

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

**REGULAR MEETING**

**August 05, 2008**

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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**

**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**

**August 05, 2008**

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 24, 2008 (Regular Meeting)
  - July 1, 2008 (Regular Meeting)
  - July 8, 2008 (Special Meeting – Landscape Ordinance Workshop)

## III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 7)

1. 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. Monthly Distribution of Revenue Traffic/Criminal Cases, for the month ending June 30, 2008, in the amount of \$190,886.22. Same period last year: \$183,756.93.  
  
Recommendation: Acknowledge Receipt
3. Annual Financial Audit Report from the Cascades at Groveland Community Development District for the Fiscal Year Ended September 30, 2007, pursuant to Section 11.45, Florida Statutes, and Section 189.418, Florida Statutes.  
  
Recommendation: Acknowledge Receipt
4. Proposed Bella Fonte Community Development District Proposed Budget for Fiscal Year 2008/2009, in accordance with Section 190.008(2)(b), Florida Statutes, along with cover letter, stating there will be a public hearing to consider the adoption of this budget, which is scheduled for September 25, 2008, at 4:00 p.m., at the Hampton Inn & Suites, 2200 East Highway 50, Clermont.  
  
Recommendation: Acknowledge Receipt
5. Notice Before the Florida Public Service Commission – In re: Application for increase in water and wastewater rates in Alachua, Brevard, Desoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.; Docket No. 080121-WS.  
  
Recommendation: Acknowledge Receipt
6. Annexation Ordinance Nos. 2008-003 and 2008-005, from the City of Fruitland Park, adopted on April 24, 2008; and 2008-008 and 2008-010, adopted on June 26, 2008, as follows:  
  
Ordinance No. 2008-003, including within the City approximately 5.42 acres of property generally located east of U.S. Highway 441, south of Eagles Nest Road and west of Shadow Hill Drive, rezoning the property from County "C-2" (Community Commercial District) to "C-2" (Commercial General) within the City limits of Fruitland Park.  
  
Ordinance No. 2008-005, including within the City approximately 3.0 acres of property generally located at 35417 Micro Racetrack Road and 35421 Micro Racetrack Road, rezoning the property from County "A" (Agriculture District) to "C-2" (Commercial General) within the City limits of Fruitland Park.  
  
Ordinance No. 2008-008, including within the City approximately 7.70 acres of property generally located

north of CR 466A and west of Timbertop Lane, rezoning the property from County "A" (Agriculture) to "C-2" (Commercial General) within the City limits of Fruitland Park.

Ordinance No. 2008-010, including within the City approximately 1.0 acre of property generally located north of CR 466-A on the corner of Micro Racetrack Road, rezoning the property from County "A" (Agriculture) to "C-2" (Commercial General) within the City limits of Fruitland Park.

Recommendation: Acknowledge Receipt

7. Comprehensive Annual Financial Report from the City of Fruitland Park, for the period ending September 30, 2007, in compliance with Section 12 of the Interlocal Agreement between Lake County and the City of Fruitland Park, relating to the Provision of Library Services.

Recommendation: Acknowledge Receipt

#### **IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 12)**

##### **Budget**

###### **Tab 3** Approve Budget Change Requests.

1. Budget transfer – General Fund, Department of Facilities Development and Management, Facilities Administration Division. Transfer \$71,595 from Repair and Maintenance to Office Supplies. County Finance has requested that the funds for the new workstation platforms at the Detention Center be moved from Repair and Maintenance to Office Supplies to reflect the correct accounting of the expenditure. Funds are available in Repair and Maintenance.
2. Budget transfer – Renewal Sales Tax Capital Projects Fund, Department of Facilities Development and Management, Facilities Administration Division. Transfer \$157,553 from Buildings – Jail and Prelude Re-roof (Project 80090) to Buildings. The Jail and Prelude Re-roof (Project 80090) has been completed. Costs were lower than the original budgeted amount. The excess funds are being moved from the project line to the unallocated portion of the Renewal Sales Tax Capital Projects Fund.
3. Budget transfer – General Fund, Department of Facilities Development and Management, Facilities Management Division. Transfer \$68,663 from Repair and Maintenance to Improvements Other Than Buildings. Funding is budgeted in Repair and Maintenance for improvements to the Mosquito Control washout area. County Finance has requested that this expenditure be reclassified as Improvements Other Than Buildings to correctly account for the expenditure. The transfer is for the project estimate of \$57,219.23 plus a contingency of 20%. Funds are available in Repair and Maintenance.
4. Budget transfer – General Fund, Department of Public Works, Parks and Trails Division. Transfer \$40,000 from Aids to Government Agencies to Aids to Private Agencies. On January 8, 2008, the Board of County Commissioners approved to fund the installation of recreational lighting at one soccer field at the National Training Center in Clermont. Funds are available in Aids to Government Agencies.
5. Budget transfer – General Fund, Department of Public Safety, Communication Technologies Division, Countywide Radio Program Section. Transfer \$99,100 from Improvements Other Than Buildings (Project 21003) to Repair and Maintenance (\$16,500) and Machinery and Equipment (\$82,600). Funds were incorrectly placed in the Countywide Radio Project for equipment purchases not associated with the project and need to be transferred into the correct account lines for payment of invoices. Funds available in Improvements Other Than Buildings (Project 21003).

## **Environmental Utilities**

- [Tab 4](#) Approve staff's recommendation relative to enhanced solid waste collection services and the potential extension of the collection services contracts for two (2) of the three (3) solid waste collectors.

## **Procurement**

- [Tab 5](#) 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 and contract modification 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 and supply" contract actions discussed below fall within these informational parameters.

- [Tab 6](#) It is recommended that 1) approve budget transfer of \$63,577.00, 2) the Board approves a one time contract award to Titan Material Handling, LLC. to remove existing furniture racks at the Lake County warehouse, 3) approve a one time contract award to Edward G. Magee, d/b/a Warehouse Equipment & Liquidation to provide installation of pallet racks at the Lake County warehouse; 4) authorize the Procurement Services Director to execute the award section of both documents, 5) approve the purchase of electric forklift and electric pallet jack from Crown Equipment, Corp. The total cost shall not exceed \$65,656.72.

## **Public Safety**

- [Tab 7](#) Lake County Department of Public Safety Fire Rescue Division requests approval of the attached Automatic Aid Agreement between Lake County and Orange County/Osceola County/Polk County and Reedy Creek Improvement District.

- [Tab 8](#) Lake County Department of Public Safety Fire Rescue Division requests approval of the attached Mutual Aid Agreement between Lake County and Orange County/Osceola County/Polk County and Reedy Creek Improvement District.

## **Public Works**

- [Tab 9](#) Request authorization to execute a revised resolution accepting Scenic Pine Drive (Co. Road No. 6746D) into the Lake County Road Maintenance System. Commission District 4.

- [Tab 10](#) Request authorization to accept the final plat for Hampton Homes of Mt. Plymouth and all areas dedicated to the public as shown on the Hampton Homes of Mt. Plymouth plat. Hampton Homes of Mt. Plymouth consists of 18 lots and is located in Section 28, Township 19 South, Range 28 East. Commission District 4.

- [Tab 11](#) Request authorization to release a performance bond in the amount of \$157,415.00, accept a check in the amount of \$72,006.00, execute a Developer's Agreement for Construction of Sidewalk Improvements, accept a check in the amount of \$84,615.00, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Banyan Homes, and execute a resolution accepting the following roads into the County Road Maintenance System: Arbor Gate Drive (County Road No. 1044G), Briar Hollow Lane (County Road No. 1044H), Still Meadow Drive "Part" (County Road No. 1045C), Colonnade Circle "Part" (County Road No. 1045E), and Indian Hills Lane "Part" (County No. 1045G). Timberlane Phase 2 consists of 71 lots and is located in Section 6, Township 23 South, Range 26 East. Commission District 2.

- [Tab 12](#) Request authorization to release a performance bond for construction of improvements in the total amount of \$819,862.47 that was posted for Barrington Estates Phase 1. Barrington Estates Phase 1 consists of 118 lots and is located in Section 10, Township 23 South, Range 25 East, Commission District 2.

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

[Tab 13](#) Approval of Settlement Agreement - 27 GC Ventures vs. Lake County. Commission District 2.

[Tab 14](#) Release a portion of the escrow money currently being held by the escrow agent to Amerirus, Inc., and authorize the County Attorney to request release of the remaining funds upon final reconciliation of the costs of clean up.

## **VI. AWARDS**

### **EMPLOYEE AWARDS**

#### **FIVE YEARS**

Gary Kaiser, Director of Public Safety/Fire Chief  
Public Safety/Public Safety Administration

Marilyn MacLauchlin, Welcome Center Worker  
Tourism and Business Relations

Eusie Watson, Welcome Center Worker  
Tourism and Business Relations

#### **TEN YEARS**

Dianna Magrum, Document Services Coordinator  
Procurement Services/Document Services

Danny McCullough, Network Technician  
Community Services/Library Services

#### **FIFTEEN YEARS**

Robin Hall, Fire Lieutenant/Paramedic  
Public Safety/Fire Rescue

Alvin Padgett, Equipment Operator III  
Public Works/Road Operations/Maintenance Area II

#### **EMPLOYEE OF THE QUARTER**

Frank Couch, Code Enforcement Officer  
Conservation & Compliance/Code Enforcement

#### **SUPERVISOR OF THE QUARTER**

Fred Schneider P.E., Director of Engineering  
Public Works/Engineering

#### **TEAM AWARD**

Growth Management/Public Works Development Processing Team

Growth Management Team Members:  
Carmen Carroll, Building Services Manager  
Jennifer Cotch, Environmental Specialist  
Anita Greiner, Chief Planner  
Krista Wright, Office Associate IV

Public Works Team Members:

Seth Lynch, Engineer II

Debbie Marchese, Subdivision Coordinator

Ross Pluta, Engineer III

**FISH AWARD**

Marcia Rushing, Senior Library Assistant

Community Services

Library Services/Marion Baysinger Memorial Library

**VII. PRESENTATIONS**

[Tab 15](#) Presentation of awards to VolunteerLAKE participants, who have completed the President of the United States' certification process and achieved Individual Bronze (R. Aponte, T. Boas, D. Cordeiro, M. Ibadlit, M. Maniram, J. Palaguachi, B. Piper), Silver (D. Belisle, J. Sullivan) or Gold (J. Durham [under 14 yrs old] and J. Larmore) Service Award status in recognition of their outstanding Volunteer service to Lake County.

[Tab 16](#) Presentation of proposed activities to be funded from the Community Development Block Grant (CDBG) during FY 2008-09, discuss and ask questions about the proposed activities, and take comments from the public. The Board is also requested to adopt the FFY 2008 One Year Action Plan by resolution and authorize the Chairman to sign the Application for Federal Assistance (Form SF 424), the Adoption Resolution and the required certifications.

[Tab 17](#) Presentation by Dr. Charles Mojock regarding the Performing Arts Center project.

**VIII. PUBLIC HEARINGS**

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

[Tab 18](#) Approval of an ordinance to establish a Green Building Standards Program.

**IX. OTHER BUSINESS**

[Tab 19](#) Appointment/Reappointment of Women's Hall of Fame Committee.

[Tab 20](#) Appointment of individual to vacant at-large representative seat on the LPA to complete an unexpired term ending Jan 31, 2009.

[Tab 21](#) Appointment of representatives from the cities of Clermont, Leesburg, Minneola and Fruitland Park to the Lake County Arts and Cultural Alliance.

[Tab 22](#) Discussion/appointment of individuals to vacant and upcoming vacant positions on the WellFlorida Council Board of Directors.

[Tab 23](#) Approval and execution of Resolution appointing a member to the Affordable Housing Advisory Committee.

**X. REPORTS**

**A. County Attorney**

**B. County Manager**

- 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.**