

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

REGULAR MEETING

September 02, 2008

COUNTY COMMISSIONERS

Welton G. Cadwell, Chairman
Jennifer Hill, Vice Chairman
Elaine Renick, District #2
Debbie Stivender, District #3
Linda Stewart, District #4

Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
Neil Kelly, Clerk to the Board

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

September 02, 2008

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 29, 2008 (Special Meeting – Budget Workshop)
 - July 30, 2008 (Special Meeting – Budget Workshop)
 - August 5, 2008 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 7)

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. Proof of publication of unclaimed moneys and payment to the Board for those moneys advertised, less claims and publication costs.

Recommendation: Acknowledge Receipt
3. Notice Before the Florida Public Service Commission:

In re: Petition for rate increase by People's Gas System

Docket No. 080318-GU

Petition of Peoples Gas System for Interim Rate Relief and Petition of Peoples Gas System, with cover letter, dated August 11, 2008.

Recommendation: Acknowledge Receipt
4. CD containing Southwest Florida Water Management District's Standard Format Tentative Budget Submission for Fiscal Year 2008/2009.

Recommendation: Acknowledge Receipt
5. Copy of the Lake County Water Authority Draft Tentative Budget for 2008/2009, and notice of scheduled Budget Hearings for 5:05 p.m., September 10, 2008, and 5:05 p.m., September 24, 2008, in BCC Chambers, 315 West Main Street, Tavares.

Recommendation: Acknowledge Receipt

6. Notice of Application of Aqua Utilities, Florida, Inc., pursuant to Section 367.045, Florida Statutes, and Section 25-30.030 of the Florida Administrative Code, of its intent to apply to the Florida Public Service Commission to extend its service area to provide water service to the properties described below in Lake County, Florida.

LEGAL DESCRIPTIONS:

East Lake Harris/Friendly Center Revised Legal Description, Township 20 South, Range 26 East

48 Estates Revised Legal Description, Township 19 South, Range 25 East

Holiday Haven Revised Legal Description, Township 15 South, Range 28 East

Silver Lakes Estates / Western Shores Revised Legal Description

Kings Cove Revised Legal Description, Township 19 South, Range 24 East, Section 1

Morningview Revised Legal Description, Township 20 South, Range 24 East, Section 2

Haines Creek Revised Legal Description, Township 19 South, Range 25 East, Section 12, and Section 11

Recommendation: Acknowledge Receipt

7. Before the Florida Public Service Commission:

Notice of Hearing to Florida Power & Light, Progress Energy Florida, Inc., Florida Industrial Power Users Group, PCS Phosphate – White Springs, and all other interested persons.

Docket No. 080009-EI
Nuclear Recovery Clause

September 11, 12, 17, and 18, 2008, at 9:30 a.m.
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 12)

Budget

Tab 3 Approve Budget Change Requests and Check Request.

1. Budget transfer – Parks Impact Fee South District Fund, Department of Public Works, Parks and Trails Division. Transfer \$412,399 from Improvements Other Than Buildings to Improvements Other Than Buildings – Ferndale (Project 40004). A mid-year budget adjustment of \$412,399 for undesignated project reserve was approved by the Board of County Commissioners on April 15, 2008. These funds need to be moved to designated Project 40004 – Ferndale Preserve. Projects funded by this transfer may include native ecosystem restoration, prescribed burns, treatment of vegetation and/or wetlands restoration.
2. Budget transfer – Public Transportation Fund, Department of Community Services, Public Transportation Division. This transfer is needed to make adjustments to revenue/expenditure budgets, which is necessary to align revenues/expenditures with appropriate Public Transportation programs, and place revenues and expenditures in the appropriate object codes in accordance with UASM-State Chart of Accounts. This transfer was requested by County Finance.

3. Approval of request from the Sheriff's Office for reimbursement of allowable Law Enforcement Trust Fund expenses incurred. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$33,707.18.

[Tab 4](#) Request for approval of, and authorization for the Chairman to sign, resolutions providing for certification of the assessment roll for the Greater Groves Municipal Service Benefit Unit, Greater Hills Municipal Service Benefit Unit, Greater Pines Subdivision, Picciola Island Subdivision, Valencia Terrace Subdivision and Village Green Subdivision providing for certified copies; providing for adoption of resolution; and providing for an effective date.

Conservation And Compliance

[Tab 5](#) Satisfaction & Release of Fine, Owners Name: John W. & Regina Horn, Code Case# 2006030171. Commission District 4.

Environmental Utilities

[Tab 6](#) Approve Annual Certified Budgets for Arthropod control FY 2008/09.

Public Works

[Tab 7](#) Request to advertise for bids for the CR-452 Intersection with #6549 South Fish Camp Road and #6847 Fish Camp Road Project No. 2009-02 at an estimated cost of \$305,000.00 from Road Impact Fees Benefit District 2 Fund. Commission District 4.

[Tab 8](#) Request to advertise for bids for the CR-452 Intersection with #6745 Apiary Road Project No. 2009-01 at an estimated cost of \$305,000.00 from Road Impact Fees Benefit District 2 Fund. Commission District 4 and 5.

[Tab 9](#) Approval of Resolution recognizing observance for "Put the Brakes on Fatalities Day" on October 10, 2008.

[Tab 10](#) Request authorization to amend the Developer's Agreement between Lake County and Sosa Related Investment, Inc. to extend the term by one year. Hidden Forest at Silver Creek consists of 135 lots and is located in Section 25, Township 24 South, Range 26 East. Commission District 2.

[Tab 11](#) Request authorization to amend the Developer's Agreement between Lake County and RR Tropical Investment Group, Inc. to extend the term by one year. Serenity at Silver Creek consists of 140 lots and is located in Section 25, Township 24 South, Range 26 East. Commission District 2.

[Tab 12](#) Request authorization to amend the Developer's Agreement between Lake County and Ultimate Developers, LLC to extend the term by one year. The Retreat at Silver Creek consists of 90 lots and is located in Section 25, Township 24 South, Range 26 East. Commission District 2.

V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 13](#) Approval of the Ordinance dissolving the Industrial Development Authority (IDA)

[Tab 14](#) Approval of School Impact Fee Agreement between Evers Enterprises, LLP, Carl R. Ludecke as trustee of Evers Family Trust, and Lake County

VI. AWARDS

EMPLOYEE AWARDS

FIVE YEARS

Henry Jenkins, Database/Admin. Program Manager
Public Works/Road Operations

Deborah Marchese, Subdivision Coordinator
Public Works/Funding & Production

TEN YEARS

Helena Osborne, Volunteer Coordinator
Community Services/VolunteerLake

FIFTEEN YEARS

Patricia Fletcher, Office Associate IV
Conservation & Compliance/Lake Soil & Water Conservation

TWENTY YEARS

Sherie Ross, Public Hearing Coordinator
Growth Management/Planning & Community Design

BOARD/COMMITTEE PRESENTATIONS

CERTIFICATES

Affordable Housing Advisory Committee
Paul Russell for service from 2007-2008

Arts and Cultural Alliance
Judy Tice for service from 2007-2008

Impact Fee Committee
Jim Miller for service from 1998-2008
Ammon Smith for service from 2006-2008

Parks, Recreation and Trails Advisory Board
Basha Schlazer for service from 1997-2008

Zoning Board
Phyllis Patten for service from 2007-2008

VII. PRESENTATIONS

[Tab 15](#) Approve the Proclamation declaring the week of September 15, 2008 as Lake County Pollution Prevention Week and encourage all businesses and citizens to learn about and practice pollution prevention.

VIII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 16](#) Approval of the Resolution acknowledging that the County is willing to continue to serve as the Community Transportation Coordinator pursuant to Chapter 427.

[Tab 17](#) Approval of the CTD/ACHA Medicaid Non-Emergency Transportation Agreement Amendment No. 8 from September 1, 2008 through November 30, 2008.

IX. PUBLIC HEARINGS

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

[Tab 18](#) Approval of Lot Grading Ordinance amending sections 9.07.09 and 14.14.03 of the LDR's.

[Tab 19](#) Approve the Lot Grading Fee Schedule.

X. OTHER BUSINESS

[Tab 20](#) Appointment of individuals to upcoming vacant positions on the Public Land Acquisition Advisory Council.

XI. REPORTS

A. County Attorney

B. County Manager

[Tab 21](#) **9:30 A.M.** - Budget request from the Public Defender's office regarding Early Intervention legal staff.

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

E. Commissioner Stivender - District #3

[Tab 22](#) Proclamation proclaiming September 14th through September 20th as Constitution Week.

F. Commissioner Stewart - District #4

G. Commissioner Cadwell - Chairman and District #5

[Tab 23](#) Presentation of NACO Achievement Award for "Festival of Reading" program to Library Services staff.

[Tab 24](#) Approval to schedule the 2008 State of the County event for Tuesday, October 14, 2008.

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.

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.