

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

REGULAR MEETING

October 06, 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

October 06, 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 18, 2009 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

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

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. Notice of Public Hearing for Annexation regarding Ordinance No. 2009-10-38, from the City of Groveland, extending and increasing the corporate limits of the City of Groveland, by annexing 277.25+/- acres of land contiguous to and not embraced within the present limits of the City of Groveland.

The proposed Ordinance will be considered at the following public meetings:

Groveland City Council Meeting, as the Local Planning Agency, on October 5, 2009, at 6:30 p.m.
Groveland City Council Meeting, on October 5, 2009, at 7:00 p.m.
Groveland City Council Meeting, on October 19, 2009, at 7:00 p.m.

The meetings will be held at the Puryear Building, 243 S. Lake Avenue, Groveland, Florida.

Recommendation: Acknowledge Receipt

3. Resolution No. 2009-11, from the Estates at Cherry Lake Community Development District, identifying its Board of Supervisors' Meeting Schedule for Fiscal Year 2009/2010, as follows:

October 5, 2009
November 2, 2009
December 7, 2009
January 11, 2010
February 1, 2010
March 1, 2010
April 5, 2010
May 3, 2010
June 7, 2010
July 12, 2010
August 2, 2010
September 13, 2010

All meetings will convene at 2:00 p.m., at the office of Booth, Ern, Straughan & Hiott, Inc., 350 North Sinclair Avenue, Tavares, Florida 32778.

Recommendation: Acknowledge Receipt

4. Copy of adopted Budget for the Village Center Community Development District for the Fiscal Year 2009/2010, in accordance with Chapter 190.008(2)(b)(c), Florida Statutes.

Recommendation: Acknowledge Receipt

5. Notice of Public Meeting Schedule for Country Greens Community Development District, in accordance with Chapter 189, Florida Statutes, which are held on the fourth Wednesday at 10:00 a.m., at the Hampton Inn, 19700 US Highway 441, Mt. Dora, Florida, as follows:

October 28, 2009
January 27, 2010
March 24, 2010
May 26, 2010
July 28, 2010
September 22, 2010

Recommendation: Acknowledge Receipt

6. Notice 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-09-0623-PAA-WS; Issued: September 15, 2009.

Notice is hereby given by the Florida Public Service Commission that the action discussed herein, except for the reduction in rates in four years and proof of adjustment of the utility's books and records, is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Recommendation: Acknowledge Receipt

7. Notice from Southwest Florida Water Management District regarding Public Input Meetings for Update to Schedule for Establishment of Minimum Flows and Levels.

The Southwest Florida Water Management District invites your participation in the process to update its Priority List and Schedule for the establishment of Minimum Flows and Levels (MFLS). MFLs are the limits set by the District Governing Board for surface waters and groundwater intended to prevent significant harm to the water resources or ecology of an area caused by withdrawals.

Public meetings have been scheduled for 6:00 p.m. on the following dates:

- Tuesday, October 6, 2009, at the District's Bartow Office (170 Century Blvd.)
- Tuesday, October 6, 2009, at the District's Tampa Office (7601 Hwy. 301 N.)
- Thursday, October 8, 2009, at the Brooksville Headquarters (2379 Broad Street)
- Thursday, October 8, 2009, at the District's Sarasota Office (6750 Fruitville Road)

Recommendation: Acknowledge Receipt

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

Budget

Tab 3 Approve Unanticipated Revenue Resolution and Check Request (Direct Pay).

1. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2008-09 in the amount of \$50,013 deposited into State Alien Assistance Grant and provide appropriations for the disbursement for Contractual Services. Lake County has received its 2009 award of the State Criminal Alien Assistance Program (SCAAP) from the United States Department of Justice, Bureau of Justice Assistance, provided to states and localities and to be expended for correctional officer salary costs associated with incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least four consecutive days.
2. Approval of request from the Sheriff's Office for reimbursement from the 2nd \$ Education Fund for allowable educational and training expenses. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$46,660.54.

Community Services

- [Tab 4](#) Approval and signature of a Resolution supporting the elimination of the cap on the State and Local Housing Trust Funds and supporting full appropriation of the Housing Trust Funds for housing programs for FY 2010-2011.
- [Tab 5](#) Approval of the amended FY 2007-08 SHIP Annual Report; to direct the Department of Community Services to submit report to the Florida Housing Finance Corporation; and to authorize the Chairman to sign the amended SHIP Annual Report Certification and the SHIP Regulatory Certification.
- [Tab 6](#) Request approval of annual grant funding for ten (10) children's service providers who have submitted applications for 2009-2010 County funds through the Children's Services Council Request for Proposal (RFP) process; request authorization for signatures on subsequent agreements contingent upon County Attorney approval; request authorization to encumber and expend funds.
- [Tab 7](#) Retroactive approval of the FY 2008-09 SHIP and Hurricane Housing Recovery (HHR) Annual Reports; to direct the Department of Community Services to submit reports to the Florida Housing Finance Corporation; and to authorize the Chairman to sign the SHIP and HHR Annual Report Certifications and the SHIP Regulatory Certification.
- [Tab 8](#) Approval to accept the award for the Edward Byrne Memorial Bureau of Justice Assistance Technology Enhancement Project in the amount of \$89,380. Designate Detective Corporal Todd Rowley as the Program Contact person and Allison Thall as alternate program contact person designated by the Board to serve as day-to-day contact on program related matters, including completing this application, accepting the grant award, reporting and other activities related to this grant. (This Program Contact person and alternate have the ability to bind Lake County to all terms and conditions related to this grant, including report requirements.) Authorize the Chairman to sign any related documents (as may be required) and approve the corresponding unanticipated revenue resolution.

Employee Services

- [Tab 9](#) Approval to continue the direct pay process for Fiscal Year 2009-2010 for the recurring Medicaid Nursing Home and Hospital invoices, Health Care Responsibility Act (HCRA) invoices, and inmate medical expenses.
- [Tab 10](#) Approval of Resolution adopting Lake County Health Department Fee Schedule for Fiscal Year 2009-2010.
- [Tab 11](#) Approve and authorize the Chairman of the Board of County Commissioners to sign the contract between Lake County and the State of Florida Department of Health for operation of the Lake County Health Department contract effective 10/1/2009 through 9/30/2010.

Growth Management

[Tab 12](#) For the Board to approve and authorize the Chairman to sign the Second Amendment to the FY 2007-08 CDBG Partnership Agreement between the Altoona Charter School Inc. and the County.

[Tab 13](#) Approval of School Impact Agreement between Shanti Niketan Developers, L.C.C. and Lake County. Commission District 3.

Procurement

[Tab 14](#) It is recommended that the Board approve the award of a Term & Supply contract to Loomis Armored US Inc., for the provision of armored car services.

[Tab 15](#) It is recommended that the Board approve the award of a contract to Embarq Corporation for the networked upgrade of E911 IP equipment and services.

V. AWARDS

EMPLOYEE AWARDS

FIVE YEARS

Cindy Davis, Right-of-Way Agent II
Public Works/Engineering/Right-of-Way

Paul Doran, Stormwater Inspector
Public Works/Engineering/Stormwater

Dominic Zawilski, Park Specialist
Public Resources/Parks & Trails

TWENTY YEARS

Steven LaFleur, Fire Lieutenant/Paramedic
Public Safety/Fire Rescue

Robert "Harry" Romine, Equipment Operator III
Public Works/Road Operations/ Maintenance Area III (Umatilla)

VI. PRESENTATIONS

[Tab 16](#) Presentation of Resolution to Richard Olson, former member of the old Lake Katherine Volunteer Fire Department, recognizing and applauding a monetary donation to Lake County and its citizens.

[Tab 17](#) Approval and presentation of Proclamation proclaiming the month of October 2009 as NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH to Nancy Hurlbert, Public Policy Chair, BPW/North Lake.

[Tab 18](#) Presentation of proclamation for Fire Prevention Week 2009: October 4, 2009 through October 10, 2009 by Lake County Fire Rescue Assistant Chief Jack Fillman on behalf of the Board of County Commissioners.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Budget

- [Tab 19](#) Authorize the Clerk of the Court Finance to pay FY 2009-10 invoices related to FY 2008-09 carry-forward PO's listed on the attached documentation and any additional FY 2008-09 PO's approved in accordance with County Policy and Procedures, from the FY 2009-10 adopted budget until such carry-forward funds become available. The budget amendment for the actual FY 2008-09 purchase order carry-forward is anticipated in November 2009 or early December 2009. Authorize BCC staff and the Clerk of the Court Finance to administratively process PO change orders and budget transfers to place funds in proper accounts due to reorganization.

Community Services

- [Tab 20](#) Approval of the Interlocal Agreement between the Lake~Sumter MPO and the Lake County Board of County Commissioners for a regional transportation planning partnership for general transit planning services.
- [Tab 21](#) Request approval to accept the American Recovery and Reinvestment ACT (ARRA) funding from the Federal Transit Administration and authorization to purchase the paratransit vehicles off of the State Bid List. Also authorization to purchase the transit vehicles from off of the State Bid List and the Lynx Bid. Approval of the supporting Resolution for Unanticipated Funds.

Growth Management

- [Tab 22](#) Discussion of 2010 Comprehensive Plan Amendment Cycle.

Procurement

- [Tab 23](#) Recommendation to award of RSQ 09-0028 for the on call continuing engineering services for transportation and traffic planning to GMB Engineers & Planners, Inc., HNTB Corporation, Kittelson & Associates, Inc. and Tindale-Oliver & Associates, Inc.

Public Safety

- [Tab 24](#) Discussion of an EOC construction site and direction to staff to bring back relevant information such as size related to the project.

Public Works

- [Tab 25](#) Approve a 15 foot wide ingress, egress and utility easement from Lake 64, LLC to Kris and Nancy Ector, which was a condition of approval of Vacation Petition #1124.

VIII. OTHER BUSINESS

- [Tab 26](#) Ratification of Doris Ragan and Alta Trask as the 2009 Women's Hall of Fame inductees as selected by the Women's Hall of Fame Committee.

IX. REPORTS

- A. **County Attorney**
- B. **County Manager**

[Tab 27](#) Approve updated Policy LCC-67 pertaining to the use of the Training Room.

[Tab 28](#) Approval to cancel the December 22, 2009 Board of County Commissioners meeting and move Zoning to the December 15, 2009 meeting.

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**

X. **Comprehensive Plan - Discussion on Mining**

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.