

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

REGULAR MEETING

February 19, 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 19, 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 18, 2008 (Special Meeting – Goals Retreat)
 - January 22, 2008 (Regular Meeting)

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. Unclaimed excess proceeds for tax deeds totaling \$21,407.42

Recommendation: Transfer funds from Clerk's account to Board of County Commissioners' account / Acknowledge receipt

3. Property placed on the Lands Available List
Lake County has until April 28, 2008 to purchase property from Lands Available List before it is available to the public.

Recommendation: None

4. Copy of Ordinance No. 2007-968 from the City of Mount Dora, annexing property generally located on State Road 44, North of US Highway 441, Mount Dora, comprising 38.78 acres more or less, contiguous to the City of Mount Dora and being annexed in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes, along with cover letter dated January 16, 2008 conveying said ordinance.

Recommendation: Acknowledge Receipt

5. City of Leesburg Annexation Ordinances:

Ordinance No. 08-02, Florida Fruit Company Annexation, annexing certain real property consisting of approximately 80 acres and being generally located south of C.R. 48 and east of Number Two Road, lying in Section 20, Township 20 South, Range 25 East, Lake County, Florida.

Ordinance No. 08-05, Hawthorne Residential Coop Association Annexation, annexing certain real property consisting of approximately 68 acres and being generally located north of County Road 48 and East of U.S. Hwy 27, lying in Sections 13 and 14, Township 20 South, Range 24 East, Lake County, Florida.

Recommendation: Acknowledge Receipt

6. Ordinances from the Town of Lady Lake, as follows:

Ordinance No. 2007-37, voluntarily annexing property being approximately 9 acres of land owned by A F Properties LTD et al, located west of Summit Street and north of Anderson Lane into the corporate limits of the Town of Lady Lake.

Ordinance No. 2007-38, pertaining to comprehensive planning in the Town of Lady Lake, amending the Town of Lady Lake Ordinance No. 81-8-(83), which established the Town of Lady Lake Comprehensive Plan, providing for small scale Future Land Use Map Amendment.

Ordinance No. 2007-39, redesignating Zoning Classification for certain property owned by A F Properties LTD et al, located within the town limits of the Town of Lady Lake, rezoning subject property located west of Summit Street and north of Anderson Lane from Lake County Agriculture to Lady Lake Mixed Residential Medium Density (MX-8).

Ordinance No.207-41, amending Chapter 5 of the Lady Lake Land Development Regulations, providing a new zoning classification to allow for one dwelling unit per acre Residential Land Designation referred to as Single Family Very Low Density Residential (RS-1).

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 21)

Budget

Tab 3 Approve Budget Change Requests:

1. Budget transfer - Stormwater Management - Roads MSTU Fund, Department of Public Works, Road Operations Division. Transfer \$135,430 from Contractual Services to Roads. The 2008 Countywide Microseal Road Project was budgeted in the Contractual Services account. It should be expended from the Roads account. The remainder of this project is in the Sales Tax Roads account using the carryforward balance from the 2007 Dwight's Road project. Funds available in Contractual Services.
2. Budget transfer - Stormwater Management - Stormwater MSTU Fund, Department of Public Works, Engineering Division, Stormwater Section. Transfer \$7,955,977 from Professional Services, Land, and Improvements to various project accounts. This budget change request will set up project accounting in the Stormwater MSTU for Fiscal Year 2008 retroactive to October 1, 2007. All Stormwater paid expenses, current encumbrances and upcoming needs for Fiscal Year 2008 will be placed into project accounts. The Professional Services, Land and Improvements accounts have the funding needed for these projects.

Community Services

Tab 4 Staff recommends approval of funding the Lake County Shared Services Network in the amount of \$25,000 for FY 2007/08. Funding will be taken from the Crime Prevention Fund established by the County pursuant to F.S. 775.083(2).

Tab 5 Approval of the transportation Standard Coordinator Contract between the Lake County Board of County Commissioners and New Seasons Agency.

Tab 6 Approval of the transportation Standard Coordinator Contract between the Lake County Board of County Commissioners and Rose of Sharon of Central Florida, Inc.

Tab 7 Approval of the transportation Standard Coordinator Contract between the Lake County Board of County Commissioners and Hyacinths Agency, LLC

[Tab 8](#) Approval of the transportation Standard Coordinator Contract between the Lake County Board of Count Commissioners and Count Your Blessings, Inc.

[Tab 9](#) Approval of the transportation Standard Coordinator Contract between the Lake County Board of County Commissioners and Hanna House of Care.

Growth Management

[Tab 10](#) Satisfaction & Release of Fine Property Owner: Dennis L. & Viola W. Stevens, Code Case# 2004010009 - Commission District 5.

[Tab 11](#) Satisfaction & Release of Fine Property Owner: Eric Lee Porter, Code Case# 2005090202 - Commission District 5.

Procurement

[Tab 12](#) It is recommended that the Board (1) declare the items on the attached list surplus to County needs, (2) authorize the removal of all of the items on the attached list from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director to sign vehicle titles.

[Tab 13](#) It is recommended that the Board award ITB# 08-0808 for two (2) each Cab/Chassis with 60K Roll Off Hoist to Freightliner of Tampa in the amount of \$220,924.00.

[Tab 14](#) Recommendation is made to the second low bidder, Wagner 3 Ventures, Inc. in the amount of \$96,428.97 and an Owner's Contingency of \$4,821.45 to be used at the discretion of the Director of Capital Construction - Commission District 3.

Public Works

[Tab 15](#) Approval and authorization for Chairman to execute satisfaction of the lien for one (1) road assessment. Commission District 5.

[Tab 16](#) Request authorization to release a letter of credit for maintenance in the amount of \$52,586.00 posted for Meadows at Sunnyside. Meadows at Sunnyside consists of 38 lots and is located in Section 30, Township 19 South, Range 25 East. Commission District 1.

[Tab 17](#) Request authorization to execute a resolution accepting Hammock Ridge Road (County Road No. 0945) from Lakeshore Drive (County Road No. 1040) to US-27 into the County Road Maintenance System. Commission District 2.

[Tab 18](#) Request authorization to release a letter of credit for maintenance in the amount of \$8,733.00 posted for Homestead Hills. Homestead Hills consists of 11 lots and is located in Section 1, Township 19 South, Range 26 East. Commission District 4.

[Tab 19](#) Approve the City of Clermont's bid and award to Boykin Contractor for the Legends Way Phase II project. Commission District 2.

[Tab 20](#) Request to write off Special Assessment balance principal plus accrued interest in the amount of \$32.52 and approval to execute and record a Satisfaction of Lien. Commission District 2.

[Tab 21](#) Approval to advertise ordinance regarding Sylvan Shores Park "Lake Gertrude" to allow launching and retrieval of non-motorized canoes and kayaks. Commission District 4.

V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 22](#) Approval of increase in hourly rates for Outside Counsel- Nabors, Giblin & Nickerson.

[Tab 23](#) Approval of Lease Agreement Between Lake County and Richard J. Fritch and M. B. O'Kelley, as Trustees of Lakco Land Trust for lease space located at 1300 Duncan Drive (Buildings B & E) for the Department of Community Services and approval of related budget transfer in the amount of \$40,000. Commission District 3.

VI. PRESENTATIONS

[Tab 24](#) Request for a member of the Comprehensive Health Care Committee Child Obesity Prevention sub committee to make a brief (15 minute) presentation to the Board of County Commissioners to seek support and endorsement for a county-wide Child Obesity Prevention initiative.

[Tab 25](#) We Care of Lake County Director is providing a brief presentation/synopsis of support and services provided by their health care partners in Lake County as well as the number of Lake County residents who have received services.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 26](#) Approval of the Medicaid Non-Emergency Transportation Agreement No. 4 between the Lake County Board of County Commissioners and the Florida Commission for the Transportation Disadvantaged.

[Tab 27](#) Request retroactive approval for application for the Department of Elder Affairs non-recurring mini-grant for Communities for a LifeTime related projects.

[Tab 28](#) For the Board to endorse the recommendation from the Public Safety Coordinating Council's recommendation regarding the consulting firm selected to complete the Lake County Jail & Justice System Assessment.

Facilities Development And Management

[Tab 29](#) Approve Re-Routing of Existing Phone, Fiber, and Conduit Lines Located Under Maud Street.

Growth Management

[Tab 30](#) Make a determination on a prepaid impact fee refund appeal from Russ Hutton, Macek Enterprises.

[Tab 31](#) Approve a standard Interlocal Agreement between the Lake County Board of County Commissioners and the municipalities for impact fees and authorize the County Manager or the County Manager's Designee to approve each agreement.

Procurement

[Tab 32](#) Award and execute the contract with Dyer, Riddle, Mills & Precourt, Inc. for engineering services for Lake Eustis Drive/Lakeshore Drive Stormwater Improvements in the amount of \$172,981.00. Commission Districts 3 and 4.

VIII. PUBLIC HEARINGS

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

[Tab 33](#) Approval of Ordinance, Mt. Plymouth-Sorrento Planning Advisory Committee - Commission District 4.

IX. OTHER BUSINESS

[Tab 34](#) Appointment of individuals to vacant positions on the Historical Museum Advisory Committee.

[Tab 35](#) Appointment of Jim Judge, Executive Director, Lake-Sumter EMS and John Simpson, Clinical Quality and Education Manager, Lake-Sumter EMS to the Comprehensive Health Care Committee. Mr. Judge will serve as the Lake-Sumter EMS appointed member and Mr. Simpson as the alternate member.

[Tab 36](#) Appointment affirmation of Cynthia Burch to serve as Fruitland Park Public Library's member representative and of Michael Sweeney to serve as alternate member representative; and appointment affirmation of Mary Malaszek to serve as Leesburg Public Library's member representative and of John L. Johnson to serve as alternate member representative; on the Library Advisory Board.

X. REPORTS

A. County Attorney

[Tab 37](#) Discussion - reorganization of the Law Library.

B. County Manager

- Public Safety has received notification that they have been selected to receive the Firefighters Assistance Grant awarded by Homeland Security in the amount of \$331,200.00.

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

E. Commissioner Stivender - District #3

F. Commissioner Stewart - District #4

[Tab 38](#) Approval and execution of Proclamation proclaiming March 2008 as Child Care Awareness Month in Lake County and April 6, 2008 as Parents and Children's Day in Lake County.

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.

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.