


The Board of County Commissioners of Citrus County, Florida, met in regular session on the above date at the Citrus County Courthouse in Inverness. The Chairman called the meeting to order, Commissioner Fowler gave the invocation, and Commissioner Batchelor led the Pledge of Allegiance to the Flag.


Commissioners:	Josh Wooten, Chairman; Vicki Phillips, First Vice-Chairman; Roger Batchelor, Second Vice-Chairman; Gary Bartell and Jim Fowler
Attorneys:	Robert B. Battista, and Michele Slingerland, Assistant
Administrator:	Richard Wm. Wesch
Deputy Clerks:	Theresa Steelfox and Glenda Brown

#2- **PUBLIC HEARINGS - WORKSHOPS - PERSONS TO APPEAR**

#2-A **OPEN TO THE PUBLIC**

 John (Jack) Hines expressed concern with the limitation in the County's purchasing policy. He stated that he had a business called Power Flow Technologies, which dealt with electric motors, pumps, controls, welders, etc., and worked for county government and authorities within Citrus, Marion, and Sumter counties. He also stated that he was informed that there was a rule that the County could not do more than \$10,000 in business with any single vendor of a given commodity or service. He then specified that the entity he was referring to was the Citrus County Water Treatment Facility in Meadowcrest.

Mr. Wesch stated that there was a misunderstanding and explained that the \$10,000 limit was the purchasing amount allowed without competitive bidding. He stated that he would be happy to meet with Mr. Hines to discuss the purchasing policy. (1:11 P.M.)

 Fay Handy outlined what had happened to his property and how he had lost his property rights. He stated that he had met all of the criteria for development of his property prior to the ordinance being adopted. He requested that the Board review his situation so that he did not have to go to court to resolve it.

Mr. Wesch explained that he had worked with Mr. Handy on this situation over the past two to three years. He stated that Mr. Handy had certain development plans for his property along the east side of the County; however, the adoption of the County's first Comprehensive Plan (COMP) affected those plans. He advised that staff had suggested that Mr. Handy attempt to establish a valid non-conforming use and/or a vested rights determination. He said that Mr. Handy had submitted information; however, staff could not grant him vested rights for development. He added that staff then informed Mr. Handy that his remaining alternative would be to seek judicial relief if he disagreed with the staff's position. He advised that staff had spent numerous hours reviewing this application; however, under the factors of this case, vested rights were not appropriate.

He replied to the Chairman's questions about the criteria to establish vested rights by stating that the criteria had not changed greatly over the years and that the criteria contemplated substantial investment and continuing development in good faith. He added that he believed that Mr. Handy was not able to meet the continued development criteria. He explained that staff took into account Mr. Handy's outstanding circumstances and still could not see where the requirements of the Land Development Code (LDC) to establish vested rights could be met.


Commissioner Fowler reviewed Mr. Handy's circumstances as he recalled. He explained that Mr. Handy had worked diligently since the down zoning of his property to establish vested rights. He further explained that Mr. Handy had extensive health problems and lived out of the County when the down zoning occurred.

Mr. Handy stated that vested rights had nothing to do with his circumstances. He added that due to the criterion at the time the ordinance was adopted if plans were submitted to Development Services they were automatically approved. He advised that he had submitted the plans timely and staff was not considering that information.

Mr. Wesch stated that there had been disputed issues of material fact and the application of the law, and staff had been unable to resolve those issues with Mr. Handy; therefore, staff apprised Mr. Handy of his appellate rights to proceed further if he desired. Mr. Wesch suggested that staff put together a report and forward it to the Board for their review.

Commissioner Phillips asked that the report be in chronological date order; include the valid not conforming use issue, the vested rights issue, and the allowed use of the property today. Mr. Wesch replied to Commissioner Bartell's question about a time frame to appeal the decision by stating that staff had never rendered a formal determination of vested rights; therefore, Mr. Handy had not lost his ability to appeal the case.

Mr. Handy was concerned that staff no longer had all the information for his situation, and the Chairman suggested that Mr. Handy supply everything to staff so that they could provide a full report to the Board. (1:22 P.M.)

 Jackie Dougall requested that the Board change the Animal Control Division's procedure regarding the treatment of animals that were injured and did not have identification or a collar with a County license. She reviewed the events of the previous weekend when she had found a dog with no identification that had been injured by a car. She stated that the Volunteer Fire Department assisted her by contacting an Animal Control Officer who picked up the dog. She continued by stating that the dog appeared to have a broken leg, that she offered to pay for some medical attention; however, the Animal Control Officer told her that the dog would be taken to a quiet area at the Animal Control Division and held for the night. She stated that she called the Animal Control Division twice on Monday and then visited the kennel to find the dog unresponsive in a cage, lying on a blanket covered with blood, and unable to walk. She expressed concern about the

conflict of information that she received throughout the ordeal. She mentioned that she had contacted the newspaper and other media in order to draw attention to this situation in hopes that something could be done to help injured animals delivered to the Animal Control Division. She informed the Board that a local veterinarian was going to perform surgery on the dog, and that he was the same veterinarian who had volunteered his services to the Animal Control Division. She added that there was a Florida Statute for animals called the Good Samaritan Act, whereby medical treatment could have been given to this animal.

Mr. Wesch advised that staff was preparing a report about the incident and that he would furnish a copy to the Board. He stated that a positive that stemmed from this incident was that a meeting would be conducted within the next 30 days with all County veterinarians to set up a network for volunteer medical services.

Commissioner Bartell was in full support of networking with the County veterinarians in order to correct this matter, and stated that staff would find some solution to this situation prior to it happening again. He also stated that he would suggest during the budget process that funding be set aside for animals to receive medical attention during the five-day holding period. Commissioner Phillips stated that staff was amending the Animal Control Ordinance and would address issues and make changes to policy as deemed necessary.

Discussion continued regarding the Animal Control Ordinance revision coming before the Board in late June, that the County had tried to create a sense of volunteerism and community spirit with regard to animal control with no success, that no one from the public attended either public hearing recently conducted on the latest Animal Control Ordinance revision, and that there were people willing to offer ideas and suggestions, which the County should consider. (1:37 P.M.)

#3- **CONSENT AGENDA**

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board pulled Item #3-MM (2) (RFP No. 074-04 - Private Road Program Financing) and Item #3-R (Release of Code Enforcement Liens - Case No. 03-112) for discussion, and approved the balance of the Consent Agenda, as follows:

#3-A Approved and authorized the Chairman to execute the minutes of the regular meeting held on April 27, 2004.

#3-B Approved the following warrants: Payroll registers dated May 11, 2004, at \$487,060.80, and dated May 13, 2004, at \$30,921.77. Emergency check registers dated May 12, 2004, at \$642 and dated May 24, 2004, at \$1,746.76. Accounts Payable register dated May 21, 2004, at \$3,260,271.17.

#3-C Adopted and authorized the Chairman to execute the following budget resolutions:

RESOLUTION NO. 2004-097

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE COMMUNITY DEVELOPMENT AND SYSTEMS MANAGEMENT BUDGETS FOR FISCAL YEAR 2003-04

WHEREAS, on February 10, 2004, the Citrus County Board of County Commissioners approved two (2) additional Development Review Permit Specialists in the Community Development Division; and

WHEREAS, funds must be budgeted for additional salaries and benefits and computer workstations; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida as follows:

1. The Board does hereby amend its budget to include the estimated revenues and expenditures listed in Exhibit "A" attached hereto and made a part hereof by reference.
2. The Clerk of the Board is hereby directed to spread this resolution upon the minutes of the meeting held this date.

ADOPTED, in regular session this 25th day of May 2004, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
COMMUNITY DEVELOPMENT			
Revenues	107-329-400	Site Review Fees	36,552
		Total Revenues	\$36,552
Expenditures	107-2781-51200	Regular Salaries and Wages	25,147
	107-2781-52100	FICA Taxes	1,924
	107-2781-52200	Retirement Contributions	2,110
	107-2781-52300	Life and Health Insurance	3,392
	107-2781-52400	Workers Compensation	254
	107-2781-54100	Communications Services	439
	107-2781-59100	Transfer to Systems Management	3,286
		Total Expenditures	\$36,552
SYSTEMS MANAGEMENT			
Revenues	001-381-107	Transfer – Community Development	3,286
		Total Revenues	\$3,286
Expenditures	001-2150-54615	Software Maintenance	124
	001-2150-55270	Computer Accessories	180
	001-2150-55275	Computer Software	1,064
	001-2150-56400	Machinery and Equipment	1,918
		Total Expenditures	\$3,286

RESOLUTION NO. 2004-098

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TITLE III B BUDGET FOR FY 2003-04

WHEREAS, on September 9, 2003, through Resolution 2003-288 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act Title III Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, funds are available from the close of the prior year grant that are available to be carried forward; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

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ADOPTED, in regular session this 25th day of May 2004, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	180E-400-200	Cash Carry Forward	10,235
		Total Revenues	\$10,235
Expenditures	180E-5341E-51200	Regular Salaries and Wages	5,906
	180E-5341E-52100	FICA Taxes	447
	180E-5341E-52200	Retirement Contributions	447
	180E-5341E-52300	Life and Health Insurance	800
	180E-5341E-52400	Workers Compensation	61
	180E-5341E-54615	Software Maintenance	245
	180E-5341E-55120	Non-Capital Equipment	329
	180E-5341E-56400	Machinery and Equipment	2,000
		Total Expenditures	\$10,235

RESOLUTION NO. 2004-099

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TITLE III C-1 BUDGET FOR FY 2003-04

WHEREAS, on September 9, 2003, through Resolution 2003-288 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act Title III Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, funds are available from the close of the prior year grant that are available to be carried forward; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board’s regular budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida as follows:

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2. The Clerk of the Board is hereby directed to spread this resolution upon the minutes of the meeting held this date.

ADOPTED, in regular session this 25th day of May 2004, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	181E-400-200	Cash Carry Forward	10,840
		Total Revenues	\$10,840
Expenditures	181E-5362E-51200	Regular Salaries and Wages	3,500
	181E-5362E-52100	FICA Taxes	268
	181E-5362E-52200	Retirement Contributions	260
	181E-5362E-52300	Life and Health Insurance	560
	181E-5362E-52400	Workers Compensation	39
	181E-5362E-55221	Meals	6,213
		Total Expenditures	\$10,840

RESOLUTION NO. 2004-100

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TITLE III C-2 BUDGET FOR FY 2003-04

WHEREAS, on September 9, 2003, through Resolution 2003-288 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act Title III Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, funds are available from the close of the prior year grant that are available to be carried forward; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board’s regular budget; and

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	182E-366-908	Donations – March for Meals	190
	182E-366-909	Donations – Pet Meals	891
	182E-400-200	Cash Carry Forward	6,938
		Total Revenues	\$8,019
Expenditures	182E-5351E-54615	Software Maintenance	400
	182E-5351E-55120	Non-Capital Equipment	350
	182E-5351E-55221	Meals	4,188
	182E-5351E-55231	March for Meals	190
	182E-5351E-55236	Pet Meals	891
	182E-5351E-55275	Computer Software	2,000
		Total Expenditures	\$8,019

RESOLUTION NO. 2004-101

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TITLE III C-2 BUDGET FOR FY 2003-04

WHEREAS, funds have been received for the salvage of a vehicle that caught fire on March 17, 2004; and

WHEREAS, these funds will be used to offset maintenance and fuel costs for vehicles used by the Title III staff; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	182E-365-000	Salvage Proceeds	2,005

		Total Revenues	\$2,005
Expenditures	182E-5348E-54603	Vehicle Maintenance	1,500
	182E-5348E-55208	Fuel and Lubes	505
		Total Expenditures	\$2,005

RESOLUTION NO. 2004-102

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TRANSPORTATION OPERATIONS BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on January 27, 2002, through Resolution 2002-012 the Citrus County Board of County Commissioners approved an application for financial assistance under Section 5311 of the Federal Transit Act and a contract to undertake a Public Transportation Service Project with the Florida Department of Transportation; and

WHEREAS, funds are available from the close of the prior year grant that are available to be carried forward; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	159E-400-200	Cash Carry Forward	8,932
		Total Revenues	\$8,932
Expenditures	159E-7204E-54100	Communications Services	750
	159E-7204E-56200	Buildings	8,182
		Total Expenditures	\$8,932

RESOLUTION NO. 2004-103

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE EMERGENCY HOME ENERGY ASSISTANCE FOR THE ELDERLY BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on April 13, 2004, through Resolution 2004-075 the Citrus County Board of County Commissioners approved an application for financial assistance under the Emergency Home Energy Assistance for the Elderly Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on May 6, 2004, the Mid-Florida Area Agency on Aging, Inc. executed the contract to provide funds to benefit elderly residents of the county; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	188E-331-590	Federal Grant	\$18,000
Expenditures	188E-5331E-54300	Utility Services	\$18,000

RESOLUTION NO. 2004-104

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE LIBRARIES BUDGET FOR FY 2003-04

WHEREAS, the Division of Library Services has received donations from the Friends of the Floral City Library and Friends of the Lakes Region Library; and

WHEREAS, these funds will be used to purchase books, DVDs, CDs, films, cassettes, videos, and a bike rack; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

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/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
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	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	131-366-907	Donations – Friends of the Library	4,200
		Total Revenues	\$4,200
Expenditures	131-6212-55120	Non-Capital Equipment	260
	131-6212-56600	Library Books – Publications	3,940
		Total Expenditures	\$4,200

RESOLUTION NO. 2004-105

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE LIBRARIES BUDGET FOR FY 2003-04

WHEREAS, the Division of Library Services receives funds from the Florida Arts License Tag Program when residents of the County purchase a special Florida Arts License Tag; and

WHEREAS, these funds will be used to purchase arts-related materials and programming; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board’s regular budget; and

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"

	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	131-335-715	Florida Arts License Plates	\$500
Expenditures	131-6212-53400	Other Contractual Services	\$500

RESOLUTION NO. 2004-106

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE EMERGENCY MEDICAL SERVICES GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on March 1, 2004, the Citrus County Board of County Commissioners received an Emergency Medical Services County Grant; and

WHEREAS, funds are also available from the prior grant that may be carried forward; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board’s regular budget; and

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BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

ATTEST:

/s/ Betty Strifler

/s/ Josh Wooten

BETTY STRIFLER, CLERK

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	061E-334-200	Emergency Medical Services Grant	33,563
	061E-361-200	SBA Interest	22
	061E-400-200	Cash Carry Forward	186
		Total Revenues	\$33,771
Expenditures	061E-5418E-55106	Medical Supplies	193
	061E-5418E-55275	Computer Software	2,652
	061E-5418E-55400	Dues, Books, Subscriptions	2,996
	061E-5418E-56400	Machinery and Equipment	27,930
		Total Expenditures	\$33,771

#3-D Approved the following budget transfers: **TOURISM:** \$3,000 from #160-2122-51306 to #-53400. **ELECTIONS:** \$5,000 from #001-2440-54700 to #-2443-54700. **MAINTENANCE OPERATIONS DIVISION:** \$2,640 from #001-2670-56300 to #-56400. **SUPPORT SERVICES DIVISION:** \$8,685 from #176-5350-51200 to #-51306. **LIBRARY SERVICES DIVISION:** \$520 from #131-6212-55208 to #-54603. **CITRUS SPRINGS MUNICIPAL SERVICES BENEFIT UNIT:** \$380 from #730-8200-59162 to #-54907. **UTILITIES DIVISION:** \$1,000 from #450-9000-55210 to #-55211 and \$7,000 from #-56400 to #-56200.

#3-E Approved and authorized the Chairman to execute a Satisfaction of Judgment for Orbarry McKinnon, Jr., Case No. 1995 CT 001221.

#3-F Approved and authorized the Chairman to execute Releases of Lien for special assessments that had been paid in full: **Resolution No. 2001-202:** Francis M. Carbone, Alternate Key (AK) No. 2264357 (1D). **Resolution No. 2001-186:** Charles Drake, AK No. 1882991.

#3-G Approved and authorized the Chairman to execute a Satisfaction of Lien filed by and on behalf of the Citrus County Municipal Service Taxing Unit for water and wastewater utility services with Jack C. and Margaret Mitchell.

#3-H Adopted and authorized the Chairman to execute a resolution for the purpose of continuation of Citrus County Transit as the community transportation coordinator for

Citrus County and authorizing the signatories of any such instruments under the Medicaid

Sub-Contracted Transportation Services as may be generated in this position.

RESOLUTION NO. 2004-107

#3-I Approved Change Order No. 1.00 to the contract with Michael Czerwinski, Environmental Consultant, for the relocation of 17 additional gopher tortoises from the construction areas of County Road (CR) 486 Road Widening Project at an additional expense of \$7,500.

#3-J Approved travel requests for the Commissioners and the County Administrator to attend the Florida Association of Counties 75th Annual Conference, June 22 through June 25, 2004, in Hollywood, Florida.

#3-K Approved and authorized the Chairman to execute a Notice of Commencement with Mac Johnson Roofing for repair of the Historic Hernando School roof at the base bid amount of \$55,160.

#3-L Announced Sophia Diaz-Fonseca as the newest board member of The Centers Board of Directors, and authorized the Chairman to execute a letter of notification of said action.

#3-M⇒N **(1)** Approved and authorized the Chairman to execute the Permanent Reassignment of Development Rights Agreements with Angela B. Davis, DVR No. 2004-015, AK No. 1141672; George E. and Joan M. Kasper, DVR No. 2004-016, AK No. 2526980; and Homer C. and Barbara J. Ryan, DVR No. 2004-017, AK No. 1140862, for residential properties within municipal service benefit units for installation of water and wastewater systems for the Halls River Road Wastewater Assessment District, and **(2)** directed the Clerk to record the agreements in the public records.

#3-O **(1)** Accepted Permanent Utility and Access Easement Deeds from the following property owners who had joint ownership of North Wood Creek Point, South Blue River Cove Terrace, West Fern Creek Terrace, and West River Cove Place, (private roads) for the proposed Halls River Road Wastewater Assessment District, which would allow the County to install and maintain the wastewater lines, and **(2)** directed the Clerk to place the acceptance stamp upon the deeds and record in the public records.

Carl F. and Janet L. Bucklad	David P. and E. Blair Covington
David Aguis	Daniel C. Buckheister
Thomas R. and Alice L. Cushman	Jon and Jill L. Hay
James D. and Lois B. Reid	Larry Douglas and Dardeen Andersen
Carl W. and Betty J. Fulton	Dia L. Perry
Precision Grading & Land Development Inc.	Susan Henry and Jack W. Rainford
Patricia and O. Weems Hollowell	Joseph S. and Mary E. Iannelli
James R. Johnson	Jack R. and Judie C. Staples
Emmanuel J. Suarez	

#3-P (1) Approved and authorized the Chairman to execute the Permanent Reassignment of Development Rights Agreement with Edward C. and Alice M. Lockman, DVR No. 2004-012, AK No. 3117059 for residential properties within municipal service benefit units for installation of water and wastewater systems for the Halls River Road Wastewater Assessment District, and (2) directed the Clerk to record the agreement in the public records.

#3-Q (1) Accepted a Temporary Utility Construction Easement from Thomas R. and Alice L. Cushman on West River Cove Place for the installation of wastewater lines across their property that would enable their neighbor to connect to the proposed Halls River Road Wastewater Assessment District, and (2) directed the Clerk to record the easement in the public records.

#3-S (1) Terminated the Citrus County Garbage Collector Certification and the following contracts: the Solid Waste Disposal Agreement dated August 26, 2003, and the Waste Disposal Account Agreement dated April 13, 2004, with Alternative Waste Services, Inc., (2) approved and authorized the Chairman to execute a Solid Waste Disposal Agreement with Citrus Waste Services, Inc., establishing tipping fees for the Central Landfill at \$30 per ton for unincorporated waste and \$45 per ton for waste collected within the cities of Inverness and Crystal River, (3) approved and authorized the Chairman to execute a Waste Disposal Account Agreement with Citrus Waste Services, Inc., establishing a monthly charge agreement for disposal fees at the Central Landfill up to \$4,025, and (4) transferred the cash security deposit of \$4,025 from the Waste Disposal Account Agreement with Alternative Waste to the Waste Disposal Account Agreement with Citrus Waste Services, Inc.

#3-T Approved and authorized the Chairman to execute the Modification of Agreement with the Florida Department of Community Affairs, Contract Number 04EA-4P-05-19-01-008, increasing allocations for the 2004-2005 Low Income Home Energy Assistance Agreement, and amending the total contract amount to \$186,357.

#3-U Approved and authorized the Chairman to execute the Substantially Similar Plat of the Robert Blake Subdivision – A Replat (PLT-03-15), and directed the Clerk to record the plat in the public records.

#3-V Approved and authorized the Chairman to execute the contract with Lanzo Lining Services, Inc., Bid No. 053-04, for the Storm Sewer Pipe Rehabilitation Project at 7080 Duval Island Road, Floral City, at \$51,500, contingent upon receipt of the necessary payment and performance bonds.

#3-W Approved a request from the Chamber of Commerce, on behalf of Inverness Downtown Merchants Association, to use the Historic Courthouse grounds for the Uncle Sam Jam on Saturday, July 3, 2004, from 10:00 A.M. until 4:00 P.M.

#3-X Approved and authorized the Chairman to execute the Consulting Agreement for Surveying Services with D.C. Johnson & Associates, Inc., to establish certified section corners in an amount not to exceed \$100,000.

#3-Y (1) Approved and authorized the Chairman to execute the Permanent Reassignment of Development Rights Agreement with Agnes C. Moock, DVR No. 2004-018, AK No. 1187389 for residential properties within municipal service benefit units for installation of water and wastewater systems for the Chassahowitzka Water Quality Assessment District, and (2) directed the Clerk to record the agreement in the public records.

#3-Z (1) Accepted Permanent Utility and Access Easement Deeds from the following property owners who had joint ownership of South Pitcher Point (private road) that would allow the County to install water/wastewater lines in Chassahowitzka, and (2) directed the Clerk to place the acceptance stamp upon the deeds, and record in the public records.

Matthew and E. Hope Corona	Norma Cribbs
Henry C. and Cynthia M. Klein	Sharon L. Hammaker
Robert C. and Deanna B. Cox	Patrick V. Nolan
Karen P. Howard	Phillip G. Walls

#3-AA Approved and authorized all Commissioners to execute a certificate of appreciation to Joyce P. St. Pierre for 13 years of employment.

#3-BB Approved and authorized the Chairman to execute a Notice of Commencement with Schippers Marine for the Duval Island Boat Dock Project, which consisted of designing, permitting, construction, and installation, including meeting all ADA requirements.

#3-CC Approved and authorized the Chairman to execute Amendment No. 5 to the Professional Services Agreement with Hoyle, Tanner & Associates, Inc., (Project No. 23-604) at \$18,500 for the design and permitting of security fencing and gates at the Crystal River Airport.

#3-DD Approved and authorized the Chairman to execute Amendment No. 6 to the Professional Services Agreement with Hoyle, Tanner & Associates, Inc., (Project No. 23-605) at \$18,500 for the design and permitting of security fencing and gates at the Inverness Airport.

#3-EE (1) Adopted and authorized the Chairman to execute a resolution relating to the 2004 Limerock Road Paving Program, approving the preliminary assessment roll and reported costs, and setting the time, date, and place of a public hearing on the special assessment roll, and (2) set a public hearing on July 27, 2004, at 5:00 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness to receive public comment on the adoption of a resolution adopting and certifying a non-ad valorem assessment roll for

the 2004 Limerock Road Paving Program pursuant to Section 197.3632, Florida Statutes, and providing an effective date. **RESOLUTION NO. 2004-108**

#3-FF Approved a settlement offer for Parcel 820 with Chan and Christina Joung at \$40,000 plus \$1,683 in attorney fees for the CR-486 Road Improvement Project.

#3-GG Acknowledged receipt of a Class Action Complaint and Demand for Jury Trial that had been filed in the circuit court in the matter styled James D. Ownby and Citrus Springs Landowner's Association, Inc., on behalf of themselves and all others similarly situated, vs. Citrus County, Florida, Citrus Springs Municipal Services Benefit Unit, Citrus County Property Appraiser, and Citrus County Tax Collector.

#3-HH Approved the purchase of Lots 35 and 36, Block 301, Inverness Highlands South for a future drainage retention area offered by Janice Warren, Tax Collector, for \$179.23, the amount of the unpaid taxes.

#3-II Adopted and authorized the Chairman to execute a resolution setting a public hearing on June 22, 2004, at 1:30 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness to consider approval of Street Vacation SV-04-02 as petitioned by Terri Hartman for Richard V. and Linda L. Bunch. **RESOLUTION NO. 2004-109**

#3-JJ Approved and authorized the Chairman to execute the Application for Funding Assistance, Florida Department of Law Enforcement, Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program to allow the Sheriff's Office to continue building wireless data communications facilities.

#3-KK Set a public hearing on July 13, 2004, at 1:35 P.M in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness for public comments on the Streamlined 5-Year/Annual Plan as part of the Quality Housing and Work Responsibility Act (QHWRA).

#3-LL Approved and authorized the Chairman to execute an Indemnity Agreement with The Visitor for the installation of temporary signs for their upcoming Antique and Collectible Fair on June 5, 2004.

#3-MM(1) Awarded Bid No. 071-04, Housing Division, home repairs, to Donle Enterprises, Inc., RHB 2003-015 at the base bid total of \$15,050, RHB 2003-016 at the base bid and flooring allowance total of \$13,575, and RHB 2003-017 at the base bid total of 13,680 as the lowest bidder. (1:38 P.M.)

#3-R **RELEASE OF CODE ENFORCEMENT LIENS - CASE NO. 03-112**
Commissioner Bartell stated that he pulled this item from the Consent Agenda because he wanted Ruth Wedeman to have the opportunity to speak about this case.

Ms. Wedeman stated that she had purchased a mobile home with some code enforcement violations. She explained that the previous owner resided in New York and was unaware of the code violations until she contacted her. She added that the previous

owner's attorney contacted her and asked if she would be interested in purchasing the mobile home at a net cost. She stated that she investigated the code enforcement fees and that Code Enforcement Officer Jerry Schaaf notified her by letter that usually only the actual costs the County incurred would be charged. She added that prior to the Code Enforcement Board (CEB) hearing she received another letter from Mr. Schaaf informing her that the costs incurred by the County were approximately \$1,400. However, at the CEB hearing, she was informed that she would be charged half of the code enforcement fees (\$6,250), which would have to be paid in 30 days. She asked the Board to review Case No. 03-112 because she believed it was not consistent with other forgiveness cases, but that she was willing to pay the actual County costs.

Discussion ensued regarding the CEB making recommendations to the Board without staff being involved, staff's concern on how the CEB determined the amount, the CEB typically reducing the fees to the costs incurred by the County, the actual costs incurred by the County in this case being \$1,424.39, that compliance was the important issue on those cases, that the justification of the CEB in this case was not necessarily relevant to what should be the deciding factor in reducing or not reducing CEB liens, etc.

Motion by Commissioner Bartell, seconded by Commissioner Phillips, to approve and authorize the Chairman to execute a Release of Lien for Code Enforcement Board Case No. 03-112, against Delores Cippola and Edward Kleihauser, Sr., at \$1,424.39. Ms. Wedeman, the current property owner, would be refunded the difference paid from the original lien amount of \$6,250.

Ms. Wedeman responded to Commissioner Phillips' question regarding the previous owner not being aware of the code enforcement violations by stating that the previous owner had moved to New York approximately three years ago and her address was never changed in the official records. She responded to Commissioner Batchelor's question by stating that she was aware of the code enforcement violations prior to the purchase of the property and that she based the purchase price on the information she had received from Mr. Schaaf and the CEB's normal procedure in forgiveness cases.

The Chairman called a question on the motion, and the motion carried unanimously.

(1:46 P.M.)

3-MM(2) RFP NO. 074-04 - PRIVATE ROAD PAVING PROGRAM FINANCING

Commissioner Phillips stated that she asked for this item to be pulled because it was for the financing of the Private Road Paving Program and although the bond validation had been completed, she had a low level of comfort and could not support the program.

Motion by Commissioner Wooten, seconded by Commissioner Fowler, to award RFP No. 074-04, Office of Management and Budget, Private Road Paving Program financing to Mercantile Bank at a fixed rate of 3.82 percent.

The Chairman stated that he had a high level of confidence in the program, that this had been one of the most vetted programs that he had been involved in, that he was

very proud that Citrus County was the first in the state to develop a way to help the citizens pave their roads, etc.

Commissioner Phillips stated that she was not concerned with the initial paving of the road; however, since this was private property she was concerned with what might happen in the future.

Motion carried: Voting Aye: Commissioners Bartell, Batchelor, Fowler, and Wooten. Voting Nay: Commissioner Phillips. (1:48 P.M.)

#2-B PROCLAMATION - "DRIVE THE NATURE COAST MONTH"

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized all Commissioners to execute a proclamation declaring the month of June 2004 as "Drive the Nature Coast Month". (1:50 P.M.)

#2-C CERTIFICATES OF RECOGNITION - "VOLUNTEER MEDIATION PROGRAM"

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized all Commissioners to execute certificates of recognition to Wendell Reed, John E. Hartley, Albert N. Nagy, Douglas Dougan, Alan Zweigbaum, Claus Brinnitzer, and Patricia Kittlemen for ten years of service to the Citrus County Volunteer Mediation Program.

Judge Mark J. Yerman commented on the volunteers and the asset they were to the community and the courts system. (1:55 P.M.)

Commissioner Bartell left the meeting.

#2-D CERTIFICATE OF RECOGNITION TO SARAH BUSHMAN

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized all Commissioners to execute a certificate of recognition to Sarah Bushman for completing and receiving the "Girl Scout Gold Award". (1:57 P.M.)

The Chairman recessed the meeting and reconvened at 2:06 P.M.

Commissioner Bartell returned to the meeting after the recess.

#2-E OA-04-01, DEPARTMENT OF DEVELOPMENT SERVICES (DDS)

DDS Director Gary Maidhof stated that this was an ordinance amendment to the Land Development Code (LDC) prepared because of recent case law, with recommendations from the County Attorney's Office, DDS staff, and direction from the Board. He reviewed the assorted amendments as follows:

- ✘ Appeals of Level One decisions to the Planning Development and Review Board (PDRB)

- ✘ Required disclosure of existing development rights of third parties on properties submitted for development or redevelopment

- ✘ Establishment of a one-year expiration date of final site plan approvals when commencement did not occur and vested rights had not been established

- ✘ Required submittal of improvement plans within 30 days and submittal of as-builts within specified time frames

- ✘ Authorization of administrative approval of reduction in density in Planned Developments (PDs) or Planned Development Overlay (PDOs) modifications under specific conditions

- ✘ Appeals on a Technical Review Team (TRT) or Level One action could be heard by the PDRB or the appellant could retain a special master for very complicated appeals

- ✘ Revision of appeal criteria shifting review responsibilities from a hearing officer to the PDRB

- ✘ Providing for criteria to address eminent domain cases as they affect existing development

- ✘ Establishment of an expiration period for biological surveys

- ✘ Modification of traffic study requirements to include temporary residential uses

- ✘ Modification of parking design standards to preserve trees

- ✘ Modification of tree standards for subdivisions

- ✘ Modification of tree mitigation requirements for vacant land

Mr. Maidhof agreed with Commissioner Phillips' statement that a word was missing from page 9: paragraph B 1 a, and the sentence should read as follows "The County shall have the sole authority to select a special master."

He added that there was a submittal from Clark Stillwell which staff took into account and modified Section 2273 D 3, regarding the approval by an Architectural Review Board or Homeowner's/Property Owners Association when applicable and such legal authority was provided within their charge.

He replied to Commissioner Bartell's question regarding the modification of the LDC to include timeshares and the equivalent residential unit (ERU) for water and wastewater hook up, by stating that the LDC addressed those issues in the old appendices

and the Board adopted the new water and wastewater standards, which applied to Citrus County's systems. The Board concurred that staff should address this issue by reviewing the ordinance to make sure Commissioner Bartell's concerns were addressed, and then come back to the Board with a more comprehensive package for an LDC amendment dealing with condominiums and timeshares.

Commissioner Fowler stated that those were all good amendments; however, questioned the issue of substantial competent evidence under the appeals portion. Ms. Slingerland explained that the person hearing the evidence would have to determine what weight he would give the information received and whether or not he believed it relevant to establish a fact.

Mr. Maidhof responded to the Chairman's question regarding tree preservation plans and the location of the preserved trees on a large tract of land being developed by stating that he was aware of the specific situation and was in the process of writing a memo regarding that issue. He explained that when the PDRB approved the project they did not require a post submittal of a tree preservation plan and that language indicated that the developer needed final site plan approval before work occurred. He added that the work occurring before final site plan approval constituted the violation in this case; however, staff was noticing a trend where work was being done on large projects, residential or non-residential, before permits were issued, and the penalties involved seemed to be viewed as the cost of doing business. He advised that staff was working to address this issue. He felt that the new system was working for the most part, whereas the intent was to preserve trees whenever possible and still allow the development to occur.

The Chairman opened the public workshop and asked if anyone wished to speak in favor.

Mr. Stillwell, on behalf of the Citrus County Builders Association (CCBA), spoke about the appeals standards of the amendment. He stated that the current hearing officer process was flawed and ineffective, and that this amendment was a positive step toward correcting the process. He stated that he did not mind that the County was going to select the special master; however, thought that the losing party should bear that cost. He also spoke of problems with public input opportunity (substantial competent evidence) during the appeal before the PDRB, and an ethical problem with the County Attorney's Office representing the County before the PDRB and then representing the PDRB. He added that the Board might need or require outside independent legal council, as was recently required with the CEB.

He advised that there was a 2002 legislature amendment, which said if a governing body had not adopted a process by which there were a special master to review plan amendment issues, then the decision of the Board would be reviewed de novo in the circuit court, and the judge would determine the land use planning. He added that there was a model ordinance available; however, the state had not agreed on what the

ordinance should say. He encouraged the Board to review and consider the ordinance as the next step in the special master process.

The Chairman then asked if anyone wished to speak in opposition.

Michael Smallridge, representing the Realtors Association of Citrus County, hoped that reforestation would take place on properties where all trees had been removed for development; such as, the Lowe's Home Center. He was in favor of the special master process because that person would be more knowledgeable in land use issues.

Mr. Maidhof addressed Mr. Smallridge's concern with the Architectural Review Board or Homeowner's/Property Owners Association being involved in the PD or PDO modifications by stating that they would only be involved if there was a request for an administrative reduction of density, and that nothing in the amendment would give them any authority over permitting issuance. He reassured him that if the Architectural Review Board or Homeowner's/Property Owners Association denied a request for an administrative reduction of density, the applicant would have to go through the normal atlas amendment process.

Mr. Smallridge commented that if the Board had the ultimate decision on PD or PDO modifications, then the Architectural Review Board or Homeowner's/Property Owners Association should not be involved at all.

Dan Galbraith, representing the CCBA, stated that they were in favor of the special master process for appeals. He suggested that if the special master process was unsuccessful, then a new board with qualifications should be created. He added that the costs for special masters should be paid by the person who lost the appeal. He commented that homeowner's associations had been very negative toward builders, and that the persons on those committees had no building background. He suggested that the powers of the homeowner's associations be very limited.

Discussion ensued on Section 2273 D 3 regarding the Architectural Review Board or Homeowner's/Property Owners Association and their approval of density reduction issues when they had the legal authority. Mr. Maidhof stated that if D 3 was removed from the amendment, the public awareness was eliminated. Chuck Dixon, director of the Community Development Division (CDD), stated that Section 2273 D 3 was added because typically common areas were paid by individual assessments, and if the density was reduced, it could potentially increase the amount of assessment for the remaining parcels.

The Board concurred with Mr. Maidhof's suggestion to add number 4 to Section 2273; whereas, the applicant would be required to send public notice in a 500-foot radius as directed in the existing LDC.

Discussion continued regarding the Homeowner's/Property Owners Associations' authority or non authority to make those type decisions, the importance of notifying

abutting property owners of land use changes, changing Sugarmill Wood's PD, reviewing this issue prior to the public hearing, etc.

Denise Lyn, representing Cypress Village Property Owners Association, stated that they were in favor of the amendment and of the notification of land use changes.

Joyce Valentino agreed that the property owners needed to be notified of land use changes.

The Chairman closed the public portion of the public workshop.

The Board clarified their direction on the following items:

- ✓ Costs of the special master should be paid by the appellant.
- ✓ The PDRB was the appropriate board to handle appeal cases.

Ms. Slingerland stated that staff would address Mr. Stillwell's concerns regarding the public comment issue at hearings. She replied to Commissioner Phillips' question regarding any ethical problems with the County Attorney's Office representing the PDRB, by stating that staff would represent themselves before the PDRB and that the County Attorney's Office would not help prepare or present staff's information to the PDRB.

Mr. Maidhof and Ms. Slingerland addressed the Chairman's question regarding special masters by stating that the use of special masters was an opt in program, costs would be born by the appellant, using a special master or going before the PDRB still allowed the right of appeal, etc. Mr. Maidhof suggested that if this amendment was adopted on July 13, 2004, staff would develop a Request for Qualifications (RFQ) for special masters on an "on call" basis should there be an appeal. (3:13 P.M.)

The Chairman announced that Item 2-G (Presentation by Brett Wattles, Citrus County Economic Development Council, regarding a land use application for the MacKeil property) was pulled from today's meeting.

The Chairman recessed the meeting and reconvened at 3:28 P.M.

#2-F CHALLENGER WORLD EVENT

Mary B. Craven, Tourism Development Manager, presented a video of a Challenger World Event that was held in the United Kingdom. She explained that Challenger World had operated in Europe for several years and was exploring some locations in the United States as a destination to begin one segment of the program. She added that the Tourist Development Council (TDC) and the Economic Development Council (EDC) jointly recommended the sponsorship of the 2005 Challenger World Event in Citrus County and recommended that the funding of \$25,000 be taken from tourist development tax revenues - special projects, and \$25,000 from the occupational license fees. She advised that the benefits to the County would be worldwide exposure through

television and press coverage, coordinated marketing through major media, access to all footage and photography professionally developed, immediate and long-term economic impact, and the opportunity to bring in approximately 150 corporate executives.

Ms. Craven addressed Commissioner Batchelor's question about further funding by stating that no further funding would be expected by the County as a destination. She stated that Challenger World would be requesting assistance from staff and elected officials for contact information, and from local retailers for services and goods.

Bret Wattles, representing the EDC, stated that their executive committee and board of directors had voted unanimously to move forward with this project. He added that one of the real values to the EDC was that Challenger World had agreed to give them access to all video footage and photography associated with the project. He mentioned that EDC felt that this opportunity was a major benefit to the whole community, not just the business and tourism community.

Motion by Commissioner Fowler, seconded by Commissioner Batchelor, to authorize staff to negotiate a contract with Challenger UK Ltd. for the first United States Challenger World Event to be held in Citrus County, October through November 2005.

The Chairman addressed Commissioner Bartell's concern about the sample contract by stating that the actual contract would come back to the Board for final approval.

The Chairman called a question on the motion, and the motion carried unanimously. (3:44 P.M.)

#2-H ***BOAT RAMP USER FEE PLAN***

Mark Edwards, Aquatic Services Director, presented a PowerPoint presentation of a pilot "Boat Ramp User Fee Plan" for discussion and possible implementation on three County boat ramps that would include a "user fee" to assist with the funding and maintenance of the boat ramps in the future.



He summarized staff's recommendations as follows:

- ✓ Establish a "pilot program" at Fort Island Trail Park, Fort Island Gulf Beach, and Homosassa (MacRae's)
- ✓ Adopt a fee schedule of \$10 daily usage and \$20 annual pass (residents only)
- ✓ Utilize printed ticket machines for collection (start up cost \$36,613)
- ✓ Develop a County ordinance

Mr. Edwards addressed Commissioner Batchelor's concern about enforcement of the ordinance by stating that anyone who did not display a ticket or have an annual pass would be subject to a violation enforced by the Sheriff's Department. Mr. Wesch stated that the ordinance would be similar to the County's parking ordinance.

Commissioner Batchelor commented that the \$20 annual pass for residents was too high due to the taxpayers already funding the boat ramps. He added that the fee should only cover the cost of the annual pass, and suggested \$10 for a full year and \$5 for a half year. He was in favor of the \$10 fee for daily usage. Mr. Wesch stated that staff established the \$20 fee as a starting point for the Board's discussion; however, requested that the set fee cover the actual cost of the production of the passes.

Mr. Wesch stated that the issues of enforcement and selling passes would be part of the ordinance, which would be approved by the Board in the future. He proposed that the Parks and Recreation Division sell the passes as an alternative to the Tax Collector.

Commissioner Fowler suggested using the ticket machines to sell the annual and daily passes, accept credit cards for payment, and send a report to an office at the end of the day to report revenues. He added that the fee needed to be revenue positive.

Discussion ensued about the residents already paying for the boat ramps, the need for an additional boat ramp, additional parking being created at the Fort Island Trail area, the users of three ramps paying for the maintenance of all the boat ramps in the County, the need for a comprehensive plan for additional boat ramps, no funding in the budget for an additional boat ramp, safety issues, the need to evaluate the pilot program at the end of the year, the boat ramp fees would help to maintain the boat ramps and shift some cost to the user rather than to all of the taxpayers in the County, the need for strict enforcement, empowering people to issue citations through the Sheriff's Department, etc.

Mr. Wesch explained that the COMP required the closure of one boat ramp for the addition of another. He stated that recent discussions were that a private investor/developer was interested in putting in a private boat ramp at the Cross Florida Barge Canal.

Motion by Commissioner Batchelor, seconded by Commissioner Phillips, to authorize staff to pursue the establishment of a pilot "boat ramp user fee" program to establish a fee at three County owned boat ramps utilizing the ideas suggested by the Board today.

Short discussion followed regarding parking violations due to the lack of parking spaces, the need for additional parking and boat ramps, enforcement issues, etc.

Sam Lyons, Eric Toney, Mr. Smallridge, and Harold Reed commented on the following: local residents not paying a boat ramp fee, out of county residents paying a boat ramp fee, the need for additional boat ramps, the time and money spent on researching this issue could have been used for the maintenance of the boat ramps, etc.

Commissioners concurred that additional boat ramps were needed, that a less used boat ramp should be closed to add a larger boat ramp with more parking, that the state should realize that the County needed additional boat ramps, etc.

Commissioners Batchelor and Phillips withdrew their motion.

(4:48 P.M.)

The Chairman recessed the meeting and reconvened at 5:01 P.M.

Commissioner Bartell did not return to the meeting after the recess.



#2-1

25-YEAR TRANSPORTATION MASTER PLAN (PLAN)

Mr. Wesch stated that this item was rescheduled from the May 11 Board meeting agenda. He pointed out that recommendations from various public workshops were incorporated into the development of this Plan.

Engineering Services Director Ken Cheek explained that the purpose of the presentation was to review a list of proposed projects, some funding options, associated costs, and to incorporate comments into the Plan for adoption at a future date. He then proceeded with a PowerPoint presentation (filed with the Clerk's agenda).

He stated that the public, an advisory group, staff, and others identified potential projects. He showed a map of the 2002 and 2025 traffic volumes, which revealed that within the next 23 years there would be major traffic volume changes. He explained that 31 projects were identified and ranked according to capacity, which consisted of 14 road-widening projects and 17 new roadways at \$632 million in today's dollars, not including utilities. He added that the Florida Department of Transportation (FDOT) was revising their model of the Suncoast 2 Parkway (Suncoast 2); therefore, the "no build" scenario was applied to the Plan at this time.

Commissioner Fowler commented that the map showed new east-west corridors, and questioned if more east-west corridors would be recommended if the Suncoast 2 became a reality. Mr. Cheek explained that many of the new east-west connector roads were identified through the public input process. He confirmed that the consultant did not recommend any new east-west roads prior to the Suncoast 2 being built.

Greg Kern, consultant with Dyer, Riddle, Mills, and Precourt, Inc., explained that the alternatives were developed through various sources and that those alternatives were presented to the public, who pointed out other scenarios as well. He stated that impacts to the roads from the Suncoast 2 were unknown at this time; however, by using the FDOT District 7 Tampa Bay Regional Planning Model ("Model"), new roadways could be modeled, recommended, and placed on the map without knowing the Suncoast 2 volumes. He advised that the guideline for transportation planning was to review spacing major arterial roadways every two or three miles across the County without affecting existing communities, environmentally sensitive properties, and other issues. He added that until the Turnpike Enterprise developed and adopted model volumes of use on the Suncoast 2 there was no way to know whether there would be 5,000, 10,000, or 20,000 trips a day on the Suncoast 2 or the need for additional east-west roadways.

Commissioner Fowler disagreed with Mr. Kern's theory because he said there were not many differences in the preferred routes for the Suncoast 2, and he did not believe the chosen route would affect the number of vehicles traveling the toll road.

Mr. Kern clarified that the issue was not the alternative route, but rather the traffic volume on the roadway. He stated that he could not yet determine whether new east-west roadways would be needed with or without the Suncoast 2. However, by using the "Model", he could determine that a new roadway south of SR-44 between US-19 and Rock Crusher Road would carry 5,000 cars a day by the year 2025 according to land use and traffic demand.

Commissioner Fowler pointed out that the County recognized that roadways such as Grover Cleveland Boulevard and Cardinal Lane would need to be widened in the future. He remarked that he considered this study incomplete unless the consultant could tell whether new roads would be needed or the location of those roads after the Suncoast 2 was built.

Mr. Kern explained that the process of traffic modeling in determining results and percentages of roadway capacity over the next 20 years was based on the County's future land use and development information. He pointed out that the "Model" was the best information regionally for evaluating the travel demand 20 years from now, regardless of the highway network, and that the Suncoast 2 was a minor portion in the County's overall travel demand. He specified that the Florida Turnpike Enterprise Project Development and Environment (PD&E) study would provide specific information, and until the PD&E was completed, the impacts of Suncoast 2 and the effects on the separation of the east and west side of the County could not be accessed.

Mr. Cheek commented that he understood Commission Fowler's logic to establish new east-west corridors now; however, staff must examine if the most capacity would be gained by constructing a new roadway or widening existing roadways.

Commissioner Fowler voiced disappointment that the County had paid for this study, and yet the idea of the new roads had derived from public comment. Mr. Kern indicated that public comment was only one source of the study, and Mr. Cheek added that staff had examined many of those new corridors as well.

Mr. Kern specified that if the Suncoast 2 advanced and an additional east-west route was required, the new route could go over or under the Suncoast 2. He added that no funds were available at this time for the design of Suncoast 2, and that completion would probably be a minimum of 10 to 12 years. (5:23 P.M.)

Mr. Cheek continued with the presentation of the Plan's project rankings. He stated that portions of CR-486 and CR-491 were currently being widened. He advised that the CR-581 Extension was the highest ranked new roadway project in part because the County already owned the right of way, and that the US-19 to Crystal River east-west connector was ranked second highest. He discussed roadway improvement funding

sources (gas taxes and transportation impact fees) and revenue projections. He described fundable projects at the current level and those projects that could be completed with increased gas taxes and transportation impact fees. He added that if funding were maximized, all 31 projects could be completed. He then asked for comments and questions from the Board.

Chairman Wooten stated that the Suncoast 2 was a dilemma in the County's transportation planning. He also stated that the Board had instructed staff to begin the first four ranked projects, which he hoped would begin as soon as funds were available. He mentioned that intersection improvements at both ends of Croft Road were scheduled for next year's budget; however, since CR-486 would be widened, he thought it would be better to complete improvements now at the Croft Road and CR-486 intersection in order not to destroy curbing and guttering; thereby, saving thousands of dollars.

Mr. Cheek responded to his question regarding the FDOT's projects by stating that the consultant ranked those projects along with the County's projects. Chairman Wooten disapproved of ranking US-41 going south into Inverness two places behind a rural stretch of highway on US-41 from CR-486 to CR-488 toward Dunnellon. He stated that the ranking defied logic because US-41 into Inverness was a road going into the growth center and the County seat.

Mr. Kern explained that scores were given to each project based on evaluation criteria, such as safety, congestion, accident rates, environmental concerns, impacts on the community, and so on. He offered to review the detailed scores and report the information back to the Board, and suggested that the Board forward their concerns and priorities on the roadways to the FDOT as well.

Chairman Wooten replied that he thought more explanation should be provided on the project rankings and more details should be given on the rationale of the projects ranked by the FDOT. He reiterated that he was ready to begin projects one through four, and preferred that improvements to the Croft Road intersection be part of the current road projects. Mr. Cheek advised that staff had requested a scope of services from one of the service engineers, and that the County would need to acquire land on one side of Croft Road.

Commissioner Fowler asserted that he was not even convinced that projects one through four were ranked appropriately, and suggested that a special meeting be arranged with the Board, the consultant, and the FDOT to discuss the ranking of each project and changes that might occur due to the Suncoast 2. He recommended that once all parties reached an agreement, that the order of the projects and the method of accomplishment should become the basis for the Transportation CIP and should be part of the COMP. He remarked that it was not proper transportation planning to rank the CR-581 Extension as No. 5 simply because the County owned the right of way, and emphasized that roads should be built based on the traffic patterns and trips. Mr. Cheek clarified that right of way ownership was only one basis for that ranking. Commissioner Fowler requested better

information and answers regarding changes that might be needed after the Suncoast 2 was built. (5:39 P.M.)

Commissioner Phillips stated that Commissioner Fowler's suggestion for a special workshop was a good idea. She agreed with the order of projects ranked No. 1 (CR-486 from SR-44 to CR-491), No. 3 (CR-491 from SR-44 to CR-486), and No. 4 (CR-486 from CR-491 to Forest Ridge Boulevard) because they were in the central part of the County where growth was occurring. She added that she was not sure about the No. 2 ranked project (CR-490 from US-19 to SR-44).

Mr. Cheek confirmed for Commissioner Phillips that project No. 5, (CR-581 Extension/Inverness Bypass) was not the same bypass (US-41), which was adamantly opposed by the public in the past. He also verified Commissioner Batchelor's statement that part of the decision in the ranking process was based on traffic count.

Commissioner Batchelor agreed with Commissioner Phillips concerning projects ranked No. 1, 3, and 4, and stated that those roads were very congested, and that he too was ready for construction to begin. Mr. Cheek pointed out that the rankings were based on the 2025-year traffic volumes; however, the projects would not necessarily stay in that order, and they would be programmed as needed.

Mr. Kern answered Commissioner Batchelor's question regarding the FDOT rankings by stating that a representative was a member of the project advisory group and their input was included in the study. He asked the Board to consider the rankings in terms of a strict application of objective measures, and he confirmed that the projects needed to go through a further ranking process to address local concerns.

Chairman Wooten stated that the Board concurred that construction should begin on the top three projects, (CR-486 from SR-44 to CR-491, from Forest Ridge Blvd to CR-491, and CR-491 from CR-486 to SR-44) upon completion of the two current road projects. He also directed staff to schedule a special workshop to discuss ranking and funding methods of subsequent roadway projects. (5:45 P.M.)

#2-J WATER RATES - THE MOORINGS @ POINT O' WOODS, INC.

Mary Jane Pattison, director of The Moorings @ Point O' Woods, Inc., (The Moorings) addressed the Board regarding the high water rates charged to the residents of The Moorings by the Florida Governmental Utilities Authority (FGUA). She stated that the rates charged to The Moorings customers were the highest water and sewer rates in the County. She mentioned that Mr. Wesch had informed her that it was costly to produce reclaimed water, and that The Moorings customers did not use enough water per capita. She remarked that only the golf course benefited from the reclaimed water, and that the residents would use more water if it were not so expensive. She also stated that she felt it was unfair for the FGUA to round up water usage to the next thousandth. She advised that the homeowners had already paid for the sewer lines and did not understand what debt they were paying. She questioned the operational costs and asked how many other communities were connected to this system. She stated that the County purchased bulk

water from the FGUA and sold it to Laguna Palms, which did not benefit The Moorings. She recommended that the County purchase the water system from the FGUA and provide lower uniform rates. She remarked that the residents paid more for water than for property taxes, and felt it was discrimination against smaller communities because they did not use enough water and sewer to warrant lower rates. She added that the County should rearrange its priorities, buy out the FGUA system, and establish a uniform rate for everyone. She implored the Board's assistance because she could not fathom the high rates continuing for five years. (5:52 P.M.)

Robert Knight, Utilities Regulatory Director, gave a brief history of the strategy behind Florida Water Services' idea of consolidating small utilities on a statewide basis into a uniform rate. He stated that the Supreme Court ruled that it was illegal to set uniform rates that did not recognize connection fees paid by customers. He mentioned that Florida Water Services still had a remaining \$650,000 investment in the water and the wastewater plant in 2003 and averaged 50 gallons per capita sales per day, which was about one-fifth of Citrus County Utility sales. He explained that due to The Moorings advanced wastewater treatment system, it would cost \$2.5 million to connect the system to the County, \$6,200 per customer, and that it was not economically feasible at this time. He specified that one of the goals of the Utilities Master Plan next year was to review the cost of connecting the eastern communities to the County's system. He advised that The Moorings homeowners could consider buying the system from the FGUA; however, based on the operating cost, the bad location for drawing water out of the aquifer, and the expensive sewage treatment facility, that might not be a good solution either. He advised The Moorings homeowners to file a petition for a hearing to the Water and Wastewater Authority Board to make sure the water rates were appropriate. He verified Ms. Pattison's statement that the County was now connected to The Moorings water system through its Laguna Palms purchases, which might have had an impact on their rates. He confirmed that as part of the interlocal agreement with the FGUA, the rates could not be changed for five years without concurrency of the FGUA. He added that the FGUA billed their customers to the nearest thousandth, and that he did not know the amount of debt on the water and wastewater system.

Chairman Wooten indicated that he thought The Moorings' customers would still pay less for water and sewer by connecting to the County if the \$6,200 was amortized over a ten-year period. Mr. Knight specified that the \$6,200 was for water only and that the biggest cost would be the sewer system.

FGUA Operations Director Charles Sweat sympathized with The Moorings customers; however, he explained that it was costly to operate small systems, to treat for iron, and to operate the advanced wastewater treatment. He reported that the FGUA had only owned the water system since December 2003, and that the rates could not be lowered due to the \$21 million revenue bond debt. He added that the FGUA would try to control costs to make certain there would be no future rate increase, but that it would take time to develop innovative programs and cost control factors. He specified that the FGUA would support the homeowners if they wished to file a petition to the Water and Wastewater Authority Board, and that he would provide all information regarding the

operating costs. He added that as long as the debt obligation was met, and service could be supplied at the least possible cost, the FGUA would work with the customers as much as possible to control the rates.

Commissioner Fowler asked if the FGUA could round their rates to the nearest hundredth rather than thousandth. Mr. Sweat replied that he would review that possibility and report to the Board.

Mr. Sweat explained to Ms. Pattison that there were expenses involved in treating the water for iron and disposing of the sludge from the iron filters as well as the operational costs of the wastewater treatment plant. He mentioned that the FGUA was evaluating methods of lowering costs in the 2005 budget by moving the iron disposal system to the wastewater treatment plant. He added that the FGUA's customer advisory committee would be happy to meet with The Moorings' customers to discuss the rates and operational costs.

He verified Commissioner Phillips' statements that the FGUA assumed Florida Water Services' rates and that those rates could not be changed for five years, that the FGUA was a governmental entity and could not profit as much as a private entity, and that if the system had remained with Florida Water Services the rates could have been even higher.

Commissioner Batchelor questioned how long the rates had been this high. Mr. Sweat replied that the rates had been the same since the mid 1990s.

Discussion ensued regarding other communities paying high rates in comparison to those charged by the County, customers having the right to present their concerns to the Water and Wastewater Authority Board, the County to review connecting to the FGUA's water and wastewater system, utilizing impact fees for water and wastewater, and so on.

Ms. Pattison read a list of lower rates paid by other communities and stressed that the County should buy out the FGUA system.

Mr. Wesch explained that the County's utility rates were lower because of a larger customer base, a more compact system, and treatment costs were lower. He further explained that The Moorings had a stand-alone utility system with high operational costs, and even if the County or another entity bought the system, the rates would not decrease because the operating costs would not differ significantly from the FGUA's operating costs.

Chairman Wooten added that the County became a member of the FGUA in order to take the profit out of delivering utilities to customers, and that he believed the County was adequately addressing the water and wastewater problems. (6:17 P.M.)

#13- **ANY OTHER COUNTY BUSINESS - ACCEPTED BY MOTION ONLY**
#13-A **GRANT APPLICATION FOR THE HISTORIC HERNANDO SCHOOL**

Mr. Wesch explained that the grant application was with the Florida Department of State, Division of Historical Resources for \$350,000.68. He advised that the Hernando Heritage Council would provide \$22,000 in cash matching funds, \$307,844 in local cost share contributions, and that there would be no cost outlay to the County.

Motion by Commissioner Wooten, seconded by Commissioner Phillips, to approve and authorize the Chairman to execute the grant application with the Department of State, Division of Historical Resources at \$350,000.68.

Kandace Bellamy McPherson with the Hernando Heritage Council thanked the Board and stated that the application would be submitted on June 1, 2004.

The Chairman called a question on the motion, and the motion carried unanimously. (6:20 P.M.)

#12-E JUMBO INVESTMENT, INC. VS. CITRUS COUNTY

Mr. Battista explained that this issue was for the Board to consider waiving Administrative Appeal C4-01 (Jumbo Investment, Inc. vs. Citrus County) now pending with the County's hearing officer, and allow Jumbo Investment (the appellant) to proceed in the circuit court. He stated that regardless of the hearing officer's decision, one of the two parties would go to court, and that his recommendation was to waive the hearing officer's process and advance to court.

Motion by Commissioner Fowler, seconded by Commissioner Phillips, to approve and authorize the County Attorney to execute the Joint Stipulation agreeing that jurisdiction in Administrative Appeal C4-01 (Jumbo Investment, Inc. vs. Citrus County) now pending with the hearing officer be waived and that the appellant be allowed to proceed in the circuit court.

Cynthia Eiler stated that she lived next door to the dirt bike racetrack, had developed breathing problems, and that her quality of life had diminished due to the racetrack. She declared that Jumbo Investment had not followed the County's code and zoning laws, and they should not be allowed to forego the appeal process. She distributed a petition that had been signed by 140 citizens who were opposed to the racetrack (filed with the Clerk's agenda). She added that it was the Board's responsibility to make certain this racetrack did not occur.

Ken Yurga questioned the appeal process if this matter was allowed to proceed directly to the circuit court. Mr. Battista replied that whatever the outcome in circuit court, the decision could be appealed to the district court of appeals for further review.

Attorney Clark Stillwell, representing Jumbo Investment, stated that the appellate system was a failure and did not provide due process of law to anyone. He also stated that the course of action would have to start over again in court if either party did not accept the decision. He added that proceeding directly to court was the most efficient and timely way to resolve the problem without lingering two or more years.

Mr. Battista informed Commissioner Fowler that the estimated hearing officer's fees would be between \$700 and \$1,000.

Jeffrey Eiler stated that he called the CEB after Jumbo Investment brought in dirt fill to build the racetrack next to his home. He also stated that the County denied a building permit to Jumbo Investment; however, Jumbo Investment continued building the racetrack for eight more weeks. He further stated that 140 people had signed a petition opposing this racetrack, and the neighborhood did not want the process expedited because for now there was peace and quiet. He added that he did not think Jumbo Investment was in a position to ask the Board for a favor when the County denied their permit and they built the racetrack anyway. He mentioned that this situation was similar to that of a recent incinerator problem, and questioned if this was a model of how to build undesirable projects in the County. He added that those in opposition to this project wished to continue the Administrative Appeal process with the hearing officer.

Commissioner Phillips questioned if construction had stopped, and Mr. Maidhof replied that Mr. Stillwell had submitted a written agreement to the CEB stating that Jumbo Investment would halt all work and usage of the racetrack pending the outcome of the appeal. He added that since the agreement had been made, there had been no complaints of motorcycles; however, he had received several phone calls from citizens observing other construction activities on the property, which was being investigated by the CEB.

Commissioner Phillips commented that after hearing this information, she had to agree with the citizens. Mr. Maidhof confirmed for Commissioner Fowler that Jumbo Investment did continue building the racetrack after the permit was denied. Commissioner Fowler then withdrew his motion, and Commissioner Phillips withdrew her second.

Chairman Wooten declared that if he lived in that neighborhood he would be incensed, and that this type of project was not compatible with the area. Commissioner Batchelor concurred with the Commissioners and stated that citizens could not continue to violate the County's ordinances and codes.

The Commissioners agreed to continue the Administrative Appeal with the County's hearing officer and to follow the usual procedures. (6:41 P.M.)

The Chairman recessed the meeting and reconvened at 6:51 P.M.

#6- **COUNTY ADMINISTRATOR'S REPORT**

#6-A **ADMINISTRATIVE REGULATION (AR) NO. 8.09-CRITERIA FOR PUBLIC BUILDING DESIGN AND REMODELING**

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted Administrative Regulation No. 8.09, Criteria for Public Building Design and Remodeling.

#13-B BUDGET RESOLUTION - AQUATIC SERVICES

Upon motion by Commissioner Wooten, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to execute a resolution amending the Aquatic Services Budget for Fiscal Year 2003-04.

RESOLUTION NO. 2004-110

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE AQUATIC SERVICES BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, the State of Florida, Department of Environmental Protection has executed Task Assignment Change Order #5 to Aquatic Plant Control Contract SL973; and

WHEREAS, this change order increases the amount of funds available under the contract; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2003-04; and

WHEREAS, Section 129.06(d), Florida Statutes, provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida as follows:

1. The Board does hereby amend its budget to include the estimated revenues and expenditures listed in Exhibit "A" attached hereto and made a part hereof by reference.

2. The Clerk of the Board is hereby directed to spread this resolution upon the minutes of the meeting held this date.

ADOPTED, in regular session this 25th day of May 2004, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	150-334-396	Aquatic Plant Control	\$146,000
Expenditures	150-6304-55207	Chemicals	\$146,000

(6:53 P.M.)

#7- COMMISSIONER JOSH WOOTEN, CHAIRMAN

#7-A DEPARTMENT OF ENVIRONMENTAL PROTECTION MEETINGS

Chairman Wooten announced that the Department of Environmental Protection would conduct the following meetings:

1. Public Workshop, Wednesday, June 9, 2004, at 7:00 P.M. at the Homosassa Springs Wildlife State Park Visitor Center, 4150 South Suncoast Boulevard, Homosassa to present the proposed land management plan for the park to the public.
2. Advisory Group Meeting, Thursday, June 10, 2004, at 9:00 A.M. at the Homosassa Springs Wildlife State Park Visitor Center, 4150 South Suncoast Boulevard,

Homosassa to discuss the proposed land management plan for the park with the advisory group members. (6:55 P.M.)

#7-B AFFORDABLE HOUSING ADVISORY COUNCIL

Commissioner Fowler nominated Annemarie Hooper to fill a Real Estate Professional position and L. Douglas Alles to fill a Low Income Advocate position on the Affordable Housing Advisory Council for terms that would expire on April 25, 2006.

Commissioner Batchelor nominated Norman Peterson to fill a Not-for-Profit Affordable Housing Provider position and Ronald Lieberman to fill an At-Large Member position on the Affordable Housing Advisory Council for terms that would expire on April 25, 2006.

Upon motion by Commissioner Phillips, seconded by Commissioner Wooten, and carried unanimously, the Board ceased nominations. (6:56 P.M.)

#7-C CONSTRUCTION LICENSING AND APPEALS BOARD

Commissioner Fowler nominated Gerry Gaudette to fill an Electrical Contractor position and Phillip Tompetrini to fill a Banking position on the Construction Licensing and Appeals Board for terms that would expire on February 1, 2007.

Commissioner Batchelor nominated David Hutchins to fill a Mechanical Contractor position and Greg Conard to fill a Contractor position on the Construction Licensing and Appeals Board for terms that would expire on February 1, 2007.

Upon motion by Commissioner Phillips, seconded by Commissioner Wooten, and carried unanimously, the Board ceased nominations. (6:57 P.M.)

#12- COUNTY ATTORNEY'S REPORT

#12-A PRESCRIPTIVE PLAT - EAST THUNDERHILL LOOP

Upon motion by Commissioner Wooten, seconded by Commissioner Bachelor, and carried unanimously, the Board (1) approved and authorized the Chairman to execute the prescriptive plat of East Thunderhill Loop, and (2) directed the Clerk to record the plat in the public records.

#12-B FINAL PLAT, PLT-03-18 - BRENTWOOD VILLAS V (A REPLAT)

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board (1) approved and authorized the Chairman to execute the Final Plat of Brentwood Villas V – A Replat (PLT-03-18), the Improvement Agreement, and the Water and Wastewater Developer's Agreement with Brentwood Farms Limited Partnership, (2) accepted the Easement for Utilities from Brentwood Farms Limited Partnership, and (3) directed the Clerk to place the acceptance stamp upon the easement, and to record the plat and related agreements in the public records. (6:59 P.M.)

#12-C FINAL PLAT PLT-03-14 - WOODVIEW VILLAS III

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board (1) approved and authorized the Chairman to execute the Final Plat of Woodview Villas III (PLT-03-14), the Improvement Agreement and the Addendum to Water and Wastewater Developers Agreement with Hampton Hills, and (2) directed the Clerk to record the documents in the public records.

#12-D FINAL PLAT PLT-03-12 - FOXFIRE

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board (1) approved and authorized the Chairman to execute the Final Plat of Foxfire (PLT-03-12), the Improvement Agreement, and the Addendum to Water and Wastewater Developers Agreement with Hampton Hills, (2) accepted the Easement for utilities from Hampton Hills, and (3) directed the Clerk to place the acceptance stamp upon the easement, and to record the plat and related documents in the public records. (7:01 P.M.)

#14- ANY OTHER BUSINESS OR PERSONS WISHING TO ADDRESS THE BOARD

#14A WRIT OF CERTIORARI - CRYSTAL RIVER ANNEXATION

Mr. Battista reported that today his office had filed a Writ of Certiorari, Motion for Stay, and Motion for Attorney's Fees and Cost in the Crystal River Annexation case. He advised that he had also received a letter from the Attorney General declining the County's request to bring an action in quo warranto on behalf of the Board against the City of Crystal River. He added that the letter was required in order to file a de novo case requesting that the court eject the City from the annexation area. (7:02 P.M.)

#14-B OWNBY VS. CITRUS COUNTY LAWSUIT

Mr. Battista informed the Board that the law firm of Fowler White would review and prepare a memorandum concerning the Ownby vs. Citrus County, Citrus Springs MSBU, Property Appraiser, and Tax Collector case. He stated that based on information provided in the memorandum, he would ask the Board to set an executive session with Fowler White within the next three weeks for a briefing on the matter. (7:04 P.M.)

#13-C NOTIFICATION TO PROPERTY OWNERS OF LAND USE CHANGES

Commissioner Fowler stated that he believed it should be a policy of this Board to notify property owners by registered or certified mail regarding land use zoning changes. Chairman Wooten agreed.

Motion by Commissioner Fowler, seconded by Commissioner Wooten, to provide notification to property owners by certified or registered mail regarding any change in land use zoning.

Mr. Maidhof expressed a concern with delays in the application process because recipients must sign for certified mail. He requested that the current timeline be extended in order to allow a window for filing by intervenors if the Board took this action.

Discussion followed regarding the importance of notifying property owners of land use changes, some property owners still not receiving notifications due to not leaving a forwarding address or for other reasons, the cost of certified mail would be paid by the developers, impacting a property owners development rights, limiting certified mail for land use changes only, other methods of mail delivery, and so on.

Mr. Maidhof suggested that staff amend the AR to address the Board's concerns and bring the AR back to the Board for adoption.

Commissioner Fowler withdrew his previous motion, and Commissioner Wooten withdrew his second.

Upon motion by Commissioner Fowler, seconded by Commissioner Wooten, and carried unanimously, the Board authorized staff to change the Administrative Regulation regarding notification to property owners of land use changes and bring the amended Administrative Regulation back to the Board for adoption.

There being no other business to come before the Board, the Chairman adjourned the meeting.

(7:16 P.M.)

ATTEST: _____, Clerk _____, Chairman