

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

**REGULAR MEETING**

**December 15, 2009**

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**COUNTY COMMISSIONERS**

**Welton G. Cadwell, Chairman  
Elaine Renick, Vice Chairman  
Jennifer Hill, District #1  
Jimmy Conner, District #3  
Linda Stewart, District #4**

**Sanford A. Minkoff, Interim County Manager  
Neil Kelly, Clerk to the Board  
Melanie Marsh, Acting County Attorney**

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**Other than the zoning and road vacation public hearings, the Board will not receive comment from the public on matters not pertaining to the issues before them.**

**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**

**December 15, 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 10, 2009 (Special Meeting)

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

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

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the 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. Notice of Staff Workshop of the Florida Public Service Commission November 24, 2009, at 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

Recommendation: Acknowledge Receipt

## **IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 19)**

### **Conservation And Compliance**

Tab 3 Approval of Settlement Agreement and approval of Satisfaction and Release of Lien, Lake County vs. Marshall R. Lowe & Gregory L. Lowe. Commission District 2.

Tab 4 Approval of Settlement Agreement and approval of Satisfaction and Release of Lien, Lake County vs. Hilton Investment Group, LLC/Pete P. Benevides. Commission District 1.

### **Environmental Utilities**

Tab 5 Authorize the Department of Environmental Utilities to submit an Environmental Protection Agency 2010 Education Grant Application

Tab 6 Approve Amendment #1 amending the Arthropod Control FY09/10 Certified Local Budget to reflect what was actually approved by the Board of County Commissioners on September 22, 2009.

Tab 7 Approve Amendment #4 amending the Arthropod Control FY08/09 Certified State Budget by increasing the budgeted revenue by \$3,202.67 and allocating \$3,202.67 for the purchase of chemicals; approve Amendment #1 amending the Arthropod Control FY09/10 Certified State Budget by increasing the budgeted revenue by \$3,202.67 and allocating \$3,202.67 for the purchase of chemicals.

### **Fiscal And Administrative Services**

Tab 8 Approve purchase of five (5) of the subject mowers from Caskey's Mower, Tavares, FL, via issuance of an open market purchase order.

Tab 9 Approve purchase of five (5) of the subject utility carts via issuance of a purchase order to John Deere Company under the state-wide Sheriff contract.

[Tab 10](#) It is recommended that the Board approve the use of various statewide contracts for the purchase of the rolling stock (vehicles, trucks, mowers, etc.) approved in the budget process for fiscal year 09/10 following the conditions set forth in the background below.

[Tab 11](#) Approve Budget Change Request.

### **Public Resources**

[Tab 12](#) Staff requests permission from the Board to apply for Gopher Tortoise Habitat Management Assistance from the Florida Fish and Wildlife Conservation Commission

### **Public Safety**

[Tab 13](#) Lake County Department of Public Safety Communications Technologies Division requests approval of the attached Interlocal for the Public Safety Interoperable Communications (PSIC) Grant Program participants in Region 5 in concert with the previously approved grant participation and Fund Resolution.

[Tab 14](#) Approve Agreement between Lake County and Polk County for Shared Public Service Radio Communications Facilities for the Fire Station 112 Tower.

[Tab 15](#) Approval and execution of the Lake County Enhanced Warning System-Mass Notification Agreement, with the state of Florida, Division of Emergency Management, approval of Resolution, and request to realign approved funding into capital and non-capital object codes, if necessary, depending on the final hardware and software configuration for the system.

### **Public Works**

[Tab 16](#) Approve Agreement between Lake County Board of County Commissioners and FEMA to cooperate in the floodplain mapping updates - Countywide.

[Tab 17](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition 1147. Commission District 4.

[Tab 18](#) Request authorization to accept the final plat for Terrace Grove and all areas dedicated to the public as shown on the Terrace Grove final plat, accept a performance bond in the amount of \$80,682.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and BFG Lakeshore, Ltd.. Terrace Grove consists of 103 lots and is located in Section 26, Township 22 South, Range 26 East. Commission District 2.

[Tab 19](#) Approve an extension to the Proportionate Fair Share Agreement with Clermont Motor Sales, LLC, doing business as Toyota of Clermont. Commission District 2.

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

[Tab 20](#) Approval of Sumter Electric Perpetual Utility Easement for Paisley Fire Station located at 25250 County Road 42, Paisley (Alt Key 3874357) and authorize Chairman to execute Easement document. Commission District 5.

## **VI. PRESENTATIONS**

[Tab 21](#) Approve the Amended and Restated Master Agreement between Lake County and the University of South Florida for the annual maintenance of the Lake County Watershed Atlas Project.

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

**Community Services**

- [Tab 22](#) Approval for the Department of Community Services, Public Transportation Division staff to apply for the FDOT Section 5311 Operating Grant for FY 10-11 and supporting Resolution.
- [Tab 23](#) Approval for the Department of Community Services, Public Transportation Division staff to apply for the FDOT Section 5310 Capital Grant for FY 10-11, supporting Resolution, and the approval to purchase the vehicles if the grant is awarded.

**Environmental Utilities**

- [Tab 24](#) Approve the Funding Agreement between Lake County and the Lake County Water Authority to share the cost of annual maintenance for the Lake County Water Resource Atlas.
- [Tab 25](#) Authorize the Department of Environmental Utilities to secure additional solid waste at whatever price per ton the market will bear for delivery to the Covanta Waste-to-Energy Facility, from those solid waste management entities that do not normally utilize the Lake County solid waste management services, including entities from outside Lake County, in sufficient volume to always maintain the electric generation 12 month rolling average capacity at 80% or above and to project the receipt of at least 163,000 tons per year delivered to the Covanta Waste-to-Energy Facility; all pricing must be pre-approved by the County Manager.

**VIII. PUBLIC HEARINGS**

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

- [Tab 26](#) For the Board to hold a public hearing to provide citizens a final opportunity to comment on the FY 2008-09 Consolidated Annual Performance and Evaluation Report (CAPER).

**PUBLIC HEARINGS: REZONINGS (SEE SEPARATE AGENDA)**

[http://www.lakegovernment.com/pdfs/P&Z\\_Agendas/121509.pdf](http://www.lakegovernment.com/pdfs/P&Z_Agendas/121509.pdf)

**IX. OTHER BUSINESS**

- [Tab 27](#) Approval of appointment of Joseph Quinn to serve as Town of Lady Lake's member on the Lake County Library Advisory Board to complete an unexpired term ending February 28, 2012.
- [Tab 28](#) Appointment of individuals to the newly created Solid Waste Alternatives Task Force.

**X. REPORTS**

**A. County Attorney**

**B. County Manager**

- [Tab 29](#) Approval of Sheriff's request to purchase a Lenco BearCat SWAT Transport Vehicle in lieu of patrol cars utilizing budgeted local option sales tax.

**C. Commissioner Hill - District #1**

[Tab 30](#) Approve Proclamation proclaiming January 18, 2010 as a day to observe and celebrate the life and dreams of Martin Luther King, Jr.

- D. **Commissioner Renick - Vice Chairman and District #2**
- E. **Commissioner Conner - District #3**
- F. **Commissioner Stewart - District #4**
- G. **Commissioner Cadwell - Chairman and District #5**

**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.**