

BOARD ACTION

November 17, 2009

	<u>STATE OF THE COUNTY</u> The Women's Hall of Fame inductees were Ms. Doris Ragan and Ms. Alta Trask, who passed away on April 8, 2009.	
APPROVED	<u>Tab 1.</u> Minutes of September 22, 2009 (Regular Meeting) as presented; October 6, 2009 (Regular Meeting), as presented; and October 20, 2009 (Regular Meeting), as presented.	KELLY
APPROVED	<u>Tab 2.</u> Clerk of Courts= Consent Agenda, request to acknowledge receipt: 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. 2. Town of Montverde audit report for Fiscal Year 2008. 3. St. Johns River Water Management District Advanced Notification of FY 2010-2011 Budget Hearings. 4. Lake County Water Authority's Final Budget for FY 2009-2010. 5. Lake County Water Authority 2008 Annual Report and 2008-2013 Five Year Plan, in accordance with Chapter 2005-314, Laws of Florida, with cover letter. 6. Division of Forestry's Cooperative Forestry Assistance Program and Fire Prevention's 2008-2009 Fiscal Year Annual Report. 7. Notice before the Florida Public Service Commission – In re: Request for approval of imposition of miscellaneous service charges, delinquent payment charge and meter tampering charge in Lake County, by Pine Harbour Water Utilities, LLC., Docket No. 090429-WU, Order No. PSC-09-0709-PCO-WU.	KELLY
APPROVED	<u>Tab 3.</u> Request from Budget for approval of the following budget change request: Budget transfer – County Fire Rescue Fund, Department of Public Safety, Fire Rescue Division. Transfer \$26,513 from Reserve for Operations to Transfer – Property Appraiser. Funds are needed to cover commissions charged by the Property Appraiser for servicing the Fire/Emergency Medical Services MSTU. There were no commissions budgeted in prior years as Fiscal Year 2008-09 was the first year of the new MSTU and commissions are based on the prior year's taxes levied. Funds are available in Reserve for Operations. After this transfer,	KRUEGER

	<p>the balance in the Reserve for Operations account will be \$262,271.</p>	
<p>APPROVED</p>	<p>Tab 4. Request from Budget for approval of the following budget change requests and resolution to reconcile budgeted to actual expenditures for all major object codes for Fiscal Year 2008-09 in accordance with County Policy LCC-36 and generally accepted accounting principles:</p> <ol style="list-style-type: none"> 1. Budget transfer – County Transportation Trust Fund, Department of Public Works. Transfer \$75,000 from Reserve for Operations to 9th Cent Gas Tax - Cities. Resolution 1982-84 allows a 50% portion of the 9th cent gas tax revenue received to be passed on to various municipalities, divided among them on a per capita basis formula. Revenues posted in Fiscal Year 2008-09 exceeded expectations, resulting in additional distributions to the municipalities. Funds available in Reserve for Operations. After this transfer, the balance in the Reserve for Operations account will be \$575,028. 2. Budget transfer - Parks Capital Projects Fund, Department of Public Resources, Parks and Trails Division. Transfer \$4,135 from Reserve for Operations to PEAR Park - Improvements Other Than Buildings. Expenditures initially charged to the Parks Impact Fee – Central District Fund for PEAR Park will be reclassified to the Parks Capital Projects Fund. Funds are available in Reserve for Operations. After this transfer, the balance in the Reserve for Operations account will be \$19,428. 3. Budget transfer – MSTU - Parks Section Fund, Department of Public Resources, Parks and Trails Division. Transfer \$141,845 from Reserve for Contingency to Repair and Maintenance – Ferndale Preserve (\$108,880), Repair and Maintenance (\$30,620) and Transfer – Tax Collector (\$2,345). Expenditures initially charged to Parks Impact Fee – South District Fund for Ferndale Preserve will be reclassified to the MSTU - Parks Section Fund. Funds are also needed for an outstanding invoice for grounds maintenance, and the transfer to the Tax Collector. Funds available in Reserve for Contingency. After this transfer, the balance in the Reserve for Contingency account will be \$95,267. 4. Budget transfer - General Fund, Property Appraiser. Transfer \$39,366 from Communications and Freight (Non-Departmental) to Communications and Freight (Property Appraiser) (\$38,591) and Transfer – Property Appraiser (\$775). Transfer funds to cover additional expenses related to the printing and mailing of TRIM notices. Additional funds are also requested to reconcile the budgeted transfer to the Property Appraiser with the actual amount transferred. 	<p>KRUEGER</p>

	<p>5. Budget transfer - General Fund, Tax Collector. Transfer \$439,354 from Special Reserve to Transfer – Tax Collector. The transfer is needed to cover additional commissions to the Tax Collector. These commissions will be offset by additional excess fees returned by the Tax Collector at year’s end. It is estimated approximately \$5,000,000 in excess fees will be returned by the Tax Collector for Fiscal Year 2008-09, which is \$500,000 more than originally estimated. Pursuant to F.S. 192.091 the Board of County Commissioners is responsible for the payment of commissions from the General Fund on general ad valorem taxes and for taxes levied for the School Board. The total amount of commissions transferred to the Tax Collector from the General Fund for Fiscal Year 2008-09 was \$5,229,653 (\$1,898,769 – General Ad Valorem and \$3,330,884 – School Board).</p> <p>6. Budget transfer – General Fund, Sheriff. Transfer \$1,885,200 from Law Enforcement – Operating (\$1,487,000), Jail Operations – Operating (\$382,200), and Bailiff – Operating (\$16,000) to Law Enforcement – Sheriff (\$777), Law Enforcement – Deputies (\$679,223), Jail Operations – Deputies (\$1,007,100), and Bailiff – Deputies (\$198,100). The transfer is needed to reconcile budgeted to actual expenditures in the transfer to the Sheriff’s Office as outlined in a memo from the Sheriff. No additional funds are requested; the transfer will realign already appropriated amounts.</p> <p>7. Budget transfer – General Fund, Supervisor of Elections. Transfer \$42,250 from Insurance to Repair and Maintenance. A transfer is needed to cover an invoice for additional maintenance in Fiscal Year 2008-09 for the DS-200 voting machines, which replaced the Ivotronics voting machines decertified by the State of Florida in 2007.</p> <p>8. Resolution No. 2009-163 to amend the General Fund in order to reduce revenue for Fiscal Year 2008-09 in the amount of \$77,938 from Police Services – Minneola and reduce appropriations for the disbursement of these funds. The Lake County Sheriff’s Office has modified their agreement with the City of Minneola for law enforcement services for Fiscal Year 2008-09.</p>	
APPROVED	Tab 5. Request from Community Services for approval of the Agency for Persons with Disabilities Med Waiver Services Agreement for FY 09-10 and FY 10-11.	THALL
APPROVED	Tab 6. Request from Growth Management to approve and authorize the Chairman to sign the FY 2008-09 CDBG-R Partnership Agreement between the County and the City of Tavares in an amount not to exceed \$24,540.00 and to direct the Growth Management Department to execute the agreement and oversee completion of the project covered in the Scope of Services.	KING

APPROVED	Tab 7. Request from Procurement for approval to (1) declare the items on the attached list surplus to County needs, (2) authorize the removal of all items on the attached list from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director or designee to sign vehicle titles.	KRUEGER
APPROVED	Tab 8. Request from Public Resources for approval to apply for Gopher Tortoise Habitat Management Assistance from the Florida Fish and Wildlife Conservation Commission.	BREEDEN
APPROVED	Tab 9. Request from Public Resources for approval of recommended branch library closings for calendar year 2010.	BREEDEN
APPROVED	Tab 10. Request from Public Resources for adoption of the FY 09/10 Annual Plan of Service and Combined Budget for the Lake County Library System.	BREEDEN
APPROVED	Tab 11. Request from Public Works for authorization to award the CR-437 Intersection with #4583 Wolf Branch Road and Wallick Road Extension Project No. 2010-01, Bid No. 10-0004, to Boykin Construction, Inc. in the amount of \$855,580.80, and encumber and expend funds in the amount of \$855,580.80 from the Road Impact Fees Benefit District 2 Fund. Commission District 4.	STIVENDER
APPROVED	Tab 12. Request from Public Works for approval and execution of a purchase agreement with Charles E. Bosserman, III, for the purchase of a parcel of land for a water retention area, and right of way and easements for the C470/C48 Road Project in the Leesburg area (SDY01003) Commission District 3.	STIVENDER
APPROVED	Tab 13. Request from County Attorney for approval of Sumter Electric Perpetual Utility Easement at Lake May Reserve (Alt Keys 1039908, 1109213, 3396162, 3672046, and 3870979) located northeast of the intersection of CR44A and North CR44A and authorize Chairman to execute Easement document.	MARSH
PRESENTATION	Tab 14. Presentation of Proclamation No. 2009-164 proclaiming the month of November 2009 as Hospice Month in Lake County to Cheryl Rumbley, Community Relations Coordinator, Lake and Sumter Counties, Cornerstone Hospice.	CADWELL
PRESENTATION	Tab 15. Presentation of GIS Day Proclamation No.2009-165 to GIS Director Kevin Willis, recognizing November 18th, 2009 as GIS Day in Lake County.	CADWELL

PULLED	Tab 16. Request from Community Services for approval and authorization for the Chairman to sign the 2009-2012 Local Housing Assistance Plan reflecting corrections per the Florida Housing Finance Corporation.	THALL
APPROVED	Tab 17. Presentation by the Cadmus Group on the draft Energy Efficiency and Conservation Strategy (EECS) as part of the Energy Efficiency and Conservation Block Grant (EECBG) Program.	KEEDY
APPROVED	Tab 18. Request from Procurement for approval and execution of a construction contract in the amount of \$65,700.00 to Southern Building Services, Inc. to build a mosquito control vehicle and equipment wash station with biological recycle/discharge system in conjunction with the County's needs.	KRUEGER
APPROVED	Tab 19. Request from Public Works for approval of Amendment 1 of the Agreement between Lake County Board of County Commissioners and Florida Department of Environmental Protection, to provide financial assistance for the Hollondel Road Stormwater Retrofit Project. Commission District 3.	STIVENDER
APPROVED	Tab 20. Request from Public Works for approval of Agreement between Lake County Board of County Commissioners and Florida Department of Environmental Protection to provide financial assistance for the Dead River Stormwater Retrofit Project. - Commission District 3.	STIVENDER
APPROVED	Tab 21. Request from Public Works for acceptance of Resolution 2009-008 from the Town of Howey-in-the-Hills for the E. Revels Rd. & S. Lakeshore Blvd. Preliminary Study Report dated August 10, 2009, after a brief presentation by Frank Wantanbe of Neel-Schaffer, Inc. Project # W&R08033 CD 3; BD 4.	STIVENDER
APPROVED	Tab 22. Request from Public Works to approve entering into a Local Agency Program (LAP) agreement with FDOT for stimulus funds to replace the Picciola Bridge (CR466A) near Fruitland Park. Approve releasing funds back to FDOT available from the Stimulus Round One bidding and reallocate to Picciola Bridge Project and Resolution No.'s 2009-168 through 2009-176. Recommend approval to move forward with any and all requirements associated with the construction of the Picciola Bridge. The LAP agreement will state that Lake County has to upfront the cost and be reimbursed as the project progresses.	STIVENDER

APPROVED	Tab 23. PUBLIC HEARING. Approval of Resolution No. 2009-166 adjusting the Fiscal Year 2009-10 budget, appropriating the balance of funding on various purchase orders from Fiscal Year 2008-09 that remained open as of September 30, 2009, as well as rebudgeting funding for grants and projects from Fiscal Year 2008-09 that remained unexpended as of September 30, 2009.	CADWELL
POSTPONED	Tab 24. Appointment of individuals to the newly created Solid Waste Alternatives Task Force.	CADWELL
APPROVED	Tab 25. Approval and execution of Resolution No. 2009-167 appointing a member to the Affordable Housing Advisory Committee.	CADWELL
APPROVED	Tab 26. Request from County Attorney for approval of Stipulated Settlement Agreement in DCA vs Royal Equestrian Dev. Inc., Hayssam Elkoussa, and Lake County.	MARSH
FOR YOUR INFORMATION	Ms. Melanie Marsh, Acting County Attorney, gave the Board an update on annexations of some roadways in the Groveland area, stating that the City had their first reading of that last night, November 16; however they were made aware by the city attorney that Lake County was still looking into that. She pointed out that Groveland would withdraw it if the County objected.	MARSH
FOR YOUR INFORMATION	Mr. Sandy Minkoff, Interim County Manager, reported that he and Commr. Cadwell met with seven counties to the north and west, and they would be meeting with the counties to their east and south to do a regional discussion on solid waste. He also informed the Board that they have set the meeting with Covanta for November 30 at 9:30 a.m. in the Agricultural Center, which they would be advertising.	MINKOFF
FOR YOUR INFORMATION	Mr. Minkoff informed the Board that they were making an emergency purchase today to repair the elevator at the Public Defender's building, since that elevator has been out of order for about a month.	MINKOFF
FOR YOUR INFORMATION	Commr. Hill inquired whether the Board would be participating again in the Martin Luther King celebration and at what level. Commr. Cadwell stated that they would do a proclamation and directed Mr. Minkoff to look to see what they did last year.	HILL
FOR YOUR INFORMATION	Commr. Hill reported that she attended the Mr. Plymouth/Sorrento community meeting with the County Manager.	HILL

APPROVED	Tab 27. Approval of Resolution No. 2009-177 proclaiming November 15-21, 2009 as National Hunger and Homelessness Awareness Week.	RENICK
APPROVED	Tab 28. Approval of Resolution No. 2009-178 supporting the creation of a Series of Specialty License Plates to recognize the contributions of graduates of the five United States Service Academies.	STEWART
FOR YOUR INFORMATION	Commr. Stewart asked everyone for their thoughts and prayers for Mr. Roy Hunter and his wife Francine, who has been in the hospital and is still struggling.	STEWART
	<p style="text-align: center;"><u>CITIZEN QUESTION AND COMMENT PERIOD</u></p> <p>Mr. Steve Barber, a resident of Howey-in-the-Hills, pointed out that recently Howey displaced an appointee on the town council and elected someone responsive to the majority of the town constituents, and they expected to replace more of the town council with other council people that are responsive to the people of the town.</p> <p>Ms. Janice McLain, a resident of Howey-in-the-Hills discussed the Resolution from the Town regarding roadwork for E. Revels Road and S. Lakeshore Blvd mentioned in Tab 21. She pointed out that they had 450 signatures out of the 850 voters in Howey against widening of the road, and she thought a 21-foot road would be a good compromise.</p> <p>Mr. Charlie Bash also commented on the roadwork in Howey-in-the-Hills, and stated that he felt under-represented since he lived outside of the town. He commented that Revels Road has already been repaved, and he expressed concern regarding the cost of the engineering study.</p>	

COMPREHENSIVE PLAN WORKSHOP

Tab 1 – The Board gave consensus to advertise Option A for Comments 7 and 11. For Comment 9, the Board gave consensus for Option A, with the change to substitute the word “shall” to “may be considered.”

Tab 2 – The Board gave consensus to advertise the changes recommended by the Florida Department of Agriculture and Consumer Services for changes to Wekiva policies.

Tab 3- The Board gave consensus to advertise Option A, which was to leave the parcels designated as proposed (Urban Low Density), for the Tara Mobile Home Park and Mid Florida Mobile Home Park.

Tab 4 - The Board gave consensus to advertise to change the subject parcel to partially rural transition and partially urban low density for Avalon Groves in the Four-Corners Area.

Tab 5 - The Board gave consensus to advertise Option A, which was to leave the Lowrie Brown parcels as designated on the proposed Florida Land Use Map.

Tab 6 – The Board gave consensus to advertise Option A, which was to keep the parcels designated as proposed regarding the Hartwood Residential proposed Future Land Use change in the Clermont area.

Tab 7 - The Board gave consensus to advertise Option A to change the Future Land Use Category on all the parcels in Sections 19 and 30 lying north of 452 from Rural to Rural Transition.

Tab 8 - The Board gave consensus to advertise Option A regarding Policy I-1.3.6 for Regional Office Future Land Use Category as proposed under Comment 16 and for Policy I-1.3.7 under Comment 17; also Option A under Comment 30, 39, 52, 58, and 64. Under Comment 65, the Board chose Option A, with the change of the words “will supersede” to “may be utilized.”

Tab 9 - The Board gave consensus to advertise to leave the commercial development in the Astor Park area the way it was.

Tab 10 - The Board gave consensus to advertise to leave the Green Swamp property as Rural Conservation and to leave the Jones Property as Neighborhood Proper. The Board Chose Option A, which was to change regarding the Austin Carriage property to the Future Land Use Category on the Gloria Austin parcels located within Sections 3, 4, 9, and 10 from Rural and Rural Transition to Public Service Facilities and Infrastructure. The Board gave consensus for Option A to advertise to keep the parcels designated as proposed on the Simpson property and to take no action regarding the Pospisil property.

Tab 11 – The Board gave consensus for the uses to be more broadly defined so consistent uses are not excluded for Heavy Industrial and Urban Low Density Future Land Use Category, and for staff to come back to the Board with a proposed list of uses for each Future Land Use Category.

Tab 12 - The Board gave consensus to advertise Option A for the following comments: Comments 4, 22, 23 (with exclusion of residential uses in the JPA), 51, 95, 135, 154, 158 (with the change made by staff to change “Within springshed protection zones” to “Within the Wekiva Study Area (WSA),” 169, 170, 184 (changing “limited” to “prohibited” and “restored” to “reclaimed,” 185, 186, 266, 267, 285, 286, 287, 288, 289, 290, 291 (correcting a scrivener’s error to state that new development exceeding a density of one unit per acre instead of two units per acre shall provide a central water system), 292, 293, 294 (with additional direction to take out minimum and take out conditional use requirement). The Board also asked for Mr. Sheahan to bring back Comment 14.

Open Space Discussion: The Board decided to advertise the open space requirements for 10 lots of five acre or larger lots.