

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

**REGULAR MEETING**

**January 06, 2009**

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**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**

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**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**

**January 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:
- November 25, 2008 (Regular Meeting)
  - December 2, 2008 (Regular Meeting)

## III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 13)

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.

Recommendation: Acknowledge Receipt

2. Monthly Distribution of Revenue Traffic/Criminal Cases, for the Month Ending November 30, 2008, in the amount of \$142,656.51. Same period, last year: \$173,492.56.

Recommendation: Acknowledgement

3. Property placed on the Lands Available List.

Lake County has until March 16, 2009 to purchase property from Lands Available List before it is available to the public.

Recommendation: None

4. Resolution No. 2008-182 of the Board of County Commissioners of Nassau County, Florida, in support of a Constitutional Amendment that requires State Legislators to operate under the same Sunshine Law as County Officials.

Recommendation: Acknowledge Receipt

5. Copies of annexation from the City of Groveland as follows::

Ordinance 2008-07-21, annexing 11 +/- acres of Lake County thereto a certain area of land contiguous to and not embraced within the present limits of the City.

Ordinance 2008-10-38, annexing 1.35 +/- acres of Lake County thereto a certain area of land contiguous to and not embraced within the present limits of the City.

Ordinance 2008-10-39, annexing 17.79 +/- acres of Lake County thereto a certain area of land contiguous to and not embraced within the present limits of the City.

Ordinance 2008-10-40, annexing 14.51 +/- acres of Lake County thereto a certain area of land contiguous to and not embraced within the present limits of the City.

Recommendation: Acknowledge Receipt

6. Lake County Water Authority Board of Trustees meeting schedule for 2009.

All regular meetings are scheduled to begin at 3:30 p.m.; budget meetings are scheduled to begin at 5:05 p.m.; and Budget Workshop starts at 9:00 a.m., location to be determined.

Recommendation: Acknowledge Receipt

7. Ordinance from the City of Minneola for voluntary annexation into the City, as follows:

Ordinance 2008-18 amending the boundaries of the City of Minneola to include within the city limits approximately 60 acres of property generally located south of Sullivan Road and east of Scrub Jay Lane in Lake County, Florida, rezoning the property from County Agriculture (A) to Business District (B-1) within the City of Minneola.

Ordinance 2008-22 amending the boundaries of the City of Minneola to include within the city limits approximately 2.8 acres of property generally located on the northeast corner at the intersection of U.S. Highway 27 and Citrus Grove Road in Lake County, Florida, rezoning the property from County CP (Planned Commercial) to B-1 (Business District) within the City of Minneola.

Recommendation: Acknowledge Receipt

8. Lake County Water Authority 2007 Annual Report and 2007-2012 Five Year Plan, prepared in accordance with Chapter 2005-314, Laws of Florida.

Recommendation: Acknowledge Receipt

9. Interlocal Agreement between City of Leesburg and the Community Redevelopment Agency of the U. S. Highway 441 & 27 Area, a political body corporate and politic created, existing and operating under Part III of Chapter 163 of the Florida Statutes, regarding City of Leesburg, Florida, Subordinate Capital Improvement Revenue Bond Anticipation Note, Series 2008.

Recommendation: Acknowledge Receipt

10. Resolution No. 8339, from the City of Leesburg, authorizing the Mayor and the City Clerk to execute an agreement with the Lake County Board of County Commissioners to provide leased fiber optic services to three locations for the Sheriff's Department.

Recommendation: Acknowledge Receipt

11. Request for approval to file a claim for unclaimed property on behalf of Lake County.

Recommendation: Approval of request

12. Notice Before the Florida Public Service Commission, In Re: Petition for expedited Commission approval of base rate increase for costs associated with MUR phase of CR3 uprate project, pursuant to Section 366.93(4), F.S. and Rule 25-6.0423(7), F.A.C., by Progress Energy Florida, Inc. Docket No. 080603-EI, Order No. PSC-08-0820-CO-EI, Issued: December 22, 2008.

By Order No. PSC-08-0779-TRF-EI, issued November 26, 2008, the Florida Public Service Commission proposed to take certain action, subject to a Petition for Formal Proceeding, as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore, ordered that Order No. PSC-08-0779-TRF-EI has become effective and final and that this docket shall be closed.

Recommendation: Acknowledge receipt

13. Copy of Report No. 2009-067, Lake County District School Board Operational Audit, for the Fiscal Year ended June 30, 2008, from the Auditor General, State of Florida.

Recommendation: Acknowledge receipt

#### **IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 27)**

##### **Budget**

Tab 3 Approve budget change request and unanticipated revenue resolution.

1. Budget transfer - General Fund, Constitutional Officers/Supervisor of Elections. Due to the Governor's mandatory extension of early voting hours during the November 2008 general election, the Elections Division expended considerably more than budgeted in several line items. This transfer is needed to cover over-expenditures in both personal services and operating line items. Funds were budgeted in Fiscal Year 2008-09 for the printing of absentee ballots for the November 2008 general election. However, the ballots were delivered and paid for before the end of Fiscal Year 2007-08, leaving a majority of those funds available for redistribution.

Funds were budgeted to pay for poll worker training in the Pollworker org code, but payments were actually made from the Elections org code. These funds must be moved to the correct org code.

2. Resolution to amend the Public Transportation Fund in order to receive unanticipated revenue for Fiscal Year 2008-09 in the amount of \$1,743 deposited into Other Transportation Fees and provide appropriations for the disbursement for Promotional Activities. Unanticipated revenue will be received from the Florida Public Transportation Association and will be used for marketing efforts to promote Lake Express (fixed route service).

##### **Community Services**

Tab 4 Approval of the transportation Standard Coordinator Contract with several Coordination Contractors.

Tab 5 Approval to Advertise amendment to Section 12-37(b), Lake County Code of Ordinances as recommended

Tab 6 For the Board to approve and authorize the Chairman to sign the First Amendment to the FY 2007-08 CDBG Partnership Agreement between the Altoona Charter School Inc. and the County. Commission District 5.

Tab 7 Approval for the Department of Community Services, Public Transportation Division staff to apply for the FDOT Section 5311 Operating Grant Application for FY 09-10 and supporting Resolution.

Tab 8 Approval for the Department of Community Services, Public Transportation Division staff to apply for the FDOT Section 5310 Capital Grant Application for FY 09-10 and supporting Resolution.

Tab 9 Approval to enter an agreement as a member of the ACCESS Florida Community Network with the Department of Children and Families (DCF), Circuit 5 and signature approval for County Manager to sign the agreement.

##### **Conservation And Compliance**

Tab 10 Approve waiver of annual inspection fees for Conditional Use Permits approved since August 5, 1997 for religious facilities; religious camps; educational facilities; cemeteries; telecommunication towers and associated equipment buildings; and private airstrips, airports, glider-ports, ultra-light airfields and heliports; and further, prospectively exempt these use types approved during this period from the requirement for an annual inspection and collection of annual fees.

## **Environmental Utilities**

- [Tab 11](#) Approve Amendment #2 amending the Arthropod Control FY08/09 Certified Budget by decreasing the budget revenue by \$1,179.46 and reducing the budget allocation for the purchase of chemicals by \$1,179.46.
- [Tab 12](#) Approve the Department of Environmental Utilities (DEU) recommendation that the County retain ownership of the South Umatilla Water System; approve the Budget Amendment in the amount of \$35,000 leaving a remaining balance of \$465,000 in contingency after the transfer. These funds will be used to fund the capital improvements necessary to meet the minimum requirements for the ongoing operation of the System; and direct the DEU and the County Attorney's Office to develop the ordinance language necessary to provide controls for the operation of the System.

## **Procurement**

- [Tab 13](#) It is recommended that the Board (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.
- [Tab 14](#) It is recommended that the board approves term and supply contract award to Stephens Grading Service, Inc. to provide clay for ball fields throughout Lake County parks. The work involved is estimated at \$100,000 per year.
- [Tab 15](#) Approve the renewal quote from HRH/Hunt Insurance Group, Inc. to provide catastrophic inmate medical insurance from 1/10/09 through 1/10/10, and authorize the County Manager to sign all related implementing documentation.
- [Tab 16](#) Award of ITB 09-0800, OEM Ford Automobile and Truck Parks to primary vendors Prestige Ford and Key Scales Ford with secondary awards to Nick Nicholas Ford, Bill Currie Ford, Heintzelman Truck and Courtesy Ford. Award of ITB 09-0801, OEM Ford Heavy Duty Truck Parks to Heintzelmans Truck. Estimated at \$50,000.00
- [Tab 17](#) It is recommended that the Board approve the usage of various contracts for the purchase of playground equipment, parts, structures and services within budgeted funds.
- [Tab 18](#) Approval is requested to utilize the State of Florida Agreement with Bank of America, N.A. for Merchant Card Services.

## **Public Works**

- [Tab 19](#) Request authorization to release a maintenance bond in the amount of \$232,933.00 posted for Windy Ridge at Lake Yale. Windy Ridge at Lake Yale consists of 175 lots and is located in Section 29, Township 18 South, Range 26 East. Commission District 4.
- [Tab 20](#) Request authorization to release a performance bond in the amount of \$11,395,847.05 posted for Sugarloaf Mountain Unit 1B. Sugarloaf Mountain Unit 1B consists of 75 lots and is located in Section 21, Township 21 South, Range 26 East. Commission District 3.
- [Tab 21](#) Request authorization to release a performance bond in the amount of \$1,430,675.40 posted for Sugarloaf Mountain Unit 2B. Sugarloaf Mountain Unit 2B consists of 87 lots and is located in Section 21, Township 21 South, Range 26 East. Commission District 3.
- [Tab 22](#) Request authorization to accept the final plat for View Point and all areas dedicated to the public as shown on the View Point plat. View Point consists of 4 lots and is located in Section 31, Township 19 South, Range 25 East. Commission District 1.

- [Tab 23](#) Request authorization to release a letter of credit for maintenance in the amount of \$179,513.50 posted for Park Hill Phase II. Park Hill Phase II consists of 108 lots and is located in Section 28, Township 19 South, Range 25 East. Commission District 1.
- [Tab 24](#) Request authorization to release and wire to the Developer an escrow amount of \$2,003,961, release a performance and payment bond in the amount of \$1,404,348.17, accept a maintenance bond in the amount of \$202,647.29, and accept Steves Road "Part" (County Road Number 1248) into the County Road Maintenance System. Commission District 2.
- [Tab 25](#) Request authorization to accept the final plat for Oak Hill Estates and all areas dedicated to the public as shown on the Oak Hill Estates plat. Oak Hill Estates consists of 7 lots and is located in Section 1, Township 23 South, Range 25 East. Commission District 2.
- [Tab 26](#) Approval and authorization for Chairman to execute satisfactions of lien for the fourteen (14) road assessments. Commission District 2, 4, and 5.
- [Tab 27](#) Request authorization to award CR-44 Widening and Resurfacing Project No. 2009-03 Bid No. 09-0009 to D.A. B Constructors, Inc. in the amount of \$4,024,772.47, and encumber and expend funds in the amount of 4,024,772.47 (\$3,880,328.03 from the Road Impact Fee Benefit District 2 Fund and \$144,444.44 from the General Fund). Commission Districts 1, 4, and 5.

**V. COUNTY ATTORNEY'S CONSENT AGENDA**

- [Tab 28](#) Return of \$6,000 deposit by Prestige (K & M Florida Properties Holdings) held by the Clerk of Court for professional fees for a noise consultant. Commission District 2.

**VI. AWARDS**

**EMPLOYEE AWARDS**

**ONE YEAR**

Lauren Brothers, Environmental Technician  
Public Works/Public Lands Management

Gary Carbino, Roads Maintenance Operator  
Public Works/Road Operations/Maintenance Area I

Jessica Jorge, Senior Code Enforcement Officer  
Conservation & Compliance/Code Enforcement

Maci Lowery, Firefighter/EMT  
Public Safety/Fire Rescue

Sandra Rogers, Procurement Coordinator  
Procurement Services

Johnny Taylor, Hazardous Waste Coordinator  
Environmental Utilities, Solid Waste Programs

**FIVE YEARS**

Andrea Adams, Office Manager  
Public Safety

Christopher Bagley, Firefighter/Paramedic  
Public Safety/Fire Rescue

Darrell Collier, Firefighter/EMT

Public Safety/Fire Rescue

Ramon Hernandez, Firefighter/EMT  
Public Safety/Fire Rescue

Melving Isaac-Jimenez, Planner  
Growth Management/Planning & Community Design

Brent Muse, Firefighter/EMT  
Public Safety/Fire Rescue

Debra Rosenmund, Associate Planner  
Growth Management/Zoning

Joann Sala, Licensing Investigator  
Growth Management/Building Services

Clayton Vaughn, Firefighter/EMT  
Public Safety/Fire Rescue

Scott Woodruff, Firefighter/EMT  
Public Safety/Fire Rescue

**TEN YEARS**

Ronald Cobbs, LAN/WAN Specialist  
Information Technology/Information Systems

William Tillery, Fire Lieutenant/EMT  
Public Safety/Fire Rescue

**FIFTEEN YEARS**

Linda Maggert, Accounting Technician  
Environmental Utilities

**TWENTY YEARS**

Joan Pell, Addressing Technician  
Information Technology/Geographic Information Systems

**TWENTY-FIVE YEARS**

Clarence Gillard, Sign & Striping Technician  
Public Works/Road Operations/Signs, Signals & Striping

**VII. PRESENTATIONS**

[Tab 29](#) Presentation by the City of Tavares related to their visioning process and progress.

**VIII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

**Community Services**

[Tab 30](#) Approval for the Department of Community Services, Public Transportation Division staff to apply for the FDOT Section 5316 Job Access and Reverse Commute Grant Application for FY 09-10 and supporting Resolution.

[Tab 31](#) Approval for the Department of Community Services, Public Transportation Division staff to apply for the FDOT Section 5317 New Freedom Grant Application for FY 09-10 and supporting Resolution.

**Procurement**

[Tab 32](#) It is recommended that the board approves term and supply contract award to Estep Construction, Blankenship, Ruby Builders, and Wagner3 Ventures to provide construction and renovation projects of highways, bridges, utilities, rails, marine projects, sanitary and storm sewer projects, street and roadway construction of \$100,000 or less.

[Tab 33](#) Award RSQ 09-0004, Engineering Design for South Lake Trail Phase III to TY Lin International in the amount of \$670,000.

## **IX. PUBLIC HEARINGS**

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

[Tab 34](#) Approval of Ordinance - Standards for Vertical Control Surveying.

## **X. OTHER BUSINESS**

[Tab 35](#) Appointment of individuals to upcoming vacancies on the Local Planning Agency to serve four-year terms beginning February 1, 2009.

[Tab 36](#) Appointment of individuals to upcoming vacant positions on the Board of Building Examiners -- one (1) to complete an unexpired term ending January 14, 2011; and five (5) to serve four-year terms beginning January 15, 2009.

[Tab 37](#) Approval and execution of Resolution appointing a municipal elected official to the Tourist Development Council to complete an unexpired term ending December 1, 2010.

[Tab 38](#) Appointment affirmation of Wendy Wickwire to serve as Montverde Public Library's member representative on the Lake County Library Advisory Board to complete an unexpired term February 28, 2011.

[Tab 39](#) Appointment of individuals to upcoming vacant positions on the Board of Adjustment to serve four-year terms beginning February 1, 2009.

[Tab 40](#) Appointment of Board and Committee Liaisons and approval of resolution appointing member to the Tourist Development Council.

[Tab 41](#) Appointment of individuals to upcoming vacant positions on the Elder Affairs Coordinating Council to serve two-year terms beginning February 1, 2009.

[Tab 42](#) Appointment of a representative from the banking or finance industry to the Impact Fee Committee to serve a term ending August 6, 2010.

[Tab 43](#) Appointment of individual to vacant member of the public at large seat on the Historical Museum Advisory Committee to complete an unexpired term ending March 28, 2010.

[Tab 44](#) Appointment of Constitutional Officers, or their named designees, to the Sales Surtax Oversight Advisory Committee to serve four-year terms beginning January 6, 2009.

[Tab 45](#) Approval to move Sandra Stura, current Member-At-Large, to the vacant District 5 seat on the Children's Services Council to complete the unexpired term ending May 14, 2009. And, reappointment of Sandra Stura to the District 5 Seat for a consecutive two-year term.

[Tab 46](#) Approval and execution of Resolution appointing one (1) member who is a resident representing employers in Lake County to the Affordable Housing Advisory Committee.

## **XI. REPORTS**

### **A. County Attorney**

[Tab 47](#) 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.

### **B. County Manager**

### **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**

## **XII. WORKSHOP - 11:00 A.M.**

[Tab 48](#) First Southwest and Public Financial Management, Inc. will present to the Board for their selection of a firm to award a contract.

## **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.**

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**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.**

