

BOARD ACTION

February 20, 2007

APPROVED	Tab 1. Minutes of January 23, 2007 (Regular Meeting), as presented; Minutes of January 26, 2007 (Special Meeting – Board Retreat), as presented.	WATKINS
APPROVED	Tab 2. Clerk of Courts= Consent Agenda, as follows: <ol style="list-style-type: none">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 Unclaimed excess proceeds for tax deeds totaling \$7,456.95.3. Request to acknowledge receipt of Satisfaction and Release of Claim, in regards to the Estate of John E. Cole, Jr., File No. 2006-CP-1195.4. Request to acknowledge receipt of City of Eustis Annual Report for Fiscal Year October 1, 2005 through September 30, 2006.6. Request to acknowledge receipt of Annexation Ordinances from the City of Fruitland Park, adopted on January 25, 2007, as follows: Ordinance No. 2007-001, annexing approximately 3.9 acres located at 35326 Micro Race Track Road. Ordinance No. 2007-003, annexing approximately 94 acres located north of Spring Lake Road and south of Lake Ella Road.7. Request to acknowledge receipt of Notice Before the Florida Public Service Commission – In re: Application for increase in water and wastewater rates in Lake County, by Utilities, Inc. of Pennbrooke. Notice of Proposed Agency Action and Order Approving an Increase in Wastewater Rates. (Item No. 5 originally under this Tab, regarding notification of publication for annexation for parcels located south of Hanley Road, was pulled.)	WATKINS
APPROVED	Tab 3. Request from Budget for approval of very low-income and low-income impact fee waivers as refunds to lenders on behalf of qualified individuals. Commission Districts 1, 3, 4 and 5.	FRAZIER

APPROVED	<p>Tab 4. Request from Budget for approval of the following Budget Change Requests:</p> <p><u>Budget transfer</u> - Library Impact Fee Trust Fund, Department of Community Services, Library Services Division. Transfer \$500,000 from Special Reserve to Buildings. A transfer of funds from the Library Impact Fee Special Reserve account is needed for the approved Library Impact Fee applications submitted on the July 11, 2006 BCC meeting date. A budget transfer was completed for Fiscal Year 2006. At that time, however, the Fiscal Year 2007 budget inadvertently omitted the \$500,000. Therefore, funds should be transferred to the Buildings account for the Cagan Crossings Library Project (approved by the Board on July 11, 2006) in the amount of \$500,000. Funds are available in Special Reserve. After the posting of this transfer, there will be \$1,823,034 remaining in Special Reserve.</p> <p><u>Budget transfer</u> - County Fire Control Fund, Department of Public Safety, Fire Rescue Division. Transfer \$95,380 from Repair and Maintenance to Buildings. Fire Rescue needs to purchase a 27' x 40' modular building to be used as living quarters for Fire Station #90 (Ferndale). This building was not budgeted in the Fiscal Year 2007 budget, but funds are available in the Repair and Maintenance account. Apron repair was budgeted in Repair and Maintenance to repair driveways at various stations. Budgeted funds were significantly less than estimates that have been received, so the project will be completed using a less expensive repair method or budgeted again in future years.</p> <p>(First Budget item originally under this Tab regarding transfer of \$16,320 from Reserve for Operations to Building was pulled.)</p>	FRAZIER
APPROVED	<p>Tab 5. Request from Growth Management for approval of the Purchase Agreement between Lake County and the St. Johns River Water Management District and authorization for the Chairman to execute necessary closing documents, with the addition of \$15,000.00 for the closing costs, and with the understanding that the funding would come from Land Acquisition Funds – Commission District 4.</p>	STRICKLIN
APPROVED	<p>Tab 6. Request from Procurement for approval and execution of a contract with T.Y. Lin International for engineering services for Radio Road, Kurt Street and Cherry Lake, Jalarmy & East Apschawa Road. Commission Districts 2, 3 and 5.</p>	SCHWARTZMAN
APPROVED	<p>Tab 7. Request from Procurement for approval to award ITB No. 07-0816 for the Repair of Four (4) Summit Walking Floor Trailers to CMD Trailer Sales in Jacksonville, Florida, for the amount of \$54,750.96.</p>	SCHWARTZMAN
APPROVED	<p>Tab 8. Request from Public Safety Fire Rescue Division for approval to enter</p>	KAISER

	into an Automatic Aid Agreement with the City of Tavares to provide fire protection and rescue services.	
APPROVED	Tab 9. Request from Public Works for approval to execute change order No 1 to the Countywide Resurfacing Project No. 2005-10 in the amount of \$68,324.39 for additional work relating to the project, and approval to encumber and expend funds in the amount of \$68,324.39 from the Renewal Sales Tax Capital Project Fund.	STIVENDER
APPROVED	Tab 10. Request from Public Works for approval and authorization for Chairman to execute satisfaction of liens for the attached nineteen (19) road assessments.	STIVENDER
APPROVED	Tab 11. Request from Public Works for approval and signature of Resolution No. 2007-21 to advertise Public Hearing for Vacation Petition 1086, request to vacate rights of way, in the Plat(s) of Silver Lake Estates, located in Sections 9 & 10 - Leesburg area. Commission District 1.	STIVENDER
APPROVED	Tab 12. Request from Public Works for approval and signature of Resolution No. 2007-22 to advertise Public Hearing for Vacation Petition 1106, request to vacate a portion of North Shore Drive and Lake Griffin Drive and a canal in the Treasure Island/Leesburg area. Commission District 1.	STIVENDER
APPROVED	Tab 13. Request from Public Works for approval and signature on Resolution No. 2007-23 , to advertise Public Hearing for Vacation Petition No. 1107, request to vacate deeded right of way, lying within Flowing Waters Preserve in the Grand Island Area. Commission District 1.	STIVENDER
APPROVED	Tab 14. Request from Public Works for approval of agreement with Tuscan Village Venture, L.L.C. regarding improvements to the South Clermont Connector (Hammock Ridge Road) currently under construction and approval to execute change order No. 1 to the South Clermont Connector project with DeWitt Excavating, Inc. in a credit amount of \$-118,519.67. Commission District 2.	STIVENDER
APPROVED	Tab 15. Request from Public Works for authorization to release a letter of credit for maintenance in the amount of \$52,860 posted for Grand Island Estates. Grand Island Estates consists of 47 lots and is located in Section 32, Township 18 South, Range 26 East. Commission District 4.	STIVENDER

APPROVED	Tab 16. Request from Public Works for approval to accept the attached public right of way deeds that have been secured in conjunction with roadway projects. Commission Districts 2 & 3.	STIVENDER
APPROVED	Tab 17. Request from Public Works for approval and execution of a purchase agreement with Joseph R. Orfe, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, for property within the Forest Hills/Lake Mack Flood Buy Out Program. Commission District 5.	STIVENDER
APPROVED	Tab 18. Request from Public Works for authorization to accept the final plat for Windsor Green Phase I and all areas dedicated to the public as shown on the Windsor Green Phase I plat. Windsor Green Phase I contains 19 lots and is located in Section 10, Township 19 South, Range 24 East. Commission District 1.	STIVENDER
APPROVED	Tab 19. Request from Public Works for authorization to accept the final plat for Village Hills and all areas dedicated to the public as shown on the Village Hills plat. Village Hills consists of 17 lots and is located in Section 31, Township 18 South, Range 24 East. Commission District 1.	STIVENDER
APPROVED	Tab 20. Request from Public Works for authorization to release a letter of credit for performance in the amount of \$506,291.50, accept a maintenance bond in the amount of \$232,933.00, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and MI Homes of Lake County, LLC, and execute Resolution No. 2007-24 , accepting the following roads into the County Road Maintenance System: Yale Bluff Drive (County Road No. 4667); Scenic Bluff Drive (County Road No. 4667A); Lake Yale View Loop (County Road No. 4667B); Scenic Ridge Drive (County Road No. 4667C); Scenic Pine Ridge (County Road No. 4667D); and Lake Overlook Drive (County Road No. 4667E) . Windy Ridge at Lake Yale consists of 175 lots and is located in Section 29, Township 18 South, Range 26 East. Commission District 4.	STIVENDER
APPROVED	Tab 21. Request from Public Works to award Sleepy Hollow Road Realignment Project No. 2006-12, to WRS Infrastructure & Environment, Inc. in the amount of \$988,303.00 and to encumber and expend funds in the amount of \$988,303.00 from the Road Impact Fee Fund, Benefit District 3. Commission District 1. Agreement subject to review and approval by County Attorney's Office.	STIVENDER

APPROVED	<u>ADDENDUM NO. 1</u> – Request from Public Safety for approval for Lake County’s County Manager to (1) apply for grant funds in the amount of \$290,0000; and (2) approve minor grant modifications, through the Emergency Management Preparedness and Assistance (EMPA) Competitive Grant Program, and approval of Resolution No. 2007-25 .	KAISER
APPROVED	<u>Tab 22</u> . Request from County Attorney for approval of Bond Counsel Agreement between Lake County and Nabors, Giblin & Nickerson, P.A.	MINKOFF
APPROVED	<u>Tab 23</u> . Request from County Attorney for approval of Federal Equitable Sharing Agreement for Lake County Sheriff’s Department.	MINKOFF
APPROVED	<u>Tab 24</u> . Request from County Attorney for authorization to make application for tax deed by County on one parcel.	MINKOFF
PRESENTATION	Mr. Jerry Smith, Director of Emergency Management, addressed the Board to update them on the Groundhog Day Tornado relief effort over the last two weeks, including the current function of the EOC, total deaths, total damages, FEMA assistance, contribution of County staff to the effort, assistance of “Groundhog Day Heroes,” Public Information Officer campaign, LASER meeting and goals, and debris cleanup.	J. SMITH
APPROVED	<u>Tab 25</u> . Request from Environmental Services for approval and presentation of Resolution No. 20007-26 in support of Ibini Tera.	SMITH
APPROVED	<u>Tab 26</u> . Request from Growth Management for approval of the Purchase and Sales Agreement between Lake County and Nancy C. and John J. Robinson and to authorize Chairman to execute necessary closing documents. Commission District 1.	STRICKLIN
POSTPONED FOR 30 DAYS	<u>Tab 27. PUBLIC HEARING:</u> Request for approval of Stipulated Settlement Agreement; Department of Community Affairs v. Lake County. (ALL SETTLEMENT AGREEMENTS POSTPONED FOR 30 DAYS.)	CADWELL
APPROVED	<u>Tab 28</u> . Appointment of Mark Wells to the vacant at-large representative seat on the Zoning Board to serve a four-year term ending January 31, 2011.	CADWELL
APPROVED	<u>Tab 29</u> . Appointment of Steven Berk to vacant District 2 seat on the Board of Adjustment to serve a four-year term to end on January 31, 2011.	CADWELL
APPROVED	<u>Tab 30</u> . Appointment of Stan Melnick (District 2) and John J. O’Connell (District 3), and reappointment of Betty Ann Christian (District 4) to vacant positions on the Library Advisory Board.	CADWELL

APPROVED	Tab 31. Reappointment of Rick Joyce, Greg Nelson, Margo Odom, and Glenn Tyre, as well as reappointments of Scott Strong (School Board), Dr. Charles Mojock (Lake Sumter Community College), and Keith Mullins (League of Cities) to upcoming vacant positions on the Industrial Development Authority to serve four-year terms beginning March 10, 2007.	CADWELL
FOR YOUR INFORMATION	Sandy Minkoff, County Attorney, stated that the owner of the 60-acre Burt/Laux property in Lady Lake that was discussed at the February 6 meeting and that was rescheduled requested that the Board bring that back in March to give her more time to work with the residents.	MINKOFF
FOR YOUR INFORMATION	Cindy Hall, County Manager, reminded the Board about some schedule changes for March, as follows: the March 6 meeting was cancelled by the Board; March 14 is the joint meeting with Montverde, Clermont, Minneola at 6:30 p.m.; and March 27 is proposed to be a fairly long day with a work session added after the Board Meeting.	HALL
FOR YOUR INFORMATION	Cindy Hall, County Manager, stated that the debris haulers had requested that Sunday, February 25, be the final day in the unincorporated area of Lady Lake for people to bring their debris out to the public right of way, and then to conclude the hauling the week after that, which would be the beginning of March. She stipulated that that excluded the Lady Lake Mobile Home Park. Also, they are still working with the volunteers in the Lake Mack area to continue the cleanup there, so this would not include them.	HALL
FOR YOUR INFORMATION	Commr. Hill suggested that the Board start discussing the portions of the Comp Plan that had already been approved by the LPA, so that the document would not seem as monumental a task to undertake all at one time upon completion. Cindy Hall stated that that would be a good suggestion and that all the elements of the Comp Plan had been transmitted by the LPA with the exception of the Future Land Use Map and the Future Land Use Element. Ms. Hall stated that they could look into the process of bringing some of those to the Board and scheduling some Workshops regarding that.	HILL
FOR YOUR INFORMATION	Commr. Renick talked about the Villages Consumptive Use Permit and the increases they were requesting just before the Water Alliance was scheduled to meet, but that there was not enough time before that meeting to discuss it with the Board, and that a decision had to be made about whether they wanted to file for an administrative hearing. She reported that the Water Alliance unanimously voted for the administrative hearing, and afterwards that the Villages did agree to a month's extension of time to allow them to get the information that they needed.	RENICK

FOR YOUR INFORMATION	Commr. Stivender stated that all four of the women Commissioners got an invitation to go over to the Correctional Institute in Coleman next month for Women's History Month.	STIVENDER
APPROVED	Commr. Cadwell mentioned an e-mail from the Federal Communication Commission on a rule they are looking into in regard to wireless that would affect local government's radio system use. He stated that they were requesting a letter of support against the ruling and in support of some language that Senator McCain is working on that would protect the County's ability to handle their radio system.	CADWELL
FOR YOUR INFORMATION	Commr. Stewart stated that on Friday, February 16, she attended the Sustainable Growth Symposium. She quoted a statement from 1992 from a group called the Union of Concerned Scientists of its view of the state of the world that was signed by over 1700 scientists worldwide, which read, "Human beings in the natural world are on a collision course. Human activities inflict harsh and often irreversible damage on the environment and on critical resources. If not checked, many of our current practices will put at serious risk the future that we wish for human society and the plant and animal kingdoms and may so alter the living world that it would be unable to sustain life in the manner that we know...." Commr. Stewart opined that with the water situation and rapid growth in Florida, we must begin to act now to live and build green and to preserve our rural and water recharge areas for our future. She suggested that the Board look at other Counties' plans to do this, such as Sarasota, Hillsborough, and Marion. It was stated by Commissioners Renick and Stivender that the Water Alliance is working on coming up with conservation measures and a landscaping Ordinance. Cindy Hall stated that she would look at the other Counties' plans, put together some information, and come back to the Board with them.	STEWART
FOR YOUR INFORMATION	Commr. Stewart noted that she was contacted by Mr. Joe McDonald from Sorrento to comment that a lot of drivers are not slowing down or stopping for school buses that are loading or unloading school children. She advised the public to slow down and not to try and beat a school bus when they see the yellow warning lights coming on, to avoid injuring one of the school children.	STEWART
FOR YOUR INFORMATION	Commr. Cadwell reported that Governor Charlie Crist had appointed Lake County's Tax Collector Bob McKee to the Budget and Taxation Reform Commission, which will meet up to three years. He noted that it is in the Constitution that this entity could put things directly on the ballot for Constitutional Amendments.	CADWELL

CITIZEN QUESTION AND COMMENT PERIOD

Mr. Roy Hunter, Northeast Lake Chamber of Commerce, addressed the Board, to announce that Commr. Cadwell will be the guest speaker next Tuesday night, February 27, at 6:30 p.m. at Spring Creek Elementary School, with an update on the Lake Mack disaster relief. He inquired whether Mr. Jerry Smith, Emergency Management Director, or some other official involved with this effort could accompany him. He also asked if Mr. Smith could get the word out to people in Lake Mack about this update.

Ms. Marilyn Bainter, who lives on North County Road 44, in Eustis, addressed the Board, to bring to their attention what she perceived as a dangerous intersection at the extension of Estes Road (North CR 44) and CR 44A. She mentioned that she had written to the Commissioners about this situation, which was caused in part by small palm trees that had grown out into the right of way, blocking drivers' visibility of oncoming traffic. She suggested that the installation of a stop light would be the ideal solution, but that the County should at least trim the palm trees to improve visibility or install a stop sign. Commissioner Cadwell instructed Jim Stivender, Jr., Public Works Director, to clean the brush up. He also stated that the intersection needed to be realigned to minimize the danger.