

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

REGULAR MEETING

February 05, 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

February 05, 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:

- January 8, 2008 (Regular Meeting)
- January 15, 2008 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 8)

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. Annexation Ordinance No. 2007-17, from the City of Minneola, amending the boundaries of the City limits, to include approximately 1,433+ acres of property generally located north of CR 561A, on the north and south side of CR 455, in Lake County; setting forth amendments to the Sugarloaf Mountain Planned Unit Development (PUD), Lake County Resolution No. 1994-147, to which the property is subject; rezoning the property to PUD within the City of Minneola.

Recommendation: Acknowledge Receipt

3. Notice of Application for Transfer of Water and Wastewater Systems of Fairways/Mt. Plymouth, Ltd., a Non-Jurisdictional Utility, to Aqua Utilities Florida, Inc. and for Amendment of Aqua Utilities Florida, Inc.'s Water and Wastewater Certificates.

Notice is hereby given on the 2nd day of January, 2008, pursuant to Section 367.071, Florida Statutes, of the Application for Approval of Transfer of the Water and Wastewater Systems of Fairways/Mt. Plymouth, Ltd., in Lake County, Florida, to Aqua Utilities Florida, Inc.(AUF), and Amendment of AUF's Certificate Nos. 106-W and 120-S. AUF does not propose to change rates pursuant to this Application. The Fairways/Mt. Plymouth water and wastewater systems provide service to the following described territory in Lake County, Florida.

Any objection to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Kenneth A. Hoffman, Esquire, Rutledge, Ecenia, Purnell & Hoffman, P.A., P. O. Box 551, Tallahassee, Florida 32302, within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

Recommendation: Acknowledge Receipt

4. Copy of Ordinance 2007-32 and 2007-034 from the City of Fruitland Park adopted on January 10, 2008, annexing property into the City, as follows:

Ordinance 2007-032 amending the boundaries of the City of Fruitland Park by including within the City approximately 6.69 acres of property generally located west of US Highway 441, on the north side of Shiloh Street, and west of Dixie Avenue and rezoning the property from County A (Agriculture) and LM (Light Industrial) to PFD (Public Facilities District).

Ordinance 2007-034 amending the boundaries of the City of Fruitland Park by including within the City approximately 2.50 acres of property generally located at the western most 1.25 acres of 35347 Micro Racetrack Road and 35333 Micro Racetrack Road, rezoning the property from County Agriculture (A) to General Commercial (C-2).

Recommendation: Acknowledge Receipt

5. Notice of Public Hearing from St. Johns River Water Management District for Tuesday, February 12, 2008, at 1:00 p.m. at District Headquarters at 4049 Reid Street, Palatka, to approve the District's Florida Forever Work Plan Annual Update as part of the District's Consolidated Report.

Recommendation: Acknowledge Receipt

6. Ordinances from the City of Mount Dora adopted at its regularly scheduled meeting held January 15, 2008, and taking effect immediately, as follows:

Ordinance No. 2007-974, annexing property located at the southeast corner of US Hwy 441 and Wolf Branch Road.

Ordinance No. 2007-965, annexing property located east of Plymouth Avenue and south of First Avenue.

Ordinance No. 2007-968, annexing property located on the northeast corner of US Hwy 441 and SR 44.

Recommendation: Acknowledge Receipt

7. Ordinances from the Town of Lady Lake as follows:

Ordinance No. 2007-31 – Voluntary annexing 5± acres of land owned by James W. Tyla, Trustee, located north of Anderson Lane and West of Hwy. 27/441 (AK #1699142) into corporate limits of Lady Lake; providing redefinition of land boundaries of Lady Lake; providing for filing the ordinance; repealing all ordinances in conflict; providing for severability; providing for an effective date; and providing for publication in accordance with law.

Ordinance No. 2007-32 – Pertaining to comprehensive planning; amending Ordinance No. 81-8-(83), which established the Town of Lady Lake Comprehensive Plan; providing for small scale future land use map amendment; providing for severability; and providing an effective date.

Ordinance No. 2007-33 - Redesignating zoning classification for property owned by James W. Tyla, Trustee, located within the town limits of the Town of Lady Lake; rezoning property located north of Anderson Lane and West of Highway 27/441 (AK# 1699142) from Lake Ag to Lady Lake Single-family Low Density Residential; providing for severability; establishing an effective date.

Recommendation: Acknowledge Receipt

8. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for January 29, 2008, to be held at 9:00 a.m. at 2379 Broad Street, Brooksville, Florida; and Approved Minutes of the Meeting of the Governing Board held on November 26, 2007 in Tampa.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 14)

Community Services

[Tab 3](#)

For the Board to approve amendments to the FY 2006-09 Local Housing Assistance Plan retroactive to July 1, 2007, and direct the Department of Community Services to submit the revised Plan to the Florida Housing Finance Corporation.

Growth Management

[Tab 4](#)

Satisfaction & Release of Fine Property Owner: May/Whitaker Family Partnership, LTD. Code Case# 2005110152 - Commission District 4.

[Tab 5](#) Approve low and very-low income impact waivers as refunds to lenders on behalf of qualified individuals. Commission Districts 1, 3, 4 and 5.

Procurement

[Tab 6](#) Recommendation to approve the Second Addendum to amend the original agreement for the purposes of adding in the contract requirements for emergency relief program agreements.

[Tab 7](#) It is recommended that the Board approve award to Ernie Morris Enterprises to provide furniture and installation for the 5th Judicial Suites Administrative Offices.

Public Safety

[Tab 8](#) Approval by the Lake County Board of County Commissioners for Lake County's County Manager to: (1) apply for grant funds in the amount of \$360,000; and (2) approve minor grant modifications through the Emergency Management Preparedness and Assistance (EMPA) Competitive Grant Program.

Public Works

[Tab 9](#) Request authorization to release a maintenance bond in the amount of \$43,500.90 posted for Addison Place. Addison Place consists of 57 lots and is located in Section 21, Township 19 South, Range 27 East. Commission District 4.

[Tab 10](#) Request authorization to execute a resolution accepting the following roads into the County Road Maintenance System: Luella Avenue (County Road No. 8991F) from Georgia Street (County Road No. 8991B) to Pennsylvania Street (County Road No. 8991), Jean Avenue "Part" (County Road No. 8991G) from 480 feet west of the intersection of Washington Street (County Road No. 8992B) to Washington Street (County Road No. 8992B), Lake Street (County Road No. 8992F) from CR-42 to Poinsettia Avenue (County Road No. 8992D), Palm Street (County Road No. 8992G) from CR-42 to Bougainvillea Avenue (County Road No. 8993), Pine Street (County Road No. 8992I) from Poinsettia Avenue (County Road No. 8992D) to Hibiscus Avenue (County Road No. 8992A), and Lake Avenue (County Road No. 8992H) from Veva Avenue (County Road No. 8991A) to Ohio Street (County Road No. 8992C). Commission District 5.

[Tab 11](#) Request authorization to release a maintenance bond in the amount of \$88,345.52 posted for Fairways at Mt. Plymouth Phase IV. Fairways at Mt. Plymouth Phase IV consists of 53 lots and is located in Section 32, Township 19 South, Range 28 East. Commission District 4.

[Tab 12](#) Request authorization to accept the final plat for Calhoun Manor Estates and all areas dedicated to the public as shown on the Calhoun Manor Estates plat. Calhoun Manor Estates consists of 7 lots and is located in Section 27, Township 18 South, Range 27 East. Commission District 5.

[Tab 13](#) Request authorization to execute a revised resolution accepting Garrett Place into the Lake County Road Maintenance System. Garrett Place consists of 10 lots and is located in Section 31, Township 18 South, Range 26 East. Commission District 5.

Tourism

[Tab 14](#) Approval of a Resolution and award of \$3,000 to Wendy's Old Fashioned Hamburgers in Mount Dora for participating in training of the disabled through the Jobs Growth Investment (JGI) Trust Fund Program. Commission District 4.

V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 15](#) Approval of Agreement with Lady Lake Cemetery Association, Inc. and Approval of Agreement with Everett A. and Tara Kelly for right-of-way needed for the CR 466 Road Widening Project. Commission District 5.

VI. AWARDS

EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Julius Anderson, Landfill Attendant
Environmental Services/Solid Waste Disposal Operations

Lisa Piper, Library Assistant
Community Services/Library Services/Cooper Memorial Library

Donald King, Firefighter/EMT
Public Safety/Fire Rescue

Jay Ryon, Firefighter/EMT
Public Safety/Fire Rescue

Presentation of Award to Employee with Ten Years of Services

Wendy Taylor, Executive Office Manager
County Manager

Presentation of Award to Employee with Twenty Years of Service

Edward Genter, Fire Lieutenant/EMT
Public Safety/Fire Rescue

Susan Dugan, Senior Contracting Officer
Procurement Services

Tom Osebold, Veterans Services Director
Community Services/Veterans Services

Randy Jones, Battalion Fire Chief
Public Safety/Fire Rescue

EMPLOYEE OF THE QUARTER

Debbie Fore, Recycling Coordinator
Environmental Services
Special Programs
Recycling

SUPERVISOR OF THE QUARTER

Jennifer Myers, Development Review Supervisor
Growth Management
Planning & Community Design
Zoning

CUSTOMER SERVICE AWARD

Niki Booth, Office Associate V
County Manager

Steve Race, Fire Captain
Public Safety/Fire Rescue

Kathy Chaudoin, Office Associate II
Growth Management
Zoning & Customer Service
Zoning

Magda Contreras, Senior Graphic Artist
Information Outreach

Jennifer Myers, Development Review Supervisor
Growth Management
Planning & Community Design
Zoning

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 16](#) Consideration from the Board to consider a grant application for the USDA Food Stamp Program Outreach Grants in the amount of \$75,000 to implement an outreach and education program targeting low-income seniors and hard to serve populations of Lake County.

Economic Growth And Redevelopment

[Tab 17](#) Approval of a Jobs Growth Investment (JGI) Trust Fund award to Restor Telecom, Inc. in the amount of \$30,000.00 for the creation of 15 qualifying positions paying at least 115% of the Average Annual Wage for Lake County or at least \$16.80 per hour for Incentive Category II - Service/Distribution Companies at \$2,000.00 per job created. Commission District 1.

[Tab 18](#) Approval of a Jobs Growth Investment (JGI) Trust Fund award to Sundrop Systems, Inc. in the amount of \$49,000.00 for the creation of 15 qualifying positions paying at least 115% of the Average Annual Wage for Lake County or at least \$16.80 per hour for Incentive Category I - Manufacturing Companies at \$2,500.00 to \$4,000.00 per job created. Commission District 4.

Environmental Services

[Tab 19](#) Approve and present a Resolution in support of Ibini Tera.

[Tab 20](#) Approve the attached Budget Amendment, in the amount of \$65,900, to provide for the 1st year of operation of the South Umatilla Water System and provide funding to hire a consultant to evaluate the long-term needs of the System. Commission District 5.

Growth Management

[Tab 21](#) Approval of the Purchase and Sales Agreement between Lake County and Martone Realty Corporation. Commission District 4.

Procurement

[Tab 22](#) It is recommended that Aagard McNary Construction Inc. is awarded a contract in the amount of \$172,800.00 for ITB#08-0207, Construction of a Boardwalk and Observation Decks for Twin Lakes Park in Leesburg, Florida. Commission District 1.

[Tab 23](#)

Award and execute the contract with Reynolds Inliner, LLC for the rehabilitation of storm water pipes using the cured in place pipe method in the amount of \$536,355.00. Commission Districts 2 and 5.

VIII. PUBLIC HEARINGS

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

[Tab 24](#)

For the Board to hold a public hearing to provide citizens a final opportunity to comment on the FY 2006-07 Consolidated Annual Performance Report for the Community Development Block Grant Program.

IX. OTHER BUSINESS

[Tab 25](#)

Appointment of individual to one (1) vacant position on the Board of Building Examiners to complete an unexpired term ending January 14, 2011.

X. REPORTS

A. County Attorney

[Tab 26](#)

Approval of Resolution instituting eminent domain proceedings for acquisition of property located at the intersection of CR 44A and Estes Road, and approval to proceed with the pre-suit negotiation offers. Commission District 4.

B. County Manager

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

E. Commissioner Stivender - District #3

F. Commissioner Stewart - District #4

G. Commissioner Cadwell - Chairman and District #5

XI. 1:30 P.M. - VALUE ADJUSTMENT BOARD

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.