


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 Michelle Slingerland, Assistant
Administrators:	Richard Wm. Wesch and Kenneth E. Saunders, Assistant
Clerks:	Glenda Brown and Theresa Steelfox, Deputy Clerks


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

2-A **OPEN TO THE PUBLIC**

 Chester Bradshaw addressed the Board regarding waste management issues. He asked the Board to consider using citizen advisory groups to assist in providing information, and to allow the waste management manager to participate in a cooperative project with other counties to explore the idea of regional waste management.

He then distributed letters to the Board (filed with the Clerk's agenda) from the Army Corps of Engineers (CORPS) dated 1953 and 1954 determining that Lake Tsala Apopka **was not** a navigable water body, and a letter dated 1996 determining that Lake Tsala Apopka **was** a navigable water body under the jurisdiction of the Coast Guard. He discussed the lakes restoration projects, permitting responsibilities, tussock problems, and other issues affecting the citizens of the County. He then recommended that the Board or a citizen advisory group contact the CORPS to conduct a public hearing to define the regulatory jurisdiction and ownership of the entire lake system.

Chairman Wooten responded to Mr. Bradshaw's comments by stating that the options for waste management had already been discussed and direction had been given to staff; however, Mr. Bradshaw could provide his information to staff as well. In response to his suggestion of a public hearing with the CORPS, he stated that the Board had sent a letter to the CORPS outlining a list of concerns and issues, and that his concerns could be added to that list.

 Gary Arnold requested assistance from the County because a new landowner had closed a portion of Longfellow Street in Homosassa that led to his property. He mentioned that he had maintained the road since 1972; and that now he had no access to his property, and neither did public service vehicles.

Mr. Saunders explained that part of Longfellow Street was County owned; however, the blocked off portion was on private property. He advised that the Road Maintenance Division (RMD) had removed the barricades from Wigwam Street, so Mr.

Arnold could have access to his property. He added that this was a civil matter between Mr. Arnold and the new landowner, and that the County had no jurisdiction over the private road.

Mr. Arnold expressed concern that public service vehicles could not reach his property. Mr. Saunders replied that the County would notate the private road and provide a map to the 911 Center for distribution. He added that if the situation worsened, the County could also consider developing the Valencia property.


Connie Arnold explained that the previous owner had given her permission to use the road, that the new landowner was aware that the road was there, and that she should be allowed to continue using the road rather than traveling an additional two miles to reach her property.

Mr. Battista responded to Commissioner Bartell's statements and questions as follows: the County did not have legal jurisdiction over private property; certain private causes of action to keep a right of way open were recognizable in court; the only access the County could provide, absent condemning the property, would be to go around the private road; a written agreement would be better than a verbal agreement; however, the Arnolds could possibly develop private rights to the easement because they had been crossing the property for years without objection.

Mrs. Arnold stated that she did have a letter from the previous owner granting permission to use the road, and that other property owners were also upset about not being able to access the road.

Chairman Wooten specified that the County would provide access to the Arnold's property for emergency purposes, and that staff would continue a dialogue with them.

(1:18 P.M.)

 Gordon Evans spoke in favor of the Brown School property for the veteran's clinic; however, he thought the transaction had already taken place. Commissioner Phillips clarified that the Veterans Administration (VA) had selected the Brown School property as a site for a VA clinic. She explained that the item on the agenda today was to approve documents that would be sent to the VA to accept the County's offer to lease 9,999 square feet of the facility to the VA for an expanded clinic that should be ready for occupancy by April 1, 2005. She stated that if the VA was satisfied with the submitted documents regarding the maintenance of the building and the leasing terms, then an agreement would be made, and if not, negotiations would continue. She added that she hoped the transaction would be finalized within the next 30 days.

(1:22 P.M.)

3- **CONSENT AGENDA**

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board pulled item 3-GG (Solid Waste Management - Proposed Fee Schedules 2004-2005) 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 meetings held on June 22, 2004, and July 13, 2004.

3-B Approved the following warrants: Payroll registers dated July 21, 2004, at \$501,643.94 and dated July 22, 2004, at \$31,926.07. Accounts Payable register dated July 23, 2004, at \$2,870,275.12.

3-C Adopted and authorized the Chairman to sign the following budget resolutions:
RESOLUTION NO. 2004-160

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE TRANSPORTATION DISADVANTAGED GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on April 27, 2004, through Resolution 2004-087 the Citrus County Board of County Commissioners approved an application for financial assistance to undertake a transportation disadvantaged service project and a contract to provide services with the Florida Commission for the Transportation Disadvantaged; and

WHEREAS, on July 1, 2004, the Florida Commission for the Transportation Disadvantaged executed the contract providing funds for transportation trips and equipment; 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 27th day of July 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	068E-331-491	III B Reimbursement	81,000
	068E-334-429	State Grant	241,276
	068E-381-004	County Cash Match	81,633
		Total Revenues	\$403,909
Expenditures	068E-5413E-51200	Regular Salaries and Wages	197,903
	068E-5413E-51306	Casual Labor	25,000
	068E-5413E-52100	FICA Taxes	17,053
	068E-5413E-52200	Retirement Contributions	17,272
	068E-5413E-52300	Life and Health Insurance	43,244
	068E-5413E-52400	Workers Compensation	32,103
	068E-5413E-53100	Professional Services	1,500

	068E-5413E-54000	Travel and Per Diem	875
	068E-5413E-54100	Communications Services	1,000
	068E-5413E-54160	Postage	150
	068E-5413E-54300	Utility Services	1,000
	068E-5413E-54603	Vehicle Maintenance	28,500
	068E-5413E-54605	Equipment Maintenance	500
	068E-5413E-54615	Software Maintenance	500
	068E-5413E-54676	Copier Maintenance	150
	068E-5413E-55100	Office Supplies	674
	068E-5413E-55120	Non-Capital Equipment	250
	068E-5413E-55205	Uniforms	1,700
	068E-5413E-55208	Fuel and Lubes	32,000
	068E-5413E-55270	Computer Accessories	425
	068E-5413E-55400	Dues, Books, Subscriptions	310
	068E-5413E-55417	Training	1,800
		Total Expenditures	\$403,909

RESOLUTION NO. 2004-161

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE TRANSPORTATION DISADVANTAGED RURAL AREA CAPITAL EQUIPMENT SUPPORT GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on April 13, 2004, through Resolution 2004-078 the Citrus County Board of County Commissioners approved an application for financial assistance to purchase various capital items and a contract with the Florida Commission for the Transportation Disadvantaged; and

WHEREAS, on July 1, 2004, the Florida Commission for the Transportation Disadvantaged executed the contract providing funds to purchase a bus and related items; 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 27th day of July 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	067B-334-490	State Grant	47,745
	067B-381-004	County Cash Match	6,420

		Total Revenues	\$54,165
Expenditures	067B-5702B-54106	Postage	20
	067B-5702B-54603	Vehicle Maintenance	65
	067B-5702B-54676	Copier Maintenance	50
	067B-5702B-56400	Machinery and Equipment	54,030
		Total Expenditures	\$54,165

RESOLUTION NO. 2004-162

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE SENIOR COMPANION PROGRAM GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on June 22, 2004, through Resolution 2004-138 the Citrus County Board of County Commissioners approved an application for financial assistance under the Senior Companion Program and a contract to provide services with the State of Florida Department of Elder Affairs; and

WHEREAS, on June 29, 2004, the State of Florida Department of Elder Affairs executed the contract providing 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	052D-331-900	Federal Grant	30,195
	052D-331-902	Adult Protective Services	3,263
	052D-334-691	State Grant	11,000
	052D-366-000	Contributions – Private	8,760
	052D-369-400	Reimbursements	8,580
	052D-381-004	County Cash Match	15,747
		Total Revenues	\$77,545
Expenditures	052D-5421D-53100	Professional Services	225
	052D-5421D-53436	Stipend – Senior Companion	33,798
	052D-5421D-54000	Travel and Per Diem	300
	052D-5421D-54004	Travel – Administration	350
	052D-5421D-54005	Travel – Volunteer	19,812

	052D-5421D-54160	Postage	350
	052D-5421D-54676	Copier Maintenance	200
	052D-5421D-55100	Office Supplies	400
	052D-5421D-55107	Program Supplies	600
	052D-5421D-55221	Meals	1,500
	052D-5421D-55417	Training	625
		Total Expenditures Dept. 5421	58,160
Expenditures	052D-5701D-51200	Regular Salaries and Wages	12,006
	052D-5701D-52100	FICA Taxes	919
	052D-5701D-52200	Retirement Contributions	940
	052D-5701D-52300	Life and Health Insurance	5,375
	052D-5701D-52400	Workers Compensation	145
		Total Expenditures Dept. 5701	19,385
		Total Expenditures	\$77,545

RESOLUTION NO. 2004-163

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE SENIOR COMPANION PROGRAM GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on July 8, 2003, through Resolution 2003-135 the Citrus County Board of County Commissioners approved an application for financial assistance under the Senior Companion Program and a contract to provide services with the State of Florida Department of Elder Affairs; and

WHEREAS, available cash match needs to be appropriated to cover the cost of related expenditures; 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	052D-381-001	Transfer - Support Services Grants	4,337
		Total Revenues	\$4,337
Expenditures	052D-5701D-51200	Regular Salaries and Wages	2,630
	052D-5701D-52100	FICA Taxes	201
	052D-5701D-52200	Retirement Contributions	206

	052D-5701D-52300	Life and Health Insurance	1,273
	052D-5701D-52400	Workers Compensation	27
		Total Expenditures	\$4,337

RESOLUTION NO. 2004-164

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

WHEREAS, the Citrus County Board of County Commissioners collects funds for reforestation efforts; and

WHEREAS, these funds will be used for trees and landscaping; 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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OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues		Cash Carry Forward	\$2,500
Expenditures	008-5765-55200	Operating Supplies	\$2,500

RESOLUTION NO. 2004-165

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

WHEREAS, the Citrus County Board of County Commissioners entered into a Traffic Signal Maintenance and Compensation Agreement with the State of Florida Department of Transportation; and

WHEREAS, the Road Maintenance Division has received the funds due for July 2003 through June 2004; 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	102-369-400	Reimbursements	\$32,140
Expenditures	102-4102-53400	Other Contractual Services	\$32,140

RESOLUTION NO. 2004-166

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE STATE HOUSING INITIATIVE PARTNERSHIP BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, the State of Florida has established a State Housing Initiative Partnership (SHIP); and

WHEREAS, in accordance with program guidelines, interest earned may be utilized for program application and closing assistance repayments are available for appropriation; and

WHEREAS, the final payment for doc stamps collected through May 31, 2004, has also been received, increasing the amount of funding available; 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

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	133D-334-394	State Housing Initiative Partnership	36,658
	133D-337-350	Recycle Closing Assistance	139,121
	133D-361-200	SBA Interest	11,222
		Total Revenues	\$187,001

Expenditures	133D-5304D-52100	FICA Taxes	1,803
	133D-5304D-52300	Life and Health Insurance	2,258
	133D-5304D-54928	Closing Assistance w/Construction	62,940
	133D-5304D-59930	Strategy – Housing Replacement	120,000
		Total Expenditures	\$187,001

RESOLUTION NO. 2004-167

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE STATE HOUSING INITIATIVE PARTNERSHIP BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, the State of Florida has established a State Housing Initiative Partnership (SHIP); and

WHEREAS, Citrus County’s Local Housing Assistance Plan was approved by the State Housing Initiatives Partnership Review Committee, making the County eligible for monthly disbursements; and

WHEREAS, the County has been notified of its allocation for July 1, 2004, through June 30, 2005; 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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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	133E-334-394	State Housing Initiative Partnership	947,386
		Total Revenues	\$947,386
Expenditures	133E-5304E-51200	Regular Salaries and Wages	53,560
	133E-5304E-51205	Salaries – Outreach	13,958
	133E-5304E-51210	Salaries – Grant	32,186
	133E-5304E-52100	FICA Taxes	7,407
	133E-5304E-52200	Retirement Contributions	7,162
	133E-5304E-52300	Life and Health Insurance	14,079
	133E-5304E-52400	Workers Compensation	5,850
	133E-5304E-53100	Professional Services	250
	133E-5304E-53400	Home Repair Assistance	223,634
	133E-5304E-54000	Travel and Per Diem	1,000
	133E-5304E-54100	Communications Services	1,300

	133E-5304E-54160	Postage	500
	133E-5304E-54600	Repairs and Maintenance	300
	133E-5304E-54603	Vehicle Maintenance	3,000
	133E-5304E-54630	Emergency Repairs Strategy	50,000
	133E-5304E-54700	Printing and Binding	100
	133E-5304E-54800	Promotional Activities	1,000
	133E-5304E-54918	Rental Assistance Strategy	150,000
	133E-5304E-54921	Advertising	500
	133E-5304E-54926	Closing Assistance Existing	50,000
	133E-5304E-54928	Closing Assistance w/Construction	103,000
	133E-5304E-54933	Foreclosure Prevention	15,000
	133E-5304E-55100	Office Supplies	2,500
	133E-5304E-55201	Tools, Implements, Special Clothing	1,000
	133E-5304E-55208	Fuel and Lubes	3,500
	133E-5304E-55400	Dues, Books, Subscriptions	600
	133E-5304E-55417	Training	1,000
	133E-5304E-56400	Machinery and Equipment	1,000
	133E-5304E-58200	Not for Profit Developers	84,000
	133E-5304E-58201	Special Needs Strategy	60,000
	133E-5304E-59930	Housing Replacement Strategy	60,000
		Total Expenditures	\$947,386

3-D Approved the following budget transfers: **Beverly Hills Volunteer Fire Department:** \$20,357 from #155-3215-56400 and \$3,000 from #-54605 to #-54909. **Solid Waste Management (SWM)/Landfill:** \$3,000 from #401-5212-60050 to #-54402. **Housing Services Division/SHIP:** \$7,613 from #133B-5304B-53400 to #-54630. **Community Support Services Division (CSSD):** \$595 from #176-5350-54000 to #-55417. **CSSD/Operation Step Up:** \$4,373 from #043-5792-51200, \$335 from #-52100, \$302 from #-52200, \$48 from #-52300, \$44 from #-52400 with \$1,106 to #-54005, \$300 to #-54900, \$959 to #-55107, \$300 to #-55210, \$607 to #-55275, \$190 to #-55417, and \$1,640 to #-56400. **Aviation:** \$3,000 from #001-7201-53100 to #-56400. **Aviation/Crystal River Airport Parking:** \$5,025 from #069-5775-56300 to #-53100.

3-E Approved and authorized the Chairman to execute Satisfactions of Judgment for Walter Clifton Hill, Case Nos. 1996 CF 000073 and 1998 MM 002587, and Victor Lacavette Knight, Case No. 1996 CT 003578.

3-F Acknowledged receipt of correspondence from the Mosquito Control District relating to: **(1)** the registered office address and mailing address, **(2)** capital improvements for fiscal year 2004-2005, and **(3)** the proposed budget for fiscal year 2004-2005.

3-G Approved and authorized the Chairman to execute Releases of Lien for special assessments that had been paid in full: **Resolution No. 2000-135:** Dodi Lynn Pruitt, Alternate Key (AK) No. 1649994. **Resolution No. 2001-186:** Michael and Michele Watson, AK No. 2995602. **Resolution No. 2002-142 and Resolution No. 2002-141:** Phillip P. and

Doris L. Beketich, AK No. 2012820 (2A) and Hagop and Ales Mahserejian, AK No. 1647134 (2A).

3-H Approved and authorized the Chairman, First Vice-Chairman, and Second Vice-Chairman to execute the Authorization Agreement for Electronic Funds Transfer Automatic Deposits/Payments Form in order for the County to receive funds from the State of Florida, Agency for Health Care Administration, via electronic transfers.

3-I Approved a request by the Veterans Appreciation Week Ad Hoc Coordinating Committee to use the Historical Courthouse grounds and public restrooms from 9:00 A.M. until noon on November 11, 2004, for the annual Veterans Memorial Service.

3-J Approved and authorized the Chairman to execute Change Order No. 5 to Purchase Order No. 46239 with SCS Engineers, Inc., at \$44,572.50 for overtime costs of construction inspections, which would be reimbursed to the County by Advance Construction Services, Inc.

3-K Approved and authorized the Chairman to execute Modification of Agreement No. 3, Task Authorization No. 2 – Phase 2 Landfill Expansion, and Change Order No. 6 to Purchase Order No. 46239 at \$64,983 with SCS Engineers, Inc., for improvement design costs and extension of the project completion by 108 days.

3-L ⇒ M **(1)** Approved and authorized the Chairman to execute the Permanent Reassignment of Development Rights Agreements with Harold B. and Delores M. McCallum, DVR No. 2004-024, AK No. 1185998, Chassahowitzka Real Estate, Inc., as Trustee, DVR No. 2004-037, AK No. 2334525, and Susan B. Lehman, DVR No. 2004-035, AK No. 1186706 for residential properties within municipal service benefit units (MSBUs) for installation of water and wastewater systems for Chassahowitzka Water Quality Assessment District, and **(2)** directed the Clerk to record the agreements in the public records.

3-N Adopted and authorized the Chairman to execute a resolution setting a public hearing on August 24, 2004, at 2:00 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness for Plat Vacation PV-04-04, as petitioned by Frederick J. Mills for David D. Whitaker. **RESOLUTION NO. 2004-169**

3-O Approved and authorized the Chairman to execute the Volunteer Placement Agreement between Private Pay Program and the Nature Coast Volunteer Center to provide 2,400 units of senior companion services to Citrus County residents under the Private Pay Program, beginning July 1, 2004, and ending June 30, 2005.

3-P Approved and authorized the Chairman to execute the In Home Community Based Pay Services Contract with Nurse Temps, Inc., to provide homemaking, personal care, and respite services to Citrus County residents under the Private Pay Program, beginning July 1, 2004, and ending June 30, 2005.

3-Q Approved and authorized the Chairman to execute a Right of Entry Agreement with Edward Lee and Patricia A. Sparks for the County Road (CR) 486 Road Improvement Project from Forest Ridge Boulevard to US-41, Hernando.

3-R Approved and authorized the Chairman to execute the Substantially Similar Plat of Stocker Estates, a replat of Lot 12, Block B-B, of Cypress Village, Sugarmill Woods (PLT-04-10), and directed the Clerk to record the plat in the public records.

3-S Approved the expenditure of funds up to \$15,000 to replace the roof of County Building No. 0015, also known as the Floral City Lions Club, and accepted a \$1,000 reimbursement from the Floral City Lions Club at the completion of the project.

3-T Approved and authorized the Chairman to execute the Florida Department of State, Division of Library and Information Services, Public Library Construction Grant Agreement at \$500,000 to provide building construction funds for the new Homosassa Public Library.

3-U Approved and authorized the Chairman to execute a written notice to the Citrus Springs MSBU Advisory Council terminating the current operating agreement, policies, and procedures.

3-V **(1)** Accepted a Warranty Deed from the Withlapopka Civic Association, Inc., for Lots 15, 16, and 17, Withlapopka Islands, Unit 7, for a proposed community center, and **(2)** directed the Clerk to place the acceptance stamp upon the deed and record in the public records.

3-W **(1)** Approved and authorized the Chairman to execute the Permanent Reassignment of Development Rights Agreement with Mary Ann Dvorsky and Rita Marlett, DVR No. 2004-021, AK No. 1185921 for residential properties within MSBUs for installation of water and wastewater systems for Chassahowitzka Water Quality Assessment District, and **(2)** directed the Clerk to record the agreement in the public records.

3-X Appointed Emily Ruiz-Angelo to fill a Member-At-Large position on the Affordable Housing Advisory Committee for a term that would expire on April 25, 2006.

3-Y Authorized staff to proceed with the necessary arrangements for a joint meeting with the Crystal River City Council on August 17, 2004, at 1:00 P.M. in the Lecanto Government Building, Room 166, 3600 West Sovereign Path, Lecanto.

3-Z Adopted and authorized the Chairman to execute a resolution authorizing the application for funding of an Operation Step Up Grant Program with Volunteer Florida at the maximum amount of \$25,000 from October 2004, through September 2005.

RESOLUTION NO. 2004-170

3-AA Approved and authorized all Commissioners to execute Bond No. 23908501 with the Western Surety Company for Debra Fredrick, a reappointed member of the Citrus Memorial Hospital Board of Trustees.

3-BB Ratified the appointment of Vickery L. Holland as the newest member of The Centers Board of Directors, and authorized the Chairman to execute a letter notifying The Centers of said action.

3-CC Adopted Administrative Regulation (AR) 12.07.04-3, Standards of Acceptable Library Behavior.

3-DD Authorized staff to utilize the remaining undeveloped portion of the County-owned lot at the southeast corner of Joyner and State Road (SR) 44 for the development of a recycling drop-off center.

3-EE Approved warrants totaling \$125 to be paid to four parties who completed applications for reimbursement of the \$25 per unit residential solid waste assessment, according to the provisions of Citrus County Code, Chapter 90, Section 747 (b) and (c).

3-FF Approved and authorized the Chairman to execute **(1)** the Non-Institutional Medicaid Provider Agreement with the Florida Department of Children and Families, Developmental Disabilities Division, for the provision of transportation services to eligible clients under the Supported Living Waiver Program for home and community based services, and **(2)** the Application for a New Location Code for electronic billing of services.

3-HH Approved the transfer of the following items from the Clerk's fixed asset list to recycling:

Property Number	Description
13655	MMX233 ENC9F
13669	OptiPlex GN EMV2C

3-II Approved the donation of the following items from the Clerk's fixed asset list to the Citrus Community Learning Center:

Property Number	Description
14647	OptiPlex GX110 99T800B
14648	OptiPlex GX110 B9T800B
14649	OptiPlex GX110 1CL010B
14650	OptiPlex GX110 JBL010B

3-JJ Approved the donation of the following items from the Clerk's fixed asset list to the 832 K9's Deputy Dogs, Inc.:

Property Number	Description
14189	Dimension XP 3550I

14190	Dimension XPS	3J66U
14267	OptiPlex GX1	177HX
14268	OptiPlex GX1	177HY
14320	OptiPlex GX1	410ZN
14417	OptiPlex GX1	74GDU
14540	OptiPlex GX1	H4MYU
14541	OptiPlex GX1	H4MZA
14542	OptiPlex GX1	H4MZE
14543	OptiPlex GX1	H4MZI
14544	OptiPlex GX1	H4MYI

3-KK Approved the donation of an Ascom Hasler Envelope Stuffing Machine, property number 13385, from the Clerk's fixed asset list to the City of Inverness.

3-LL Approved the donation of the following items from the Clerk's fixed asset list to the Citrus County School Board:

Property Number	Description
14659	OptiPlex GX110 7DAD4
14660	OptiPlex GX110 7DAPS
14661	OptiPlex GX110 7DAPT
14662	OptiPlex GX110 7DAD7
14663	OptiPlex GX110 7DAPM
14664	OptiPlex GX110 7DAD5
14665	OptiPlex GX110 7DAD3
14687	OptiPlex GX110 7EDOX
14688	OptiPlex GX110 7WASV
14689	OptiPlex GX110 7EDOW
14712	OptiPlex GX110 86AFY
14716	OptiPlex GX110 86ATB
14724	OptiPlex GX110 86ATC
14729	OptiPlex GX110 7DAD6

3-MM Approved the donation of the following items from the Clerk's capital asset list to Seven Rivers Christian School:

Property Number	Description	Property Number	Description
14666	86ATL	14723	86ATN
14667	86ATR	14725	86BAC
14713	86ATM	14726	86ATQ
14715	86ATT	14727	86ATJ
14722	86ATS	14728	86ATF

3-NN Set the Tentative Budget Hearing on Thursday, September 16, 2004, at 5:01 P.M. and the Final Budget Hearing on Tuesday, September 28, 2004, at 5:01 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness.

3-OO Approved and authorized the Chairman to execute the Host Agency Agreement between the Library Services Division and the American Association of Retired Persons (AARP) Foundation, Senior Community Service Employment Agency to provide work opportunities for older individuals and others within the Library Services Division.

3-PP Approved the Tax Collector's request to extend the 2004 tax roll pursuant to Florida Statute, Chapter 197.323, so the Property Appraiser could undertake all actions required in order that the tax bills would be mailed by November 1, 2004.

3-QQ Set a public hearing on August 10, 2004, at 1:45 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness to hear public comment and consider approval of the proposed Bright House Networks Franchise Agreement.

3-RR Approved the payment voucher issued by Gallagher Bassett Services to Hammer Construction Corporation at \$148,194.27 for the balance of demolition and professional services at the Lecanto Senior Center.

3-SS Approved the following Bid Committee Report: **(1)** Bid No. 076-02, Utilities, water meter and meter reading devices, renewed the current bid with National Waterworks under the same terms and conditions listed in the bid documents; **(2)** Bid No. 001-03, SWM, management of waste tires, renewed the current bid with Wheelabrator Ridge Energy, Inc., under the same terms and conditions listed in the bid documents and authorized the Chairman to execute the Bid Renewal Agreement; **(3)** Bid No. 002-03, SWM, on-site yard waste processing, renewed the current agreement with Consolidated Resource Recovery and authorized the Chairman to execute the Bid Renewal Agreement; and **(4)** Bid Waiver Request, Department of Public Safety, automatic external defibrillators (AEDs), waived the bid procedures and allowed the department to replace 28 existing AEDs and purchase 14 new AEDs from ZOLL at \$27,670, which would allow for the standardization of all AED equipment within the County, as well as the Sheriff's Office.

3-GG **SOLID WASTE MANAGEMENT - PROPOSED FEE SCHEDULES 2004-2005**

Commissioner Bartell mentioned that the recommended action for item 3-GG **(1)** requested that the Board approve the proposed fee schedules; however, it should have been to acknowledge the proposed fee schedules, since the public hearing would not be held until August 24. Mr. Wesch confirmed that the recommended action should have stated to "acknowledge" the proposed fee schedules.

Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board (1) approved acknowledged the proposed fee schedules for the Solid Waste Management Division for fiscal year 2004-2005, (2) set a public hearing on August 10, 2004, at 2:25 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness to consider adopting fees and assessment rates for Solid Waste Management for fiscal year 2004-2005, and (3) set a public hearing on August 24, 2004, at 2:10 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness to consider adopting the Residential Solid Waste Assessment Roll prepared by the Property Appraiser's Office.

(1:35 P.M.)

6- **COUNTY ADMINISTRATOR'S REPORT**

6-A **VETERANS AND COMMUNITY CENTER (BROWN SCHOOL)**

Mr. Wesch stated that this item was regarding the County's proposed lease agreement with the federal government for a veteran's clinic located at the Brown School site. He explained the process used by the federal government in selecting the location for the veteran's clinic. He requested approval of the proposed offer, which would be forwarded to the VA for review, and if the lease agreement was accepted and signed, the closing would take place within 45 days or October 1, 2004, whichever came first.

Motion by Commissioner Phillips, seconded by Commissioner Batchelor, to approve to tender the offer with the Department of Veterans Affairs to lease medical related office space for a community based outpatient veteran's clinic, and authorize the Chairman to execute the U.S. Government lease and related documents for this facility.

Commissioner Phillips mentioned that she had a discussion with some of the veterans attending the meeting today who asked her to express appreciation to the Board for their support and work on this issue.

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

(1:36 P.M.)

6-B **CHALLENGER WORLD AGREEMENT**

Mr. Wesch stated that the Board had previously heard a presentation on the proposed agreement with Challenger World UK Ltd., and had directed staff to produce a proposed operating agreement for the event.

Motion by Commissioner Wooten, seconded by Commissioner Fowler, to approve and authorize the Chairman to execute the Citrus County/Challenger World Agreement at \$50,000 for the 2005 Challenger World event to be held in Citrus County October 7 through 9, 2005.

Commissioner Bartell questioned if the legal entity of Challenger World had been confirmed, since it was a foreign business. Mr. Battista replied that his office had not verified Challenger World; however, the Tourist Development Council (TDC) and the Economic Development Council (EDC) had performed some background information on the entity. Commissioner Bartell stated that he supported the efforts in this endeavor; however, Challenger World would be receiving all the money prior to the event, and he was concerned about a breach of contract. Mr. Battista pointed out that the ability to bring a foreign corporation without an American agent into the courts would be limited unless there was a performance or some other type of bond available to recover the funds. He added that staff had determined that it would not be feasible to purchase a bond due to the substantial cost.

Commissioner Bartell stated that although he supported the TDC's efforts, he could not support the motion due to not having recourse for the \$50,000 investment in this company in case there was a breach of contract.

Mary Craven, Tourist Development Manager, stated that she had investigated the performance and reputation of Challenger World with the Isle of White Tourism Development Office, a government office in the United Kingdom, the Welch Economic Development Office, and Visit Florida European Office. She reported that communications with those offices confirmed that Challenger World was a very reputable organization in Europe.

Commissioner Phillips commented that she had a problem with section D.3 of the contract (Termination by County) regarding failure of the event producer to fulfill their obligations and the County receiving only a pro-rata refund of monies. She added that she was also concerned that the County would be providing 50 percent of the cost nine months in advance of the event.

Ms. Craven addressed the \$50,000 cost issue by stating that Challenger World would begin immediately marketing Citrus County to the potential participants of this event who would begin securing the minimum 30 teams. She deferred the issue of section D.3 to Mr. Battista who explained that he developed this agreement based on a contract that had been provided to him; however, he did not change the provision of the section titled "Termination by County" because this was an entertainment event, and he did not perform entertainment law. He stated that the provision in that section could be modified.

Chairman Wooten agreed that there was a certain amount of risk; nonetheless, the TDC unanimously approved using \$25,000 in tourist tax funds, and the EDC unanimously approved asking the Board to use \$25,000 from licensing fees for the event. He stated that Gold and Associates, the County's tourism consultant, would be sending out press releases, money would be spent by the participants, and that there would be residual effects from the event. He further stated that he would support the motion because the investigation by Gold and Associates, the TDC, and the EDC, indicated that this company was reputable, and that there would be outstanding benefits to the County.

Ms. Craven answered Commissioner Phillips' question concerning the marketing of Citrus County by stating that Challenger World would create printed materials, photographs, and videos of the County, which would be sent to the prospective participants. She added that the County would have access to everything produced by Challenger World at no additional cost.

Commissioner Phillips said this was a difficult decision, and that she had a problem with funding Challenger World in advance of the event. Chairman Wooten advised that this event would be an ongoing process, that the first matter would be the recruitment of 30 teams, and that the total \$50,000 would not be expended until the County saw results.

The Chairman called a question on the motion. Motion carried. Voting Aye: Commissioners Batchelor, Fowler, and Wooten. Voting Nay: Commissioners Bartell and Phillips.

(1:54 P.M.)

2-B RIVERHAVEN WASTEWATER SPECIAL ASSESSMENT DISTRICT (1999)

Mr. Wesch stated that this was the final hearing for the Riverhaven Wastewater Special Assessment District (1999). He explained that in 1999, certain unimproved properties were deferred from special assessments for four years and that the deferral period had now expired. He noted that William Lyons might wish to address the Board regarding his properties, which would be impacted the most from the proposed action. He advised that a letter had been received today from Dr. George W. Miskimen, on behalf of Mr. Lyons, stating that the properties under consideration were going through the Department of Environmental Protection (DEP) permitting process. He requested that the Board move forward and adopt resolutions relating to the Riverhaven Wastewater Special Assessment District (1999) Unimproved Property Deferral Agreements with a provision that if Mr. Lyons was successful in the permitting process, today's action could be voided by a subsequent adopted resolution.

Chairman Wooten opened the public hearing and asked if anyone wished to speak in favor or in opposition.

Mr. Lyons stated that he had been trying for approximately two years to obtain DEP permits for three homes in Gasparilla Cay, which were on lots that were partially wetlands. He explained that as part of the mitigation involved, the DEP wanted a conservation easement placed on Lots 1 and 2, Block 22, and Lots 69, 70, and 71, Block 30. He stated that the mitigation process had not been completely satisfied, and that he hoped it would be completed within six months. He added that he would be pleased to pay assessments on the lots that were proposed for homes, and requested that the other five lots not be taxed until the permitting process had been completed.

He distributed copies of a map of the Gasparilla Cay site plan and explained details of the subject properties (filed with the Clerk's agenda). He advised that he sent a letter to the Clerk on July 6 regarding the issue, and that the Clerk stated that she could not make a decision on the exemption and recommended that he present his issue to the Board.

Mike Moore, with Moore Engineering, said that he had been helping Mr. Lyons obtain the DEP permits over the last two years. He read a portion of a letter from the DEP dated May 7, which stated that the DEP requested surveys and legal descriptions on the five lots to be placed in a conservation easement. He clarified that Mr. Lyons was proposing only 1 home on Lots 67 and 68.

Mr. Lyons responded to Commissioner Bartell's question regarding giving up development rights by stating that he was willing to pay assessments on three of the nine lots and concede development rights on the remaining lots to the DEP.

Commissioner Bartell explained that since the deferral of the special assessments in Riverhaven four years ago, Chassahowitzka property owners had been allowed to relinquish development rights. He suggested that Mr. Lyons be allowed to do the same on those five lots and pay assessments on the three remaining lots.

Mr. Wesch advised that the resolution could be revised to recognize three lots for special assessments, delete the remaining lots, and produce a deferment of development rights agreement with Mr. Lyons.

Discussion ensued regarding the deferred properties and whether they were developable, the new procedure that allowed property owners to relinquish development rights, and continuing the public hearing until the next Board meeting on August 10.

Mr. Lyons requested that a copy of the letter from the Clerk be given to the Commissioners, the County Attorney, and the County Administrator (Clerk's note: letter was distributed after the public hearing and filed with the Clerk's agenda).

Mr. Battista noted that August 10 would allow approximately 20 rather than 30 days for Mr. Lyons to decide whether to pay the special assessment over time on the tax roll or to pay the assessment in full. Mr. Lyons thought the offer was fair and had no problem with the August 10 date.

With no further public comment, the Chairman continued the public hearing until August 10, 2004, at 2:00 P.M. (2:10 P.M.)

2-C 2004 FIRST CYCLE COMPREHENSIVE PLAN AMENDMENTS

Chuck Dixon, Community Development Division (CDD) Director, stated that this was the adoption workshop for the 2004 First Cycle Amendments to the Generalized Future Land Use Map (GFLUM) and the Land Development Code Atlas (LDCA).

2-C.1 CPA-04-01, DEPARTMENT OF DEVELOPMENT SERVICES (DDS)

Ian McDonald, AICP, Senior Planner, DDS, reviewed the following text revisions to the Comprehensive Plan (COMP):

Application Number/Name:	CPA-04-01, DDS
Elements and Subject:	<p>Chapter 6: Traffic Circulation New policy in support of the Florida Department of Transportation (FDOT) Work Program</p> <p>Chapter 10: Future Land Use Addition of new land use districts: (1) Coastal and Lakes Commercial (CLC); (2) Mobile Home Park (MHP); and (3) Recreational Vehicle Park/Campground (RVP)</p>

He stated that the Florida Department of Community Affairs (DCA) Objections, Recommendations, and Comments (ORC) Report specified several objections, consisting of minor modifications to the originally transmitted language. He summarized the revisions that had been made by staff, which included the addition of more maps and tables for the traffic circulation policy, the addition of percentage figures to development standards, square footage changes for commercial development within MHP and RVP's, and a policy to prohibit mobile homes within the CHHA. He advised that staff would meet this week with the DCA to review the revisions.

He clarified for Commissioner Bartell that the Evaluation and Appraisal Report (EAR) was reviewed and found sufficient by the DCA. Mr. Dixon added that part of the objections to this amendment were because they were EAR-based amendments that had to take place before the EAR was reviewed and approved by the DCA. Mr. McDonald confirmed that staff had already responded to many DCA's questions, but that he reviewed each objection in the ORC Report and made the recommended changes to satisfy the DCA.

He mentioned that the latest Project Development and Environment (PD&E) Study for US-19 identified a six-lane roadway only to the city limits north of Crystal River, and that the road would be four lanes from that point up to the Florida Barge Canal.

Chairman Wooten opened the public hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairman closed the public portion of the public workshop. He announced that the adoption hearing for this text revision would be held on August 24, 2004. (2:16 P.M.)

2-C.2 CPA/AA-04-02, DDS FOR PARKS AND RECREATION DIVISION (P & R)

Mr. McDonald summarized the following staff report:

Application Number/Name:	CPA/AA-04-02, DDS for P & R
Land Use:	GFLUM: from Rural Residential (RUR) to Recreation District (REC) LDCA: RUR* mobile homes allowed to REC
Property Data:	South side of West Dunklin Street in the east half of the Northwest 1/4 of the Northwest 1/4 of Section 26, Township 17 South, Range 17 East, located less than a quarter mile east of the intersection of CR-495 and West Dunklin Street. Property consists of Lots 137-160, Town of Citronelle, approximately 17.85 acres including rights-of-way.
Staff/PDRB Recommendation:	Approval
Proposed Project:	Neighborhood park in the Citronelle area

He stated that the County developed the master plan and had acquired all the lots. He indicated that this would be a very nice park, and added that the Planning Development and Review Board (PDRB) had no comments or additional revisions at their meeting last week.

Ms. Slingerland polled the Board for ex parte communications regarding this application, and all Commissioners replied that they had no previous communications.

Chairman Wooten opened the public hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairman closed the public portion of the public workshop and advised that the public hearing would be held on August 24, 2004. (2:19 P.M.)

The Chairman recessed the meeting and reconvened at 2:30 P.M.

2-D ***AMENDMENT TO CHAPTER 42 OF THE CITRUS COUNTY CODE***

Gary Maidhof, Department of Development Services (DDS) Director, read the ordinance preamble into the record regarding revisions to Chapter 42 of the Citrus County Code relating to environmental protection and standards. He explained that a series of ordinances were adopted in the 1980s when the state's septic tanks and water codes were not very protective of environmental issues. He stated that the industry had been concerned about conflicts between the existing state regulations and this chapter; therefore, it was suggested and agreed that an amendment was needed. He added that the Environmental Health, Hazardous Materials, and Utilities Divisions were involved in addressing the concerns, and that the amendment had been reviewed by the Citrus County Builders Association and the Governmental Affairs Committee. He then reviewed the highlights of the ordinance.

Chairman Wooten opened the public hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairman closed the public portion of the public hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to execute an ordinance revising and amending Chapter 42 of the Citrus County Code (Ordinance 97-05) relating to regulations regarding onsite sewage disposal systems (septic tanks), private wells, and septage/sludge disposal, providing for severability, providing for inclusion in the Citrus County Code and providing for an effective date.

ORDINANCE NO. 2004-A14 (2:35 P.M.)

2-E ***AMENDMENT TO CHAPTER 102 OF THE CITRUS COUNTY CODE***

Mr. Wesch stated that this was a public hearing relating to standards and construction specifications for water and wastewater systems. He advised that the Board approved this issue approximately ten months ago; however, an ordinance was not adopted at that time.

Chairman Wooten opened the public hearing and asked if anyone wished to speak in favor or in opposition.

Jim MacIntosh addressed the Board regarding an article from "Scientific American" concerning fecal material pollution on beaches and that leaking sewer pipes was the main cause. He recommended that the Board pursue "package plants" and more septic systems rather than central sewer systems.

With no further public comment, the Chairman closed the public portion of the public hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to

execute an ordinance revising and amending Chapter 102 of the Citrus County Code relating to standards and construction specifications for water and wastewater systems, providing for severability, providing for inclusion in the Citrus County Code and providing for an effective date. **ORDINANCE NO. 2004-A15**

13- **ANY OTHER COUNTY BUSINESS - ACCEPTED BY MOTION ONLY**

13-A **FORT ISLAND TRAIL PARK**

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board approved a request by Dan Sextion Media (DSM) to use the Fort Island Trail Park for the Travel Channel film shoot on July 30, 2004, subject to the receipt of certificates of insurance as required by County Risk Management. (2:40 P.M.)

7- **COMMISSIONER JOSH WOOTEN, CHAIRMAN**

7-A **HISTORICAL RESOURCES ADVISORY BOARD**

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board accepted with regret the resignation of Gary Ellis and announced the vacancy of the Archeology position on the Historical Resources Advisory Board. (2:41 P.M.)

7-B **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Chairman Wooten announced the following DEP meetings:

1. Public Workshop: Monday, August 2, 2004, at 7:00 P.M. at the Crystal River Preserve State Park, 3266 North Sailboat Avenue, Crystal River.
2. Advisory Group Meeting: Tuesday, August 3, 2004, at 9:00 A.M. at the Crystal River Preserve State Park, 3266 North Sailboat Avenue, Crystal River. (2:42 P.M.)

9- **COMMISSIONER ROGER BATCHELOR, SECOND VICE-CHAIRMAN**

9-A **TRANSPORTATION DISADVANTAGED COORDINATING BOARD (TDCB)**

Commissioner Bartell stated that the TDCB's current "No-Show" Policy was very ineffective, and that a committee had created the proposal for a new policy, which would be more successful in collecting fees from clients who scheduled rides and then failed to cancel or show up. He requested Board approval for the new policy.

Commissioner Fowler added that as previous chairman of the TDCB, he could testify that the "no shows" were a tremendous problem and deprived other people rides.

Motion by Commissioner Fowler, seconded by Commissioner Bartell, to approve and authorize the implementation of the new "No Show" Policy for Citrus County Transit as approved by the Transportation Disadvantaged Coordinating Board at their meeting of April 22, 2004.

Chairman Wooten commented that he hesitated to charge people who could least afford to pay for services; however, in this case, it was affecting the system, so he would support the motion.

The Chairman called a question on the motion, and the motion carried unanimously. (2:44 P.M.)

13-B **INDEMNITY AGREEMENT - CITY OF CRYSTAL RIVER**

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized the Chairman to execute an Indemnity Agreement with the City of Crystal River for the installation of a temporary jumper line, permanent six inch ductile iron water main, and a permanent four inch DIP force main in relation to the Islamirada Bridge structure replacement. (2:45 P.M.)

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

14-A **COMMISSIONER PHILLIPS RE-ELECTION TO THE BOARD**

Commissioner Bartell congratulated Commissioner Phillips on her recent re-election to the Board with no opposition.

13-C **BOAT RAMP AND PARKING ON STATE ROAD 44**

Commissioner Bartell addressed the issue of the boat ramp and parking on SR-44. He reported that he had written a letter to the FDOT supporting Representative Charles Dean's recommendation for a pedestrian crossover. He added that he thought it would be prudent to send a letter of support from the Board also.

Chairman Wooten agreed and stated that he had previously tried to dissuade the FDOT from building the ramp in that manner. He questioned if the City of Inverness (City) had asked for a "catwalk". Mr. Wesch replied that he did not know if the City had requested a crossover, but that if the Board took this action, he would inform the City. Commissioner Fowler remarked that as a courtesy, the City should be contacted first. Commissioner Bartell concurred, and recommended that both the City and the County send joint letters to the FDOT, due to the dangerous situation of people having to park on the other side of SR-44 and cross four lanes of traffic to get to the boat ramp.

Motion by Commissioner Wooten, seconded by Commissioner Fowler, to approve and authorize the Chairman to execute a letter to the Florida Department of Transportation requesting a pedestrian crossover between the boat ramp and parking lot on SR-44, after staff contacted the City of Inverness. Short discussion followed.

The Chairman called a question on the motion, and the motion carried unanimously. (2:49 P.M.)

14-B **LOWE'S CONSTRUCTION**

Mr. MacIntosh spoke about the excavation in front of the new Lowe's. He asked that consideration be given in making more pleasing appearance standards for setbacks,

berms, landscaping, and building structures. He mentioned that there was an editorial on his website concerning this subject.

Chairman Wooten replied that the new Lowe's was the first big box project under the new retail ordinance and the new tree ordinance, and if at the end of construction it still had an unpleasant appearance, then the Board would address the issue. Short discussion followed. (2:54 P.M.)

The Chairman recessed the meeting and reconvened at 5:00 P.M.

2-F ***2004 LIMEROCK ROAD PAVING PROGRAM (LRPP)***

Mr. Saunders explained that this was the final public hearing for the 2004 LRPP, which was for residents who resided on County maintained limerock roads and had petitioned to have their roads paved at \$3.75 a front foot. He added that in order to be eligible for the LRPP, 51 percent of the improved property owners must sign a petition. He further stated that the total project assessment for the 2004 LRPP was \$31,953.75, which included six roads totaling one mile of paving benefiting 84 property owners. He advised that since the inception of the LRPP in 1995 and including the 2004 program, 199 roads would have been paved totaling approximately 48 miles.

He then read the list of roads that would be paved as follows: West Cherrywood Street, North Dugan Avenue, East Loon Court, East Patricia Lane, West Tanager Court, and South Walnut Way.

Chairman Wooten opened the public hearing and asked if anyone wished to speak in favor or in opposition.

With no public comment, the Chairman closed the public portion of the public hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board adopted and authorized the Chairman to execute (1) a resolution relating to the 2004 Limerock Road Paving Program, confirming and adopting the assessment roll for said project; establishing August 31, 2004, as the date upon which special assessments shall become due and payable; and establishing an interest rate of six percent per annum plus an administrative fee of four percent per annum for installment payments, and (2) 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 NOS. 2004-170 AND 2004-171, RESPECTIVELY (5:09 P.M.)

2-G ***2004 SMALL SCALE CYCLE THREE AMENDMENTS***

Mr. Maidhof read the ordinance preambles into the record and Ms. Slingerland polled the Board for ex parte communications. All Commissioners replied that they had no previous communications regarding the applications.

2-G.1 CPA/AA-04-09, FREDERICK REEVES FOR HALLS RIVER DEVELOPMENT

Mr. Maidhof explained that there had been additional information received since the workshop and that it was provided in the backup materials. He added that the County file for Halls River Development's previous application (AA-00-12) had been available for review for the last two weeks. He then gave a brief history of the property and presented the staff report as follows:

Application Number/Name:	CPA/AA-04-09, Frederick T. Reeves, Esquire for Halls River Development, Inc.
Land Use:	GFLUM: from Low Intensity Coastal and Lakes District (CL) to General Commercial (GNC) LDCA: from Mixed Used District (MXU) to GNC
Property Data:	Section 29, Township 19 South, Range 17 East (NE 1/4). Further described as all of that part of Lots 14 and 15 lying north of CR-490A, and a portion of Lot 3 located along the Hall's River, more specifically described in the legal description as part of a boundary survey submitted as part of this application and contained in the applicant's file. The subject property is approximately 9.5 acres ± located easterly of the existing Nature's Resort Campground at 10269 West Hall's River Road, Homosassa.
Staff/PDRB Recommendation:	Denial

He advised the Board that there were concurrency issues with sanitary sewer, potable water, drainage, and traffic circulation. He added that the amendment was not consistent with the COMP specifically with Policy 3.3.1, 4.9.14, 4.10.4, 4.13.1, 17.2.7, and 17.2.10, which were detailed in the staff report. He read the Other Factors/Additional Information and Findings of Fact from the staff report into the record.

Mr. Reeves asked for Troy Burrell and Blake Longacre to be sworn in as expert witnesses. The Chairman replied to Mr. Reeves' question about the information from the previous application (AA-00-12) by stating that the Board accepted that information to be part of the record at the workshop.

Mr. Reeves made brief comments regarding the application. He stated that Halls River Development, Inc., was willing to enter into an agreement to limit the use of that property to the previously applied use (fractional ownership or a wholly-owned condominium project), that they would agree not to exceed the height previously approved by the County, and that they would agree not to exceed the number of boat slips (11) approved by the Southwest Florida Water Management District (SWFWMD). He also stated that they only wanted what was previously approved, and that they wanted the same consideration given to other property owners, for example the Home Depot. He presented a letter to the Board dated July 27, 2004, (filed with the Clerk's agenda) which stated that Halls River Development, Inc., agreed to limit their use on the property.

Ms. Slingerland administered the oath to Troy Burrell, per Mr. Reeve's request. Mr. Burrell discussed the following issues: sanitary sewer, potable water, drainage, and traffic circulation.

Ms. Slingerland then administered the oath to Blake Longacre. Mr. Longacre distributed the following handouts: **(1)** Halls River Retreat GNC Application Hearing July 27, 2004, and **(2)** Halls River Retreat, LDC Atlas Zoning MXU, The Citrus County Comprehensive Plan and the Florida Department of Community Affairs February 8, 2003, (filed with the Clerk's agenda). He then asked that the previously submitted reports by Dr. Larry Doyle be made a part of this record. He read sections of the GNC Application Hearing document into the record. He stated that he had done everything he was supposed to do in the process to develop his land and requested approval of this zoning request.

The Chairman opened the public hearing for public comment and asked if anyone wished to speak in favor.

Kevin Cunningham, Wayne Kelley, Ernest Woods, and another concerned citizen spoke of protecting property rights, and stated that Judge Springstead should be held accountable for his decision, that Mr. Longacre should be able to proceed with the project that was previously approved, that Mr. Longacre had gone to great lengths to provide safeguards on all issues, and so on.

The Chairman then asked for those who wished to speak in opposition.

Bob Jeeves, representing the Homosassa River Alliance (HRA), explained that the HRA was a not for profit organization with a mission to help restore and protect the Homosassa River area. He stated that precedence should not be established in this case. He added that the HRA and its 1,300 members did not support the zoning change.

Jim Bitter stated that the 1,300 members of the HRA raised money to fight this project. He also stated that he did not believe that the SWFWMD had issued the permits that Mr. Burrell alluded to in his discussion. He added that the Fifth District Court of Appeals was stopping the project.

With no further public input, the Chairman closed the public portion of the public hearing.

Mr. Reeves stated that the SWFWMD had issued an intent to issue the permits, and that the ruling of the Fifth District Court of Appeals had no affect on this proceeding. He requested that the Board issue the approval that was necessary for this project.

Commissioner Bartell advised that he would only consider a land use change to GNC for this application; therefore, based on the findings of fact and the inconsistencies with the policies of the COMP, he would move to deny CPA/AA-04-09.

Motion by Commissioner Bartell, seconded by Commissioner Phillips, to deny CPA/AA-04-09, Frederick T. Reeves, Esquire for Halls River Development, Inc.

Discussion ensued regarding this application being a land use change only, compatibility issues, the land use change not being conducive to the environmentally sensitive area, the land use laws being changed by the courts, and so on.

The Chairman called a question on the motion, and the motion carried unanimously. (6:03 P.M.)

2-G.2 CPA/AA-04-10, J & K CONSULTANTS FOR VILLAGE LANE INC.

Kevin Smith, Assistant Director of CDD, presented the staff report as follows:

Application Number/Name:	CPA/AA-04-10, John Barnes of J & K Consultants for Village Lane, Inc.
Land Use:	GFLUM: from Medium Density Residential (MDR) to GNC LDCA: from MDR* (mobile homes allowed) to GNC
Property Data:	Section 06, Township 19 South, Range 19 East, a portion of Lot 8, Block F, New Mayfield Acres Subdivision, located at the intersection of East Gulf to Lake Highway/State Road (SR) 44 and South Kensington Avenue between Lecanto and Inverness. Approximately 0.34 acres
Staff/PDRB Recommendation:	Approval

He stated that staff found the application to be consistent with the applicable policies of the COMP. He added that there were no concurrency issues identified.

Mr. Barnes spoke in favor and asked the Board for approval.

The Chairman opened the public hearing for public comment and asked if anyone wished to speak in favor or in opposition. With no public input, the Chairman closed the public portion of the public hearing.

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board approved application CPA/AA-04-10, John Barnes of J & K Consultants for Village Lane, Inc. (6:06 P.M.)

2-G.3 CPA/AA-04-12, DDS FOR FLOWERS BY BARBARA

Margaret Beake, AIA, AICP, Senior Planner, CDD, summarized the staff report as follows:

Application Number/Name:	CPA/AA-04-12, DDS for Barbara Ramsay d/b/a Flowers by Barbara
Land Use:	GFLUM: From Low Density Residential (LDR) to GNC LDCA: From LDR* (mobile homes allowed) to GNC
Property Data:	Lot 2 of Parcel 42100, Section 3, Township 20 South,

	Range 20 East located at 5636 South Florida Avenue (US-41), Floral City. 0.23 acres ±
Staff/PDRB Recommendation:	Approval

She stated that the DDS had prepared the application in order to achieve consistency between the permitted commercial activity and the land use designation. She advised that based on the 1989 Stipulated Settlement Agreement this parcel should have been put on the map as GNC. She added that the amendment was consistent with the goals, objectives, and policies of the COMP.

Commissioner Bartell left the meeting.

The Chairman opened the public hearing for public comment and asked if anyone wished to speak in favor or in opposition. With no public input, the Chairman closed the public portion of the public hearing.

Upon motion by Commissioner Batchelor, seconded by Commissioner Phillips, and carried unanimously, the Board approved application CPA/AA-04-12, DDS for Barbara Ramsay d/b/a Flowers by Barbara. (6:08 P.M.)

2-G.4 ***CPA/AA-04-15, CHERYL F. PHILLIPS***

Mr. Dixon reviewed the following staff report:

Application Number/Name:	CPA/AA-04-15, Cheryl F. Phillips
Land Use:	GFLUM: From LDR to GNC LDCA: From LDR* (mobile homes allowed) to GNC
Property Data:	Section 06, Township 19 South, Range 18 East, a portion of Block 23000, located in the northwest quadrant of the intersection of Lecanto Highway (CR-491) and Educational Path, about two miles south of the intersection of Gulf to Lake Highway (SR-44) and Lecanto Highway. 0.57 acres ± of a 14.7-acre ± parcel
Staff/PDRB Recommendation:	Approval

He advised that the area was generally mixed use with commercial, residential, mining, and office uses. He added that the parcel was within the Planned Service Area and no concurrency issues had been identified. He mentioned that the amendment was consistent with the policies of the COMP.

Mrs. Phillips spoke in favor and requested Board approval.

Commissioner Bartell returned to the meeting.

The Chairman opened the public hearing for public comment and asked if anyone wished to speak in favor or in opposition. With no public input, the Chairman closed the public portion of the public hearing.

Upon motion by Commissioner Batchelor, seconded by Commissioner Fowler, and carried unanimously, the Board approved application CPA/AA-04-15, Cheryl F. Phillips. (6:11 P.M.)

The Chairman recessed the meeting and reconvened at 6:20 P.M.

2-G **2004 SMALL SCALE CYCLE THREE AMENDMENTS CONTINUED**

Mr. Maidhof explained that the Board needed a motion to adopt the two implementing ordinances, which would only include the approval of applications CPA/AA-04-10, CPA/AA-04-12, and CPA/AA-04-15.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to execute the following ordinances: (1) amending Ordinance No. 89-04, Comprehensive Plan, as amended by revising the land use designation on certain parcels of land as presented in the 2004 Small Scale Cycle Three Amendments in accordance with (iaw) CPA/AA-04-10, CPA/AA-04-12, and CPA/AA-04-15. ORDINANCE NO. 2004-A16, and

(2) amending Ordinance No. 90-14, Land Development Code, as amended, by revising the land use designation on several parcels of land as presented in the 2004 Small Scale Cycle Three Amendments iaw CPA/AA-04-10, CPA/AA-04-12, and CPA/AA-04-15.

ORDINANCE NO. 2004-A17

2-H.1⇒7 **2004 PRIVATE ROAD CONSTRUCTION AND PERPETUAL MAINTENANCE PROGRAM (PROGRAM)**

Mr. Saunders stated that this was the final public hearing for the Program, which was for property owners who resided on private roads. He explained that the eligibility required 50 percent plus one of the improved property owners to petition the County requesting the improvements. He added that all property owners were sent a voting ballot indicating their estimated cost figures, and at least 70 percent of the returned letters must be in favor of the proposed assessment. He advised that the total project cost for the 2004 Program was \$758,211.66, which included 13 roads totaling 3.8 miles of paving and would benefit 221 property owners. He stated that since the Program's inception in 2003, including the 2004 Program, 23 roads would have been paved totaling 8.8 miles.

He then read the list of roads included in the Program as follows: South Bennett Point, East Bow N Arrow Loop, West Caravan Path, West Fox Hollow Court, North Singapore Avenue, West Sophia Lane, East Hartley Court, North Skeeter Terrace, South Hull Terrace, South Kenvera Loop, South Owens Trail, East Raleigh Court, and East Raymar Lane.

Chairman Wooten opened the public hearing for public comment and asked if anyone wished to speak in opposition to any road included in this Program.

A citizen residing on North Singapore Avenue expressed concern with the assessment being the same for all parcels. Mr. Saunders replied that every property owner was assessed with the same unit price regardless of the size of the parcel, because everyone had the same use of the road.

Bill Remley, residing on North Skeeter Terrace, stated that he had no objection to the paving of the road; however, requested that the paving go past his property located on the corner of East Hartley Court and North Skeeter Terrace. The Chairman requested staff to work with Mr. Remley regarding his concerns.

Marianne Kent (North Cheyenne Avenue) requested that a portion of West Sophia Lane between North Cheyenne Avenue and North Parkwood Avenue, not be paved due to there being no driveways located on that section of the road and that the property owners did not use that road for access to their properties. She agreed that the other portion of West Sophia Lane, North Singapore Avenue, and West Fox Hollow Court needed to be paved. She stated that she had an existing fence with cemented posts along that side of her property. Mr. Saunders advised that the County would remove the fence if it were in the surveyed right of way.

Tammy Friedler (North Singapore Avenue) stated that she had just acquired her property and had not received the petition regarding the paving of this road. She added that she purchased the property because it was in a quiet area and the road was not paved. She also stated that she did not agree with all the property owners paying the same assessment.

Jenni Gail Adams, Land Section Manager, stated that the petitions were mailed a year ago, and the ballots were mailed approximately eight months ago. She stated that the petition and ballot for Ms. Friedler's property was mailed to the previous owner, Frank Meyer.

Murray Kent (West Sophia Lane) reiterated that a portion of West Sophia Lane was not used by the residents in that area and should not be paved.

The Chairman then asked if anyone wished to speak in favor of paving any of the roads.

Linda Matthews and Cynthia Edmonds (South Bennett Point), Kelly Michel (West Fox Hollow Court), Kelly Hibbetts (East Bow N Arrow Loop), and Marion Karl (East Raymar Lane) spoke in favor due to the roadways flooding when it rained, the assessment being fair to all property owners, and public safety issues.

Mr. Saunders replied to Mr. Michael's question regarding signage on the private roads by stating that speed limit signs would be placed by request; however, the property owners could post their own signs.

Mr. Saunders replied to Morna Elhage's question (East Raymar Lane) by stating the paving would start in October.

Tim Mason (South Hull Terrace) thanked the Board and staff for their efforts in getting this Program started.

Mrs. Kent reiterated her point about not paving a portion of West Sophia Lane and stated that there were no stop signs located on the County owned roads in her subdivision. The Chairman stated that Larry Brock, Director of the Road Department, would investigate.

With no further public comment, the Chairman closed the public portion of the public hearing.

Mr. Wesch stated that the issue of paving the road past Mr. Remley's property on North Skeeter Terrace had been resolved.

Commissioner Phillips stated that she had a concern with the County removing fencing on private property to pave the road.

Mr. Wesch replied to Commissioner Phillips' question regarding the per unit assessment by stating that either method of assessment (per unit or per front foot) was legally defensible and acceptable in the state. He added that when staff reviewed the typical layout of the affected properties, it was determined to base the calculations on a per unit basis, which was more equitable and was consistent with the Board's AR for this Program.

Mr. Saunders addressed Commissioner Batchelor's question regarding the flooding problems on those roads by stating that swales would be constructed, and the roads would be paved with open graded asphalt that allowed the water to go through and into the swales. He added that the existing limerock or clay that was on the road would be built up with approximately three inches of limerock and three inches of asphalt.

The Chairman explained that the County planned to pave the 281 miles of County owned limerock roads, rather than continuing to spend money on maintaining those roads every year.

Mr. Battista stated that the portion of West Sophia Lane between North Parkwood Avenue and North Cheyenne Avenue could be removed from the Program because Mrs. Kent was the only property owner on that section of the road to vote and she voted against paving. Mrs. Adams stated that the assessment would be reduced; however, she did not know the exact amount.

Motion by Commissioner Wooten, seconded by Commissioner Fowler, to approve paving all of the roads read into the record with the exception of West Sophia Lane from North Parkwood Avenue to North Cheyenne Avenue.

Commissioner Phillips stated that she understood how difficult it was to live on a dirt road and how much those property owners wanted their roads paved. She advised that she could not support the Program because the AR should have been written so that all property owners had an opportunity to respond. She also had great difficulty with the County taking over private property, relocating fences, etc.

Mr. Battista asked Commissioners Wooten and Fowler to amend the motion to add the adoption of the resolutions. He then read the resolution titles into the record.

Amended motion by Commissioner Wooten, seconded by Commissioner Fowler, the Board (1) approved paving all of the roads read into the record with the exception of West Sophia Lane from North Parkwood Avenue to North Cheyenne Avenue, 2), adopted and authorized the Chairman to execute resolutions relating to the 2004 Private Road Construction and Perpetual Maintenance Program, providing for definitions; providing for legislative findings as to public access; providing general legislative findings confirming and adopting the assessment roll for said project; establishing August 31, 2004, as the date upon which special assessments shall become due and payable; and establishing an interest rate of 6 percent per annum plus an administrative fee of 4 percent per annum for installment payments for South Bennett Point MSBU; East Bow N Arrow Loop MSBU; West Caravan Path MSBU, West Fox Hollow Court, North Singapore Avenue, and West Sophia Lane MSBU; East Hartley Court and North Skeeter Terrace MSBU; South Hull Terrace MSBU; and South Kenvera Loop, South Owens Trail, East Raleigh Court, and East Raymar Lane MSBU, and (3) adopted and authorized the Chairman to execute resolutions adopting and certifying a non-ad valorem assessment roll for the 2004 Private Road Construction and Perpetual Maintenance Program pursuant to Section 197.3632, Florida Statutes, and providing an effective date for South Bennett Point; East Bow N Arrow Loop; West Caravan Path, West Fox Hollow Court, North Singapore Avenue, and West Sophia Lane; East Hartley Court and North Skeeter Terrace; South Hull Terrace; and South Kenvera Loop, South Owens Trail, East Raleigh Court, and East Raymar Lane. **Motion carried. Voting aye: Commissioners Bartell, Batchelor, Fowler, and Wooten. Voting nay: Commissioner Phillips.**

RESOLUTION NOS. 2004-172 THROUGH 2004-185, RESPECTIVELY

There being no other business to come before the Board, the Chairman adjourned the meeting. (7:10 P.M.)

ATTEST: _____, Clerk _____, Chairman