#) Approval to enter into a partnership with the City of Clermont to pay for the design, engineering, permitting and construction of a sewer line on Granville Road south of State Road 50 east of the Clermont City limit. Approval to enter into a partnership with the City of Clermont to pay for the design, engineering, permitting and construction of a sewer line on Granville Road south of State Road 50 east of the Clermont City limit and approval of the attached budget transfer.

### Growth Management

[Tab 22](#) Provide determination on an appeal of impact fee double payment refund denial. Commission District 2.

### Public Works

[Tab 23](#) Staff will present the Public Land Acquisition Advisory Council - approved Management Plan for the "Pasture". Staff requests approval of the Plan by the Board of County Commissioners. Commission District 2.

## VIII. OTHER BUSINESS

- [Tab 24](#) Approval of the removal of Loula Parks as the Town of Montverde's alternate member on the Lake County Library Advisory Board.

## **IX. REPORTS**

### **A. County Attorney**

- [Tab 25](#) Direction from the Board related to the commercial lease with the option to purchase property located at 2900 Kurt Street in Eustis for Fleet Management. Commission District 4.
- [Tab 26](#) Approval of First Amendment to the Interlocal Agreement between Lake County and Lake County School Board regarding the joint use of East Lake Park and Elementary School "J".
- [Tab 27](#) Approval of the Settlement agreement between Lake County and Robert R. Gibson, Jr.

### **B. County Manager**

### **C. Commissioner Hill - Vice Chairman and District #1**

### **D. Commissioner Renick - District #2**

### **E. Commissioner Conner - District #3**

- [Tab 28](#) Request in writing from staff a report on the Dodge Dealership that the County purchased for the Sheriff's Department to include specific information on what has been done since the purchase, what is going on now, and a complete budget and timetable for completion.

### **F. Commissioner Stewart - District #4**

- [Tab 29](#) Approval and execution of Resolution urging the Governor, Florida Department of Elder Affairs, and the Florida Legislature to not reduce funding to critical programs for the elderly.
- [Tab 30](#) Approval and execution of Resolution in support of the funding of public education, requesting that State Legislators find an alternative funding source for education during the 2009 Legislative Session.

### **G. Commissioner Cadwell - Chairman and District #5**

## **X. 1:00 P.M. - BUDGET WORKSHOP**

### **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.**

**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.**