

**BOARD ACTION**

August 19, 2008

APPROVED	<b>Tab 1.</b> Minutes of July 15, 2008 (Regular Meeting), as presented; July 15, 2008 VAB (Organizational Meeting), as presented; and July 22, 2008 (Regular Meeting), as presented.	CADWELL
APPROVED	<b>Tab 2.</b> Clerk of Court's Consent Agenda, as follows:  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 Monthly Distribution of Revenue Traffic/Criminal Cases, for the month ending July 31, 2008, in the amount of \$193,164.56. Same period last year: \$191,383.41.  3. Request to acknowledge receipt of Notice before the Florida Public Service Commission – In re: Application for staff assisted rate case in Lake County by Raintree Utilities, Inc., Docket No. 070627-WU.  4. Request to acknowledge receipt of City of Minneola Annexation:  Russel Property / Founders Ridge, Inc. +/- 1.8 acres – located on the northeast corner at the intersection of US Highway 27 and Citrus Grove Road.  5. Request to acknowledge receipt of Notice Before the Florida Public Service Commission:  Order Suspending Net Metering Tariffs Filed Respectively by Tampa Electric Company, Progress Energy Florida, Inc., Gulf Power Company, Florida Power & Light Company, and Florida Public Utilities Company. Docket No.'s 080255-EI, 080257-EI, 080260-EI, 080265-EI, and 080294-EI. Order No. PSC-08-0468-PCO-EI Issued July 21, 2008.  6. Request to acknowledge receipt of Notice Before the Florida Public Service Commission: Notice of Commission Service Hearing to Aqua Utilities Florida, Inc., The Office of Public Counsel and all other interested persons, Docket No. 080121-WS.  Re: Application for Increase in Water and Wastewater Rates in Alachua, Brevard, Desoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington	KELLY

	<p>Counties by Aqua Utilities Florida, Inc.</p> <p>Notice of service hearing in the above docket on the rates and charges of Aqua Utilities, Inc. on Friday, August 22, 2008 at 4:00 p.m. at West Pasco County Government Center, County Commission Board Room, 7530 Little Road, New Port Richey, FL.</p> <p>7. Request to acknowledge receipt of Unclaimed excess proceeds for tax deeds totaling \$106,161.33.</p>	
<p>APPROVED</p>	<p><b>Tab 3.</b> Request to approve Budget Change Requests and Unanticipated Revenue Requests:</p> <p>1. Capital Substitution – Landfill Enterprise Fund, Department of Environmental Utilities, Solid Waste Programs Division, Recycling Section. Funds needed to purchase an additional six recycling containers for this fiscal year. All commercial recycling containers in inventory have been distributed at this time. There is a waiting list of businesses wanting to recycle with Lake County. Funds are available from monies budgeted for the purchase of the Material Recycling Facility equipment for the Recycling Center (\$29,000) and the purchase of an office trailer for the Recycling Center (\$13,000). The Material Recycling Facility equipment, a special sorting “factory” where mixed recyclables are separated into individual materials prior to dispatch to re-processors, is no longer necessary as this equipment will be leased. The office trailer for the Recycling Center is no longer required.</p> <p>2. Budget Transfer – General Fund, Constitutional Offices/Supervisor of Elections. Transfer funds between line items to cover unexpected expenses due to the State of Florida changing voting systems. Funds available from budgeted maintenance and printing that is not needed since the State decertified the Ivotronic Voting System and certified the Optical Scan system using paper ballots.</p> <p>3. Budget Transfer – General Fund, Department of Facilities Development and Management, Facilities Management Division, Facilities Maintenance Section. Transfer \$26,692 from Professional Services to In-House Support Law Enforcement (Project 80100 – Sheriff’s South District Sub-Station). This transfer will move the expenditures and encumbered amounts for the Sheriff’s South District Sub-Station to provide the necessary budget in the target account. Funds are currently budgeted in Professional Services in the Facilities Administration Division.</p> <p>4. Resolution No. 2008-114 to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2007-08 in the amount of \$1,500</p>	<p>KRUEGER</p>

	<p>deposited into the Community Health Worker Program and provide appropriations for the disbursement for Promotional Activities (\$480), Office Supplies (\$360), Books, Publications and Dues (\$500), and Other Current Charges and Obligations (\$160). Lake County has received notification of funding through the Suwannee River Area Health Education Center, Inc. for the purpose of implementing one cycle of Your Heart, Your Life/Su Corazon, Su Vida. The Lake County Community Health Worker Program and Suwannee River Area Health Education Center, Inc. have partnered together to bring a community education program to address cardiovascular disparities. This program will target adults and seniors who are socio-economically disadvantaged and at risk throughout the county.</p> <p>5. Resolution No. 2008-115 to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2007-08 in the amount of \$1,000 deposited into the Community Health Worker Program and provide appropriations for the disbursement for Promotional Activities (\$480), Books, Publications and Dues (\$500), and Other Current Charges and Obligations (\$20). Lake County has received notification of funding through Gateway Community Health Center, Inc. for the purpose of implementing one cycle of Your Heart, Your Life/Su Corazon, Su Vida. The Lake County Community Health Worker Program and Gateway Community Health Center, Inc. have partnered together to bring a community education program to address cardiovascular disparities. This program will target adults and seniors who are socio-economically disadvantaged and at risk throughout the county.</p>	
APPROVED	<b>Tab 4.</b> Request from Community Services for approval and signature of SirsiDynix Master Software License and Services Agreement.	SMITH
APPROVED	<b>Tab 5.</b> Request from Employee Services for approval of the period April 1, 2008-June 30, 2008 unemployment compensation invoice. This invoice exceeds the County Manager's \$25,000 approval threshold.	WALL
APPROVED	<b>Tab 6.</b> Request from Employee Services for approval of \$40,653.70 Property & Liability claim settlement for claimant Stanislaw Nowakowski.	WALL
APPROVED	<b>Tab 7.</b> Request from Procurement Services for approval to (1) declare the items on the submitted lists surplus to County needs, (2) authorize the removal of all of the items on the submitted 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	<b>Tab 8.</b> Request from Procurement Services for approval to "piggyback" a State of Florida Contract #991-705-09-1 for the disposal of end of life electronics equipment to Creative Recycling Systems.	SCHWARTZMAN
APPROVED	<b>Tab 9.</b> Request from Procurement Services to retroactively approve payment to Embarq in the amount of \$34,151.91 for emergency service.	SCHWARTZMAN
APPROVED	<b>Tab 10.</b> Request from Procurement Services for approval and execution of a term and supply contract with Play-It-Safe Enterprises, Inc. to furnish and install ADA mulch at various Lake County parks. The estimated annual cost of the contract is \$63,050.	SCHWARTZMAN
APPROVED	<b>Tab 11.</b> Request from Procurement Services for approval of Homes in Partnership, Inc., under RSQ#08-0250 Homebuyer Services on a Continuing Basis in the amount of \$200,000 to provide classes to educate applicants in the purchase of a home.	SCHWARTZMAN
APPROVED	<b>Tab 12.</b> Request from Public Safety Fire Rescue Division to approve the purchase of an electronic identification system. The electronic system will be used to provide accountability and control of Fire Rescue assets along with controlling the Fire Rescue inventory. The electronic system is an automated identification method that relies on storing and remotely retrieving data using devices called tags and transponders. Included with the system is the hardware, software, identification tags, annual support and associated accessories. The program can be phased in over a five-year period with funding available this year for Phase 1 implementation.	KAISER
APPROVED	<b>Tab 13.</b> Request from Public Works for approval of LAP Agreement and supporting Resolution No. 2008-116 between Lake County and the Florida Department of Transportation (FDOT) for the design of Mt. Homer Road and David Walker Drive Intersection Improvements. Commission District 3.	STIVENDER
APPROVED	<b>Tab 14.</b> Request from Public Works for authorization to release a performance bond for construction of round-a-bout improvements in connection with the Sugarloaf Mountain subdivision in the total amount of \$358,616.29. Sugarloaf Mountain is located in Section 21, Township 21 South, Range 26 East, Commission District 3.	STIVENDER
APPROVED	<b>Tab 15.</b> Request from Public Works for approval Lap Agreement and supporting Resolution No. 2008- 117 between Lake County and the Florida Department of Transportation (FDOT) for the construction of turn lane improvements at the intersection of CR 44 and Shelley Drive. Commission District 5.	STIVENDER

APPROVED	<b>Tab 16.</b> Request from Public Works for approval and acceptance of the list of public right of way deeds that have been secured in conjunction with roadway and / or stormwater projects. Commission Districts 2,3,4,5.	STIVENDER
APPROVED	<b>Tab 17.</b> Request from Public Works for authorization to award CR-44A Intersection with # 5876 Estes Road Project No. 2008-08, to Boykin Construction Inc., in the amount of \$554,334.00, and encumber and expend funds in the amount of \$554,334.00 Road Impact Fees Benefit District 2 Fund. Commission District 4.	STIVENDER
APPROVED	<b>Tab 18.</b> Request from Public Works for approval and execution of Resolution No. 2008-118 which identifies county land as right of way and approve a budget transfer from Road Impact Fee District 2 to the Public Lands Program to reimburse them for right of way needed to construct the 44A/Estes Rd. Intersection Improvement Project. Located in Section 5, Township 19S, Range 26E in the Eustis area. Commission District 4.	STIVENDER
APPROVED	<b>Tab 19.</b> Request from Public Works for approval and signature of Resolution No. 2008-119 to Advertise Public Hearing for Vacation Petition # 1138 - Edward & Abbey Holmes and to vacate a right of way, in the Plat of Groveland Farms. Commission District 2.	STIVENDER
APPROVED	<b>Tab 20.</b> Request from County Attorney for approval of the First Amendment to Interlocal Agreement with the Town of Lady Lake.	MINKOFF
APPROVED	<b>Tab 21.</b> Request from County Attorney for approval of Letter of Agreement between Clay Electric Cooperative, Inc. (CEC) and Lake County Regarding Placement of an Osprey Nest on County Property and Authorization for Chairman to Execute Letter of Agreement. Commission District 5.	MINKOFF
DIRECTED	<b>Tab 22.</b> Presentation by Wayne Saunders, City Manager, City of Clermont, regarding fire services. <b>Ms. Cindy Hall, County Manager, was directed to present the Board with a long range plan for East Hwy. 50 working with the City of Clermont to obtain their financial request covering the areas indicated, breaking it down piece by piece as well as looking at unincorporated areas and other areas similar to The Vistas and Greater Pines.</b>	CADWELL
APPROVED	<b>Tab 23.</b> Approve the Acceptance of the Town of Montverde Resolution 2008-12 after a brief presentation from Glatting Jackson Kercher Anglin, Inc. on CR 455 PD&E Study. Commission District 3.	CADWELL

APPROVED	<b>Tab 24.</b> Request from Economic Growth and Redevelopment for approval and signature on Resolution No. 2008-120 supporting the Structure and Process Outline for the Lake County Economic Development Advisory Council.	KEEDY
APPROVED	<b>Tab 25.</b> Request from Environmental Utilities for approval of an agreement between Lake County and the Lake Aircraft Radio Kontrol Squadron (LARKS) that permits LARKS members to utilize a portion of the Closed Phase I Landfill at the County's Central Solid Waste Management Facility to fly radio controlled scale model aircraft.	D. SMITH
APPROVED	<b>Tab 26.</b> Request from Procurement Services for approval to award the contract for a sixty (60) month full maintenance operating lease for one (1) Landfill Wheel Compactor to Al-jon Manufacturing LLC subject to County Attorney approval in accordance with RFP 08-0810.	SCHWARTZMAN
APPROVED	<b>Tab 27.</b> Request from Procurement Services for approval and execution of an agreement with Sign Crafters, LLC for Revenue Sharing transit advertising.	SCHWARTZMAN
APPROVED	<b>Tab 28.</b> Request from Public Works for approval of Amendment #5 to the agreement between Lake County and Kimley-Horn and Associates for additional engineering design services for CR466A for revisions to pond locations and design. This includes: pond design, pond detail sheets, pond cross sections, storm sewer design, revision to plan/profiles sheets, and revision to drainage maps.	SMITH
APPROVED	<b>Tab 29. PUBLIC HEARING:</b> Request for approval of Ordinance No. 2008-53 creating Section 6-7, Lake County Code, entitled Emergency Suspensions.	CADWELL
APPROVED	<b>Tab 30. PUBLIC HEARING:</b> Request for approval of Ordinance No. 2008-54 amending Section 9.03.06 of the LDR's, entitled Parking Requirements.	CADWELL
APPROVED	<b>Tab 31. PUBLIC HEARING:</b> Request for approval of Ordinance No. 2008-55 creating Section 2-25 of the Lake County Code entitled Economic Impact Statement.	CADWELL

APPROVED	<p><b>Tab 32. PUBLIC HEARING:</b> Request for approval of Final Study Recommendations from T.Y.Lin International for the Cherry Lake Road, Jalarmy Road and East Apshawa Road Preliminary Engineering Study. Impact Fee Dist: 6, Project Tracking #: W&amp;R06021, Commissioner Dist: # 2.</p> <p><b>It was noted that there should be signage indicating that “No Through Trucks” were allowed in the area when the project is complete.</b></p>	CADWELL
	<p><b><u>CLOSED SESSION</u></b></p>	
APPROVED	Appointed Mr. Rick Reid of Mt. Dora to the Women’s Hall of Fame Election Committee in order to fill a vacancy.	STIVENDER
APPROVED	<p><b>Tab 33. PUBLIC HEARING:</b> Request for approval of the 2009-2013 Road Impact Fee Transportation Construction Program, approval of the 2009-2013 General Fund - Transportation Construction Program, and approval of the 2009-2013 Renewal Sales Tax Capital Projects - Roads Transportation Construction Program.</p>	CADWELL
APPROVED	<p><b>Tab 34.</b> Appointed Mr. Jay Marshall, Director of Student Services, as the designee from Lake County Schools to serve on the Children's Services Advisory Council to complete a term ending May 14, 2010.</p>	CADWELL
APPROVED	<p><b>Tab 35.</b> Appointed Mr. Egor Emery to the vacant Commission District 4 seat on the Zoning Board to complete an unexpired term ending January 31, 2011.</p>	CADWELL
APPROVED	<p><b>Tab 36.</b> Request for direction to establish a fund where citizens can contribute funds to defray the legal expenses associated with the administrative hearing against St. Johns River Water Management District.</p> <p><b>Commr. Hill will discuss with the EDC at their next scheduled meeting and bring information back to the Board.</b></p>	HALL
APPROVED	<p><b>Tab 37.</b> Request for approval of Proclamation No. 2008-121 proclaiming Monday, September 22nd as Family Day - A Day to Eat Dinner With Your Family.</p>	HILL
APPROVED	Commr. Renick requested the Board support the Lake County Water Authority’s petition to initiate formal rulemaking to establish Minimum Flows and Levels for Lake Apopka and the Harris Chain of Lakes in Lake County, and to approve and execute a letter supporting the Water Authority’s efforts in this matter.	RENICK

FOR YOUR INFORMATION	Commr. Renick requested a letter from the Board to the Florida Department of Environmental Protection, Division of State Lands, in support of granting a Conservation Easement on Promise Ranch which is a 1500 acre parcel of land in Umatilla. She presented the Chairman with the documentation regarding Promise Ranch asking that it be placed on the Agenda for the next Board meeting on August 26, 2008.	RENICK
FOR YOUR INFORMATION	Commr. Renick stated that Mr. Ray Goodgame approached her regarding raising money for a charitable organization. She stated there would be a shooting competition and requested using a photograph of the Commissioners as targets. It was agreed that the photos could be used as targets at this competition.	RENICK
FOR YOUR INFORMATION	<p>Commr. Stewart suggested having individual meetings with Lake County cities and municipalities to discuss establishing a shared vision in order to plan the County's future together. A discussion ensued regarding this issue.</p> <p>Commr. Cadwell asked that Commr. Stewart obtain a copy of Umatilla's Chamber of Commerce Visioning Committee Document to be presented at their City Council Workshop on August 21, 2008.</p>	STEWART
FOR YOUR INFORMATION	<p>In regard to the Landscape Ordinance, Commr. Cadwell stated that he had met with a company regarding turf and received correspondence from an ornamental plant company. He suggested having these two companies make a presentation to the Board at a workshop following one of their meetings in order to have a better understanding of the landscape issues.</p> <p>Commr. Cadwell asked Ms. Hall to obtain some dates for the workshop and stated that he had the contact information for those two groups. It was determined that the Board would delay the Landscape Ordinance until after the workshop.</p>	CADWELL

**CITIZEN QUESTION AND COMMENT PERIOD**

Mr. Mike Perry, Executive Director, Lake County Water Authority addressed the Board stating that he receives daily calls about water levels regarding letting the water out after it rains. He wanted to make sure the Board and its constituents know that no one is releasing water out of the structure. He commented that the last time the structures were operated, particularly the Burrell Structure, which controls water in the super pond, Dora, Harris, Eustis, and Beauclair lakes, was March of 2006. The last time the structure was operated in the Apopka / Beauclair Canal was November of 2005. He reiterated that no one is moving water through those structures. The only exception was the federally mandated minimum discharge through the Moss Bluff one up north. There are small discharges moving through in order to balance the system but other than that there is no water being released from the lake systems. He explained that the public is under the conception that they let the water out during the summer to accommodate for the rainfall and when it does not rain the water cannot be recovered. Under normal conditions the District would bring it down during the summer, and bring it up during the winter. For the past two years the structure has not been operated, it is all about rainfall. He expressed his appreciation for the Board's support with regard to Minimum Flows and Levels.

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Mr. Lee Johnson, a resident of Tavares who has been very involved in the community stated that he was here to inform the Board that he believes there were issues which needed to be addressed regarding an investigation he had performed with respect to misconduct in government. He asked that the Board initiate a Risk Assessment Audit of the office of Employee Services and requested same be placed on the agenda today. He provided a binder of his findings for public record which was given to Commr. Cadwell.

Commr. Cadwell stated that once the Commissioners had reviewed the information in the binder he would bring his recommendation back to the Board and they would decide on an appropriate action at that time.

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Mr. Vance Jochim stated he had moved here two years ago and that he had eighteen years of internal audit experience with companies such as Nissan Motor, Corp., and others and was the Chief Auditor of the U.S. Embassy in Iraq assisting in setting up programs there. He commented that he had spoken with Mr. Johnson and had received his summary. He stated that after reading the information, he would have initiated an audit right away, but that the County Clerk felt the need for Board approval before requesting such an audit. For that reason, Mr. Jochim recommended that an independent investigation be performed regarding this matter.

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Ms. Nancy Madden spoke on behalf of herself and her husband, Mr. Tom Madden from the Vistas. She addressed the Board with respect to fire service for the Vistas and advised the Board that they were in full support of having the Clermont Fire Department be responsible for their service. She stated that the problem they were addressing was that in 2004 they went from a five minute response area to a ten minute response, but were not aware of it because the Homeowners' Association advised them that the Clermont Fire Department was their main source and it was nothing more than it was for anyone else in the County. She suggested having a special assessment for those areas like the Vistas or Greater Pines to pay extra to the City or County to give them a quicker response time.

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Ms. Shanna Palenkas with the Greater Pines Homeowners' Association stated that she did not feel safe in her neighborhood. She commented that a home in Greater Pines was lost from fire due to poor response time from the Fire Department. She stated that they need temporary services until such time as a permanent fire station could be built so they would feel safe in their community.