

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY**

April 5, 2004

The Lake County Local Planning Agency met on Monday, April 5, 2004 at 9:00 a.m. in the Commission Chambers on the second floor of the Round Administration Building in Tavares, Florida for its organizational meeting. The Lake County Local Planning Agency will consider comprehensive planning issues including amendments to Lake County's Comprehensive Plan.

Members Present:

David Jordan	District 1
Dan Matthys	District 2
Michael F. Carey	District 3
Richard Dunkel	District 4
Nadine Foley, Vice-Chairman	District 5
Sean Parks	At-Large Representative
Keith Schue, Secretary	At-Large Representative
Barbara Newman, Chairman	At-Large Representative
Dennis Reid	School Board Representative

Staff Present:

Bill Neron, County Manager
Gregg Welstead, Deputy County Manager, Director of Growth Management
Amye King, AICP, Chief Planner, Planning and Development Services Division
Jeff Richardson, AICP, Planning Manager, Planning and Development Services Division
Donna Bohrer, Office Associate III, Planning and Development Services Division
Sherie Ross, Public Hearing Coordinator, Planning and Development Services Division
Sanford A. Minkoff, County Attorney

The meeting commenced at 9:00 a.m. Bill Neron, County Manager, welcomed the agency members to the organizational meeting of the Local Planning Agency. Staff and Agency members introduced themselves to the rest of the group.

Sanford Minkoff, County Attorney, showed the Proof of Publication on the monitor and explained Florida's Sunshine Law and how that law applies to this Agency. He further explained Lake County's policies as they affect the Local Planning Agency. He stated that all meetings must be advertised at least 48 hours in advance. Proof of Publication is generally the first item of business and the ad should be displayed. "Rich" Dunkel came into the meeting; with his arrival all members were present.

Mr. Minkoff went on to explain that minutes shall be taken at for each meeting and approved at a subsequent meeting. Because this Agency will be considering

Comprehensive Plan Amendments and Land Development Regulations, he advised members that all letters, e-mail exchanges, conversations between Agency members that have anything to do with county government could be a violation of the Sunshine Law. All meetings between two or more members shall be advertised and minutes kept. He also pointed out that staff must not be utilized as an intermediary between members.

In response to an inquiry from Keith Schue, Mr. Minkoff explained that the Sunshine Law applies only between members of the Agency. They would not be restricted from any conversations or communication with other County or municipal officers.

Secondly, Mr. Minkoff discussed the public records law. He defined public records to include paper copies, e-mails, and voice messages. He explained that public records should never be destroyed unless that information is confirmed to be a duplicate. All materials provided by staff will be duplicates and can, therefore, be destroyed. However, a copy of any original material received by individual members should be provided to staff.

In response to an inquiry from Rich Dunkel, Mr. Neron said that staff would investigate the possibility of agency members receiving County e-mail addresses. Mr. Minkoff, in response to Nadine Foley, explained that conversations between individuals and Agency members were exempt from the public records law; but in the event that messages are left on answering machines, notes should be taken and turned over to staff.

Mr. Minkoff explained that the Local Planning Agency is a legislative body, not quasi-judicial. So Agency members can talk to anybody they want to as long as they don't violate the Sunshine Law. They may also do all the research they wish. In addition; the Agency can limit the length and timing of public input during meetings. The judicial standard of review for legislative actions is very different and much less restrictive than quasi-judicial actions. In response to a question from Mr. Schue, Mr. Minkoff explained that it would still be appropriate for members appear before the Board of County Commissioners as individuals.

The next order of business was the election of officers. David Jordan nominated Nadine Foley for Chairman. Sean Parks nominated Barbara Newman. Ms. Foley stated that she would defer to Ms. Newman. By majority vote and consensus, Barbara Newman was elected Chairman; and she took over the meeting.

Ms. Newman expressed her appreciation and opened the nominations for Vice-Chairman. Mr. Schue nominated Nadine Foley as Vice-Chairman. Since there were no further nominations, the Chairman closed the nominations. By a vote of acclamation, Nadine Foley was elected Vice-Chairman. Nominations for Secretary were opened, and Ms. Foley nominated Keith Schue. Mr. Minkoff explained that the duties of Secretary, including signing the minutes after Agency approval and running the meeting if both the Chairman and Vice-Chairman were unavailable. There were no further nominations. Keith Schue was elected Secretary by a vote of acclamation.

Regarding the scheduling of meetings, staff gave a list of days and times when the Chambers of the Board of County Commissioners is available. Keith Schue suggested that meetings be scheduled in the evening to allow more public participation. Mr. Neron said a late afternoon meeting would be a compromise. Barbara Newman voiced a concern that public participation would not be great enough, by itself, to justify evening meetings. Discussion of scheduling was postponed until later in the meeting so a calendar of

available dates could be available.

Amye King explained what materials were included in each of the three notebooks that had been prepared for the members. Mr. Neron stated that Ms. King would be the Agency's primary contact, although both he and Gregg Welstead would also be available. Ms. King provided the members with copies of the calendar of transmittal dates for Comprehensive Plan Amendments for 2004.

Mr. Dunkel asked about the status of the Evaluation and Appraisal Report (EAR) process. Mr. Minkoff explained that the EAR amendments had been submitted to the Department of Community Affairs (DCA) but had not been approved. He stated that a fresh look at the Comprehensive Plan either through the EAR process or some other process would be one of this Agency's first priorities.

Ms. King read an excerpt from Chapter 163, Florida Statutes, outlining the duties of the Local Planning Agency.

Mr. Schue asked for clarification about the status of the Joint Planning Area (JPA) and their proposed borders. Ms. King explained that the JPA Agreement with Clermont is the only one currently approved. The Leesburg JPA Agreement is still being negotiated. Mr. Neron pointed out that there is pending annexation legislation in Tallahassee, and changes could be made in this legislative session that would affect future JPAs.

Mr. Schue asked if this agency would be taking a holistic long-term approach as to where Lake County is going. Mr. Neron explained that the division of the Planning and Zoning Board into the Zoning Board and the Local Planning Agency is a reflection of that desire on the part of the County Commissioners. Michael Carey stated that looking into the future should be one of the priorities of this Agency. Mr. Neron explained that the proposed Master Park Plan is an example of this effort to plan for the future. Gregg Welstead stated that Public Works was just beginning to work on a Transportation 20/25 Plan. Mr. Schue asked whether an outline could be prepared as a guide for the Agency to use during the next several months. He would also like to investigate some sector-based planning for the County. When Mr. Dunkel asked about the size of the unincorporated area of Lake County, Mr. Neron gave some population data and explained that the Geographic Information Services (GIS) division is currently working on compiling an accurate acreage figure. There was further discussion about the JPA negotiation process, and Mr. Minkoff stated that not all the JPAs were intended to become urban areas. He also explained that the JPA Agreements being negotiated in Lake County are really interlocal agreements and not JPA Agreements as defined in Chapter 163, Florida Statutes. All future JPA Agreements will be brought before this Agency for review. Ms. Foley asked for a copy of the JPA with Clermont, and Amye said it would be provided.

Mr. Dunkel suggested that individual members discuss his or her vision of Lake County. Ms. Newman said that she thought they probably held similar philosophical positions, and a consensus was reached to discuss this issue in the future.

In response to Mr. Jordan, Mr. Welstead said the first priority is for the members to become familiar with the Comprehensive Plan and the Land Development Regulations. Keith Schue asked if it was possible to get a visual picture of where the County is today. Mr. Neron said staff would compile and prioritize a list of upcoming projects. Mr. Welstead suggested that the Agency become familiar with the abilities and capabilities of

the GIS division, especially the existing land use map. Ms. King provided additional information about GIS and Community Viz; she also listed some of the agencies that would have representatives appearing before this Agency. Mr. Welstead extended an invitation to the Agency members to attend the Growth Management Conference sponsored by the Department of Community Affairs in Tallahassee on May 18 and 19.

Keith Schue expressed concern about the Comprehensive Plan Amendments scheduled before this Agency, and if there would be enough time to take a holistic look at these planning issues. Mr. Neron explained that this process is here for the long term, and this is an opportunity to do things differently from what has been done in the past.

Mr. Dunkel asked how the School Board issues would be blended into this process. Dennis Reid offered to invite representatives from the School Board to provide information on the impact of growth on schools, to help facilitate a co-coordinated response.

Ms. Newman suggested that the members become familiar with the materials they have been given, and at the next meeting, time could be designated for a discussion regarding their individual visions.

Staff and the Agency discussed the reliability of population projection figures, and measures being undertaken by staff to obtain accurate population figures. Ms. King explained that the Department of Transportation uses a system of traffic analysis zones that are census tract based. That information when coordinated with our Public Works Department will give a more accurate growth picture, one that reflects the variable growth rates in the County. This information should be available in June.

Ms. Newman asked that each individual member give a brief personal background so that all the members would be more familiar with each other.

The members requested copies of the Lake County Tomorrow report.

Ms. Newman felt that morning meetings would mean everyone would be fresh and the meetings should be more efficient. Mr. Schue concurred and suggested that an occasional evening meeting could be scheduled to better accommodate public participation when necessary. After some discussion it was decided to meet on the third Thursday of each month, beginning at 9:00 a.m. The next meeting will be May 20, 2004, in Board of County Commission chambers unless otherwise noted.

Jeff Richardson stated that the May meeting is the date that the Comprehensive Plan Amendments would be heard. Mr. Minkoff stated that there is pending litigation on a Comprehensive Plan Amendment previously submitted to DCA.

Communication issues between staff and the Agency were discussed. Ms. King suggested that the fourth Thursday could be used as workshop date, if needed.

Mr. Welstead explained the Comprehensive Plan Amendment transmittal and adoption process with the Department of Community Affairs (DCA). Mr. Minkoff stated that the Agency had the right to continue all or some of the proposed amendments.

Mr. Minkoff reminded the members that this Agency requires financial disclosure, and those forms need to be filed with the Supervisor of Elections.

There was discussion regarding the format of information provided to the Board. It was decided that hard copies of materials would be provided for the immediate future.

Mr. Schue requested that each member be provided with a Future Land Use Map. He also stated that he has significant reservations about hearing the scheduled Comprehensive Plan Amendments so early in the process. He stated that he would like

staff to check on the urgency of the amendments. Mr. Welstead that he will address that concern.

The Chair adjourned the meeting at 10:35 a.m.

The next meeting of the Lake County Local Planning Agency will be held on May 20, 2004, at 9:00 a.m., in Board Chambers.

Donna R. Bohrer
Comprehensive Planning

Keith Schue
Secretary