

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

**REGULAR MEETING**

**OCTOBER 3, 2006**

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**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**

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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.**

**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 3, 2006**

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:

- July 18, 2006 - Regular Meeting
- July 27, 2006 - Special Joint Meeting – School Concurrency
- August 23, 2006 - Special Joint Meeting – School Concurrency

**III.   CLERK OF COURT'S CONSENT AGENDA**

Tab 2           Approval of Clerk of Courts' Consent Agenda (Items 1 through 9)

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. Monthly Distribution of Revenue, Traffic/Criminal Cases, Month Ending August 31, 2006. Disbursements due to Board: \$189,641.76. Same period last year: \$172,479.09 - Acknowledge Receipt
3. Unclaimed excess proceeds for tax deeds totaling \$35,399.14. - Acknowledge Receipt
4. City of Umatilla's Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2005 - Acknowledge Receipt
5. Adopted budget for the Village Center Community Development District for the Fiscal Year 2006/07, in accordance with Chapter 190.008(2)(b)(c), Florida Statutes. – Acknowledge Receipt
6. Rate Case Synopsis from Law Firm of Rose, Sundstrom & Bentley, LLP, regarding Docket No. 060261-WS; Utilities, Inc. of Pennbrooke's Application to Increase its Water and Wastewater Rates in Lake County; File No. 30057.121, as required by Florida Public Service Commission Rule 25-22.0407. – Acknowledge Receipt

7. Annexation Ordinances from City of Tavares, as follows:

- Ordinance No. 2006-08 (SR 19 and Lane Park Road – 13.34 acres)
- Ordinance No. 2006-10 (Dead River Road and SR 19 – 5.17 acres)
- Ordinance No. 2006-12 (Dead River Road and SR 19 – 28.42 acres)
- Ordinance No. 2006-17 (Classique Lane – 3.46 acres)
- Ordinance No. 2006-20 (Lake Industrial Boulevard – 21.40 acres)
- Ordinance No. 2006-29 (Classique Lane – 1.25 acres)
- Ordinance No. 2006-31 (SR 561 – 9.7 acres)
- Ordinance No. 2006-34 (Anderson Drive – 1.2 acres)
- Ordinance No. 2006-36 (CR 448 – 9.2 acres)

Recommendation: Acknowledge Receipt

- 8. Florida Model Jail Standards Inspection for 2006, from Lake County Sheriff's Office, as required each year. – Acknowledge Receipt
- 9. Notice Before the Public Service Commission – In re: Application for certificate to operate water utility in Lake County, by Colina Bay Water Company, LLC. Docket No. 060139-WU; Order No. PSC-06-0775-PAA-WU; Issued: September 18, 2006.

Final Order Granting Certificate No. 632-W to Colina Bay Water Company, LLC and Notice of Proposed Agency Action Order Setting Initial Rates and Charges. – Acknowledge Receipt

**IV. COUNTY MANAGER'S CONSENT AGENDA** (Tabs 3 through 26)

**Budget**

Tab 3

- 1. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$12,800 deposited into Conservation Resource Management Fee and provide appropriations for the disbursement for Regular Salaries (\$7,800), Office Supplies (\$1,000), and Operating Supplies (\$4,000). The Board of County Commissioners requested and has been awarded \$150,000 in funds under a cost reimbursement grant, of which \$12,800 is estimated to be received in Fiscal Year 2005/2006. The funds will provide administrative support for implementation and support of the Mobile Irrigation Lab Program.

RECOMMENDATION: Approval

2. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$137,200 deposited into Conservation Resource Management Fee and provide appropriations for the disbursement for Personal Services (\$75,780), Operating Expenses (\$19,820), and Machinery and Equipment (\$41,600). The Board of County Commissioners requested and have been awarded \$150,000 in funds under a cost reimbursement grant, of which \$137,200 is estimated to be received in Fiscal Year 2006/2007. The funds will provide administrative support for implementation and support of the Mobile Irrigation Lab Program.

RECOMMENDATION: Approval

3. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$55,500 deposited into Gates Upgrade Grant and provide appropriations for the disbursement for Office Supplies. Lake County received funding from a grant from the Bill and Melinda Gates Foundation for the Public Access Computing Hardware Upgrade Grant Program for the purpose of upgrading or replacing computers to support public access computing.
4. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$55,000 deposited into Peer Mediation Program and provide appropriations for the disbursement for Personal Services (\$15,682), and Operating Expenses (\$39,318). The Lake County Board of County Commissioners has requested and been awarded \$55,000 under the cost reimbursement grant, Drug-Free Communities, to provide appropriations for the Teen Court Peer Mediation Program

Tab 4 Approve extension of tax roll as requested by the Lake County Tax Collector.

RECOMMENDATION: Approval

**Community Services**

Tab 5 Approval and signature authorization of a Proclamation recognizing October 8-14, 2006 as Aging in Place Week.

RECOMMENDATION: Approval

Tab 6 Approve and authorize the Chairman to sign the FY 2006-07 CDBG Partnership Agreement between the Town of Montverde and the County in an amount not to exceed \$36,360.00, granting the Town CDBG funds to improve Kirk Park, 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 7 Approve and authorize the Chairman to sign the FY 2006-07 Community Development Block Grant (CDBG) Partnership Agreement with the Lake County Health Department, in an amount not to exceed \$106,377.00 in FY 2006-07 CDBG funding and \$20,000 from FY 2006-07 County General Revenue Funds to cover the cost of dispensing prescription medications to low income persons; 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 8 Approve and authorize the Chairman to sign the FY 2006-07 CDBG Partnership Agreement between the Town of Astatula and the County in an amount not to exceed \$36,360.00, granting the Town CDBG funds to improve Joe Swaffar Park, 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 9 Approval of a Joint Participation Agreement with FDOT for funding under the Public Transit Block Grant Program.

RECOMMENDATION: Approval

### **Employee Services**

Tab 10 Approval of an offer to settle Traffic Control Devices' claim for property damage, subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

Tab 11 Approval of the Lake County Workplace Violence Policy.

RECOMMENDATION: Approval

Tab 12 Approval to renew the County's self-funded programs with Arthur J. Gallagher & Company effective October 1, 2006. The self-funded program includes Premier Public Entity Package, Excess Property, Excess Workers' Compensation, Boiler & Machinery, Railroad Protective Liability Insurance and Storage Tank Liability.

RECOMMENDATION: Approval

### **Growth Management**

Tab 13 Approval of a change order to the three phase user needs analysis to migrate Lake County GIS's software, data and business processes from a distributed, file based system to a centralized enterprise environment. This change order will allow Penobscot Bay to develop a more complete analysis of GIS needs for formulation of a strategic plan for GIS for the next three years.

RECOMMENDATION: Approval

Tab 14 Approval and execution of a Release of Fine, Property Owner: Jerry L. and Faye F. Connor, Code Case# CEB 143-99.

RECOMMENDATION: Approval

### **Procurement**

Tab 15 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

Tab 16 Approval and execution of an Amendment to confirm Change Order #4 to the subject project in the amount of \$3,000.00. Board Approval is required as the total value of all change orders under the project exceeds 10% of the original contract value.

RECOMMENDATION: Approval

### **Public Safety**

Tab 17 Approval of the renewal of an agreement with Lake-Sumter Emergency Medical Services that will provide a reimbursement of \$250,000 to Lake County Fire Rescue for providing first response advanced life support services for Fiscal Year 2006-07.

RECOMMENDATION: Approval

Tab 18 Approval of the renewal of an agreement with Lake-Sumter Emergency Medical Services in which Lake County reimburses Lake Sumter EMS for the cost of dispatch services of ten dollars (\$10.00) per dispatch incident, not to exceed \$13,000 per month for Fiscal Year 2006-07.

RECOMMENDATION: Approval

**Public Works**

Tab 19 Approval to accept the final plat for Porto Fino Bay, which consists of 9 lots, and all areas dedicated to the public as shown on the Porto Fino Bay plat – Commission District 3

RECOMMENDATION: Approval

Tab 20 Approval to release a letter of credit for performance for construction of improvements in the total amount of \$1,127,869.44 that was posted for Beauclair Ranch Club. Beauclair Ranch Club consists of 87 lots and is located in Section 14, Township 22 South, Range 20 East – Commission District 3

RECOMMENDATION: Approval

Tab 21 Approval to release a letter of credit for maintenance in the amount of \$3,200,000.00 posted for Martin's Landing. Martin's Landing consists of 24 lots and is located in Section 11, Township 23 South, Range 25 East – Commission District 2

RECOMMENDATION: Approval

Tab 22 Approval to release a maintenance bond in the amount of \$12,148.25 posted for Musselwhite Farms. Musselwhite Farms consists of 12 lots and is located in Section 3, Township 20 South, Range 26 East – Commission District 3

RECOMMENDATION: Approval

Tab 23 Approval for Regional Park Development Grant Projects recommended by the Parks & Recreation Citizen's Advisory Board for FY 2006-07 totaling \$150,000. These projects are to be funded from the Infrastructure Sales Tax dollars. In addition, request approval for Chairman to execute the agreements when submitted.

RECOMMENDATION: Approval

Tab 24 Approval for the recommended Capital Improvement Grant Projects by the Parks & Recreation Citizen's Advisory Board for FY 2006-07 totaling \$190,000. These projects are to be funded from the Infrastructure Sales Tax dollars. In addition, request approval for Chairman to execute the agreements when submitted.

RECOMMENDATION: Approval

Tab 25 Approval of the Interlocal Agreement between Lake County Board of County Commissioners and the City of Leesburg for Engineering and Design of Intersection Improvements at Main Street and Lake Street, Leesburg.

RECOMMENDATION: Approval

**Tourism**

Tab 26 Approval to continue the promotion of Lake County events and activities through FY 2006/07 with the following companies and to release Purchase Orders in amounts not to exceed those listed: WFTV, Inc. \$60,000; WRDQ TV 27 \$36,000; Clear Channel TV \$25,000; Orlando Sentinel \$50,000; PCE & Associates \$75,000; Video Techniques \$25,000; Kyle Promotions \$25,000; and Radio Disney \$80,000.

RECOMMENDATION: Approval

**V. COUNTY ATTORNEY CONSENT AGENDA**

Tab 27 Approval of letter of renewal for Lease Agreement for the Tax Collector's office.

RECOMMENDATION: Approval

**VI. AWARDS/PRESENTATIONS**

**EMPLOYEE AWARDS**

**Presentation of Award to Employees with Five Years of Service**

Anna Lawver, Administrative Office Associate II, Facilities Development & Management/Administration

Shannon Bush, Firefighter/EMT, Public Safety/Fire Rescue

Robert Isom, Firefighter/EMT, Public Safety/Fire Rescue

Kara Miller, Fire Lieutenant/Paramedic, Public Safety/Fire Rescue

Mark Ricci, Firefighter/EMT, Public Safety/Fire Rescue

Jennifer Roland, Firefighter/EMT, Public Safety/Fire Rescue

Thomas Rose, Fairgrounds Aid, Tourism & Business  
Relations/Fairgrounds

Edward Simon, Firefighter/EMT, Public Safety/Fire Rescue

**Presentation of Award to Employees with Fifteen Years of Service**

John Guglielmi, Hazardous Materials Service Technician, Environmental  
Services/Mosquito Management & Maintenance

Russell Cheatham, Chief Mechanic, Environmental Services/Mosquito  
Management & Maintenance

**Presentation of Award to Employee with Twenty Years of Service**

David Block, Firefighter/EMT, Public Safety/Fire Rescue

**Presentation of Award to Retiring Employees**

Bonnie Atchley, Telecommunications Manager, Information  
Technology/Telecommunications

Walter Thompson, Mechanic, Public Works/Fleet Management

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

**Economic Growth and Redevelopment**

Tab 28 Discussion and direction to staff related to proposals of the IDA.

**Employee Services**

Tab 29 Approval to observe December 24, 2007 and December 31, 2007  
as holidays with adoption of the 2007 BCC holiday schedule.

**Growth Management**

Tab 30 Discussion on the request to waive the requirement of central  
potable water service in the Urban Expansion Future Land Use  
Category.

**Public Works**

Tab 31 Request to write-off Special Assessment Balances (principal plus  
accrued interest) and approval to record Satisfactions of Liens.

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

- Tab 32      **PUBLIC HEARING:** Approval of Settlement agreement in the case of Woodlands Church Lake, LLC vs. Lake County; K&M Properties of Florida, LLC; and Prestige/AB Ready Mix, LLC.
- Tab 33      **PUBLIC HEARING:** Ordinance creating Chapter 5A of the LDR's entitled Necessary Public Services and Facilities.
- Tab 34      **PUBLIC HEARING:** Ordinance amending Section 22-14, Lake County Code, entitled Exemptions, relating to Impact Fees, to clarify the application of exemptions to replacement mobile homes and to add a new exemption for park and library impact fees.
- Tab 35      **PUBLIC HEARING:** Ordinance amending Section 22-37, Lake County Code, entitled Imposition, Transportation Impact Fees, to add a new land use category of Home Improvement Superstore to the schedule of transportation impact fees.
- Tab 36      **PUBLIC HEARING:** Ordinance amending Section 3.01.03 of the Land Development Regulations to include exotic animals in the Lake County Zoning matrix.

**IX. OTHER BUSINESS**

- Tab 37      Appointment of members to the recently amended Environmental Protection Advisory Board.
- Tab 38      Appointment of individuals to vacant positions on the Lake-Sumter Metropolitan Planning Organization (MPO) Bicycle & Pedestrian Advisory Committee (BPAC).

**X. REPORTS**

**County Attorney**

- Tab 39      The Board must make a decision whether or not to hold a separate public hearing to make a recommendation to the Florida Land and Water Adjudicatory Commission regarding the establishment of this Community Development District.
- Tab 40      Approval and execution of the Agreement with Florida Rock Industries for Financial Responsibility for Astatula Sand Plant.
- Tab 41      Selection of members to sit on the Value Adjustment Board. An organizational meeting has been scheduled for October 17<sup>th</sup> at 8:30 a.m.

**County Manager**

**Commissioner Hill – District #1**

**Commissioner Pool – District #2**

**Commissioner Stivender – District #3**

**Commissioner Hanson – Chairman and District #4**

Tab 42            Discussion and possible action concerning Florida Statute 316.2123 which allows all-terrain vehicles (ATV's) to operate on unpaved roads with certain conditions. The Statute allows counties to opt out of this legislation.

**Commissioner Cadwell – District #5**

**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.

**TENTATIVE AGENDA**

**OCTOBER 17, 2006**

9:00 A.M. Ordinance Amending Chapter 16, Lake County Code, Entitled Parks and Recreation  
or as Soon Advisory Board  
Thereafter

5:05 P.M. Ordinance creating Chapter 5A of the LDR's entitled Necessary Public Services and  
or as Soon Facilities.  
Thereafter

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**TENTATIVE AGENDA**

**OCTOBER 24, 2006**

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

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**TENTATIVE AGENDA**

**NOVEMBER 7, 2006**

9:00 A.M. Regular Meeting

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**TENTATIVE AGENDA**

**NOVEMBER 14, 2006**

9:00 A.M. Regular Meeting/Tentative

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**TENTATIVE AGENDA**

**NOVEMBER 21, 2006**

9:00 A.M. Regular Meeting

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**TENTATIVE AGENDA**

**NOVEMBER 28, 2006**

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

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**TENTATIVE AGENDA**

**DECEMBER 5, 2006**

9:00 A.M. Regular Meeting

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**TENTATIVE AGENDA**

**DECEMBER 12, 2006**

9:00 A.M. Regular Meeting/Tentative

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**TENTATIVE AGENDA**

**DECEMBER 19, 2006**

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

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