

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

**REGULAR MEETING**

**April 21, 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**

**April 21, 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:  
March 17, 2009 (Regular Meeting)  
March 24, 2009 (Regular Meeting)

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

TIME CERTAIN - 9:00 A.M. OR SOON THEREAFTER

PRESENTATION - Comprehensive Annual Financial Report (CAFR), including various audit reports for FY 2008, by the County's external auditors, Moore, Stephens, and Lovelace, P.A.

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 6)

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 March 31, 2009, in the amount of \$209,061.82. Same period, last year: \$204,856.48.

Recommendation: Acknowledge Receipt

3. Lake-Sumter Community College Financial Audit for Fiscal Year ended June 30, 2008.

Recommendation: Acknowledge Receipt

4. Comprehensive Annual Financial Report for Fiscal year ended September 30, 2008.

Recommendation: Acknowledge Receipt

5. Petition for Rate Increase of Progress Energy Florida, Inc., Docket No. 090079, which Progress Energy filed with the Florida Public Service Commission on March 20, 2009 in accordance with Rule 25-22.0406(2).

Recommendation: Acknowledge Receipt

6. Copy of City of Mascotte's Annual CRA (Community Redevelopment Agency) Annual Report for Fiscal Year 2007-2008.

**IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 18)**

## **Budget**

[Tab 3](#) Approve Budget Change Request and Unanticipated Revenue Resolution.

1. Budget transfer - General Fund, Clerk of Courts, In-House Support. Transfer \$46,120 from Reserve for Operations to Clerk's In-House Support - Communications (\$15,745) and Rentals and Leases (\$30,375). Funds are needed for the lease and communications costs associated with the lease space for the Clerk's Office at 323 N. Sinclair Avenue, Tavares. The lease agreement and associated costs were approved by the Board of County Commissioners on December 16, 2008. Funds are available in Reserve for Operations. After this transfer, the balance in the Reserve for Operations account will be \$326,975.
2. Resolution to amend the Environmental Recovery Fund in order to receive unanticipated revenue for Fiscal Year 2008-09 in the amount of \$1,498 deposited into Other Grants and provide appropriations for the disbursement for Reprographics. Revenue will be received from the Lake County Water Authority through the Community Mini-Grant Program for water resource awareness.

## **Budget**

[Tab 4](#) Request approval to transfer budget reductions totaling \$2,330,340 from BCC departmental budgets to the General Fund Reserve for Fund Balance.

## **Community Services**

[Tab 5](#) Resolution to amend Letter of Agreement (LOA) approved by Board on February 3, 2009, Resolution #2009-13 between Suwannee River Area Health Education Center, Inc. and LCBC that will include Diabetes Self-management education; and approval from Chairman or designee to sign LOA.

[Tab 6](#) For the Board to approve and sign 3 copies of Amendment 2 to the FY 07-08 CDBG Partnership Agreement with the City of Tavares. Commission District 3.

## **Procurement**

[Tab 7](#) 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 8](#) Award RFP 09-0021, Consultant for Neighborhood Stabilization Plan, to Guardian Community Resource Management, Inc. in the amount of \$180,000.

## **Public Works**

[Tab 9](#) Approve Amendment #2 for the Getford Road Regional Stormwater Pond. Commission District 4.

[Tab 10](#) Approval of LAP Agreement and supporting Resolution between Lake County and the Florida Department of Transportation for the construction of paved shoulder improvements on CR 42. Commission District 5.

[Tab 11](#) Request for authorization and signature to submit the revised modification number two to the subgrant agreement between the Division of Emergency Management and Lake County Board of County Commissioners regarding the acquisition and demolition of the Stockdill property at 11706 Lake Clair Circle.

- [Tab 12](#) Approval of a resolution to receive unanticipated revenue for fiscal year 2009 in the amount of \$5,000,000 from the Florida Department of Transportation as part of the Transportational Regional Incentive Program Agreement for the construction of CR-466. Commission District 5.
- [Tab 13](#) Approval of Resolution recognizing observance of 'Motorcycle Safety Awareness' for the month of May 2009.
- [Tab 14](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1142, Max Lenker (RaceTrac), to vacate right of way and cease maintenance on a portion of Causey Drive (@2240), in the Plat of Shore Oaks Village, in the Clermont area. Commission District 2.
- [Tab 15](#) Request authorization to release a maintenance bond in the amount of \$25,496.98 posted for Apiary Pointe. Apiary Pointe consists of 16 lots and is located in Section 31, Township 18 South, Range 26 East. Commission District 5.
- [Tab 16](#) Request to execute a corrected resolution and assessment roll for the Special Assessment Project # 101. This project is located in the Venetian Village Subdivision, Section 15, Township 20, Range 26, Commission District 3.
- [Tab 17](#) Approve the First Amendment to Impact Fee Agreement with the Cove at Lady Lake Partners. Commission District 5.
- [Tab 18](#) Request authorization to accept the final plat for Pillars Cove Partial Replat and all areas dedicated to the public as shown on the Pillars Cove Partial Replat plat. Commission District 2. Pillars Cove Partial Replat consists of 2 lots and is located in Section 11, Township 23 South, Range 25 East. Commission District 2.

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

- [Tab 19](#) Approval of Amendment to Lease Agreement with C & P Partnership for library space in Clermont. Commission District 2.
- [Tab 20](#) Approval of Second Amendment to the Lease Agreement for County Health Department space located in the Van Dee Medical Building in Eustis. Commission District 4.

**VI. PRESENTATIONS**

- [Tab 21](#) Presentation by the Black Bear Scenic Byway Committee.
- [Tab 22](#) Presentation of President's award to PEAR Association. This group has completed the President of the United States' certification process and achieved group Gold award status. The award is in recognition of their outstanding volunteer service in 2008 of 10,675 service hours to Lake County.
- [Tab 23](#) Pam Steinke of the Health Department will do a presentation on several programs and in recognition of National Health Week.
- [Tab 24](#) Presentation of the Woodlea Sports Complex by the City of Tavares. Commission District 3.
- [Tab 25](#) Update of activities of the Department of Economic Growth and Redevelopment.

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

## **Economic Growth And Redevelopment**

- [Tab 26](#) Approval of the Proposed Business Development Programs, approval to advertise the Economic Development and Business Incentives Ordinance.

## **VIII. PUBLIC HEARINGS**

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

- [Tab 27](#) Approval of the Ordinance dissolving the Mt. Plymouth-Sorrento Planning Advisory Committee.
- [Tab 28](#) Approval of the Noise Ordinance.
- [Tab 29](#) Approval of Ordinance Creating Provisions of Postponements
- [Tab 30](#) Approval of the Amateur Radio Towers and Receive Only Antennas Ordinance.
- [Tab 31](#) Approval of the Open Air Vendors in Non-Residential Zoning Districts.
- [Tab 32](#) Approval of the Stipulated Settlement Agreement in the matter of DCA v. Lake County.
- [Tab 33](#) Approval and execution of the Partial Stipulated Settlement Agreements for the Hart property and Vrablik property.
- [Tab 34](#) Sylvan Shores Park on Lake Gertrude monitoring and follow up report on the impact to the ecosystem by the launching and retrieval of non-motorized canoes and kayaks. Commission District 4.

## **IX. OTHER BUSINESS**

- [Tab 35](#) Approval of appointment of Jane Sewell to serve as City of Leesburg's member representative on the Lake County Library Advisory Board to complete an unexpired term to end on February 28, 2012.
- [Tab 36](#) Appointment of individuals to upcoming vacant positions on the Children's Services Council.

## **X. REPORTS**

### **A. County Attorney**

- [Tab 37](#) Approval of the Seven Out Tank Site Revised Allocation Schedule, as well as the processing of the additional payment of \$26,076.38.

### **B. County Manager**

- [Tab 38](#) Information related to stimulus funds availability for Fleet facility, and needs of the current facility

### **C. Commissioner Hill - Vice Chairman and District #1**

### **D. Commissioner Renick - District #2**

E. Commissioner Conner - District #3

F. Commissioner Stewart - District #4

[Tab 39](#) Approval and execution of Proclamation proclaiming the month of May 2009 as Older Americans Month in Lake County.

G. Commissioner Cadwell - Chairman and 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.**