

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

REGULAR MEETING

AUGUST 15, 2006

COUNTY COMMISSIONERS

**Catherine C. Hanson, Chairman
Welton G. Cadwell, Vice Chairman
Jennifer Hill, District #1
Robert A. Pool, District #2
Debbie Stivender, District #3**

**Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
James C. Watkins, Clerk to the Board**

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.

As a part of any public and formal meeting, 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 all public 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 15, 2006

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 12, 2006 (Special Joint Meeting – Tavares City Council)
June 13, 2006 Regular Meeting

III. CLERK OF COURT'S CONSENT AGENDA

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

1. Request to acknowledge receipt of list of checks or 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. Request to acknowledge unclaimed excess proceeds for tax deeds totaling \$272,410.51; transfer funds from Clerk's account to the Board of County Commissioners' account. – Acknowledge Receipt

3. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for July 31 – August, 1, 2006, to be held at 9:00 a.m., 2379 Broad Street, Brooksville, Florida 34604-6899; and Approved Minutes of the Meeting of the Governing Board, held on May 30, 2006. – Acknowledge Receipt

4. Clerk of Courts, Lake County, Florida, Semi Annual Investment Report for FY 05-06 (report is dated June 30, 2006). – Acknowledge Receipt

5. Proof of publication of unclaimed moneys and payment to the Board for those moneys advertised less claims and publication costs. Background & Summary: Pursuant to FS116.21, any or all non-court related unclaimed moneys deposited or collected by the office of the Clerk prior to January 1 of the preceding year may be paid to the county fine and forfeiture fund on or before September 25 of each year provided a list of such with name and amount is published in a newspaper of general circulation in the county served during the month of July. Proof of such publication shall be made by the publisher of such newspaper and shall be filed and recorded in the minutes of the county commissioners of such county. Fiscal/Budgetary Impact: \$654.00 less amounts claimed and publication costs will be receipted as fines and forfeits revenue before September 25, 2006. – Acknowledge Receipt; and file and record proof of publication in the minutes of this board meeting.
6. Southwest Florida Water Management District's Fiscal Year 2007 Board Meeting Calendar and map depicting the District's boundaries as required by Florida Statute Chapter 189.417. – Acknowledge Receipt.
7. Compact disc (CD) containing the St. Johns River Water Management District's Standard Format Tentative Budget Submission for Fiscal Year (FY) 2006-2007 pursuant to Chapter 373.536, F.S. – Acknowledge Receipt.

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 22)

Budget

Tab 3

1. Budget transfer - Renewal Sales Tax Capital Projects Fund, Department of Facilities Development and Management, Facilities Administration Division. Transfer \$600,000.00 from Special Reserve to Buildings. The Tavares Government Buildings Project has progressed faster than originally planned. Additional funding is needed for the Pre-construction Contractor Agreement approved by the Board of County Commissioners on June 13, 2006. Funds available in Special Reserve.

RECOMMENDATION: Approval

2. Budget transfer – Resort/Development Tax Fund, Department of Tourism and Business Relations, Tourism Division. Transfer \$145,000.00 from Special Reserve to Printing and Binding (\$125,000.00) and Promotional Items (\$20,000.00). Funds are needed for printing the event guide and other publications. The October to December event guide will be received in September. There are three additional publications that could also be printed prior to September 30. Funds are also needed for promotional items. Funds available in Special Reserve.

RECOMMENDATION: Approval

3. Budget transfer – County Transportation Trust Fund, Department of Public Works, Road Operations Division. Transfer \$31,000.00 from Road Materials and Supplies to Professional Services. Additional funds are needed to provide engineering services for three projects. Funds available in Road Materials and Supplies.

RECOMMENDATION: Approval

4. Budget transfer - County Transportation Trust Fund, Department of Public Works, Road Operations Division. Transfer \$145,317.00 from Contractual Services (\$45,500.00), Communications and Freight (\$23,640.00), Rentals and Leases (\$49,500.00), and Machinery and Equipment (\$26,677.00) to Operating Supplies. Additional funds are needed in Operating Supplies, to be used primarily for Fleet Maintenance charges for fuel and oil, which have been averaging \$33,000.00 per month. Funds needed for current charges and anticipated charges for the remainder of this fiscal year. Funds available in Contractual Services; Communications and Freight; Rentals and Leases; and Machinery and Equipment.

RECOMMENDATION: Approval

5. Budget transfer – General Fund, Constitutional Offices/Supervisor of Elections. Transfer \$2,617.00 from Reserve for Operations to Office Supplies. Funds are needed for storage cabinets. Funds available in Reserve for Operations.

RECOMMENDATION: Approval

6. Capital Substitution – Park Impact Fee Trust Fund, Department of Public Works, Parks and Trails Division. Substitute \$190,762.00 from Machinery and Equipment (undesignated) to Machinery and Equipment (Northeast Community Park). The department is ready to begin using these monies for the Northeast Community Park. Funds available in Undesignated.

RECOMMENDATION: Approval

7. Resolution to amend the County Fire Control Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$1,600.00 deposited into Donations and provide appropriations for the disbursement for Operating Supplies. A donation was received from the Water Oaks Golf Community for expenditures associated with the Sharps Program and smoke detectors.

RECOMMENDATION: Approval

8. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$1,550.00 deposited into Donations and provide appropriations for the disbursement for Promotional Activities. Funds have been received to assist in funding the Thirteenth Annual Volunteer Recognition and Reception event.

RECOMMENDATION: Approval

9. Resolution to amend the County Fire Control Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$16,732.00 deposited into Homeland Security Grant Program and provide appropriations for the disbursement for Overtime. Funds have been received from the U.S. Department of Homeland Security, Office of Domestic Preparedness, and will be used for training and activities for Domestic Preparedness.

RECOMMENDATION: Approval

10. Resolution to amend the County Fire Control Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$54,667.00 deposited into Other Miscellaneous Revenues and provide appropriations for the disbursement for Repair and Maintenance (\$44,667.00) and Books, Publications and Dues (\$10,000.00). Funds have

been received from the collection of administration fees from Ten-8.

RECOMMENDATION: Approval

11. Resolution to amend the Employee Group Benefits Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$191,502.00 deposited into Reimbursements and provide appropriations for the disbursement for Insurance Payment. Reimbursements have been received and will be used for medical and prescription claim expenditures associated with Lake County's health coverage.

RECOMMENDATION: Approval

12. Resolution to amend the County Library System Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$1,000.00 deposited into Other Miscellaneous Revenue and provide appropriations for the disbursement for Books, Publications and Library Materials. The County has received funds through the Wal-Mart Foundation for the purpose of purchasing adult literacy learning materials for tutors and students.

RECOMMENDATION: Approval

Community Services

Tab 4 Gates Computer Upgrade Grant Award - Approval and signature of grant agreements and approval and signature of related budget resolution to receive unanticipated revenue

RECOMMENDATION: Approval

Tab 5 Public Library Construction Grant award for Cooper Memorial Library (Joint Use Library) - Approval and signature of grant agreement and authorization for BCC Chairman to sign related documents and report forms.

RECOMMENDATION: Approval

Tab 6 Approval of the Community Development Block Grant (CDBG) Agreement with Salvation Army of Leesburg; authorization for the Chairman to sign the Agreement, and direction to Community Services to execute the Agreement.

RECOMMENDATION: Approval

Tab 7 Approval of the agreement with Sullivan and Bosworth to assist staff in the next phase to obtain FTA funding.

RECOMMENDATION: Approval

Employee Services

Tab 8 Approval of an offer to settle Community Environment Container's claim for property damage, subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

Tab 9 Approval to accept the amended and restated Business Associate Agreement with Aon Consulting, Inc., the County's Benefits Consultant.

RECOMMENDATION: Approval

Tab 10 Approval to accept an offer to settle Gustave Bauder's claim for property damage, subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

Procurement

Tab 11 Approval to (1) declare the items on the attached lists as 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 the vehicle titles. The items on the attached lists have been declared surplus by their respective agencies due to age, wear, and obsolescence.

RECOMMENDATION: Approval

Tab 12

Approval to execute contracts with Moffatt & Nichol, Inc., TEK Science & Engineering Corporation and Tetra Tech, Inc., for continuing on-call civil engineering services.

RECOMMENDATION: Approval

Public Safety

Tab 13

Approval to release building and property of Fire Station 33 located at 3615 W. Old Highway 441, Mount Dora, FL 32757 to the Pasco Volunteer Firefighter's Association. It is further requested that the Board of County Commissioners officially commend the Pasco Volunteer Firefighter's Association and its past and present members for their years of dedicated service to the community.

RECOMMENDATION: Approval

Public Works

Tab 14

Approval to accept the final plat for Lady Lake Oaks, which consists of 4 lots, and all areas dedicated to the public as shown on the Lady Lake Oaks plat – Commission District 5.

RECOMMENDATION: Approval

Tab 15

Approval to accept the final plat for Savannah Ridge, which consists of 24 lots, and all areas dedicated to the public as shown on the Savannah Ridge final plat, accept a letter of credit in the amount of \$86,226.25, and execute a Developer's Agreement for Construction of Improvements between Lake County and Savannah Ridge Land Trust – Commission District 2.

RECOMMENDATION: Approval

Tab 16

Approval to accept the final plat for Meadow Ridge Phase 1, which consists of 57 lots, and all areas dedicated to the public as shown on the Meadow Ridge Phase 1 plat, accept a maintenance bond in the amount of \$55,050.00, execute a Developer’s Agreement for Maintenance of Improvements Between Lake County and Garner McCormic Rojas Development Group, LLC, and execute a resolution accepting the following roads into the County Road Maintenance System: Joewood Avenue (County Road No. 6141), Buttonbush Loop (County Road No. 6141A), Dandelion Court (County Road No. 6141B), and Rose Moss Avenue (County Road No. 6141C) – Commission District 5.

RECOMMENDATION: Approval

Tab 17

Approval to release a performance bond in the amount of \$349,149.83, accept a maintenance bond in the amount of \$99,696.96, 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: Still Meadow Drive “Part” (County Road No. 1045C), Colonnade Circle “Part” (County Road No. 1045E), Regal Ridge Lane (County Road No. 1045F), and Indian Hills Lane “Part” (County Road No. 1045G) – Commission District 2.

RECOMMENDATION: Approval

Tab 18

Approval to release funds in the amount of \$1,597.20 posted for Grand Island Ridge which consists of 68 lots – Commission District 5.

RECOMMENDATION: Approval

Tab 19

Approval to execute the following Subordination of Utility Interest Agreements between Lake County and Sumter Electric Cooperative, Inc. for the projects listed below. Board signature is required because of County commitments relating to relocations and cost.

- Sumter Electric Cooperative, Inc./N. Babb Road (#7959)
- Sumter Electric Cooperative, Inc./Hartwood Marsh Road (#0854)

RECOMMENDATION: Approval

Tab 20 Approval to execute the following Subordination of Utility Interest Agreements between Lake County and the City of Tavares for the project listed below. Board signature is required because of County commitments relating to relocations and cost.

- City of Tavares/Dora Avenue a/k/a CR 19A (#4554)

RECOMMENDATION: Approval

Tab 21 Approval and execution of satisfaction of liens for eight road assessments:

- #689059 Glynn E. Dyal, Sr. #694088 Ron & Gini Cole
- #696011 Khan Hassan #696021 Judy A. Eisnor
- #696026 Frank & Jean Underhill, Jr. #696030 Shirley A. Benson
- #696032 Herman & Helen Giegerich #696051 Robert L. & Anita K. Combs

RECOMMENDATION: Approval

Tab 22 Approval on Resolution authorizing the posting of speed limit signs on the following roads in the Villages at Black Bear Subdivision:

- Calusa Blvd. (6587) Oconee Ave. (6587A)
- Saranca Ct. (6587B) Martin St. (6387)
- Clara St. (6587)

RECOMMENDATION: Approval

V. AWARDS

AWARD: Presentation by the American Heart Association to Lake County of the Heart Ready Award. Lake County is being recognized by the American Heart Association again in 2006 as one of the Counties in Florida as being “heart ready”. This award is the result of the cooperative efforts of Lake County Public Safety and Lake Sumter EMS.

AWARD: Presentation of the 2006 NACo Achievement Award for the program entitled, *Home Heating Oil Recovery Program*.

AWARD: Presentation of the 2006 NACo Achievement Award for the program entitled, *Sharps Disposal Program*.

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Tourism and Business Relations

Tab 23 Discussion on land use issues at Christopher Ford Park

VII. PUBLIC HEARING – 9:00 A.M. or As Soon Thereafter

Tab 24 **PUBLIC HEARING:** Approval of the 2007-2011 Road Impact Fee Transportation Construction Program, approval of the 2007-2011 Transportation Trust Fund Transportation Construction Program, and approval of the 2007-2011 Renewal Sales Tax Capital Projects – Roads Transportation Construction Program.

Tab 25 **PUBLIC HEARING:** Receive and review comments on the Environmental Review Record and to receive and review comments on Lake County's request for release of funds. Authorization for County Manager to execute "Request for Release of Funds and Certification, HUD-7015.15", Environmental Review Finding, and related grant documents.

VIII. OTHER BUSINESS

Tab 26 Appointment affirmation of Elaine McLaughlin to serve on the Lake County Library Advisory Board as the alternate member for the Fruitland Park Library.

Tab 27 Appointment of individuals to vacant positions on the Sales Surtax Oversight Advisory Committee to complete unexpired terms ending November 19, 2006 and serve consecutive four-year terms.

Tab 28 Appointment/reappointment of Women's Hall of Fame Selection Committee.

Tab 29 Appointment of members to the recently amended Environmental Protection Advisory Board.

Tab 30 Appointment of a citizen representing the elderly consumer to the Comprehensive Health Care Committee to complete an unexpired term ending August 16, 2007.

Tab 31 Approval and execution of a Resolution appointing a resident who, in connection with affordable housing, is a representative of those areas of labor engaged in home building to the Affordable Housing Advisory Committee to complete an unexpired term ending November 24, 2007.

IX. REPORTS

A. County Attorney

Tab 32 Approval of the Maintenance Agreement between Lake County and Elizabeth Boyd relating to the Woods-Boyd Cemetery.

B. County Manager

C. Commissioner Hill – District #1

D. Commissioner Pool – District #2

E. Commissioner Stivender – District #3

F. Commissioner Hanson – Chairman and District #4

Tab 33 Approval and execution of Resolution strongly encouraging the Florida Legislature to call a special session to study and enact legislation addressing the insurance crisis in Florida.

Tab 34 Approval and execution of Resolution supporting the purposes and goals of the Conservation and Recreation Lands (CARL) Program and the addition of approximately 2,256 acres to the northern area of the Wekiva-Ocala Greenway project.

Tab 35 Discussion of the Lake County Water Authority's request that Lake County adopt an ordinance protecting all lands owned by the Lake County Water Authority, and making damage to such property a crime.

G. Commissioner Cadwell – 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.

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.

TENTATIVE AGENDA

AUGUST 22, 2006

- 9:00 A.M. Regular Meeting (Zoning and Road Vacations)
- 9:00 A.M. PUBLIC HEARING: Vacation Petition No. 1081, Milton S. Jennings, Rep. Don Griffey-Griffey
or as Soon Engineering
Thereafter
- 9:00 A.M. PUBLIC HEARING: Vacation Petition No. 1084, Harry Suggs
or as Soon
Thereafter
- 9:00 A.M. PUBLIC HEARING: Vacation Petition No. 1088, Anthony J. Daniell
or as Soon
Thereafter
- 9:00 A.M. PUBLIC HEARING: Vacation Petition No. 1089, Edward A. Neal, Rep. Harold L. Downing
or as Soon Esquire
Thereafter
- 9:00 A.M. PUBLIC HEARING: Vacation Petition No. 1090, Howard B. Lefkowitz, Rep. Aaron D. Mercer-
or as Soon Farnar Barley
Thereafter

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TENTATIVE AGENDA

SEPTEMBER 5, 2006

- 9:00 A.M. Regular Meeting
- 9:00 A.M. PUBLIC HEARING: Village Green Street Lighting
or as Soon
Thereafter
- 9:00 A.M. PUBLIC HEARING: Proposed ordinance amending Section 3.02.01 to provide for removal
or as Soon of a "Reserved" subsection under Section 3.02.01 Lot of Record.
Thereafter
- 9:00 A.M. PRESENTATION: Informational presentation on the progress and status of the Lake
or as Soon County Library System's Literacy Program
Thereafter
- 5:05 P.M. PUBLIC HEARING: Proposed ordinance amending Section 3.01.03 to allow for putting
or as Soon Exotic Animals back into the Lake County Zoning Matrix, Section 3.01.03.
Thereafter
- 5:05 P.M. PUBLIC HEARING: Set tentative millage rates for FY 2007
or as Soon
Thereafter
- 5:05 P.M. PUBLIC HEARING: Ordinance Amending Section 10.02.03, Entitled, Temporary Structures
or as Soon
Thereafter
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TENTATIVE AGENDA

SEPTEMBER 12, 2006

- 9:00 A.M. Worksession – Comprehensive Plan
- 9:00 A.M.
or as Soon
Thereafter PUBLIC HEARING: Fire/Rescue and Solid Waste Final Assessment Roll
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TENTATIVE AGENDA

SEPTEMBER 19, 2006

- 9:00 A.M. Regular Meeting
- 9:00 A.M.
or as Soon
Thereafter PRESENTATION: Inwood Consulting Engineers on the SR 40 PD&E Study from Silver Springs to US 17
- 5:05 P.M.
or as Soon
Thereafter PUBLIC HEARING: Set the final millage rates and adopt the Fiscal Year 2007 budget
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TENTATIVE AGENDA

SEPTEMBER 26, 2006

- 9:00 A.M. Regular Meeting (Zoning and Road Vacations)
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TENTATIVE AGENDA

OCTOBER 3, 2006

- 9:00 A.M. Regular Meeting
- 9:00 A.M.
or as Soon
Thereafter PUBLIC HEARING: Comprehensive Plan Transmittal
- 9:00 A.M.
or as Soon
Thereafter PUBLIC HEARING: Proposed ordinance amending Section 3.01.03 to allow for putting Exotic Animals back into the Lake County Zoning Matrix, Section 3.01.03.
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TENTATIVE AGENDA

OCTOBER 10, 2006

- 9:00 A.M. Regular Meeting/Tentative
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TENTATIVE AGENDA

OCTOBER 17, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

OCTOBER 24, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

NOVEMBER 7, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

NOVEMBER 14, 2006

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

NOVEMBER 21, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

NOVEMBER 28, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

DECEMBER 5, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

DECEMBER 12, 2006

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

DECEMBER 19, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)