

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

REGULAR MEETING

NOVEMBER 15, 2005

COUNTY COMMISSIONERS

Jennifer Hill, Chairman

Catherine C. Hanson, Vice Chairman

Robert A. Pool, District #2

Debbie Stivender, District #3

Welton G. Cadwell, District #5

Cindy Hall, County Manager

Sanford A. Minkoff, County Attorney

James C. Watkins, 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.

As a part of any public and formal meeting, 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 all public 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

November 15, 2005

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:

October 18, 2005	Special Meeting
October 18, 2005	Regular Meeting
October 20, 2005	Special Meeting

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 9):

1. Request to acknowledge receipt of list of checks or 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 – Acknowledge receipt.
2. Contractor Bonds – New, Endorsements, and Riders - Approval.
3. Minutes of the Governing Board of the Southwest Florida Water Management District for August 30, 2005 - Acknowledge receipt.

4. City of Clermont, Florida, Ordinance Number 522-M, providing for the annexation of certain parcel of land contiguous to the present City boundary, to-wit: The East 451.3 feet of Tract 60-A, Lake Highlands Company plat of Section 15, Township 22 South, Range 26 East, according to the plat thereof recorded in Plat Book 3, Page 52, Public Records of Lake County, Florida, also being described as the East 451.3 feet of the Southwest $\frac{1}{4}$ lying South of the Paved Road (Old Highway 50, the same existed on June 22, 1971) in Section 15, Township 22 South, Range 26 East, Lake County, Florida, AND the East 775 feet of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 22, Township South 22, Range 26 East, Lake County, Florida. Passed and Ordained on Final Reading the 11th day of October 2005, by the City Council of the City of Clermont, Florida – Acknowledge receipt.

5. Unclaimed excess proceeds for tax deeds totaling \$30,737.93. Transfer funds from Clerk's account to the Board of County Commissioners' account – Acknowledge receipt.

6. Received from the Town of Lady Lake the following copies of Ordinances - Acknowledge receipt.
 - Ordinance 2005-12** – Amending the text of Policy 1-9.1, Future Land Use Element
 - Ordinance 2005-13** – Amending Chapter 5, Lady Lake Land Development Regulations
 - Ordinance 2005-15** – Voluntary Annexation – Hugh A. & Carol S. Baldock
 - Ordinance 2005-16** – Amending Ordinance Number 81-8-(83)
 - Ordinance 2005-17** – Redesignating Zoning Classification – Baldock, Possee, and Smithgall Trust
 - Ordinance 2005-18** – Voluntary Annexation – William L. & Katherine R. Hendry
 - Ordinance 2005-19** – Amending Ordinance Number 81-8-(83)
 - Ordinance 2005-20** – Redesignating Zoning Classification – Hendry and Chapman
 - Ordinance 2005-23** – Voluntary Annexation – Lake Saunders Grove Partnership, LLP
 - Ordinance 2005-24** – Amending Ordinance 81-8-(83)
 - Ordinance 2005-25** – Redesignation Zoning Classification – Lake Saunders Grove Part., LLP
 - Ordinance 2005-48** – Rescinding Ordinance Number 2005-30 – Daniel A. Cangialosi

7. Received the following Ordinance from the Town of Lady Lake – Acknowledge receipt:
 - Ordinance Number 2005-34** – Permitting Additional Uses under CP Zoning Classification
 - Ordinance Number 2005-37** – Voluntary Annexation – Gary and Debbie Tutor
 - Ordinance Number 2005-38** – Comprehensive Planning; Amending Ordinance Number 81-8-(83)
 - Ordinance Number 2005-39** – Redesignating Zoning Classification – Gary and Debbie Tutor
 - Ordinance Number 2005-41** – Supplemental Education Assistance Fees
 - Ordinance Number 2005-42** – Creating a Reclaimed Water District
 - Ordinance Number 2005-43** – Amend Code of Ordinances – Elections and Early Voting
 - Ordinance Number 2005-44** – Amend Code of Ordinances – Use of Town Parks and Facilities
 - Ordinance Number 2005-46** – Operating Budget for FY October 1, 2005 – September 30, 2006

8. Received from Southwest Florida Water Management District – Proposed Five-Year Water Resource Development Work Program – pursuant to Subsection 373.536(6)(a), Florida Statutes - Acknowledge receipt.

9. Clerk of Courts' Check Number 101770, which represents Excess Fees for FY 2004-2005, in the amount of \$1,219,038.80 - Acknowledge receipt.

RECOMMENDATION: Approval

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

A. **Budget**

Tab 3

1. **Fiscal Year 2004/2005** - Budget transfer – General Fund, Constitutional Offices/Sheriff. Transfer \$258,081.00 from Law Enforcement – Personal Services and \$119,784.00 from Corrections – Personal Services to Law Enforcement – Operating Expenses (\$164,378.00), Law Enforcement – Equipment (\$93,703.00), Corrections – Operating Expenses (\$116,929.00) and Corrections – Equipment (\$2,855.00). Pursuant to F.S. 30.49, the Sheriff is requesting a transfer to cover expenditures.

RECOMMENDATION: Approval

2. **Fiscal Year 2004/2005** - Budget transfer – Various Funds, Various Departments, in the amount of \$(*amount to be announced at BCC meeting*) is requested. County policy stipulates that actual expenditures cannot exceed the budget for a major object within a fund. A major object includes: Personal Services, Operating Expenses, Capital Outlay, and Debt Service. Actual expenditures were in excess of the budget for several major objects in various funds.

RECOMMENDATION: Approval

3. **Fiscal Year 2005/2006** – General Fund, Non-Departmental, in the amount of \$11,000.00 is requested. Funds needed to pay R. W. Beck, Consultant, for FEMA Appeals Support. Funds available in Reserve for Operations.

RECOMMENDATION: Approval

4. **Fiscal Year 2005/2006** – Capital Substitution – County Transportation Trust Fund, Department of Public Works, Road Operations Division. Transfer \$30,801.00 from Machinery & Equipment (4x4 truck - \$1,370.00, dump trucks - \$19,303.00, mowing tractors - \$10,128.00) to Machinery & Equipment (plate compactors - \$3,897.00, mowers - \$26,904.00). Three mowers need to be replaced due to repair/maintenance costs that are now exceeding \$6,000.00 each per year. Three plate compactors need to be replaced as one cannot be repaired and the other two need to be repaired almost every time they are used. Funds available from other capital items that have been purchased under budget.

RECOMMENDATION: Approval

5. **Fiscal Year 2004/2005** – Resolution to amend the County Transportation Trust Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$93,742.00 deposited into 9th Cent Gas Tax and provide appropriations for the disbursement for 9th Cent Gas Tax to Cities. The revenue will be received from the State of Florida.

RECOMMENDATION: Approval

6. **Fiscal Year 2004/2005** – Resolution to amend the Road Impact Fees Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$221,162.00 deposited into County Incentive Grant Program (\$140,042.00) and LAP Projects (\$81,120.00) and provide appropriations for the disbursement for Roads. The revenue was received from the Florida Department of Transportation, County Incentive Program, for the design and engineering on County Road 470 (\$140,042.00), and Local Agency Program for CR 466 at Rolling Acres Road (\$81,120.00).

RECOMMENDATION: Approval

7. **Fiscal Year 2005/2006** – Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$100,000.00 deposited into Comprehensive Plan and provide appropriations for the disbursement for Professional Services. Revenue will be received for the Public Schools Facilities Element Pilot Community, from the State-funded Subgrant Agreement.

RECOMMENDATION: Approval

8. **Fiscal Year 2005/2006** – Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$26,717.00 deposited into Contributions from Other Agencies and provide appropriations for the disbursement for Office Supplies, Office of Information Technology. Funds received from the Lake County Property Appraiser for the purchase of computer licensing for Fiscal Year 2005/2006.

RECOMMENDATION: Approval

B. Community Services

Tab 4 Approval to accept the Fiscal Year 2005-2006 Community Development Block Grant (CDBG) Agreement; authorize the Chairman to sign it; and direct the Department of Community Services to implement the programs covered under the Agreement.

RECOMMENDATION: Approval

Tab 5 Approval of recommended library closings for calendar year 2006.

RECOMMENDATION: Approval

Tab 6 Approval for Library Services to apply for small grants, monetary support and donations under \$2,500.00 to support programming for the Lake County Library System and to allow the County Manager to sign documents associated with those requests. Library Services will notify the BCC in writing of grants applied for and will provide quarterly reports on grants received unless no grants are received in a quarter.

RECOMMENDATION: Approval

Tab 7 Approval to hold the Lake County Library System's Annual Festival of Reading and to solicit donations to support the event throughout the fiscal year.

RECOMMENDATION: Approval

Tab 8 Approval of 2005-2006 Agreement for Mental Health Services with Lifestream Behavioral Center.

RECOMMENDATION: Approval

Tab 9 Approval of Agreement with Lifestream Behavioral Center to provide funding to relocate Adult Day Services and Geriatric Programs.

RECOMMENDATION: Approval

C. Public Safety

Tab 10 Approval of updated Mutual Aid and Automatic Aid Agreements with Orange County; an Automatic Aid Agreement with Marion County; an Automatic Aid with the City of Clermont; a Mutual Aid Agreement with the City of Minneola; and an Interlocal Aid Agreement with the City of Mount Dora.

RECOMMENDATION: Approval

Tab 11 Approval and execution of Agreement to accept \$48,895.00 from the State of Florida, Department of Community Affairs, for the State Homeland Security Grant (SHSG) Issue 08 and to hire a part-time temporary position.

RECOMMENDATION: Approval

D. Public Works

Tab 12 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition Number 1056 by Henry C. and Janet M. Shupe, Representative Leslie Campione, P.E., to vacate a portion of the right of way, in the Plat of Springs Bath & Yacht Club, located in Section 17, Township 20 South, Range 25 East, in the Yalaha area – Commission District 3.

RECOMMENDATION: Approval

Tab 13 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition Number 1068 by Howard Marshall, Representative Wicks Consulting, to vacate a portion of the Plat of Dora Pines Unit Two, located in Section 21, Township 19 South, Range 27 East, in the Mount Dora area – Commission District 4.

RECOMMENDATION: Approval

Tab 14 Approval to accept two Drainage Easements, five Quitclaim Deeds, two Statutory Warranty Deeds, and one Non-Exclusive Easement Deed that have been secured in conjunction with roadway and/or stormwater projects.

RECOMMENDATION: Approval

Tab 15 Approval and signature on a Resolution authorizing the posting of "No Parking on Right of Way" signs on the south side of Yale Circle (7043) between Eagle Pass Road and Echols Road in the Grand Island area.

RECOMMENDATION: Approval

Tab 16 Approval and signature on a Resolution authorizing the posting of "No Parking on Right of Way" signs on both sides of the entire length of Independence Boulevard (2323) in the Christopher Ford Industrial Park in the Groveland area.

RECOMMENDATION: Approval

Tab 17 Approval and signature on a Resolution authorizing to reduce the speed limit on CR 44A (6286) from Estes Road (5876) to Calhoun Road (6581), and on Lake Eustis Drive (4851) from US 441 to a point 2800 feet to the east.

RECOMMENDATION: Approval

Tab 18 Approval and execution of a Purchase Agreement with Faith Lutheran Church at Eustis, Florida, for right of way; and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the Old Mount Dora Road (Number 4865) Project, located in the Eustis area in Section 23, Township 19 South, Range 26 East.

RECOMMENDATION: Approval

V. **COUNTY MANAGER'S DEPARTMENTAL BUSINESS** (Tab 19 through Tab 21)

A. **Community Services**

Tab 19 Approval of the Community Enhancement Area Working Group recommendation designating the Community of Yalaha as a Community Enhancement Area (CEA) and to recognize the other communities submitting applications as Emerging CEA's; and to direct the Community Development Block Grant Division to assist in funding renovation of the Yalaha Community Center.

RECOMMENDATION: Approval

B. **Environmental Services**

Tab 20 Discussion of the Lake County Golf Course Ordinance.

C. **Public Works**

Tab 21 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition Number 1066 by Michael E. Deslauriers to vacate a portion of a landscape buffer/easement, in the Plat of Eagleridge, Phase III, located in Section 23, Township 24, Range 26, in the South Clermont area – Commission District 2.

RECOMMENDATION: Denial

VI. **PRESENTATIONS/PUBLIC HEARINGS**

A. **PRESENTATIONS – 9:00 A.M. or as Soon Thereafter**

1. **PRESENTATIONS**

Tab 22 **PRESENTATION:** Checks to Lake County Board of County Commissioners by Representative Hayes and Senator Baker (possibly) for the PEAR Park and Approval and Signature on the Associated Agreement.

PRESENTATION: Branding Initiative "Time for Unity" by Keith Gold, President & CEO of Gold Company

B. PUBLIC HEARINGS – 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARINGS

Tab 23 **PUBLIC HEARING:** Ordinance regarding Distribution of Choose Life License Plate Revenue

Tab 24 **PUBLIC HEARING:** Ordinance amending Section 14.11.01 Minor Lot Splits, Section 14.11.02 Family Density Exception, and Section 14.11.03 Agricultural Lot Splits

Tab 25 **PUBLIC HEARING:** Approval and Signature of Long Range Plan for the Lake County Library System 2005-2010

C. PRESENTATION – 10:00 A.M. or as Soon Thereafter

1. PRESENTATION

PRESENTATION: Ribbon Cutting of Mobile Health Clinic, Tower Truck, Special Operations Pumper, and Special Ops Trailer

D. PUBLIC HEARINGS – 5:05 P.M. or as Soon Thereafter

1. PUBLIC HEARINGS

Tab 26 **PUBLIC HEARING:** Ordinance Amending Section 11.01.04 of the LDR's to Remove Bus Shelter Signs and Bench Signs from Exempt Signs (Final Hearing)

Tab 27 **PUBLIC HEARING:** Ordinance Amending Section 3.01.03 of the LDR's Entitled Schedule of Permitted and Conditional Uses (Final Hearing)

VII. OTHER BUSINESS (Tab 28 through 30)

Tab 28 Appointment of individuals to two vacant citizen-at-large positions on the Impact Fee Committee to complete unexpired terms ending August 6, 2006.

Tab 29 Appointment of F. J. "Rick" Rodrick, Sr. as the City of Fruitland Park's member representative on the Lake County Library Advisory Board to complete an unexpired term ending February 28, 2008.

Tab 30 Appointment of Judge T. Michael Johnson to represent the Chief Circuit Judge position on the Public Safety Coordinating Council.

VIII. REPORTS

A. County Attorney (Tab 31 through 32)

Tab 31 Approval of acceptance of Escheatment of Tax Deeds for Tax Certificate Numbers 2208/1995, 230/1991, and 1185/1991.

Tab 32 Approval for a one-year lease renewal with the option to renew for on additional year for the Clermont Tag Agency located at 194 North Highway 27, Suite A, Clermont, Florida.

B. County Manager

C. Commissioner Hill – Chairman and District #1

D. Commissioner Pool – District #2

E. Commissioner Stivender – District #3

F. Commissioner Hanson – District #4

G. Commissioner Cadwell – 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.



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.

TENTATIVE AGENDA

NOVEMBER 22, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

DECEMBER 6, 2005

9:00 A.M. Regular Meeting

9:00 A.M. PRESENTATION: Final Approval of the Branding Initiative
or as Soon
Thereafter

9:00 A.M. PRESENTATION: Statewide Trails Program by the Environmental Services Department
or as Soon
Thereafter

TENTATIVE AGENDA

DECEMBER 13, 2005

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

DECEMBER 20, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

JANUARY 10, 2006

9:00 A.M. Regular Meeting/Worksession

TENTATIVE AGENDA

JANUARY 17, 2006

8:30 A.M. Value Adjustment Board
or as Soon
Thereafter

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

JANUARY 24, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

FEBRUARY 7, 2006

9:00 A.M. Regular Meeting
