

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

**REGULAR MEETING**

**July 17, 2007**

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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**  
**James C. Watkins, 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**

**July 17, 2007**

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:  
June 19, 2007 (Regular Meeting)

**III. CLERK OF COURT'S CONSENT AGENDA**

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 6)

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 - Acknowledge receipt.

2. Notice of Public Hearing, City of Clermont

Re: Proposed small-scale comprehensive plan amendment for 830 West Avenue, between Juniata and DeSoto Streets

Public hearing dates are: Tuesday, July 3, 2007 – Planning and Zoning Commission, beginning at 7 p.m., City Hall, 685 W. Montrose Street.

Tuesday, July 10, 2007 (1<sup>st</sup> reading) and Tuesday, July 24, 2007 (final hearing) – Clermont City Council, beginning at 7 p.m., City Hall.

Recommendation: Acknowledge Receipt

3. Annexation Notification for Ordinance from the City of Tavares, as follows:

Ordinance No. 2007-11 amending the boundaries of the City of Tavares by annexing approximately 18.53 acres of property located south of Lane Park Road and west of State Road 19 - Acknowledge receipt.

4. Before the Public Service Commission

In re: Application for increase in water and wastewater rates in Lake County by Utilities, Inc. of Pennbrooke.

Order Approving Settlement Agreement, Docket No. 060261-WS, Order No. PSC-07-0534-AS-WS, Before the Public Issued June 26, 2007.

Recommendation: Acknowledge Receipt

5. Before the Florida Public Service Commission: Notice of Commission Hearing and Prehearing to Progress Energy Florida, Inc. AARP, Florida Industrial Power Users Group, Florida Retail Federation, PCS Phosphate, and All Other Interested Persons.

Docket No. 070052-EI – Petition by Progress Energy Florida, Inc. to recover costs of Crystal River Unit 3 uprate through fuel clause.

Notice is hereby given that a hearing will be held before the Florida Public Service Commission in the above-referenced docket, at the following time and place:

Tuesday, August 7, 2007, 9:30 a.m.  
Betty Easley Conference Center, Room 148  
4075 Esplanade Way  
Tallahassee, Florida

Recommendation: Acknowledge Receipt

6. Notice of Public Hearing for Rezoning from the City of Umatilla for a proposed Ordinance at the following public meetings:

Planning & Zoning Board meeting on July 10, 2007, at 7:00 p.m.; and  
Umatilla Local Planning Agency July 17, 2007 at 6:30 p.m.; and  
Umatilla City Council meeting on July 17, 2007 at 7:00 p.m.; and  
Umatilla City Council meeting on August 7, 2007 at 7:00 p.m.

All meetings will be held at the Council Chambers, 1 South Central Avenue, Umatilla, Florida.

Recommendation: Acknowledge Receipt

#### **IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 18)**

##### **Budget**

Approve Budget Change Requests.

[Tab 3](#)

1. Budget transfer – General Fund, Judicial Support, Circuit Judges Administration. Transfer \$186,351 from Machinery and Equipment to Contracted Services (\$6,652), Repair and Maintenance (\$48,819) and Office Supplies (\$130,880). Account line changes are needed to allow the completion of the movement of facilities for the Public Defender and the renovation of the fourth floor for the Circuit Judges. Funding is available from the Fiscal Year 2006 budget for the movement of Judicial facilities. The original budget was \$395,600 and was carried forward to the Fiscal Year 2007 budget. We have currently spent \$147,348 of these funds for items associated with the moves to date. The amounts in this transfer are estimates to complete the move. With these moves, this leaves over \$61,000 in the original renovation budget. No additional funds are requested. These are account line changes only.
2. Budget transfer – Stormwater Management Fund, Public Works Department, Engineering Division. Transfer \$15,840 from Reserve for Operations to Improvements Other Than Buildings. Funds needed for additional inspection work for the Countywide Drainage Project #2006-09 for completion of Sunburst Estates, Lake Louisa road repair. The Stormwater Reserve for Operations account has funding to meet this immediate need. After this transfer, there will be a remaining balance of \$5,098,270.

##### **Community Services**

[Tab 4](#)

Approve a conditional offer of employment for Christopher Catanzaro, Extension Agent I. The offer is contingent upon the candidate's successful completion of the County's pre-employment screening.

[Tab 5](#)

Approval of the Medicaid NET Agreement Amendment between the Florida Commission for the Transportation Disadvantaged and the Lake County Board of County Commissioners.

[Tab 6](#)

To approve the application and the acceptance of the FTA funds in the amount of \$2,836,284 for fixed route transportation services under the FTA Section 5307 Program.

##### **Procurement**

[Tab 7](#)

It is recommended that the Board (1) declare the items on the attached lists 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 to sign vehicle titles.

[Tab 8](#)

It is recommended that the Board award a contract for \$100,000 plus \$14,670 in reimbursables to T.I.P.Strategies Inc. for an Economic Strategic Plan for Lake County. Approve attached Budget Transfer in the amount of \$114,670.

##### **Public Works**

- [Tab 9](#) Request authorization to release a maintenance bond in the amount of \$9,776.00 posted for Thrill Hill Farms. Thrill Hill Farms consists of 4 lots and is located in Section 4, Township 19 South, Range 27 East. Commission District 4.
- [Tab 10](#) Request authorization to release a maintenance bond in the amount of \$10,648.00 posted for Lady Lake Farms. Lady Lake Farms consists of 6 lots and is located in Section 3, Township 18 South, Range 24 East. Commission District 5.
- [Tab 11](#) Approve, accept and execute the following agreement for area lighting between Sumter Electric Cooperative, Inc. and Lake County, FL for the area at CR 439 and CR 44A. Board signature is required - Commission District 5.
- [Tab 12](#) Approval of Inwood scope for design proposal for Old Chisholm Trail Stormwater Improvements. - Tracking # STR07032 - Commission Districts 4 & 5.
- [Tab 13](#) Approve and execute a Subordination Agreement to the Florida Department of Transportation within a Non-Exclusive Perpetual Easement in Lost Lake Tracts 6 & E for the 25/US27 Project (Lake Louisa Rd. to SR50) - Commissioner District 2.
- [Tab 14](#) Approve and accept the attached list of public right of way deeds that have been secured in conjunction with roadway and/or stormwater projects. (Commission districts: 2, 3, 4, 5)
- [Tab 15](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1116, Timothee Sallin-IMG Enterprises, to vacate and cease maintenance on a portion of Cherry Lake Groves Road, in the Groveland area. Commission District 3.
- [Tab 16](#) Accept the following: Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1119, Randy Jones- Rep. Richard Wohlfarth - IBI Group, to vacate a remnant piece of right of way, in the Tavares area. Commission District 2.

### **Tourism**

- [Tab 17](#) Approval of two Resolutions and two awards of \$3,000 each to K-Mart Corporation in Mount Dora and J. Scot Skin Care and Day Spa in Leesburg for participating in training of the disabled through the Jobs Growth Investment (JGI) Trust Fund Program.
- [Tab 18](#) Approval of one Resolution and one award of \$3,000 to Pat's Kidzworld Development Center for participating in training of the disabled through the Jobs Growth Investment (JGI) Trust Fund Program.

## **V. COUNTY ATTORNEY'S CONSENT AGENDA**

- [Tab 19](#) Approval to advertise the ordinance amending sections 9-13 and 9-16 of the Lake County Code.
- [Tab 20](#) Approval to advertise the ordinance creating Section 2-1, Lake County Code to designate the Official County Logo and Seal.
- [Tab 21](#) Approval of Agreement Between Lake County and Mayfair Holdings for Improvements to Fire Station 21 and approval of Temporary Non-Exclusive Construction Easement Deed and Perpetual Grading Easement - Commission District 5.

## **VI. PRESENTATIONS**

[Tab 22](#) Mike Horner, Kissimmee/Osceola County Chamber of Commerce, will give a brief presentation related to a joint County Commission meeting on Thursday, September 20, 2007, of all four County Commissions in the Four Corners area (Orange, Osceola, Lake, and Polk).

[Tab 23](#) That the Board of County Commissioners approve the Community Enhancement Area Working Group recommendation designating the communities of Altoona and Paisley as Community Enhancement Areas (CEA's). The Board is also asked to direct the Housing and Community Development Division utilize the Community Development Block Grant to assist in funding the Yalaha Community Center, Altoona School/Community Center and Paisley Cemetery projects.

## **VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

### **Budget**

[Tab 24](#) Request to authorize and execute a Resolution which initiates the annual process for preparation of the Fire Rescue Assessment Roll, authorizes the publication of the advertisement for the public hearing, provides direction to notice all affected parties of the proposed rates, and directs the imposition of Fire Rescue Assessment fees for the Fiscal Year beginning October 1, 2007.

### **Growth Management**

[Tab 25](#) Approval of the Purchase and Sales Agreement between Lake County and Kuharske Properties, Inc. Authorize Chairman to execute necessary closing documents - Commission District 2.

## **VIII. PUBLIC HEARINGS**

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

[Tab 26](#) Approve the Ordinance to repeal and replace Chapter 6, Lake County Code, entitled Buildings and Construction.

[Tab 27](#) Approval and execution of an Ordinance amending Chapter 13, Lake County Code, Article III, Tourist Development Tax; providing for an amendment to Section 13-46 and 13-47 to increase the Tourist Development Tax from 4% to 5%.

## **IX. OTHER BUSINESS**

[Tab 28](#) Appointment of individual to a vacant Commission District 3 seat on the Elder Affairs Coordinating Council to complete an unexpired term ending Jan. 31, 2008 and serve a consecutive two-year term.

[Tab 29](#) Appointment of a Lake County citizen representing the elderly consumer to the Comprehensive Health Care Committee to serve a three-year term beginning August 16, 2007.

## **X. REPORTS**

### **A. County Attorney**

### **B. County Manager**

[Tab 30](#) Discussion of proposal by Polk County to partner in the development of a regional park on property south of US 192 in the Four Corners area.

### **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

**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.**