

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

**REGULAR MEETING**

**February 03, 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**

**February 03, 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:  
- January 6, 2009

## III. CLERK OF COURT'S CONSENT AGENDA

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 December, 2008, in the amount of \$186,592.14. Same period, last year: \$149,999.57.

Recommendation: Acknowledgement

3. Before the Florida Public Service Commission:

Notice of Application For An Original Certificate

Notice is hereby given on January 9, 2009, pursuant to Section 367.045, Florida Statutes of the application in Docket No. 080499-WU of TLP to operate an existing water system providing service in Lake County, Florida.

Recommendation: Acknowledge Receipt

4. Before the Florida Public Service Commission

Commission Conference Agenda

Monday, January 26, 2009, 9:30 a.m., at Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

Docket No. 080632-EU – Joint petition for approval of amended territorial agreement in Sumter, Lake, Marion, Citrus, and Levy Counties by Sumter Electric Cooperative, Inc. and Progress Energy Florida, Inc.

Recommendation: Acknowledge Receipt

5. Copy of executed Resolution No. 2009-01 from the City of Mount Dora adopting an amendment to the Northeast Community Redevelopment Agency Master Plan to promote pedestrian and bicycle access to community facilities and to include Lincoln Avenue shared use trail as a NECRA Project.

Recommendation: Acknowledge Receipt

6. Notice of Application for Extension of Service Area – Pursuant to Section 367.045, Florida Statutes, and Rule 25-30.030, Florida Administrative Code, notice is hereby given on January 22, 2009, by Lake Utility Services, Inc., 200 Weathersfield Avenue, Altamonte Springs, Florida 32714, of its “quick take” Application for Amendment to Water Certificate No. 247-W and Wastewater Certificate No. 465-S for territory in Lake County, as described in Notice of Application.

Any objections to the Application must be made in writing and filed with the Commission Clerk, Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than thirty (30) days from the date of this notice, with a copy provided to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 2180 W. State Road 434, Suite 2118, Longwood, Florida 32779. The objection must state the grounds for the objection with particularity.

Recommendation: Acknowledge Receipt

#### **IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 17)**

##### **Budget**

Tab 3 Approve Budget Change Requests.

1. Budget transfer - MSTU-Stormwater Section Fund, Department of Public Works, Engineering Division, MSTU Stormwater Section. Transfer \$803,751 from Professional Services to Infrastructure-Design/Permits for various project accounts (list attached). The engineering, design and permitting component of each approved stormwater project was budgeted in the professional services object code, which is in the operating category. This transfer will realign all approved design funds to an object code in the capital category for the same project. This transfer will assist with tracking project costs and was a collaborative effort between Budget, Finance and Public Works. Budgeted project amounts do not change.
2. Budget transfer - MSTU-Stormwater Section Fund, Department of Public Works, Engineering Division, MSTU Stormwater Section. Transfer \$8,655,458 from Improvements Other Than Buildings to Infrastructure-Construction for various project accounts (list attached). This transfer will realign all approved stormwater construction budgets to new object codes in the capital category for the same project. This transfer will assist with tracking project costs and was a collaborative effort between Budget, Finance and Public Works. Budgeted project amounts do not change.
3. Budget transfer – Public Lands Capital Program Fund, Department of Budget. Transfer \$187,500 from Public Lands Program (Growth Management) to Public Lands Program (Public Works). Due to the Fiscal Year 2007-08 reorganization of Public Lands from Growth Management to Public Works, these funds need to be moved to the Public Works org code.
4. Budget transfer – Various Assessment Funds, Department of Budget. Transfer \$637,459 from the current object codes of various assessment funds to new object codes for the various assessment funds. Need to reclassify various revenue object codes to reflect the Fiscal Year 2008-09 updates to the Uniform Accounting System Chart of Accounts as required by the State of Florida. Update information was received from the State of Florida Chief Financial Officer.
5. Budget transfer – Landfill Enterprise Fund, Department of Environmental Utilities, Solid Waste Programs Division. Transfer \$11,930,000 from the current Solid Waste Disposal Assessment object code to the new Solid Waste Disposal Assessment object code. Need to reclassify various revenue object codes to reflect the Fiscal Year 2008-09 updates to the Uniform Accounting System Chart of Accounts as required by the State of Florida. Update information was received from the State of Florida Chief Financial Officer.

[Tab 4](#) Approval for the Chairman to sign the Public Assistance Subgrant Agreement (Funding Agreement) with the State of Florida for Tropical Storm Fay (2008).

[Tab 5](#) Approve and authorize the Chairman to execute the attached FY 2008-09 Computer Network Interlocal Agreement related to funding of State Attorney technology support costs. Approve quarterly payments for contractual services under this agreement.

### **Community Services**

[Tab 6](#) Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2008-09 in the amount of \$12,000.00 from Suwannee River Area Health Education Center, Inc. to implement "Your Heart, Your Life" community education program; and approval from Chairman or designee to sign contract and any supporting documents to implement program in Lake County.

### **Growth Management**

[Tab 7](#) Approve and authorize Chairman to execute interlocal agreement with the Town of Howey-in-the-Hills relating to collection of Lake County Impact Fees and Fire Rescue assessments. Commission District 3.

### **Procurement**

[Tab 8](#) FOR INFORMATION ONLY-NO ACTION REQUIRED. The Procurement Policy revisions enacted by the BCC on September 27, 2007 delegated authority to the County Manager to complete certain individual purchase and contract modification actions in excess of \$25,000 under "term and supply" contracts and in certain other specified contractual actions. At the BCC meeting in October 2007, there was discussion regarding a need to provide information to the BCC regarding such actions for a limited period of time. The contract actions discussed below fall within these informational parameters.

[Tab 9](#) 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.

### **Public Safety**

[Tab 10](#) Approval by the Lake County Board of County Commissioners for the Lake County Department of Public Safety, Emergency Management Division to submit a grant application to the State to be considered for FEMA EOC Grant Program funds in the amount of \$1,000,000 to construct an Emergency Operations Center (EOC).

### **Public Works**

[Tab 11](#) Approve Amendment #1 to the Dead River Stormwater Pond Contract for PEC to prepare the LCWA grant application package to cost share the construction, and extend Contract # 04-077 through September 30, 2009 in order to complete the construction bid process. Commission District 3.

[Tab 12](#) Approve Amendment #3 to the Hollondel Road Regional Pond Contract to prepare grant application package to LCWA to cost share construction, and extend Contract # 04-077 through September 30, 2009 in order to complete the construction bid process. Commission District 3.

[Tab 13](#) Recommend approval and signature on Resolution authorizing the posting of "No Parking on Right of Way" signs on the Public Cross Access Easement on the north side of Hooks St (1346) in the Clermont area, in Commissioner District 2.

- [Tab 14](#) Request authorization to award #1040 Lakeshore Drive Intersection with #1039 Harder Road Project No. 2009-04, Bid No. 09-0015 to Boykin Construction, Inc. in the amount of \$395,297.95, and encumber and expend funds in the amount of \$395,297.95 from the Road Impact Fees Benefit District 5 Fund. Commission District 2.
- [Tab 15](#) Approve the Legends Way Phase II project total cost of \$1,159,856.66. Commission District 2.
- [Tab 16](#) Approve and accept the list of public right of way deeds that have been secured in conjunction with roadway and / or stormwater projects. (Commission Districts 1, 2, 5)
- [Tab 17](#) Request approval for budget amendment and a capital substitution to be used for the purchase of equipment.

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

- [Tab 18](#) Release the escrow money currently being held by the escrow agent to Amerirus, Inc./Frederick Belton in the amount of \$90,000 and to Lake County in the amount of \$30,000; authorize the County Attorney's Office to execute the necessary escrow release documents.
- [Tab 19](#) Return of \$5,000 deposit by Superior Concrete Services held by the Clerk of Court for professional fees for a noise consultant. Commission District 2.

**VI. AWARDS**

**EMPLOYEE AWARDS**

**FIVE YEARS**

Michelle Perrier, Animal Shelter Technician  
Public Safety/Animal Services

Sharon Wall, Employee Svcs. & Qual. Imp. Director  
Employee Services & Quality Improvement

**TEN YEARS**

Deborah Miller, Office Associate III  
Environmental Utilities /Mosquito Management

Phyllis Miller, Dispatch Officer  
Public Safety/Animal Services

Mary Pfeifer, Library Technician  
Community Services/Library Services

**FIFTEEN YEARS**

Donna Gray-Williams, Librarian III  
Community Services/ Library Services

Mitchell Montgomery, Energy Maintenance Technician  
Facilities & Development/Energy Management

**TWENTY YEARS**

Braxton Bisceglia, Fire Lieutenant/EMT  
Public Safety/Fire Rescue

Karen Chester, Associate Planner  
Growth Management/Zoning

**TWENTY-FIVE YEARS**

Clarence Gillard, Sign & Striping Technician

Public Works/Road Operations/Signs, Signals & Striping

**EMPLOYEE OF THE QUARTER**

Ryan Ross, Internet Applications Developer  
Information Outreach

**ANNUAL ACHIEVEMENT**

**COMMUNITY SERVICE**

Sean Loughlin, Disaster Assistance Coordinator  
Public Safety/Emergency Management

**CUSTOMER SERVICE**

Karen Burt, Office Associate III  
Public Works/Road Operations

**VII. PRESENTATIONS**

[Tab 20](#) Requesting guidance from the BCC on the proposed round-a-bout.

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

**Community Services**

[Tab 21](#) Approval and signature of revised Policy LCC-11, Lake County Library System Collection Development Policy.

**Conservation And Compliance**

[Tab 22](#) Update on noise ordinance and Board direction.

**IX. PUBLIC HEARINGS**

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

[Tab 23](#) Review and discuss the First Amendment to the Development Agreement between Lake County Board of County Commissioners and The Villages of Lake-Sumter, Inc. Commission District 5.

**X. REPORTS**

**A. County Attorney**

[Tab 24](#) Approval of Mediation Settlement with Onsi Derias and Gehan Mekhiel. Commission District 5.

**B. County Manager**

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

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

**E. Commissioner Conner - District #3**

**F. Commissioner Stewart - District #4**

**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.**