

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

REGULAR MEETING

April 07, 2009

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**

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

April 07, 2009

8:30 A.M. Sales Surtax Committee Meeting

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:
February 24, 2009 (Regular Meeting)
March 3, 2009 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 13)

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 February 28, 2009, in the amount of \$235,120.09. Same period, last year: \$234,212.33.

Recommendation: Acknowledge Receipt

3. Notice Before the Florida Public Service Commission – In re: Petition to modify Tariff Sheet Nos. 4.113 and 4.122, regarding conversion of and construction of underground residential facilities, by Progress Energy Florida, Inc. Docket No. 080719-EI; Order No. PSC-09-0119-PCO-EI; Issued: March 2, 2009.

Recommendation: Acknowledge Receipt

4. Letter from the City of Eustis giving notification of action within the Joint Planning Area, as follows:

Annexation and Comprehensive Plan Amendment

Location: 16515 McKinley Road

Alternate Key: 3473191

Proposed Action: Annexation of approximately 4.38 acres; Comprehensive Plan Amendment to change the land use from Urban Expansion, in Lake County, to Agriculture, in the City of Eustis.

Recommendation: Acknowledge Receipt

5. Notice Before the Florida Public Service Commission – Notice of Commission Hearing and Prehearing to Progress Energy Florida, Inc., PCS Phosphate – White Springs, and All Other Interested Persons; Docket No. 080501-EI; Issued March 3, 2009.

PETITION FOR WAIVER OF RULE 25-17.250(1) AND (2)(A), F.A.C., WHICH REQUIRES PROGRESS ENERGY FLORIDA TO HAVE A STANDARD OFFER CONTRACT OPEN UNTIL A REQUEST FOR PROPOSAL IS ISSUED FOR SAME AVOIDED UNIT IN STANDARD OFFER CONTRACT, AND FOR APPROVAL OF STANDARD OFFER CONTRACT.

Notice is hereby given that a hearing will be held before the Florida Public Service Commission regarding the petition of Progress Energy Florida, Inc. for approval of a standard offer contract and associated tariffs, at the following time and place: Thursday, April 16, 2009, 9:30 a.m., Florida Public Service Commission, 4075 Esplanade Way, Betty Easley Conference Center, Room 148, Tallahassee, Florida.

Recommendation: Acknowledge Receipt

6. Copy of Annexation Ordinance No. 2009-02-07, from the City of Groveland, extending and increasing the corporate limits of the City of Groveland, pursuant to the provisions of Florida Statute 171.044, annexing approximately 25.57 acres of Lake County land contiguous to the present limits of the City of Groveland.

Recommendation: Acknowledge Receipt

7. Public Meeting Notice for CR 470 (C-470) Project Development and Environment Study from Interstate 75 to Lake County Line, Sumter County, Florida, on Thursday, March 26, 2009, from 5:30 to 7:30 p.m., at the Lake Panasoffkee Recreation Park, 1582 CR 459, Lake Panasoffkee.

Recommendation: Acknowledge Receipt

8. Copy of Report No. 2009-145, Lake-Sumter Community College Operational Audit, for the Fiscal Year ended June 30, 2008.

Recommendation: Acknowledge Receipt

9. Customer Notification of Rate Increase from Comcast.

Recommendation: Acknowledge Receipt

10. Notice Before the Florida Public Service Commission – In re: Application for increase in water and wastewater in Lake County, by Lake Utility Services, Inc.

Recommendation: Acknowledge Receipt

11. City of Mount Dora Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2008.

Recommendation: Acknowledge Receipt

12. Annual Financial Audit for the Lake County Water Authority.

Recommendation: Acknowledge Receipt

13. Annexation Ordinance No. 2009-06, from the City of Mount Dora, annexing intersection of US 441 and Eudora Road, from the northern ROW line of US 441 to the western ROW line of Eudora Road.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 13)

Budget

Tab 3

Approve Budget Change Request.

1. Budget transfer - General Fund, Department of Facilities Development and Management. Transfer \$93,029 from Facilities Maintenance, Jail and Sheriff's Facilities Maintenance, and Facilities Services to Energy Management. Utility costs for County facilities were budgeted to accommodate a planned increase by Progress Energy in the second quarter of the fiscal year. The rate increase was higher than anticipated. Progress Energy is expected to request a reduction to their rate increase, however the net increase to the County for the fiscal year will be greater than the amount originally budgeted. The resulting budget shortage is projected as \$93,029 including operation of the new Central Energy Plant, Parking Garage, and Property Appraiser/Tax Collector Offices. Funds are available in the designated accounts due to operational savings, savings on planned items, and reductions in planned activities for the balance of the fiscal year.

Employee Services

[Tab 4](#) Approval of the Self-Funded Medical Plan Amendments policy.

Procurement

[Tab 5](#) It is recommended that the Board award the contract for a thirty six (36) month operating lease for one (1) wheel loader to Ring Power Corporation in accordance with the Florida Sheriff's Association Bid# 08-16-0908.

Public Safety

[Tab 6](#) Lake County Public Safety Fire Rescue Division requests the approval from the Board of County Commissioners to receive the donation of a 2000 Freightliner Columbia Truck.

[Tab 7](#) The Department of Public Safety recommends and requests approval of the attached resolution to accept funds from the State of Florida E911 Grant Program in the total amount of \$1,148,083.00. These funds are to establish a network with Embarq utilizing tariffed rates.

[Tab 8](#) Approval and execution of the resolution authorizing the receipt of funding from the Lake County Department of Health to the Lake County General Fund to conduct a Mass Prophylaxis Seminar with Tabletop Exercise and Tactical Communications Drill.

Public Works

[Tab 9](#) Approve Resolution recognizing the observance of 'Train Safety Awareness Week' from April 19-25, 2009.

[Tab 10](#) Request authorization to accept a maintenance bond in the amount of \$22,900.58, and execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Sorrento Hills Properties, L.L.C. The project is located in Section 7, Township 19 South, Range 28 East, Commission District 4.

[Tab 11](#) Request authorization to execute a Resolution and Release Agreement and execute any required settlement documents with the bonding agent, due to the developer's failure to complete the infrastructure within Colina Bay subdivision. Colina Bay consists of 73 lots and is located in Section 23 Township 22 South, Range 25 East. Commission District 3.

[Tab 12](#) Approve and accept the attached list of public right of way deeds that have been secured in conjunction with roadway and / or stormwater projects. (Commission districts 2, 4, 5)

[Tab 13](#) Staff requests approval from the Board of County Commissioners to lease the house on the Ellis Acres Property to a tenant in a law enforcement profession. Commission District 5.

V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 14](#) Approval of Settlement Agreement between Showcase Homes, Inc. and Lake County. Commission District 4.

[Tab 15](#) Approval of termination of lease agreement with Wilson Investments of Lake County for office space for the Conservation and Compliance Department. Commission District 3.

VI. AWARDS

EMPLOYEE AWARDS

FIVE YEARS

John Jolliff, Deputy Fire Chief
Public Safety/ Fire Rescue

Don Murray, Equipment Operator IV
Environmental Utilities/Solid Waste Operations/Landfill Operations

Erikk Ross, Software Engineer
Information Technology/Programming & Applications Support

Dorothy Ruck, Office Associate III
Conservation & Compliance/Code Enforcement Services

Jerry Smith, Emergency Management Director
Public Safety/Emergency Management

James Willis, Equipment Operator III
Public Works/Road Operations/Maintenance Area III (Umatilla)

TEN YEARS

Kirk Biccum, Fire Lieutenant/EMT
Public Safety/Fire Rescue

Judith Buckland, Library Services Program Coordinator
Community Services/Library Services

Terrie Diesbourg, Zoning Director
Growth Management/Zoning

James Fletcher, Fire Lieutenant/EMT
Public Safety/Fire Rescue

Robert Ford, Fire Lieutenant/Paramedic
Public Safety/Fire Rescue

Michael Kopilash, Fire Lieutenant/Paramedic
Public Safety/Fire Rescue

Brook Miller, Park Ranger
Public Works/Parks & Trails

Dustin Minton, Firefighter/EMT
Public Safety/Fire Rescue

FIFTEEN YEARS

Teresa Harrison, Accounting Technician
Procurement Services/Fleet Management

TWENTY YEARS

Michael Bass, Fire Lieutenant/EMT
Public Safety/Fire Rescue

Kevin Chamberlain, Firefighter/EMT
Public Safety/Fire Rescue

VII. PRESENTATIONS

[Tab 16](#) Presentation of the National Community Development Proclamation.

[Tab 17](#) Approval of Resolution recognizing the accomplishments of Lake County's volunteers and declaring the month of April 2009 as Volunteer Appreciation Month in Lake County, Florida. The approved resolution will be read on Tuesday, April 7, 2009 at the BOCC meeting and final signed resolution will be displayed in the middle glass case in the rotunda of the Administration building for the remainder of the April 2009.

[Tab 18](#) Pam Steinke of the Health Department will do a presentation on several programs and in recognition of National Health Week.

[Tab 19](#) US Fish and Wildlife Service Staff will give a presentation on Habitat Conservation Plans (HCPs). County staff and the County's Green Team request the Board's consideration and direction as to the possibility of pursuing a County-wide HCP.

VIII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Growth Management

[Tab 20](#) Review the Site Plan for Headquarter Honda to allow Final approval of the Site Plan. Approval will allow the applicant to pursue Building Permits for the building and certification through the Leadership in Energy and Environmental Design (LEED) Program as a Green Building.

Procurement

[Tab 21](#) Award RSQ 09-0016, Engineering Design for North Hancock Road Segment A to TY Lin International in the amount of \$600,000. Commission District 2.

Public Works

[Tab 22](#) Discussion concerning The Vistas/ Vista Del Lago Blvd. Commission District 2.

IX. PUBLIC HEARINGS

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

[Tab 23](#) Request approval of the Irrigation Ordinance.

X. OTHER BUSINESS

[Tab 24](#) Approval to move Lorrie Ann Simmons from her currently held District 1 seat on the Children's Services Council to the District 5 seat vacated by Lalenya Robertson. Ms. Simmons' District 1 seat expires May 14, 2009; the District 5 seat expires May 14, 2010.

XI. REPORTS

A. County Attorney

[Tab 25](#) Request Approval to Advertise the Noise Ordinance

[Tab 26](#) Approval of Resolutions instituting the eminent domain process for acquisition of property located in the Picciola Bridge Project area and approval to proceed with pre-suit negotiations offers. Commission District 1.

[Tab 27](#) Approval of Resolution instituting the eminent domain process for acquisition of property located at the intersection of CR 44 and Harbor Shores Road and approval to proceed with pre-suit negotiations offers. Commission District 5.

B. County Manager

[Tab 28](#) Information related to stimulus funds availability for Fleet facility, and needs of the current facility.

[Tab 29](#) Feasibility of using inmate labor to reduce costs for the Sheriff's South Lake District Office.

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

[Tab 30](#) Approval to sign the Proclamation proclaiming May 3-9, 2009 to be North American Occupational Safety and Health Week, and May 6, 2009 to be Occupational Safety and Health Professional Day.

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.