

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

REGULAR MEETING

OCTOBER 17, 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.

Formal and regular meetings of the Board of County Commissioners are typically held on Tuesdays. As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a work session 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. Work sessions do not take the place of the formal public hearing process during which public comment is heard and formal action is taken.

The Board and staff welcome written comments prior to any public meeting. Comments or questions regarding the subject matter of any Board action or workshop may be delivered by written comment to appropriate County staff or mailed to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778. Citizen input is also typically scheduled at the conclusion of public meetings on the first and third Tuesdays.

ITEMIZED AGENDA

October 17, 2006

9:00 A.M. Invocation

Pledge of Allegiance

I. SALES SURTAX COMMITTEE REPORT

II. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

III. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

August 1, 2006 - Regular Meeting
August 15, 2006 – Regular Meeting
August 28, 2006 – Special Joint Meeting-City of Mount Dora
September 12, 2006 – Regular Meeting

IV. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 8)

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. Deer Island Community Development District Meeting Schedule for Fiscal Year 2007, in accordance with Chapter 189, Florida Statutes.

The Board of Supervisors of the Deer Island Community Development District will hold their meetings for Fiscal Year 2007, at 7:00 p.m., at the Clubhouse, 17450 Deer Island Road, Deer Island, Florida, on the following dates:

November 13, 2006 (Landowners)
February 26, 2007
May 21, 2007 (Third Monday)
August 27, 2007

Recommendation: Acknowledge Receipt

3. Country Club of Mount Dora Community Development District Meeting Dates for Fiscal Year 2007, in accordance with Chapter 189, Florida Statutes.

The Board of Supervisors of the Country Club of Mount Dora Community Development District will hold their meetings for Fiscal Year 2007, at 8:30 a.m., at the Country Club of Mount Dora Community Center, 1400 Country Club Boulevard, Mount Dora, Florida, on the second Thursday of the following months:

November 9, 2006

February 8, 2007

May 10, 2007

August 9, 2007

Recommendation: Acknowledge Receipt

4. Before the Florida Public Service Commission: Notice of Commission Hearing and Prehearing Conference to All Investor-Owned Electric and Gas Utilities and All Other Interested Persons.

Docket No. 060001-EI – Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor.

Docket No. 060002-EG – Energy Conservation Cost Recovery Clause.

Docket No. 060003-GU – Purchased Gas Adjustment (PGA) True-Up.

Docket No. 060004-GU – Natural Gas Conservation Cost Recovery.

Docket No. 060007-EI – Environmental Cost Recovery Clause.

Notice is hereby given that the Florida Public Service Commission will hold a public hearing in the above dockets at the following time and place:

9:30 a.m. (EST), November 6, 7, and 8, 2006

Betty Easley Conference Center, Room 148

4075 Esplanade Way

Tallahassee, Florida

Recommendation: Acknowledge Receipt

5. Arlington Ridge Community Development District Meeting Schedule for Fiscal Year 2007, in accordance with Chapter 189, Florida Statutes.

The Board of Supervisors of Arlington Ridge Community Development District will hold their meetings for Fiscal Year 2007 at the Arlington Ridge Administration Building, 4463 Arlington Ridge Boulevard, Leesburg, Florida, on the third Tuesday of the following months:

November 21, 2006
January 16, 2007
March 20, 2007
June 19, 2007
July 17, 2007 (Budget Workshop)
August 21, 2007 (Budget Hearing)

Recommendation: Acknowledge Receipt

6. Community Redevelopment Area (CRA) document for the City of Fruitland Park, which was approved at the Planning and Zoning Committee Meeting on September 7, 2006, and at the City Commission Meeting on September 14, 2006 – Acknowledge Receipt
7. FY 2006/2007 Budget for St. Johns River Water Management District, as adopted by their Governing Board on Tuesday, September 26, 2006 – Acknowledge Receipt
8. Ordinance No. 2006-017, from the City of Fruitland Park, annexing within the City approximately 14 +/- acres, generally known as the Ezell property, located north of Spring Lake Road, on the west side of U. S. Highway 441/27. Passed and ordained the 28th day of September, 2006, by the City Commission of the City of Fruitland Park, Florida – Acknowledge Receipt

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

Budget

Tab 3

1. Budget transfer – County Library System Fund, Department of Community Services, Library Services Division. Transfer \$5,300 from Contingency and Cash Carried Forward to Cooper Memorial Library. Need to transfer funds to Cooper Memorial Library – Library Materials Not Inventoried due to an inadvertent omission during the budget process.

RECOMMENDATION: Approval

2. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$1,456.00 deposited into Reimbursements and provide appropriations for the disbursement of Office Supplies. Lake County has received additional funding from the State of Florida for the purpose of providing additional funding for the Arts Program in Lake County.

RECOMMENDATION: Approval

3. Approval of request from Public Works for payment of grant dollars for youth recreation. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$32,844.00.

RECOMMENDATION: Approval

4. Approval of request from Public Works (Engineering), Environmental Services (Water Resource Management) and Growth Management (GIS) for payment for historical aerial scanning and rectification project per interlocal agreement with Lake County Water Authority. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$29,508.00.

RECOMMENDATION: Approval

Community Services

Tab 4 Approve and authorize the Chairman to sign the FY 2006-07 CDBG Partnership Agreement between the Town of Lady Lake and the County in an amount not to exceed \$90,900.00, granting the Town CDBG funds to resurface roads in the April Hills Subdivision, and to direct the Community Services Department to execute the agreement and oversee completion of the project covered in the Scope of Services.

RECOMMENDATION: Approval

Tab 5 Approval of the First Amendment to the FY 2005-06 Community Enhancement Area Partnership Agreement between Lake County and the Yalaha Community Club and authorize the Chairman to sign the Agreement.

RECOMMENDATION: Approval

Tab 6 Approve and authorize the Chairman to sign the contract between Lake County and the State Department of Health for operation of the Lake County Health Department during contract term 10/1/06 through 9/30/07.

RECOMMENDATION: Approval

Tab 7 Approval to continue the direct pay procedure during FY 06/07 for the monthly Medicaid Nursing Home and Hospital bills as well as for the direct pay for the monthly Health Care Responsibility Act (HCRA) bills received by the Department of Community Services, effective with the fiscal year beginning October 1, 2006.

RECOMMENDATION: Approval

Tab 8 Approve and authorize the Chairman to sign the FY 2006-07 CDBG Partnership Agreement between the City of Tavares and the County in an amount not to exceed \$90,900.00, granting the City of Tavares CDBG funds to acquire property to add parking to the Ingraham Center and direct the Community Services Department to execute the agreement and oversee completion of the project covered in the Scope of Services.

RECOMMENDATION: Approval

Tab 9 Approval of the revision to our 2003-2004 Florida Department of Transportation Section 5310 Capital Grant.

RECOMMENDATION: Approval

Economic Growth and Redevelopment

Tab 10 Approval of a request and Agreement for the award of Jobs Growth Investment Trust Funds to Dunkin' Donuts Southeast Distribution Center, Inc. in the amount of \$84,000.00 for the creation of forty-two (42) new positions paying at least 115% of the Average Annual Hourly Wage for Lake County or at least \$15.66 per hour for Service/Distribution Companies.

RECOMMENDATION: Approval

Employee Services

Tab 11 Approval to renew the contract for Property, Liability and Workers' Compensation claims management services with Employers Mutual, Inc. (EMI).

RECOMMENDATION: Approval

Growth Management

Tab 12 Request to advertise proposed ordinance amending Section 14.11.00 of the Land Development Regulations to allow Fractional Sections in lots five acres or larger created through the Minor and Agriculture lot split process.

RECOMMENDATION: Approval

Procurement

Tab 13 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

Public Works

Tab 14 Approval to advertise for bids for Special Assessment Project No. 101, for Lisa Drive and Diane Drive located in the Venetian Village Subdivision, Section 15, Township 20, Range 26, at an estimated cost of \$234,009.00 – Commission District 3.

RECOMMENDATION: Approval

Tab 15 Approval of the Real Estate Purchase and Sales Agreement for Right of Way – C439/C44A Intersection Project, and authorize the Chairman to sign the Purchase agreement and all closing documents.

RECOMMENDATION: Approval

Tab 16 Approval to award Countywide Resurfacing Project No. 2006-08, Bid No. 06-135, to DAB Constructors, Inc. in the amount of \$1,747,042.35 and to encumber and expend funds in the amount of \$1,085,188.35 from Sales Tax Capital Projects – Roads Fund and \$661,854.00 from the Transportation Trust Fund (LAP).

RECOMMENDATION: Approval

Tab 17 Approval to award Countywide Drainage II Project No. 2006-09, Bid No. 06-134, to Gibbs & Register, Inc. in the amount of \$1,126,348.00, and to encumber and expend \$1,126,348.00 from the Stormwater Management MSTU funds.

RECOMMENDATION: Approval

Tab 18 Adoption and execution of the Resolution facilitating the Supplemental No. 2 Local Agency Program Agreement for the Reconstruction of CR-561 Paved Shoulders & Seawall Damage caused by Hurricane Jeanne, and execution of the Supplemental No. 2 Local Agency Program Agreement with the Florida Department of Transportation for the Reconstruction of CR-561 Paved Shoulders & Seawall Damage Caused by Hurricane Jeanne (FDOT FPN 418576-2-58-01 & 418576-2-68-02) and adoption of the corresponding budget resolution – Commission District 2.

RECOMMENDATION: Approval

Tab 19 Approval to accept the following listed public right of way deeds that have been secured in conjunction with roadway and/or stormwater projects: Seven Statutory Warranty Deeds, four Quitclaim deeds, five Drainage Easement deeds, one Temporary Non-Exclusive Construction Easement Deed & Perpetual Grading Easement, six Temporary Non-Exclusive Easement Deeds, three Non-Exclusive Easement deeds, one Temporary Non-Exclusive Construction Easement Deed & Perpetual Wall and Grading Easement.

RECOMMENDATION: Approval

Tab 20 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition No. 1097, Robert A. Hitchcock, to vacate a portion of right of way, located in the 1st addition to the Town of Astor – Commission District 5.

RECOMMENDATION: Approval

Tab 21 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition No. 1096, Larry F. Sherer – Rep. Leslie Campione, to vacate a portion of Havre Street, in the Plat of Mt. Plymouth – Commission District 4.

RECOMMENDATION: Approval

Tab 22 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition No. 1098, Avery C. Robert – Rep. Steven J. Richey, PA, to vacate a portion of an access, utility & drainage easement in the Umatilla area – Commission District 5.

RECOMMENDATION: Approval

VI. COUNTY ATTORNEY CONSENT AGENDA (Tabs 23 through 24)

Tab 23 Approval of the agreement between Lake-Sumter Metropolitan Planning Organization (MPO) and Lake County.

RECOMMENDATION: Approval

Tab 24 Approval of renewal of lease agreement for Sheriff's Office located at 902 Avenida Central, The Villages.

RECOMMENDATION: Approval

VII. PRESENTATIONS

Tab 25 **Presentation:** Update on progress of the Joint Use Library project.

Tab 26 **Presentation:** Presentation by HNTB Corporation regarding the Hartle Road Project Development & Environmental Study (PD&E) and Design of Hartwood Marsh Road. Also, approval of completion for the Hartle Road PD&E Study phase. The limits of the project are from Hartwood Marsh Road to SR 50 (approximately 2.3 miles in length). The study evaluated feasible alternatives for widening and extending Hartle Road.

Tab 27 **Presentation:** Presentation and adoption of the Transit Operations Plan (TOP) by Tindale-Oliver and Associates, Inc.

Presentation: Presentation of the Schematic Design and Interim Cost Estimates for the JC Expansion, Jail Upgrades, Parking Garage, Tax Collector and Property Appraiser Building – HLM Architects and Construction Manager for Centex.

VIII. COUNTY MANAGER’S DEPARTMENTAL BUSINESS

Community Services

Tab 28 Approve and authorize the Chairman to sign the FY 2006-07 Community Enhancement Area Partnership Agreement between the County and the Friends of Ferndale in an amount not to exceed \$50,000.00, allocating Community Development Block Grant Funds to construct two ADA compliant restrooms and replace the water well and septic system needed for these restrooms at the Ferndale Community Center. The Board is also requested to direct the Community Services Department to execute the agreement and oversee completion of the project as covered in the Scope of Services.

Employee Services

Tab 29 Recommend approval of the Pay and Classification Plan for employees under the Board of County Commissioners not covered by a contract or collective bargaining agreement.

Public Safety

Tab 30 Discussion of property in the Paisley/Lake Kathryn/Lake Mack area for the construction of a new fire station.

Public Works

Tab 31 Adoption of the Resolution and signatures on the Resolution and the Local Agency Program Agreement for Lake County Trails Master Plan, FPN 413994-128-0.

IX. PUBLIC HEARINGS – 9:00 A.M. or as Soon Thereafter

Tab 32 **PUBLIC HEARING:** Approval of Ordinance Amending Chapter 16, Lake County Code, Entitled Parks and Recreation Advisory Board.

Tab 33 **PUBLIC HEARING:** Approval of waiver of central potable water service requirement in Urban Expansion Future Land Use for Garrett Place Subdivision.

X. PUBLIC HEARINGS – 5:05 P.M. or as Soon Thereafter

Tab 34 **PUBLIC HEARING:** Approval of Ordinance Amending the LDR's to create Chapter V-A entitled Necessary Public Services and Facilities.

XI. OTHER BUSINESS

Tab 35 Approval of the removal of Glenn Irby from the Solid Waste Advisory Committee and declare this seat vacant.

XII. REPORTS

County Attorney

Tab 36 Authorization to waive contingencies in the Purchase and Sale Agreements between Lake County and TBM Premium Finance and Lake County and Tucker Nursery, Inc. and move forward with the purchase of the properties. Authorize Chairman to execute necessary closing documents.

County Manager

Commissioner Hill – District #1

Commissioner Pool – District #2

Commissioner Stivender – District #3

Commissioner Hanson – Chairman and District #4

Tab 37 Approval and execution of Proclamation declaring October 2006 as National Community Planning Month in Lake County.

Commissioner Cadwell – District #5

Tab 38 Direct staff to move forward with necessary documentation for conveyance of County property adjacent to American Legion Post #347.

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

OCTOBER 24, 2006

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

TENTATIVE AGENDA

NOVEMBER 7, 2006

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

NOVEMBER 14, 2006

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

NOVEMBER 21, 2006

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

NOVEMBER 28, 2006

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

TENTATIVE AGENDA

DECEMBER 5, 2006

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

DECEMBER 12, 2006

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

DECEMBER 19, 2006

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