

BOARD ACTION
December 16, 2008

APPROVED	Tab 1. Minutes of November 18, 2008 (Regular Meeting), as presented.	CADWELL
APPROVED	<p>Tab 2. Clerk of Court's Consent Agenda, as follows:</p> <ol style="list-style-type: none"> 1. Request to acknowledge receipt of 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. 2. Request to acknowledge receipt of Notice of Proposed Redevelopment Revenue Bonds or Bond Anticipation Notes of the Community Redevelopment Agency for the Carver Heights/Montclair Area (Leesburg, Florida) and for the US Highway 441 and 27 Area (Leesburg, Florida), in accordance with the provisions of Section 163.346, Florida Statutes, as mentioned. 3. Request to acknowledge receipt of Fiscal year 2007-08 Annual Report for the Division of Forestry's Cooperative Forestry Assistance Program and Fire Protection in the Lake Forest Area, Lake County, which identifies major forestry activities throughout Lake County from July 1, 2007 through June 30, 2008. 4. Request to acknowledge receipt of copy of Annexation Ordinance 2008-33 from the City of Tavares annexing approximately .15 acres of land generally located on the north side of U.S. 441, West of Tavares Recreational Park (Buzzard Beach), and east of Three Lakes Mobile Home Park. 5. Request to acknowledge receipt of Before the Florida Public Service Commission <p>Docket No. 080186-EI Order No. PSC-08-0786-TRF-EI Issued: December 2, 2008</p> <p>In re: Petition for approval of revised underground residential distribution tariffs, by Progress Energy, Florida, Inc.</p> <p>Order Approving Revised Underground Distribution Tariffs</p>	KELLY

APPROVED	<p>Tab 3. Request from Budget to approve the following Budget Change Requests:</p> <ol style="list-style-type: none"> 1. Budget transfer – Solid Waste Closures and Long Term Care Fund, Department of Environmental Utilities, Solid Waste Operations Division. Transfer \$175,000 from Machinery and Equipment to Landfill Post Closure. A gas recovery system is part of the long-term care of the Lady Lake Landfill. This system is necessary to capture landfill gases which can be converted and used as an energy source. The system is Machinery and Equipment; however, there is some design, permitting and limited construction-phase engineering involved, which will make it a permanent fixture. Funds available in Machinery and Equipment. 2. Budget transfer - Library Impact Fee Trust Fund, Department of Community Services, Library Services Division. Transfer \$502,582 from Special Reserve to Aids to Governmental Agencies. Funds were budgeted in the Special Reserve account pending approval of the Library Impact Fee awards which were approved at the July 15, 2008 Board of County Commissioners meeting. Funds were awarded for the Umatilla, Minneola, Lady Lake, and Mount Dora library projects, and to the Lake-Sumter Community College Foundation for the Joint Use library project. The Interlocal Agreements were not completed in time for the awards to be encumbered and carried forward to the current fiscal year. Funds budgeted in Reserves for Fiscal Year 2008-09 awards will be used to fund Fiscal Year 2007-08 commitments, pending a mid-year adjustment to fund balance for Fiscal Year 2008-09. 	KRUEGER
APPROVED	<p>Tab 4. Request from Community Services for approval to pay by Direct Pay Harvest Construction Co. for house rehabilitation cost incurred during 2007/08 from the Hurricane Housing Fund and the SHIP Home Repair Program Funds.</p>	SMITH
APPROVED	<p>Tab 5. Request from Community Services for approval and authorization for the Chairman to sign the FY 2008-09 CDBG Partnership Agreement between the Yalaha Community Club, Inc. and the County in an amount not to exceed \$170,000 from the FY 2008-09 CDBG allocation and bringing forward \$166,940 from the funds remaining in the 2005-06 and 2007-08 CDBG allocations. The funds are allocated to construct a new community center. The Board further directs the Community Services Department to execute the agreement and oversee completion of the project as covered in the Scope of Services. Commission District 3.</p>	SMITH

APPROVED	Tab 6. Request from Growth Management for approval of the Interlocal Agreement between Lake County and the City of Clermont. This is the same agreement currently in place between the City of Groveland and the Town of Howey in the Hills.	KING
APPROVED	Tab 7. Request from Procurement for approval for the Board to 1) declare the items on the attached list(s) 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 or designee to sign vehicle titles.	SCHWARTZMAN
APPROVED	Tab 8. Request from Procurement to approve and execute the Second Amendment to the contract 07-0044 to Moore Stephens Lovelace, P.A. to provide auditing of the public transportation program.	SCHWARTZMAN
APPROVED	Tab 9. Request from Procurement for authorization to award Countywide Temporary Employment Services to Able Body Labor, Spherion of Lake & Marion Counties and On Target Staffing, LLC.	SCHWARTZMAN
APPROVED	Tab 10. Request from Procurement to award RFP #08-0252 Archaeological Survey for Ferndale Preserve and P.E.A.R. Park to S&ME Inc. in the amount of \$57,530.00.	SCHWARTZMAN
APPROVED	Tab 11. Request from Public Safety for approval to execute the Florida Department of Health Emergency Medical Services Grant and Resolution No. 2008-204.	KAISER
APPROVED	Tab 12. Request from Public Safety for approval and execution of the FY 2008-2009 State Homeland Security Grant (SHSG) Issue 20 Agreement between Lake County and the State of Florida, Division of Emergency Management, by the Lake County Board of County Commissioners; and approval of Resolution No. 2008-205.	KAISER
APPROVED	Tab 13. Request from Public Safety, Communications Technologies Division, for retroactive approval and execution of the Grant and acceptance of the Grant funds into the Countywide 800MHz Radio Project to offset the County funds allocated and approve the attached fund Resolution No. 2008-206.	KAISER
APPROVED	Tab 14. Request from Public Works for approval of a Proportionate Fair Share Agreement with Clermont Motor Sales, LLC also known as Toyota of Clermont. Commission District 2.	STIVENDER

APPROVED	Tab 15. Request from Public Works for approval of Resolution No. 2008-207 designating Citrus Highlands Subdivision as a Golf Cart Community. Commission District 2.	STIVENDER
APPROVED	Tab 16. Request from Public Works for approval of Resolution No. 2008-208 establishing certain roads in the Astor Forest Campsites for golf cart usage.	STIVENDER
APPROVED	Tab 17. Request from Public Works for authorization to release a maintenance bond in the amount of \$55,050.00 posted for Meadow Ridge Phase 1. Meadow Ridge Phase 1 consists of 57 lots and is located in Section 1, Township 19 South, Range 25 East. Commission District 4.	STIVENDER
APPROVED	Tab 18. Request from County Attorney for approval of Settlement Agreement with Mr. Cornelius Finley regarding a code enforcement case. Commission District 4.	MINKOFF
APPROVED	Tab 19. Request from County Attorney for approval of extension of the Parking Agreement with the First Baptist Church of Tavares for Employee Parking. Commission District 3.	MINKOFF
APPROVED	Tab 20. Request from County Attorney for approval of interlocal agreement with Umatilla related to potable water for North Lake Community Park. Commission District 5.	MINKOFF
APPROVED	Tab 21. Request from County Attorney for approval of Lease Agreement between Lake County and Farner Barley Partnership for Lease Space Located at 323 N. Sinclair Avenue, Tavares. Commission District 3.	MINKOFF
PRESENTATION	Tab 22. Presentation of certificates of appreciation to Sarah, Allison and Julie Hicks for donation of funds to Fire Rescue Division for purchase of pet oxygen masks.	CADWELL
APPROVED	Tab 23. Update on the robotics program by Dottie Keedy. The Board approved a motion to allocate \$1,000 of the funds supplied by the IT Department to each of the Lake County robotics program teams, and to request a match of that amount from the School Board.	CADWELL
APPROVED	Tab 24. Presentation by Shelley Lauten and Jacob Stuart on Commuter Rail and approval of Resolution No. 2008-209 supporting the Central Florida commuter rail project; requesting of the Florida Legislature certain insurance provisions; supporting study of the “northwest corridor,” from downtown Orlando into Lake County, for commuter rail feasibility; and authorizing Chairman to join other communities in support of commuter rail.	CADWELL

PRESENTATION	Tab 25. Final report by the Transportation Alternative Funding Task Force.	CADWELL
APPROVED	Tab 26. Request from Community Services for approval of the CTD/ACHA Medicaid Non-Emergency Transportation Agreement Amendment No. 9 from July 1, 2008 through December 31, 2008.	SMITH
APPROVED	Tab 27. Request from Information Technology for approval and signature on Microsoft Enterprise Enrollment and the Microsoft Enterprise Enrollment Amendment for licensing and software assurance on Microsoft software products used by the employees of the Board of County Commissioners, Supervisor of Elections, and Property Appraiser.	EARLS
POSTPONED	Tab 28. Request from Procurement for authorization to award the Financial Advisory Services to First Southwest Company. The Board moved to interview the shortlisted firms before making a decision.	SCHWARTZMAN
APPROVED AGREEMENT WITH MV ONLY	Tab 29. Request from Procurement for approval of revised Agreement with MV Contract Transportation, Inc. (MV). The associated Commercial Lease with Option to Purchase for property located at 2900 Kurt Street in Eustis was postponed to look at other alternatives and to do an appraisal.	SCHWARTZMAN
APPROVED	Tab 30. Request from Public Safety to authorize acceptance of bequest and approve budget Resolution No. 2008-210 for funding of animal services.	KAISER
CONSENSUS	Tab 31. Discussion item from Public Works concerning The Villages agreement. The Board directed staff to move forward with this and to bring back a formal agreement with The Villages.	STIVENDER
APPROVED	Tab 32. PUBLIC HEARING. For the Board to hold a public hearing to provide citizens a final opportunity to comment on the FY 2007-08 Consolidated Annual Performance Report regarding the Community Development Block Grant.	CADWELL
APPROVED	Tab 33. PUBLIC HEARING. Approval of Ordinance No. 2008-80 Adopting a Public School Facilities Sub-Element Amendment to the Lake County Comprehensive Plan.	CADWELL
POSTPONED PER REQUEST FROM DCA	Tab 34. PUBLIC HEARING. Approval and Adoption of the proposed Wekiva ordinance adopting amendments required to meet the Wekiva Parkway and Protection Act. DCA requested that this be postponed to allow for additional discussions to occur with them.	CADWELL

APPROVED	Tab 35. PUBLIC HEARING. Request approval of Resolution No. 2008-211 expressing the intent of Lake County to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, approval of the Uniform Collection Agreement between Lake County and the Lake County Tax Collector, and approval of the Agreement between Lake County and the Lake County Property Appraiser for reimbursement of costs all associated with the Diane Drive and Lisa Drive Special Assessment Project No. 101. Commission District 3.	CADWELL
APPROVED	Tab 36. PUBLIC HEARING. Public Hearing on Vacation Petition No. 1135, Tony Lambert/Rep. Leslie Campione, to vacate rights of way, in the Plat of Lake King Gardens in the Altoona area, and approval and execution of Resolution No. 2008-212 . Commission District 5.	CADWELL
APPROVED	Tab 37. PUBLIC HEARING. Public Hearing on Vacation Petition No. 1137, Lake County Department of Public Works, to cease maintenance and vacate right of way on a portion of Hartle Road, in the Clermont area, and approval and execution of Resolution No. 2008-213 . Commission District 2.	CADWELL
APPROVED	Tab 38. PUBLIC HEARING. Public Hearing on Vacation Petition No. 1143, Clermont Motor Sales, to vacate rights of way, in the Plat of Lake Highlands co., in the Clermont area, and approval and execution of Resolution No. 2008-214 . Commission District 2.	CADWELL
	PUBLIC HEARINGS:	
	REZONING CONSENT AGENDA AS FOLLOWS:	
CONTINUED TO 1/7/09	Tab 3 – Catherine Hanson/Leslie Campione, Esq. Rezoning Case No. PH#44-08-4	KING
CONTINUED TO 1/7/09	Tab 4 – Clermont-Falls Creek Development, Magnolia Property Associates, LLC Rezoning Case No. PH#51-08-2	KING
CONTINUED TO 1/7/09	Tab 5- Steven F. Bruce and Vicki L. Sweigart-Bruce Rezoning Case No. PH#58-08-5	KING

APPROVED	<p>Tab 6 – Ordinance No. 2008-81 United Southern Bank/Leslie Campione, P.A. United Southern Bank – Astor/Leslie Campione, P.A. Rezoning Case No. PH#52-08-5 Request approval to rezone approximately 1.56 acres from Light Industrial (LM) Zoning and Community Commercial (C-2) Zoning to Planned Commercial (CP) Zoning with Neighborhood Commercial (C-1) uses to include Self-Service Storage to correct the split zoning and allow the continuation of commercial uses for the property.</p>	KING
WITHDRAWN	<p>Tab 7 – Orange County and City of Orlando/Douglas Pickell, P.E. PB Americas, Inc./Water Conserve II, RIB Site #10 Rezoning Case No. PH#56-08-2</p>	KING
WITHDRAWN	<p>Tab 8 – Orange County and City of Orlando/Douglas Pickell, P.E. PB Americas, Inc./Orange County and City of Orlando RIB Site #1 Rezoning Case No. PH#57-08-2</p>	KING
APPROVED	<p>Tab 9 – Ordinance No. 2008-82 Staff Initiated Revocation Vantaggio Investment Group/Amy Imilsis Velazquez Rezoning Case No. CUP#06/8/2-5 The CUP was approved by Ordinance No. 2006-40 for the placement of a 225 ft. monopole tower in the Agriculture zoning district. Due to the applicant’s failure to comply with the requirement outlined in the ordinance stating that construction and/or operation shall begin within six months.</p>	KING
APPROVED	<p>Tab 10 – Ordinance No. 2008-83 Lake Cty Brd. of County Commissioners/Gary Kaiser, Public Safety Director Rezoning Case No. PH#68-08-5 To establish new landscape buffer conditions for the existing Community Facility District (CFD) by replacing Ordinance No. 2007-33 with the new landscape buffer provisions, with the addition to Line 6, Page 3 of 6, the following sentence, “Landscaping on the remaining areas of the site shall be consistent with the approved management plan for the site.”</p>	KING
	<p>REZONING REGULAR AGENDA AS FOLLOWS:</p>	

APPROVED	<p>Tab 1 – Ordinance No. 2008-84 WRYP, LLC/Mr. Richard Busche, P.E. Assisted Living Facility at Lexington Park Rezoning Case No. PH#54-08-5 Request approval to rezone property from the Agriculture Zoning District to the Community Facility District (CFD) Zoning District to allow an assisted and independent living facility (ALF/ILF)</p>	KING
APPROVED	<p>Tab 2 – Ordinance No. 2008-85 Thomas G. Wenski, Bishop of the Diocese of Orlando Michael Cocco, Finance Chairman/St. Faustina Parish Rezoning Case No. PH#61-08-2 Amend Ordinance No. 2007-35 to allow development in the Rural Conservation FLUC, with a change to the proposed ordinance on Page 2 of 8, Section 1D, on Line 36, adding “dedicated to Lake County or other agency approved by the County” after the words “conservation easement.”</p>	KING
WITHDRAWN	<p>Tab 11 – Patrick and Barbara Henes/Janet Christoff Christoff Kennels Rezoning Case No. CUP#08/11/2-2 Request approval for a CUP in the Agriculture Zoning District to allow for a dog and cat kennel and caretaker’s residence associated with the kennel.</p>	KING
APPROVED	<p>Tab 12 – Ordinance No. 2008-87 Glen and Sharon Treadwell/G. C. Bogardus Dixie Tank Lines Rezoning Case No. CUP#08/11/1-4 Request approval to amend CUP #2003-73 in order to increase the number of permitted tractor trailer parking from four units to ten units.</p>	KING
	<p>REGULAR AGENDA (CONTINUED)</p>	

<p>APPROVED</p>	<p>Tab 40. Appointment of the following individuals to vacant positions on the Public Safety Coordinating Council:</p> <p>Mr. Ed Nathanson, Chief of Police, Lady Lake Police Department (the police chief)</p> <p>Mr. Dale Benefield, Program Administrator of the Substance Abuse Mental Health Program Office (A representative of the substance abuse program office and the mental health program office of the Department of Children and Family Services)</p> <p>Ms. Jane Bugnaski (A primary consumer of substance abuse services)</p> <p>Ms. Courtney Peicewicz (a primary consumer of substance abuse services)</p> <p>Mr. Jerry Manesis (A family member of a primary consumer of community based-treatment services)</p> <p>Ms. Barbara Wheeler, Executive Director, Mid Florida Homeless Coalition, Inc. (a representative from an area homeless program or a supportive housing program)</p> <p>Adrian Mathena, Juvenile Probation Officer Supervisor, Department of Juvenile Justice (the chief probation officer of the Department of Juvenile Justice)</p>	<p>CADWELL</p>
<p>APPROVED</p>	<p>Tab 41. Approval of Resolutions No. 2008-215 through 2008-229 instituting the eminent domain proceedings for acquisition of property located along the CR 466 - Segment B Road Widening Project, and approval to proceed with pre-suit negotiation offers.</p>	<p>MINKOFF</p>
<p>FOR YOUR INFORMATION</p>	<p>Ms. Cindy Hall reported to the Board that they received a letter on December 8 from DCA telling them that their Evaluation and Appraisal Report was sufficient. She specified that DCA asked that they review their Green Swamp policies to make it more consistent with the new Comp Plan that would be coming to them in January. Commr. Cadwell suggested that they did not take that to the LPA until after they have transmitted their plan to the Board. However, he commented that staff could start working on policy regarding that now.</p>	<p>HALL</p>

PULLED	Tab 42. Provide comments relating to a proposed interlocal agreement relating to the formation of a water alliance with the city of Clermont, city of Eustis, city of Fruitland Park, city of Groveland, town of Howey-in-the-Hills; town of Lady Lake, city of Leesburg, city of Mascotte, city of Minneola, town of Montverde, city of Mount Dora, city of Tavares, city of Umatilla, and Village Center Community Development District.	MINKOFF
FOR YOUR INFORMATION	Commr. Hill reported to the Board that she talked to Mr. Gary Kaiser, Public Safety Director, who informed her that they had an interlocal with the City of Leesburg that will be able to service the five-story building they discussed earlier in the meeting, but he wanted to get together with Growth Management to give some input on construction of the building for fire safety reasons.	HILL
FOR YOUR INFORMATION	Commr. Hill asked to add a discussion to their upcoming workshop regarding some of their committees.	HILL
APPROVED	Approval of the Martin Luther King Day Proclamation No. 2008-230.	CADWELL
CONSENSUS	The Board gave consensus to postpone the Board retreat that was scheduled for December 18.	CADWELL
APPROVED	Tab 39. PUBLIC HEARING – 5:05 P.M. Approval of Ordinance No. 2008-86 relating to Chapter V-A, LDRs, entitled Necessary Public Services and Facilities regarding expiration date for the School Concurrency Ordinance.	CADWELL