

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

REGULAR MEETING

September 15, 2009

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

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

September 15, 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:
- August 4, 2009 (Regular Meeting)
 - August 11, 2009 (Special Meeting – Budget Workshop)
 - August 12, 2009 (Special Meeting – Budget Workshop)

III. CLERK OF COURT'S CONSENT AGENDA

- Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 5)

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the 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. Resolution No. 2009-08 from the Board of Supervisors of the Pine Island Community Development District, Expressing a Desire to Participate in Negotiations Concerning the Establishment of an Interlocal Service Agreement.

Recommendation: Acknowledge Receipt

3. Notice Before the Florida Public Service Commission – Notice of Commission Hearing and Prehearing to Progress Energy Florida, Inc., Department of the Navy, Federal Executive Agencies, Florida Industrial Power Users Group, Florida Retail Federation, Office of Public Counsel, Office of the Attorney General, White Springs Agricultural Chemicals, Inc., Association for Fairness in Rate Making, and All Other Interested Persons.

Docket No. 090079-EI - Petition for Increase in Rates by Progress Energy Florida, Inc.

Docket No. 090144-EI – Petition for Limited Proceedings to Include Bartow Repowering Project in Base Rates, by Progress Energy Florida, Inc.

Docket No. 090145-EI – Petition for Expedited Approval of the Deferral of Pension Expenses, Authorization to Charge Storm Hardening Expenses to the Storm Damage Reserve, and Variance from or Waiver of Rule 25-6.0143(1)(C), (D), and (F), F.A.C., by Progress Energy Florida, Inc.

A hearing will be held before the Florida Public Service Commission in the above-referenced dockets at the following time and place: Monday, September 21, 2009, 9:30 a.m., Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida. September 22 through September 25, 2009, and September 28 through October 2, 2009, have also been reserved for continuation of the hearing, if needed.

Recommendation: Acknowledge Receipt

4. Southwest Florida Water Management District's Fiscal Year 2010 Board Meeting Calendar and map depicting the District's boundaries.

Recommendation: Acknowledge Receipt

5. Annexation Ordinance No. 2009-20, Small Scale Comprehensive Plan Amendment No. 2009-21, and Rezoning Ordinance No. 2009-22, from the Town of Lady Lake, for the voluntary annexation of 9± acres, located on CR 466, approximately ¼ mile west of the intersection of CR 466 and Rolling Acres Road, into the Town of Lady Lake.

Public Hearing dates are scheduled, as follows:

Planning and Zoning Board – Monday, September 14, 2009, at 6:00 p.m.

Local Planning Agency – Wednesday, September 23, 2009, at 5:30 p.m.

Town Commission Meeting – Wednesday, September 23, 2009, at 6:00 p.m.

Town Commission Meeting – Monday, October 5, 2009, at 6:00 p.m.

The Public Hearings are to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 15)

Budget

Tab 3 Approve Budget Change Request.

1. Budget transfer - General Fund, Department of Facilities Development and Management, Facilities Management Division. Transfer \$60,000 from Repair and Maintenance (Facilities) to Repair and Maintenance (Jail and Sheriff Facilities). Additional funds of \$60,000 are needed to replace the hot water boiler for the Detention Center. The boiler has operationally deteriorated, will not pass the upcoming state inspection and must be replaced to keep the Detention Center operational for occupancy. The boiler is part of the building hot water system, and was installed as part of the original Detention Center construction. The anticipated cost of a replacement boiler is \$75,000. The additional funds are available in the Facilities Maintenance budget because of savings from accomplishing projects in-house that were budgeted to be outsourced.

Community Services

Tab 4 Approval of the Standard Coordinator Contract with Gift of Love, LLC.; Florida Transcare, Inc.; Love Thy Neighbor; Serenity Holistic Residential Care, Corporation; Wings of Love.

Facilities Development And Management

Tab 5 That the BCC approve initial additional architectural services to Heery Architects, as defined in the attached August 12th letter, for the design of options for a reduced size judicial facility expansion in the estimated not to exceed design fee amount of \$56,740.00 inclusive of reimbursable expenses.

Procurement

Tab 6 It is recommended that the Board approve term and supply contract awards to Lake Jem Farms, Inc., Paff Landscape, Inc., A-1 Florida Sod, Inc., and A-1 Sod, Inc. d/b/a Cottoms A-1 Sod to provide sod services in conjunction with the County's needs. The work involved is estimated at \$67,000 per year.

Tab 7 It is recommended that the Board approve and execute a term and supply contract to D & A Building Services, Inc. to provide chemical lawn maintenance to Lake County park athletic fields. The approximate annual cost of the contract is \$72,949.00 to complete the scope of services.

Public Resources

[Tab 8](#) Approval and signature of revised policy, LCC-12, Lake County Library System Patron Request for Reconsideration of Library Materials.

[Tab 9](#) Signature on membership agreement - Mobilization Affiliation.

[Tab 10](#) Lake County Board of County Commissioner's endorsement of the Peanut Butter P.O.P. "People Overcoming the Problem of Hunger" project for Make A Difference Day on Saturday, October 24, 2009. Permission for VolunteerLAKE to partner for the 4th year with Peanut Butter P.O.P. to make October 1 through October 24, 2009 a County of Lake educational awareness and collection event

[Tab 11](#) Approval and signature of the FY 2009-2010 State Aid to Libraries Grant Application and Agreement and Certification of Credentials.

Public Works

[Tab 12](#) Approval of the LAP Agreement and supporting Resolution between Lake County and the Florida Department of Transportation (FDOT) for the CR 44 @ CR 19A Construction Turn-lane Improvements. FPN #422419-1-58-01 Commission District 4 / Benefit District 2.

[Tab 13](#) Approve Amendment #3 to the agreement between Lake County and Vanasse, Hangen, Brustlin, Inc. for additional services to be performed by Vanasse, Hangen Brustlin, Inc. to complete the right-of-way plan per the County's requirement. Commission District 5.

[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 3, 4, 5)

Tourism

[Tab 15](#) Approval of a Resolution and an award of \$3,000 to Sunrise Arc for participating in training of the disabled through the Jobs Growth Investment (JGI) Trust Fund Program.

V. COUNTY ATTORNEY'S CONSENT AGENDA (Tab 16 through Tab 18)

[Tab 16](#) Approval of Amendment to Agreement with Clermont Land Development, LLC and Clermont GC, LLC. Commission District 2.

[Tab 17](#) Approval of Second Amendment to Lease Agreement with J. W. Brooks, Inc. for Health Department space in Eustis. Commission District 3.

[Tab 18](#) Approval of Sumter Electric Cooperative, Inc. (SECO) Rerouting of its Electrical Facilities in Tract B of the Plat of Royal Highlands on Property where Lake County holds a Conservation Easement. Commission District 3.

VI. PRESENTATIONS

[Tab 19](#) Presentation - VolunteerLAKE overview of pilot TAPS Program, highlights and results.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

- [Tab 20](#) Approval of Agreement with the Lake County Funeral Home Directors Association, Inc., for Cremation, Burial, and Transportation of Indigent or Unclaimed Persons.

Conservation And Compliance

- [Tab 21](#) Discuss and either approve signing amended interlocal or withdraw from Alliance

Procurement

- [Tab 22](#) It is recommended that 1) the Board approve and execute a construction contract in the amount of \$1,044,300 to Southern Building Services, Inc. to convert an existing building to the Lake County Sheriff's South Lake District office; 2) approve other project costs as detailed below; and 3) approve a contingency cost of \$104,000. Commission District 2.

Public Resources

- [Tab 23](#) Retroactive approval to submit Broadband Technology Opportunity Program grant application; retroactive approval for Wendy Breeden to sign application as Authorized Library Official; approval for Chairman to sign any additional grant documents pending grant award and County Attorney approval. Commission Districts 1, 2 and 5.

Public Works

- [Tab 24](#) Approval of Resolution in annual observance of 'Put the Brakes on Fatalities Day - October 10, 2009.

VIII. PUBLIC HEARINGS

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

- [Tab 25](#) Request to authorize and execute the Resolution to impose Fire Rescue Assessments against assessed property located in Lake County, Florida, for the Fiscal Year beginning October 1, 2009; approve the rate of assessment; approve the assessment roll; and provide an effective date.
- [Tab 26](#) Approve the Final Assessment Resolution for Collection, Management, and Disposal of Solid Waste and Recovered Materials for FY09/10 which includes an Annual Assessment of \$184.00. There is a Resolution that needs to be approved.

PUBLIC HEARING - 5:05 P.M. or As Soon Thereafter

- [Tab 27](#) Adopt a tentative millage rate for the Lake County General Countywide Levy, the Lake County Voter Approved Debt Levy, the Lake County MSTU for Ambulance and Emergency Services Levy, the Lake County MSTU for Stormwater, Parks and Roads Levy, and the Lake County Fire Rescue MSTU Levy; adopt a tentative budget for the County; and announce that the final public hearing to finalize the budget and adopt the millage rates will be held on September 22, 2009 at 5:05 p.m. in the County Commission Chambers at the Lake County Administration Building, 315 West Main Street, Tavares, Florida.

IX. OTHER BUSINESS

[Tab 28](#) Appointment of one member with technical knowledge in geology; one member with technical knowledge in biology; and one member with technical knowledge in local history for 3-year terms beginning 10/1/09.

[Tab 29](#) Approval to appoint Lisa Somerville, President/CEO, Restor Telecom AND Orin Owen, Director of IT, G&T Conveyors to the Workforce Central Florida Board of Directors.

X. REPORTS

A. County Attorney

[Tab 30](#) Direction from the Board regarding renewal of the lease space for the Clerk's Office located at Sunnyside Plaza in Clermont. Commission District 2.

[Tab 31](#) Approval of Resolution Creating the Lake County Solid Waste Alternatives Task Force.

B. County Manager

[Tab 32](#) Approve 2010 Legislative Positions and authorize chairman to present Lake County's positions to the Lake County Delegation on September 30th.

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

E. Commissioner Conner - District #3

F. Commissioner Stewart - District #4

G. Commissioner Cadwell - Chairman and District #5

[Tab 33](#) Discussion of County Manager and County Attorney performance evaluations.

[Tab 34](#) Approval and execution of Resolution recognizing and applauding Richard Olson for donation to Lake County and its citizens.

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.