

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, and Commissioner Batchelor gave the invocation and 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
Attorney:	Robert B. Battista
Administrator:	Richard Wm. Wesch
Clerk:	Glenda Brown, Deputy Clerk

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

2-A **OPEN TO THE PUBLIC**

 Dave Conant commented that this was Commissioners Wooten and Batchelor's last meeting as Board members, and he wished them well in their future ambitions.

Chairman Wooten answered his question regarding agenda items by stating that the County Administrator was responsible for determining placement of items on the agenda. Mr. Conant expressed concern that items 3-M, 3-O, and 3-P regarding the extension and widening of the Inverness Airport at \$2.1 million were on the consent agenda. He stated that consent agenda items were normally not discussed and suggested that items such as those mentioned be separate from the consent agenda. (1:06 P.M.)

 Paul Mazak spoke about three and one-half acres of property on the north side of the Crystal River, in which he owned one-third and the County owned two-thirds interest. He mentioned that he had obtained an appraisal of the property from a reputable appraiser after staff had told him the County had a mandate to sell excess property. He distributed documents (filed with the Clerk's agenda), and gave a brief history of the property's ownership since 1986. He stated that according to the minutes, two doctors donated their interest to the County in hopes that the property would be used for a park and boat ramp; however, that was not possible because the County did not have full ownership, there was no public access to the property except by the river, and there was not enough room. He mentioned that the environmental impacts would be greater for a park or boat ramp than if one family used the property. He talked about the substantial amount of money that had been lost in tax revenues on the County's portion of the property. He stated that in fairness to the original donors, if the County would sell their interest to him, the proceeds could be allocated for another project, perhaps another park given in the donors' names. He asked the Board to consider selling their interest because the County had a mandate to sell excess property, the County already owned 50 percent of the land in the County, there was over 30,000 acres of protected land in the area of the property, and the impact would be less than one-half acre. He stated that after speaking with some of the Commissioners, especially Commissioner Phillips, he understood the importance of keeping the wishes of

the donors, but in this circumstance, he did not think it was possible. He added that government had done things in the past that was right at the time, but today would not be. He requested that the Board allow him to purchase the County's interest in the property.

The Chairman recessed the meeting due to recording equipment malfunction and reconvened at 1:22 P.M.

Commissioner Phillips remarked that she appreciated Mr. Mazak's comments to the Board, and she understood that a park or boat ramp would not be built on the property; however, she believed the County should retain the property in preservation and for public use as requested by the donors.

Mr. Mazak replied that he understood her position, but he hoped the majority of the Board would support his request. He reiterated that the property was of no benefit now to the County or him, that the County was losing tax revenues, and that the proceeds from the sale could be used for other County projects. He suggested that he be allowed to purchase the property with a stipulation that it could never be used for commercial operations. He added that he and his family loved the land, that selling the property to him would be beneficial to the taxpayers, and that he hoped the majority of the Board would understand his situation.

Commissioner Batchelor advised that the Board normally would not make decisions under this agenda item; however, it could be brought back to the Board under agenda item 13. Discussion was held concerning the requirements for selling County property.

Commissioner Bartell stated that he had not changed his position from the Board's decision last month not to sell the property.

Chairman Wooten informed Mr. Mazak that he made the motion for staff to negotiate the sale of the County's interest in this property; however, that motion failed, and according to the information provided today, it was the donors wish to preserve the property. Mr. Mazak proclaimed that the documentation did not say preservation; that it was the donors desire to have a park and a boat ramp, which was not possible due to the size of the property.

Commissioner Fowler asked Mr. Mazak if he would be interested in negotiating with staff for his one-third interest in the property. Mr. Mazak replied that he would not be interested because he had purchased approximately 35 acres close to this parcel, and his wife and he wanted their daughters to have a home site on the river. He stated that the land had been in this situation for 18 years, that he had followed staff's recommendation in obtaining an appraisal, and he thought it was reasonable for the County to sell the land at a fair price, especially with the condition that the property would never be commercialized. He added that he was hoping for more support from the Board, and that it would not be beneficial to him or the County to go through the legal system. (1:32 p.m.)

 Gary O'Connell, on behalf of many residents in the Highlands who were against the Inverness Airport Expansion Project (Project), requested that action be delayed on the items concerning the airport runway extension, so the newly elected Commissioners could voice their opinions. (1:34 P.M.)

 Russ Hackett spoke in favor of upgrading the Inverness Airport because there were no available hangars and this airport did not represent the character of the County.

 Richard Winkel, an Aviation Advisory Board member, spoke in support of the Project stating that nothing had changed since the Inverness Airport Master Plan (Master Plan) was approved years ago, and that the request today was to accept one part of the Master Plan and to make the airport safer for future use.

 Barbara Rice also asked the Board to postpone this item until the new Board was in place.

 Bill Stephenson, a member of the Aviation Advisory Board, pointed out that the newspaper mentioned that there had not been enough studies concerning the Project and there was some doubt about the airport being used. He advised that the Master Plan was based on the County's best needs available when the Master Plan was created, that those needs were assessed and updated periodically, that adequate studies had been done, that the Project had been ongoing for many years, and that further delays and studies would cost more money. He remarked that there was no point in delaying the Project and it should continue as planned. (1:38 P.M.)

2-B EMPLOYEE SERVICE AWARDS

The following employees were recognized for their years of service to the County: **5 Years:** Walter Andrews and Patricia (Pat) Romish. **10 Years:** Bernice Bowersox and Brenda Garcia. **15 Years:** Constance (Connie) Garcia and Maryellen Weimert. **20 Years:** Jenette Collins. **25 Years:** Cheryl Clamer. (1:44 P.M.)

2-C ADVISORY BOARD AWARDS

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board (1) approved and authorized all Commissioners to execute certificates of appreciation to the following former Citrus County Advisory Board members in recognition of their dedicated service to the County and their community: Linda Deptola and Virgilio Ramos-Cosme, Affordable Housing Advisory Committee; Jane Fricano and Richard Schnably, Beverly Hills Advisory Board; Sandy Johnson, Special Library District Advisory Board; Shay Baranowski, Tourist Development Board; and Robert Troyer, Citrus County Water and Wastewater Authority, and (2) approved and authorized the Chairman to present plaques to the following former Citrus County Advisory Board members in recognition of their dedicated service to the County and their community: Cynthia Climer-Lewis, Affordable Housing Advisory Board; Todd Workman, Construction Licensing and Appeals Board; and John E. Marmish, Jr., and Dominic H. Christofaro, Jr., North Central Florida Health Planning Council. (1:47 P.M.)

2-D **SINGLE FAMILY MORTGAGE REVENUE BOND PROGRAM AND TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING**

Mr. Wesch announced that Gordon Jernigan, Executive Director of the Escambia County Housing Finance Authority (ECHFA), would make a presentation, and the Board would be asked to set a public hearing for the purpose of meeting Tax Equity and Fiscal Responsibility Act (TEFRA) requirements for the Multi County, Single Family Mortgage Revenue Bond Program.

Joe Monroe, Housing Services Director, introduced Mr. Jernigan and commented that ECHFA had provided \$14 million worth of mortgages to the County over the last nine years.

Mr. Jernigan advised that ECHFA provided below rate mortgage money to first time homebuyers in about 20 counties in Florida. He added that Citrus County had participated in the program for a number of years and that ECHFA would appreciate the County's continued participation. He stated that there was no liability, that all the debt was repaid by the mortgages on the homes, and that ECHFA participated in realtors meetings and home ownership fairs. He requested that the Board set a public hearing for the approval of a resolution that authorized them to enter into an interlocal agreement with ECHFA.

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board set a public hearing for December 7, 2004, at the Citrus County Courthouse, 110 North Apopka Avenue, Inverness for the purpose of meeting Tax Equity and Fiscal Responsibility Act requirements for the Multi County, Single Family Mortgage Revenue Bond Program.

After the motion, Chairman Wooten recognized and congratulated Commissioner-elect Joyce Valentino. (1:50 P.M.)

3- **CONSENT AGENDA**

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board pulled items 3-N, 3-O, 3-P (Joint Participation Agreements for the Inverness Airport), 3-PP.1 (Bid No. 085-04), 3-K (State Legislative Budget Request for FY 2005/2006), and 3-II (Requests for Qualifications for Architectural Services) 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 special meeting (Executive Session) and the regular meeting held on October 12, 2004.

3-B Approved the following warrants: Payroll registers dated October 26, 2004, at \$564,382.64, and dated October 28, 2004, at \$32,257.99. Accounts Payable registers dated November 8, 2004, at \$2,924,622.05 and dated November 9, 2004, at \$125.

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

RESOLUTION NO. 2004-266

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

WHEREAS, the Citrus County School Board requested release of school impact fees collected during the fiscal year; and

WHEREAS, these impact fees were used to purchase land adjacent to Crystal River High School and to construct a new cafeteria at Citrus High School; and

WHEREAS, the budget needs to be amended to reflect the actual amounts paid for the fiscal year; 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 9th day of November 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	611-400-200	Cash Carry Forward	310,659
		Total Revenues	\$310,659
Expenditures	611-2800-53100	Professional Services	29
	611-2800-56100	Land	(219,685)
	611-2800-56200	Buildings	530,315
		Total Expenditures	\$310,659

RESOLUTION NO. 2004-267

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE 2004 PRIVATE ROAD CONSTRUCTION AND PERPETUAL MAINTENANCE PROGRAM BUDGET FOR FY 2003-04

WHEREAS, on December 16, 2003, the Citrus County Board of County Commissioners adopted the 2004 Private Road Construction and Perpetual Maintenance Program; and

WHEREAS, a budget needs to be established for certain expenditures that have occurred as part of creating these Municipal Service Benefit Units; 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.
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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
SOUTH BENNETT POINT MSBU			
Revenues	723-363-000	Special Assessments	484
		Total Revenues	\$484
Expenditures	723-7133-54160	Postage	76
	723-7133-54908	Commissions – Tax Collector	35
	723-7133-54921	Advertising	373
		Total Expenditures	\$484
EAST BOW N ARROW LOOP MSBU			
Revenues	724-363-000	Special Assessments	687
		Total Revenues	\$687
Expenditures	724-7134-54160	Postage	199
	724-7134-54908	Commissions – Tax Collector	104
	724-7134-54921	Advertising	384
		Total Expenditures	\$687
WEST CARAVAN PATH MSBU			
Revenues	725-363-000	Special Assessments	501
		Total Revenues	\$501
Expenditures	725-7135-54160	Postage	58
	725-7135-54908	Commissions – Tax Collector	64
	725-7135-54921	Advertising	379
		Total Expenditures	\$501
WEST FOX HOLLOW COURT MSBU			
Revenues	726-363-000	Special Assessments	715
		Total Revenues	\$715
Expenditures	726-7136-54160	Postage	120
	726-7136-54908	Commissions – Tax Collector	183
	726-7136-54921	Advertising	412
		Total Expenditures	\$715
EAST HARTLEY COURT/NORTH SKEETER TERRACE MSBU			
Revenues	727-363-000	Special Assessments	491
		Total Revenues	\$491
Expenditures	727-7137-54160	Postage	67
	727-7137-54908	Commissions – Tax Collector	26
	727-7137-54921	Advertising	398
		Total Expenditures	\$491

SOUTH HULL TERRACE MSBU			
Revenues	728-363-000	Special Assessments	451
		Total Revenues	\$451
Expenditures	728-7138-54160	Postage	54
	728-7138-54908	Commissions – Tax Collector	19
	728-7138-54921	Advertising	378
		Total Expenditures	\$451
SOUTH KENVERA LOOP MSBU			
Revenues	729-363-000	Special Assessments	731
		Total Revenues	\$731
Expenditures	729-7139-54160	Postage	98
	729-7139-54908	Commissions – Tax Collector	203
	729-7139-54921	Advertising	430
		Total Expenditures	\$731

RESOLUTION NO. 2004-268

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE HOMOSASSA WASTEWATER PHASE III GRANT BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, on October 22, 2002, the Citrus County Board of County Commissioners executed a Grant Agreement with the U.S. Environmental Protection Agency; and

WHEREAS, on October 7, 2002, the U.S. Environmental Protection Agency executed the agreement providing funds for the Halls River Road Infill Project; 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 2004-05; 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 9th day of November 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	366-331-359	Other Sewer/Wastewater Grant	\$1,451,800
Expenditures	366-5776-56300	Improvements other than Buildings	\$1,451,800

RESOLUTION NO. 2004-269

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING VARIOUS GRANT BUDGETS FOR FISCAL YEAR 2004-05

WHEREAS, the Citrus County Board of County Commissioners fiscal year ended on September 30, 2004; and

WHEREAS, the Citrus County Board of County Commissioners was awarded certain grants whose contracts end after September 30, 2004; and

WHEREAS, proper budgeting procedures require that these grants be re-appropriated for fiscal year 2004-05; 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 2004-05; 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 9th day of November 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
FLORIDA YARDS AND NEIGHBORHOODS			
Revenues	013B-334-900	Other State Grant	22,133
	013B-400-200	Cash Carry Forward	21,017
		Total Revenues	\$43,150
Expenditures	013B-5756B-51200	Regular Salaries and Wages	17,267
	013B-5756B-51306	Casual Labor	2,077
	013B-5756B-52100	FICA Taxes	1,341
	013B-5756B-52200	Retirement Contributions	1,270
	013B-5756B-52300	Life and Health Insurance	166
	013B-5756B-52400	Workers Compensation	4,000
	013B-5756B-53400	Other Contractual Services	1,688
	013B-5756B-54000	Travel and Per Diem	1,406
	013B-5756B-54160	Postage	1,800
	013B-5756B-54700	Printing and Binding	1,000
	013B-5756B-54800	Promotional Activities	688
	013B-5756B-55100	Office Supplies	2,800
	013B-5756B-55200	Operating Supplies	1,400
	013B-5756B-55208	Fuel and Lubes	100
	013B-5756B-55210	Miscellaneous Supplies	1,100
	013B-5756B-55275	Computer Software	400
	013B-5756B-55400	Dues, Books, Subscriptions	297

	013B-5756B-55417	Training	150
	013B-5756B-56300	Improvements other than Buildings	1,700
	013B-5756B-56400	Machinery and Equipment	2,500
		Total Expenditures	\$43,150
HAZARDS ANALYSES GRANT			
Revenues	034D-400-200	Cash Carry Forward	\$2,918
Expenditures	034D-5735D-55201	Tools, Implements, Special lothing	\$2,918
EMERGENCY MEDICAL SERVICES GRANT			
Revenues	061E-400-200	Cash Carry Forward	\$3,271
Expenditures	061E-5418E-55400	Dues, Books, Subscriptions	\$3,271
TOURIST TAX GRANT			
Revenues	160B-400-200	Cash Carry Forward	1,016
		Total Revenues	\$1,016
Expenditures	160B-2122B-55120	Non-Capital Equipment	496
	160B-2122B-56400	Machinery and Equipment	520
		Total Expenditures	\$1,016

RESOLUTION NO. 2004-270

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE VETERANS AND COMMUNITY SERVICES CENTER CAPITAL PROJECT BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, On September 28, 2004, the Citrus County Board of County Commissioners executed an addendum to the contract to purchase property known as the Brown School; and

WHEREAS, this building will house a veteran's clinic, as well as other related community services; 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 2004-05; 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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ADOPTED, in regular session this 9th day of November 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	320-384-000	Debt Proceeds	8,000,000
		Total Revenues	\$8,000,000
Expenditures	320-5806-53100	Professional Services	413,500
	320-5806-53109	Fees and Costs	10,000
	320-5806-55120	Non-Capital Equipment	33,326
	320-5806-56200	Buildings	7,511,500

	320-5806-56400	Machinery and Equipment	31,674
		Total Expenditures	\$8,000,000

RESOLUTION NO. 2004-271

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE FIRE IMPACT FEES BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, the Fire Rescue Division is planning to make certain improvements to Citrus County Fire Station 22 to accommodate both volunteer and paid firefighters; and

WHEREAS, these improvements include the addition of three new apparatus bays and remodeling of the existing apparatus bays into living quarters; 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 2004-05; 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	620-400-200	Cash Carry Forward	\$360,000
Expenditures	620-2814-56200	Buildings	\$360,000

RESOLUTION NO. 2004-272

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY GRANT BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, on August 26, 2003, the Citrus County Board of County Commissioners executed a Project Grant Agreement with the Withlacoochee Regional Water Supply Authority; and

WHEREAS, on September 17, 2003, the Withlacoochee Regional Water Supply Authority executed the agreement providing funds for the Citrus County Water Conservation Education Program; 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 2004-05; 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	450-337-320	WRWSA Local Grant	\$20,000
Expenditures	450-9000-54921	Advertising	\$20,000

RESOLUTION NO. 2004-273

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE AQUATIC SERVICES BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, the Citrus County Board of County Commissioners fiscal year ended on September 30, 2004; and

WHEREAS, the Citrus County Board of County Commissioners was awarded certain aquatic weed control grants whose contracts end after September 30, 2004; and

WHEREAS, proper budgeting procedures require that these grants be re-appropriated for fiscal year 2004-05; 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 2004-05; 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	150-343-700	Aquatic Plant Control	2,960,000
		Total Revenues	\$2,960,000
Expenditures	150-6304-53400	Other Contractual Services	2,471,000
	150-6304-55207	Chemicals	489,000
		Total Expenditures	\$2,960,000

RESOLUTION NO. 2004-274

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE SPECIAL REVENUE FUNDS BUDGETS FOR FISCAL YEAR 2004-05

WHEREAS, the Citrus County Board of County Commissioners fiscal year ended on September 30, 2004; and

WHEREAS, certain Special Revenue Funds had outstanding purchase orders as of September 30, 2004; and

WHEREAS, proper accounting procedures require that payment for the goods or services requested under the outstanding purchase orders be charged against the County's 2005 fiscal year; 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 2004-05; 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 9th day of November 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
FLORIDA GAS REFORESTATION COMPENSATION			
Revenues		Cash Carry Forward	\$809
Expenditures	008-5765-55200	Operating Supplies	\$809
HOMOSASSA WALK RIVER GRANT			
Revenues		Cash Carry Forward	\$980
Expenditures	011-5758-53400	Other Contractual Services	\$980
RIVERHAVEN UTILITIES			
Revenues		Cash Carry Forward	\$26,100
Expenditures	046-5785-53400	Other Contractual Services	\$26,100
FIRE TRAINING CENTER			
Revenues		Cash Carry Forward	\$1,386
Expenditures	051-3225-55201	Tools, Implements, Spec. Cloth.	\$1,386
CRYSTAL RIVER AIRPORT ROADWAY AM-334			
Revenues		Cash Carry Forward	\$13,435
Expenditures	060-5773-53100	Professional Services	\$13,435
BOATING IMPROVEMENTS			
Revenues		Cash Carry Forward	\$44,957
Expenditures	065-6115-56326	Boat Ramp Improvements	\$44,957

CRYSTAL RIVER AIRPORT PARKING APRON AM-336			
Revenues		Cash Carry Forward	\$22,494
Expenditures	069-5775-53100	Professional Services	\$22,494
TEEN COURT			
Revenues		Cash Carry Forward	\$855
Expenditures	079-2155-53400	Other Contractual Services	\$855
FEMA – FRANCES – 2004			
Revenues		Cash Carry Forward	\$625,000
Expenditures	121-5821-53400	Other Contractual Services	\$625,000
STATE HOUSING INITIATIVE PARTNERSHIP			
Revenues		Cash Carry Forward	\$8,668
Expenditures	133-5304-53400	Other Contractual Services	\$8,668
TITLE III B			
Revenues		Cash Carry Forward	\$650
Expenditures	186-5337-53104	Conflict Attorney Fees	\$650
CHASSAHOWITZKA REGIONAL WASTEWATER SYSTEM			
Revenues		Cash Carry Forward	\$112,000
Expenditures	322-5752-B53100	Professional Services	\$112,000
COURTHOUSE EXPANSION			
Revenues		Cash Carry Forward	\$8,653
Expenditures	341-5114-56200	Buildings	\$8,653
HOMOSASSA WASTEWATER PHASE 3 – HOMOSASSA AREA			
Revenues		Cash Carry Forward	\$10,000
Expenditures	359-5762-53100	Professional Services	\$10,000
INVERNESS OFFICE BUILDING			
Revenues		Cash Carry Forward	\$3,090
Expenditures	360-3260-53100	Professional Services	\$3,090
HOMOSASSA WASTEWATER PHASE 4 – CHASSAHOWITZKA AREA			
Revenues		Cash Carry Forward	\$20,000
Expenditures	361-5763-53100	Professional Services	\$20,000
ENVIRONMENTAL HEALTH - EXTENSION			
Revenues		Cash Carry Forward	\$182,791
Expenditures	362-5766-56200	Buildings	\$182,791
HOMOSASSA WASTEWATER PHASE 4 – HOMOSASSA AREA			
Revenues		Cash Carry Forward	\$4,250
Expenditures	367-5778-53100	Professional Services	\$4,250
2003 CAPITAL PROJECTS			
Revenues		Cash Carry Forward	\$523,930
Expenditures	370-5779-56200	Buildings	\$523,930
PUBLIC UTILITIES			
Revenues		Cash Carry Forward	135,757
		Total Revenues	\$135,757
		Total Expenditures	\$3,271

Expenditures	450-9000-56400	Machinery and Equipment	128,065
	450-9000-56300	Improvements other than Buildings	4,900
	450-9000-53454	Contractual Services-Plt Opr Maint	950
	450-9000-56200	Buildings	22
	450-9000-54921	Advertising	1,820
		Total Expenditures	\$135,757
UTILITIES EXPANSION			
Revenues		Cash Carry Forward	3,840,998
		Total Revenues	\$3,840,998
Expenditures	451-9600-53100	Professional Services	9,597
	451-9600-56300	Improvements other than Buildings	3,760,877
	451-9600-56400	Machinery and Equipment	70,524
		Total Expenditures	\$3,840,998
UTILITIES RENEWAL AND REPLACEMENT			
Revenues		Cash Carry Forward	72,908
		Total Revenues	\$72,908
Expenditures	452-9400-53100	Professional Services	72,052
	452-9400-54605	Equipment Maintenance	59
	452-9400-56300	Improvements other than Buildings	797
		Total Expenditures	\$72,908
ROAD IMPACT FEES – DISTRICT 1			
Revenues		Cash Carry Forward	\$102,592
Expenditures	601-2801-56359	Hwy 486 to Pine Ridge	\$102,592
ROAD IMPACT FEES – DISTRICT 2			
Revenues		Cash Carry Forward	\$1,588,858
Expenditures	602-2802-56359	Hwy 486 to Pine Ridge	\$1,588,858
ROAD IMPACT FEES – DISTRICT 3			
Revenues		Cash Carry Forward	\$226,776
Expenditures	603-2803-56359	Hwy 486 to Pine Ridge	\$226,776
ROAD IMPACT FEES – DISTRICT 4			
Revenues		Cash Carry Forward	\$373,065
Expenditures	604-2804-56359	Hwy 486 to Pine Ridge	\$373,065
ROAD IMPACT FEES – DISTRICT 5			
Revenues		Cash Carry Forward	\$1,334,602
Expenditures	605-2805-56359	Hwy 486 to Pine Ridge	\$1,334,602
ROAD IMPACT FEES – DISTRICT 6			
Revenues		Cash Carry Forward	\$403,305
Expenditures	606-2806-56359	Hwy 486 to Pine Ridge	\$403,305
FIRE IMPACT FEES			
Revenues		Cash Carry Forward	\$114,950
Expenditures	620-2814-56200	Buildings	\$114,950
LIBRARY IMPACT FEES			
Revenues		Cash Carry Forward	\$1,042
Expenditures	622-2816-53100	Professional Services	\$1,042
PUBLIC BUILDINGS IMPACT FEES			

Revenues		Cash Carry Forward	\$2,467
Expenditures	623-2830-53100	Professional Services	\$2,467
PARK IMPACT FEES – DISTRICT 3			
Revenues		Cash Carry Forward	\$6,778
Expenditures	628-2822-53100	Professional Services	\$6,778
PARK IMPACT FEES – DISTRICT 2			
Revenues		Cash Carry Forward	\$57,234
Expenditures	637-2837-56300	Improvements other than Building	\$57,234
PARK IMPACT FEES – DISTRICT 3			
Revenues		Cash Carry Forward	22,412
		Total Revenues	\$22,412
Expenditures	639-2839-56300	Improvements other than Building	3,592
	639-2839-56200	Buildings	18,820
		Total Expenditures	\$22,412
ROAD IMPACT FEES – DISTRICT A			
Revenues		Cash Carry Forward	506,293
		Total Revenues	\$506,293
Expenditures	662-2831-53100	Professional Services	4,563
	662-2831-56359	Hwy 486 to Pine Ridge	501,730
		Total Expenditures	\$506,293
ROAD IMPACT FEES – DISTRICT B			
Revenues		Cash Carry Forward	264,208
		Total Revenues	\$264,208
Expenditures	663-2832-53100	Professional Services	4,563
	663-2832-56359	Hwy 486 to Pine Ridge	259,645
		Total Expenditures	\$264,208
ROAD IMPACT FEES – DISTRICT C			
Revenues		Cash Carry Forward	570,229
		Total Revenues	\$570,229
Expenditures	664-2833-53100	Professional Services	4,563
	664-2833-56361	Forest Ridge to US 41	565,666
		Total Expenditures	\$570,229
ROAD IMPACT FEES – DISTRICT D			
Revenues		Cash Carry Forward	269,629
		Total Revenues	\$269,629
Expenditures	665-2834-53100	Professional Services	4,563
	665-2834-56361	Forest Ridge to US 41	265,066
		Total Expenditures	\$269,629
MEDICAID WAIVER PROGRAM			
Revenues		Cash Carry Forward	\$3,475
Expenditures	117E-5311E-53486	Contractual Services – Meals	\$3,475
TRANSPORTATION CAPITAL			
Revenues		Cash Carry Forward	\$14,281
Expenditures	129E-7227E-56400	Machinery and Equipment	\$14,281
STATE HOUSING INITIATIVE PARTNERSHIP			
Revenues		Cash Carry Forward	9,261

		Total Revenues	\$9,261
Expenditures	133C-5304C-54630	Strategy – Emergency Repairs	7,100
	133C-5304C-53400	Other Contractual Services	2,161
		Total Expenditures	\$9,261
TRANSPORTATION OPERATIONS			
Revenues		Cash Carry Forward	71,935
		Total Revenues	\$71,935
Expenditures	159E-5409E-53490	Medicaid Ambulatory Services	16,343
	159E-5409E-53491	Medicaid Wheelchair Services	38,609
	159E-5409E-53492	Medicaid Stretcher Ast Services	12,877
	159E-5409E-53493	Medicaid out of County Services	4,106
		Total Expenditures	\$71,935
TITLE III C-1			
Revenues		Cash Carry Forward	\$36,352
Expenditures	181E-5370E-55221	Meals	\$36,352
TITLE III C-2			
Revenues		Cash Carry Forward	\$63,856
Expenditures	182E-5348E-55221	Meals	\$63,856
COMMUNITY CARE FOR THE ELDERLY			
Revenues		Cash Carry Forward	21,128
		Total Revenues	\$21,128
Expenditures	183E-5345E-53486	Contractual Services – Meals	14,470
	183E-5345E-53487	Sub-contractual Services – Lifeline	6,658
		Total Expenditures	\$21,128

3-D Approved the following budget transfers: **(1) OUTSTANDING PURCHASE ORDERS:** (detailed account sheets filed with the Clerk's agenda):

FUND	AMOUNT	FUND	AMOUNT
General Fund	\$34,753.35	5 Year Road Program	\$14,432,523.24
Road and Bridge	\$422,131.57	Solid Waste	\$1,631,282.84
MSTU Development	\$26,021.16	Water Quality	\$28,384
Library District	\$37,830.38	Citrus Springs MSBU	\$12,335
Fire Districts	\$256,387.86		

(2) 5 YEAR CAPITAL PROJECT: \$32,300 from #326-4110-60050 to #-56361. **HOUSING SERVICES DIVISION:** \$1,000 from #167E-5373E-51200 to #-54676. **ARTICLE V TECHNOLOGY:** \$9,398 from #093-5703-60050 with \$8,007 to #-5703-605-51200, \$613 to #-52100, \$668 to #-52200, \$40 to #-52300, and \$70 to #-52400. **LIBRARY SERVICES DIVISION:** \$202 from #131-6212-55200 to #-55120. **EXTENSION SERVICES DIVISION:** \$8,971 from #001-9999-60050 with \$6,432 to #-6302-51200, \$492 to #-52100, \$536 to #-52200, \$32 to #-52300, and \$1,479 to #-52400. **PUBLIC WORKS DEPARTMENT:** \$500 from #730-8200-55216 to #-54000.

3-E Approved and authorized the Chairman to execute Satisfactions of Judgments for Russell Dean Freeman, Case No. 85239 CF, Richard John Phillips, Case No. 1991 MM 005506, and Kevin Keith Cupit, Case No. 1996 CF 000074.

3-F Acknowledged receipt of the Public Officials Bond for Janice A. Warren, Citrus County Tax Collector.

3-G Approved and authorized the Chairman to execute the following Releases of Liens for special assessments that had been paid in full: **Resolution No. 86-29 reconfirmed by Resolution No. 93-216**; Ernest Woods and Chrissy Bessa, Alternate Key (AK) No. 1977452 (H), AK No. 1987369 (H), and AK No. 2245701 (H); and Larry D. and Sharon M. Dillon, AK No. 1574285 (H).

3-H Accepted the completed Sheriff Evidence Room Remodel Project and approved the release of retainage at \$6,975 to Daly & Zilch (Florida), Inc.

3-I Accepted the completed Gospel Island Fire Station No. 103 Remodel Project and approved the release of retainage at \$986.70 to Winkel Construction, Inc.

3-J Approved the following wire transfers:

Heritage Consultants, Inc	\$ 8,454.68	10/13/04
Heritage Consultants, Inc	\$ 12,490.70	10/26/04
Preferred Governmental Claims Solutions	\$ 18,454.94	10/04/04
Preferred Governmental Claims Solutions	\$ 7,312.71	10/12/04
Preferred Governmental Claims Solutions	\$ 13,243.29	10/18/04
Preferred Governmental Claims Solutions	\$ 13,365.69	10/25/04
United States Postal Service	\$ 13,000.00	09/30/04
United States Postal Service	\$ 13,000.00	10/06/04
United States Postal Service	\$ 13,000.00	10/22/04
Wright Express	\$ 34,373.72	10/26/04
Bank of America	\$ 229,418.60	10/15/04
Florida Department of Revenue	\$ 523.57	10/19/04
American Title Services	\$ 16,500.00	09/30/04
American Title Services	\$ 16,500.00	09/30/04
Rainbow Title Company	\$ 5,327.35	10/28/04

3-L **(1)** Approved and authorized the Chairman to execute the Permanent Reassignment of Development Rights Agreement for residential properties within Municipal Service Benefit Units (MSBUs) for installation of water and wastewater systems for Chassahowitzka Water Quality Assessment District with Orville I. and Norma K. Fleming Jr., DVR 2004-055, AK No. 1189179, and **(2)** authorized the Clerk to record the agreement in the public records.

3-M Approved and authorized the Chairman to execute the Department of Housing and Urban Development (HUD) 2004 Section 8 Management Assessment Program (SEMAP) Certification.

3-Q Authorized a travel request for Commissioner Gary Bartell to attend the "Water Matters!" Conference sponsored by the Florida League of Cities, Florida Association of

Counties, Florida School Board Association, and Special Districts Association to be held in Orlando on December 9 and 10, 2004.

3-R (1) Approved and authorized the Chairman to execute the Permanent Reassignment of Development Rights Agreement for residential properties within MSBUs for installation of water and wastewater systems for Chassahowitzka Water Quality Assessment District with Randall Lee and Eva Diane Rouse, DVR No. 2004-040, AK No. 1188598, and (2) authorized the Clerk to record the agreement in the public records.

3-S (1) Authorized staff to negotiate a price with Mr. and Mrs. Joe Bryan for the purchase of Lot 15, Block 1, Hickory Hill Retreats Unit 1 in an amount not to exceed \$15,000, and (2) authorized the purchase of Lot 15, Block 1, Hickory Hill Retreats Unit 1 for a price not to exceed \$15,000.

3-T Approved and authorized the Chairman to execute the Scope of Services, Croft Road Improvements - Segment 2, Hayes Street to County Road (CR) 486 with Professional Engineering Consultants, Inc. (PEC) at \$314,443 for engineering design services for roadway improvements at the intersection of Croft Road and CR 486.

3-U (1) Approved and authorized the Chairman to execute the Termination of Public Purpose Lease with the Florida Department of Transportation (FDOT), and (2) approved the relocation of Road Maintenance Area 4 Satellite from State Road (SR) 48 and CR 39 to 2971 West Woodland Ridge Drive, Lecanto.

3-V (1) Approved and authorized the Chairman to execute a Waste Disposal Account Agreement with Asplundh Environmental Services, Inc., establishing a monthly charge agreement at the Central Landfill for disposal fees up to \$6,000, and (2) waived the standard security deposit requirement due to the debris management contract with Asplundh Environmental Services, Inc.

3-W (1) Approved and authorized the Chairman to execute a Waste Disposal Account Agreement with FDS Disposal, Inc., establishing a monthly charge agreement for disposal fees up to \$100,000; (2) accepted Letter of Credit No. 50019 from First Federal Savings Bank of Lake County at \$17,000, and transferred the following existing securities to the monthly agreement: Letter of Credit No. 50011 from First Federal Savings Bank of Lake County at \$13,000, Letter of Credit No. F701692 from Sun Trust at \$48,000, and Letter of Credit No. 50014 from First Federal Savings Bank of Lake County at \$22,000; (3) authorized the Clerk to release the \$6,100 cash security through journal voucher to Solid Waste Management for application to FDS Disposal, Inc., credit account balance; and (4) approved termination of the monthly charge agreement with FDS Disposal, Inc., dated August 10, 2004.

3-X Approved a request by the Division of Forestry to remove up to 100,000 cubic yards of soil from the landfill stockpile for improvement of Trail 10.

3-Y Approved and authorized the Chairman to execute the "Arts" Specialty License Plate Revenue, Expenditure, and Compliance Affidavit for fiscal year ending September 30, 2004.

3-Z Approved and authorized the Chairman to execute the "Choose Life" Specialty License Plate Revenue, Expenditure, and Compliance Affidavit for fiscal year ending September 30, 2004.

3-AA Set the following public hearings at the Citrus County Courthouse, 110 North Apopka Avenue, Inverness to consider amendments to the Citrus County Comprehensive Plan (COMP), Ordinance No. 89-04 as amended and the Land Development Code Atlas (LDCA), Ordinance No. 90-14:

Adoption Workshop	November 16, 2004	2:00 P.M.
Adoption Hearing	December 07, 2004	5:01 P.M.
Applications	CPA/AA-04-16 (McKenzie for Rice) CPA/AA-04-17 (McKenzie for Spot Family Center Inc.) CPA/AA-04-22 (McKenzie for Picard)	

3-BB Adopted and authorized the Chairman to execute a resolution authorizing and approving the borrowing of \$8,000,000 from Bank of America to finance the purchase of a Veterans and Community Center (Brown School), Capital Improvement Revenue Bond, Series 2004; the pledging of the Local Government Half-Cent Sales Tax to be budgeted annually for the payment of the Certificate of Obligation; determining that a negotiated sale of the Certificate of Obligation was in the best interest of the taxpayers of Citrus County; authorizing the proper officers of the County to execute the necessary Certificate of Obligation and other closing documents on behalf of the Board; and providing an effective date. **RESOLUTION NO. 2004-275**

3-CC Approved write-offs at \$226.15 for uncollectible landfill user fees payable to the Citrus County Central Landfill.

3-DD **(1)** Adopted and authorized the Chairman to execute a resolution setting a public hearing on December 14, 2004, at 2:00 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness for Halls River Road Wastewater Special Assessment District (2004) Project; **(2)** set a public hearing on December 14, 2004, at 2:00 P.M. on the adoption of a resolution indicating the Board's intent to use the uniform ad valorem method of collection of non-ad valorem assessments for the provision of wastewater services for the Halls River Road Wastewater Special Assessment District (2004); and **(3)** established November 30, 2004, as the deadline for acceptance of Permanent Reassignment of Development Rights applications. **RESOLUTION NO. 2004-276**

3-EE Approved and authorized the Chairman to execute the Standard Form of Agreement Between Owner and Contractor with Winkel Construction, Inc., for the Fire Training Center located at 1300 South Lecanto Highway, Lecanto at \$114,950.

3-FF Approved and authorized all Commissioners to execute the Public Official Bond for Betty Strifler, Clerk of the Circuit Court.

3-GG Approved and authorized the Chairman to execute the Notice of Commencement with Pave-Rite, Inc., for the construction of miscellaneous improvements at Bicentennial and Bluebird Springs Parks consisting of a picnic pavilion with restrooms, four tennis courts, two playground systems and a sand volleyball court at \$612,584.59.

3-HH Approved and authorized the Chairman to execute the Overbid Statement of Claim as the owner of property at \$773.32 for Application No. 2003-0021.

3-JJ Approved and authorized the Chairman to execute an Indemnity Agreement with the Floral City Heritage Council for the placement of temporary signs, barricades, and luminaries in the right of ways for the upcoming Floral City Heritage Days on December 3 and 4, 2004.

3-KK (1) Reappointed Edgar Gehman and Larry Riviere to fill two Regular Member positions on the Code Enforcement Board that would expire on November 30, 2007, and (2) appointed Phillip Kim Cloud to fill a Member-at-Large position on the Code Enforcement Board that would expire on November 30, 2007.

3-LL Approved and authorized the Chairman to execute a letter to the Department of Corrections giving official notice to terminate the contract to provide beds for female inmates in the state's custody, effective thirty days from receipt of the notice.

3-MM Approved the settlement offer for Parcels 128 and 829 with Joseph and Florence Cassillo for the CR 486 Project at \$64,800 plus attorney fees and expert costs of \$3,000.

3-NN (1) Approved the settlement offer for Parcels 773 and 774 with David and Mary Short for the CR 491 Project at \$39,000, and (2) authorized the Chairman to execute the Mediated Settlement Agreement.

3-OO Approved and authorized the Chairman to execute a Deed of Conveyance to Patricia C. Pedota for Lot 28, Block 303, Inverness Highlands South giving the property owner access to the lake.

3-PP Approved the following Bid Committee Report: (2) **Bid No. 041-03, Engineering Division, Holden Property cattle grazing lease:** renewed the current bid with John L. Thomas at the reduced amount of \$1,000 per year. (3) **Bid Waiver Request, Solid Waste Management, Supervisory Control and Data Acquisition (SCADA) Telemetry System:** waived the bid procedures and authorized the purchase of electronic components from Data Flow Systems. (4) **Emergency Bid Waiver, Maintenance Operations Division, Courthouse Annex:** waived bid procedures and allowed the Division to utilize Stanley Steamer for the emergency cleanup work for the Courthouse Annex at \$41,462.82. (5) **Piggyback Bid Request, Aquatic Services Division, aquatic**

harvesting: allowed the division to piggyback the Florida Fish and Wildlife Conservation Commissions Bid, FWC 04/05-06 for aquatic harvesting of the Hernando Pool.

3-N→P **JOINT PARTICIPATION AGREEMENTS FOR THE INVERNESS AIRPORT**

Commissioner Phillips stated that she pulled all items regarding the Inverness Airport Joint Participation Agreements (JPA) from the consent agenda to confirm a comment made by a former speaker. She advised that the cost of all three JPAs had increased from the quarterly JPA Report ending September 30, 2004, that item 3-N had been amended from \$250,000 to \$781,250, 3-O had increased from \$562,000 to \$1.1 million, and 3-P had increased from \$20,000 to \$187,000. She affirmed that costs did continue to rise and if the Project were abandoned, the County would have to repay funds already expended. She pointed out that the County continued to collect money for the Project and studies had been done; however, a marketing analysis or a business plan had not been developed. She stated that all she had ever asked staff, was to convince her that there was a need and that the money spent on the Project would be beneficial, and that she could not support the request until she received that information. She remarked that the JPAs today totaled almost \$2.5 million, and she was concerned that continuing to proceed without knowing the Project would be utilized in a positive way would cause more problems for the taxpayers.

Ken Frink, Public Works Director, addressed Commissioner Phillips' concerns by stating that the items on the agenda today were supplemental monies to the JPAs the Board approved last year. He explained that the Board approved the Master Plan in the year 2000 at the time the FDOT amended their Five-Year Transportation Plan, and some of the funding for the Project had to be extended over several years. He advised that the JPAs were a commitment by the Board to do the Project and the funds would be reimbursed after the Project was completed. He reported that staff had requested money from the Federal Aviation Administration (FAA) to fund the development of the airport runway extension. He detailed the eligibility requirements, and stated that the FAA required a successful environmental assessment (EA), and the first step of that assessment was to prove the runway was needed. He added that although a noise study was not required, staff had requested that component be included in the assessment as well.

He indicated that he would provide a copy of the sample scope of work regarding the EA requirements to Commissioner Phillips. He spoke about some of the requirements in the scope of work including, construction, hazardous materials, solid waste, light emissions impacts, water quality, air quality, endangered and threatened species, and architectural and ecological impacts. He stated that the \$1.1 million grant was 90 percent federal participation, which would not be approved until the Board and FAA endorsed the EA. He stated that there was money in the budget to perform a marketing study; however, the Economic Development Council and staff thought that something should be constructed first. He advised that without the statement of need, which would determine what businesses would be coming to the airport based on the number of operations, the federal government would not allow the Project to go forward.

Commissioner Phillips emphasized that she thought the marketing study and business plan should have already been done.

Motion by Commissioner Fowler, seconded by Commissioner Batchelor, to approve items 3-N, 3-O, and 3-P, and authorize the Chairman to execute (1) the State of Florida, Department of Transportation (FDOT) Public Transportation, Supplemental Joint Participation Agreement (JPA) Number 1, Financial Project No. (FPN) 40754019401, Contract No. ANI41 for design and construction of the new runway, taxiway, and infrastructure development at the Inverness Airport at \$1,124,000, (2) the FDOT Public Transportation Supplemental JPA Number 1, FPN 41250519401, Contract No. ANJ29 for the design/construction of the new runway and taxiway at the Inverness Airport at \$1,124,000, and (3) the FDOT Supplemental JPA Number 1 for FPN 40774619401, Contract No. ANJ30 at \$187,500 for the design and construction of aircraft parking apron facilities at the Inverness Airport.

Commissioner Bartell stated that he would support the motion, but agreed with Commissioner Phillips on the development of a business plan. He also stated that questions and issues raised should be satisfactorily answered for the Highlands residents before the construction of a business park.

Mr. Frink responded to his question regarding the expenditure of funds for the Project by stating that the federal government could request that funds be refunded if the Master Plan was abandoned. He advised that currently approximately \$2.2 million that had been encumbered, some of which had already been spent; for example, the purchase of the Holden property, and that future funds would total about \$3.6 million. He specified that the JPAs were an agreement with the FDOT for funding a portion of the Project; however, the money could not be spent without going through the statement of need and the EA. He verified Commissioner Bartell's statement that approval of the JPAs today would not expose the County to any more liability should the Board decide to abandon the Project; however, once construction dollars were spent, the County would be liable for refunding those dollars. (2:06 P.M.)

Tom Davis stated that both the Crystal River and Inverness Airports must be developed if the County wanted important aviation capability, which was indicated by the Master Plans that had been approved, evaluated, and studied over the years. He also stated that each time one of the airport projects was brought forward, there were questions and he thought the real objection to the JPAs was community concerns rather than the viability of the projects; therefore, those concerns should be addressed. He advised that the projects were developed incrementally to meet the emerging requirement of the Master Plan. He added that further studies were not needed to determine the validity of the airport expansion, that the disputes should cease, and that the state and federal government had been very generous with aviation funds, which would go elsewhere if the Master Plan were abandoned. (2:10 P.M.)

Gary O'Connell spoke regarding a petition he had provided at a recent Board meeting signed by residents of the Highlands who were against the Project. He

questioned why numerous trees were destroyed in Holden Park for a parking lot when there was sufficient parking, and the trees would have provided noise buffers from the airport. He emphasized the imposition and diminishing home values to over 3,000 Highlands residents if the airport runway extension was implemented, and stated that the residents were very upset that their voices were not being heard. (2:14 P.M.)

Jim McIntosh remarked that he did not believe any businessperson would invest money in this type of project without a marketing study and business plan. He also stated that the "build it and they will come" philosophy had been discredited all over the United States in such business parks. He urged the Board to vote against the Project.

Commissioner Phillips stated that she listened to the tape recording in 1999 when the Board approved the Plan, and staff told her the Board would have another opportunity to review the Plan; however, each time the projects came forward they were placed on the consent agenda. She affirmed that the County needed the airports, but emphasized that a marketing study should be performed to determine if there was a need for an airport business park. She added that if the Plan projects continued to appear on the consent agenda, she would keep asking that they be removed for questions and answers.

Mr. Frink reaffirmed Commissioner Bartell's statement that by approving the JPAs today to secure the grants, the funds would not be expended until an EA was performed, and there would be no liability to the County if a decision were made to discontinue moving forward with the Plan. Commissioner Bartell stated that the Board should have detailed answers in order to provide the citizens better information, but based on having another opportunity for discussion after the EA, he would support the motion.

The Chairman called a question on the motion. Motion Carried. Voting Aye: Commissioners Bartell, Batchelor, Fowler, and Wooten. Voting Nay: Commissioner Phillips. (2:20 P.M.)

3-K ***STATE LEGISLATIVE BUDGET REQUEST FOR FY 2005/2006***

Commissioner Bartell informed that this request was for funding water quality projects, and due to the lack of match money and County participation, he asked the Board to direct staff to find additional dollars that could be applied to those and other projects that had not been achieved. He stated that less than a 20 percent cash match was not enough to show the legislature that the County was a willing partner. He pointed out that the Florida Department of Environmental Protection (FDEP) had extended the November 9 deadline for applications to an unknown time. He also stated that the C-Ber (Community Budget Issue Request) Forms concerning the projects had been submitted to Don Berryhill with the FDEP, but he questioned if the forms had been sent to the Legislative Delegation.

Engineering Services Director Ken Cheek replied that the C-Ber Forms were not sent to the Legislative Delegation; however, Mr. Berryhill had asked that the forms be sent to him so that he could answer questions from the Legislative Delegation. \

Commissioner Fowler suggested that the Board instruct staff to determine areas in the environmentally sensitive areas of the County that needed water and sewer and establish assessment districts. He said that it would be many years before there would be water and sewer in those areas and an even longer time before the state and federal government would supply the money. He proposed that staff seek assistance from the FGUA (Federal Governmental Utility Authority) in finding out where water and sewer was needed, and determine the costs and amount that the residents would be assessed in order to make it happen.

Commissioner Bartell replied that assessment districts had been created in many areas, especially on the west side of the County, and that many citizens were participating and cooperating with state and local governments. He explained that acquiring funds from other agencies and state, federal, and local governments could be used to help make central water and sewer affordable to the citizens.

Commissioner Fowler stated that a master plan was needed for central water and sewer in the environmentally sensitive areas. He also stated that the Inverness Airport was the key to water quality on the east side of the County because of the water treatment plant on the property, which could be upgraded for reuse at the Inverness Golf Course and for sewers.

Discussion continued between Commissioners Bartell and Fowler regarding the establishment of assessment districts in the environmentally sensitive areas on the east side of the County, obtaining grant dollars to assist the citizens, and so on.

Motion by Commissioner Wooten, seconded by Commissioner Fowler, to (1) approve the list of projects presented for FY 2005 state legislative funding and authorize staff to submit the legislative funding application, and (2) adopt and authorize the Chairman to execute the related budget resolutions.

Commissioner Bartell asked if the Board was satisfied with the cash match allotted to each project. Mr. Wesch answered that he understood the Board's direction was for staff to review and identify additional funds, but that staff needed the Board's support of this item as written. Commissioner Bartell concurred.

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

(2:33 P.M.)

RESOLUTION NO. 2004-277

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE WATER QUALITY BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, the Board of County Commissioners of Citrus County has established water quality as a priority goal; and

WHEREAS, the Board of County Commissioners of Citrus County seek partnerships with Federal, State, Regional and private entities to fund and construct infrastructure projects which forward protection of Citrus County's surface waters; and

WHEREAS, the Board of County Commissioners of Citrus County has incorporated water quality related infrastructure projects within its Capital Improvement Plan to serve as a local commitment in acquiring state assistance; and

WHEREAS, the Board of County Commissioners of Citrus County has identified Homosassa Southfork Water Quality Improvement Project – Phase 4 as a project which will eliminate direct and indirect adverse impacts to Citrus County’s surface waters; 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 and forward a certified copy to Ginny Brown Waite, Legislative Delegation.

ADOPTED, in regular session this 9th day of November 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	062-400-200	Cash Carry Forward	\$100,000
Expenditures	062-5415-56300	Homosassa Southfork - Phase IV	\$100,000

RESOLUTION NO. 2004-278

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE WATER QUALITY BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, the Board of County Commissioners of Citrus County has established water quality as a priority goal; and

WHEREAS, the Board of County Commissioners of Citrus County seek partnerships with Federal, State, Regional and private entities to fund and construct infrastructure projects which forward protection of Citrus County’s surface waters; and

WHEREAS, the Board of County Commissioners of Citrus County has incorporated water quality related infrastructure projects within its Capital Improvement Plan to serve as a local commitment in acquiring state assistance; and

WHEREAS, the Board of County Commissioners of Citrus County has identified Inverness WWTP Reclaimed Water Upgrades / Eastside Wastewater Collection System Project as a project which will eliminate direct and indirect adverse impacts to Citrus County’s surface waters; 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 and forward a certified copy to Ginny Brown Waite, Legislative Delegation.

ADOPTED, in regular session this 9th day of November 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	062-400-200	Cash Carry Forward	\$350,000
Expenditures	062-5415-56300	Inverness WWTP Reclaimed Water	\$350,000

RESOLUTION NO. 2004-279

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE WATER QUALITY BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, the Board of County Commissioners of Citrus County has established water quality as a priority goal; and

WHEREAS, the Board of County Commissioners of Citrus County seek partnerships with Federal, State, Regional and private entities to fund and construct infrastructure projects which forward protection of Citrus County's surface waters; and

WHEREAS, the Board of County Commissioners of Citrus County has incorporated water quality related infrastructure projects within its Capital Improvement Plan to serve as a local commitment in acquiring state assistance; and

WHEREAS, the Board of County Commissioners of Citrus County has identified Homosassa Wastewater Collection System Project – Phase 5 as a project which will eliminate direct and indirect adverse impacts to Citrus County's surface waters; 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 and forward a certified copy to Ginny Brown Waite, Legislative Delegation.

ADOPTED, in regular session this 9th day of November 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	062-400-200	Cash Carry Forward	50,000
		Total Revenues	\$50,000
Expenditures	062-5415-56300	Homosassa Wastewater - Phase V	350,000
	062-5415-60060	Reserve for Water Quality	(300,000)
		Total Expenditures	\$50,000

3-PP.1 ***BID NO. 085-04***

Commissioner Phillips mentioned that she had received questions from citizens asking why Danella Companies, Inc. (Danella) was the only bidder for the Halls River Road Sewer Infill Project. She explained that staff communicated to her that two of the companies interested stated that they were at or near their bonding limit due to work loads, another company said the project was not in close proximity to their location, and the other firms objected to the 365-day completion terms. She pointed out that Danella's bid had

been much higher than that shown today; however, through staff negotiations the amount was reduced.

Motion by Commissioner Phillips, seconded by Commissioner Bartell, to (1) award Bid No. 085-04, Engineering Division, Halls River Road Sewer Infill Project to Danella Companies, Inc., as the only bidder, at \$3,586,131 pending the Department of Environmental Protection and Environmental Protection Agency approval of the bid and pending receipt of approval for the State Revolving Loan Fund (SRF), and (2) authorize the Chairman to execute the contract documents.

Commissioner Bartell mentioned that the \$1,645,000 SRF would be paid back by a special assessment.

The Chairman called a question on the motion and the motion carried unanimously. (2:36 P.M.)

The Chairman recessed the meeting and reconvened at 2:50 P.M.

3-II **REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

Commissioner Bartell stated that approval of this item would eliminate the County architect position. Mr. Wesch explained that when County Architect Tom Williford retired, there was an opportunity to bifurcate the duties of design and construction inspection services. He added that staff felt it would be more productive to contract architectural services on an "as needed basis" as opposed to maintaining a full time architectural position.

Motion by Commissioner Bartell, seconded by Commissioner Batchelor, to authorize staff to solicit a Request for Qualifications (RFQ) for architectural firms licensed in Florida and Citrus County to design, approve, and seal plans for budgeted and Capital Improvement Projects.

Mr. Wesch responded to Commissioner Phillips' question concerning the allocation of funds for this position by stating that those funds would be transferred into the General Fund for redistribution as instructed by the Board. He explained to Commissioner Bartell that staff would provide an account of the cost savings or expenditures within six months.

The Chairman called a question on the motion, and the motion carried unanimously. (2:52 P.M.)

2-E **AA-04-06, AMERICAN DREAM CREATIONS FOR CHRISTIAN FAMILY CINEMA**

Mr. Battista polled the Board for ex parte communications. Commissioners Phillips and Wooten disclosed that numerous people had inquired, but neither had discussed the application with anyone. Commissioners Batchelor, Fowler, and Bartell affirmed that they had no previous communications.

Joanna L. Coutu, AICP, Planner, Community Development Division (CDD) presented the following staff report:

Application Number/Name:	AA-04-06, American Dream Creations for Christian Family Cinemas, Inc.
Land Use:	Properties 1-3: from Planned Residential District (PDR) (Park Use) PDR Single-Family Residential Property 4: from Rural Residential District (RUR) with a Planned Development Overlay (PDO) (Park Use) to RUR with a PDO (Single-Family Residential) Properties 5 and 6: from PDR (Park Use) to PDR (Single-Family Residential)
Property Data:	Property 1: Citrus Springs Unit 2, Tract G, located in Section 15, Township 17 South, Range 18 East, 9206 North Clubhouse Boulevard, Citrus Springs. Approximately 0.24 acres Property 2: Citrus Springs Unit 4, Track K, located in Section 15, Township 17 South, Range 18 East, 9190 North Clubhouse Boulevard, Citrus Springs. Approximately 0.29 acres Property 3: Citrus Springs Unit 4, Tract B, located in Section 16, Township 17 South, Range 18 East, 3034 West Camilo Drive, Citrus Springs. Approximately 0.37 acres Property 4: Citrus Springs Unit 6, Tract B, located in Section 16, Township 17 South, Range 18 East, 3074 West Camilo Drive, Citrus Springs. Approximately 0.26 acres Property 5: Citrus Springs Unit 4, Tract T, located in Section 23, Township 17 South, Range 18 East, 8258 North Pocono Drive, Citrus Springs. Approximately 0.28 acres Property 6: Citrus Springs Unit 14, Tract A, located in Section 27, Township 17 South, Range 18 East, 7709 North Sarazen Drive, Citrus Springs. Approximately 0.25 acres
Staff/Planning Development and Review Board (PDRB) Recommendation:	Approval/Denial
Proposed Project:	Single family residential sites
Public Hearing:	December 7, 2004

She stated that the Parks and Recreation Division had no plans to develop the properties, and that the Department of Community Affairs (DCA) confirmed that the number and size of the tracts did not warrant a substantial deviation and did not alter the vested status. She advised that the applicant's proposed use for the sites was low-income housing units similar to the 48 that had already been developed in Citrus Springs. She mentioned the objection letters that were included in the backup materials.

Rhonda Lake, CDD Coordinator, showed a PowerPoint presentation and detailed each property amendment site. Mrs. Coutu displayed a map of the Citrus Springs Master Plan (Master Plan) describing the surrounding areas and stated that the subject parcels

were quarter acre sites that had been privately owned since 1989. She advised that staff had originally recommended approval; however, on October 7, 2004, the PDRB recommended denial because people had purchased property next to the proposed amendment areas expecting them to remain parks, and green space should be preserved regardless of size. She informed that the PDRB suggested that the Citrus Springs Civic Association purchase and develop the proposed sites as parks. (2:58 P.M.)

Commissioner Phillips recalled a public hearing relative to small park sites where the Board directed that small parks were to remain green spaces. She stated that the Board also directed Mr. Wesch at that same public hearing to send notification to officers of the Citony Development Corporation (Citony), the Division of Florida Land Sales (FDLS) and the Housing and Urban Development (HUD) in Washington, that further applications of this type would not be entertained by the Board unless and until a Master Plan for resolution of this issue was worked out between all affected parties. She added that Mr. Wesch sent the letter to the FDLS and they stated that it was a local issue; therefore, she assumed the FDLS no longer had a stake in the issue.

Chuck Dixon, CDD Director, replied that he was not certain the FDLS no longer had a stake in the matter; however, he had not seen a response to the letter that was sent to them.

Mrs. Coutu addressed Commissioner Bartell's question regarding other small acre tracts in the Citrus Springs area by stating that there were approximately 850 acres of parks, and that staff would inform the Board of the number of small and privately owned tracts at the public hearing December 7. (3:02 P.M.)

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

Ralph Richardson, a Citrus Springs resident, voiced concern about the parcels being sold when the original Master Plan showed the parcels as parks or green spaces. Commissioner Fowler called for a point of order because Mr. Richardson was speaking in opposition. Mr. Richardson said he was not opposed yet, that he only had questions. He asked how the parcels could have been sold, was it a legal transaction, did the owners have the wherewithal to sell the properties, and how did the PDRB dissect those particular areas from the overall Master Plan.

Mr. Maidhof responded to his questions by stating that he could not address the specific parcels, but in the 1980s, the Deltona Corporation (Deltona) had financial difficulties and borrowed money using existing infrastructure holdings (utilities, water and sewer, and green belt type parcels) as collateral. He stated that Deltona was unable to pay back the debts, and the lenders foreclosed and took control of the assets that were pledged as collateral. He pointed out that the Board and staff never had the authority to control private land sale transactions.

He explained to Commissioner Batchelor that in the 1990s, the Board approved an application to obtain part of this property for a golf course, but directed the Assistant County Attorney to send letters to the owners of the property, mainly Citony advising them that the Board would not approve further applications of this type until the matter was addressed between all involved parties. He added that when this application came forward, the property was not under Citony's control and staff did not feel they had the authority to prevent the application from proceeding.

He responded to Commissioner Fowler's question concerning restrictions reflected on a title search by stating that a company performing a due diligence title search would have looked at the Master Plan, which would have shown that the property was not designated residential. He added that the letter sent to Citony was never recorded and would not have been revealed by a title search.

Attorney Clark Stillwell provided a history of the property and stated that a binding letter determination of vested rights was received by Deltona from the DCA that included 33,350 odd residential lots, acres of commercial land, and acres of other land including school sites, hospital sites, and church sites. He showed a copy of the Master Plan he received from the DCA and described the park areas, drainage retention areas, right of way easements, and open space areas. He stated the scale of the map from the DCA was so small that it was impossible to know if some areas were designated as parks or not, and suggested that Mr. Dixon contact Kenny Zimbardo, the Deltona project manager at the time, for more detailed information. He informed that according to the resolution and the plat, the Board accepted the drainage retention and easement areas, but that no one accepted the parks, open spaces, or school, hospital, and church sites. He spoke about the El Diablo Golf Course that was developed in 1999, and stated that the lands were privately owned and the transformation from a park to a recreational use was consistent with the original intent. He recommended that an inventory be taken of the proposed sites because some of the sites could be too small for a private park and might not meet the COMP standards. He advised that a title search would not reflect zoning or land use regulations, and if referenced would state that zoning and land use regulations were subject to the Master Plan or the DRI (Development of Regional Impact) resolution. He reiterated the need for an inventory of all the park sites be done to determine if there were any conflicts between the DCA and County maps and if an error had been made in designating parcels as parks or open spaces. He pointed out that this was not an affordable housing project, and that his client's intent was to sell the lots and use the money to build affordable housing in other appropriate locations of the County.

He answered Commissioner Fowler's question concerning the value of the property by stating that with the availability of water, sewer, and deed restrictions, the value had markedly increased. He reported that golf course lots had sold between \$30,000 and \$50,000 and other lots had sold from \$12,000 to \$20,000. He advised that his client had a contract to purchase the property, but had not closed, and that it appeared the properties were gifted to the current titleholder for purposes of a tax deduction.

Commissioner Phillips commented that although the owner's intent was to sell the lots to build in other areas, if the Board approved the amendment, the owner could use the property any way they chose if it met the requirements of the land use designation.

Ron Lieberman stated that affordable housing should not be an issue in this matter, and that most houses in Citrus Springs cost less than the cost of building affordable housing today at about \$110,000.

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

Hal Sistrand stated that the public offerings statement and plat map was issued with every sale in the Deltona community and that the original intention was to preserve green areas so the rural aspect would not be lost.

Peter Monteleone pointed out that another person tried to sell the same 21 sites in 1989 and 1990, but the application was denied. He advised that there were 31 sites totaling 18.6 acres called convenience sites, not parks, which were labeled green belt or open space and were never to be sold. He added that the statistics in 1977 stated that there were 30 parks totaling over 505 acres, and mentioned that he had all the facts on every tract in Citrus Springs.

Gene Christie, Richard Hamilton, Ralph Richardson, Robert Bennett, Richard Windle, and several others also spoke in opposition due to the green belt land designation and the need to protect the parks. Some people made suggestions, read letters, detailed their accounts of the Citrus Springs area, spoke about homeowners association laws, available residential property in other areas of the County, and so on. Others questioned how Deltona purchased and sold lots during financial difficulties, the applicant's identification and reputation, the minimum size of residential acreage in Citrus Springs, and could below minimum quarter-acre size lots be built upon.

Mr. Dixon explained that the owner of the properties was Christian Family Cinema; however, that was not the issue, the issue was whether to change the land use designation. He reported that Citrus Springs, Pine Ridge, and Sugarmill Woods were pre-DRI vested developments; therefore, the LDC applied to those communities only if they did not have their own specific restrictions. He advised that the deed restrictions were filed with the state and that the CDD had maps of each unit, which clearly defined the land use designation as parks. He added that homes could be built upon the sites if the land use designation was changed as proposed.

With no further public comment, the Chairman closed the public portion of the public workshop. (3:54 P.M.)

The Chairman recessed the meeting and reconvened at 4:12 P.M.
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2-F OA-03-06, DEPARTMENT OF DEVELOPMENT SERVICES

Mr. Dixon stated that this ordinance amendment was concerning the Coastal High Hazard Area (CHHA) and would implement the COMP amendment that was approved on October 26, 2004, which included the CHHA map and text.

Ian McDonald, AICP, Senior Planner, CDD, explained that this issue began on August 12, 2003, when the Board directed staff to engage in several projects, one of those being the elimination of the Mixed Used District (MXU) and the introduction of new land use districts in the CHHA. He stated that the problem with the CHHA was inconsistencies in language between the Federal Emergency Management Agency (FEMA) designation and the state designation; therefore, all references throughout the LDC and COMP for FEMA CHHA designation were changed to the Velocity Zone and the state's definition of CHHA would be used for the category one hurricane evacuation area. He advised that the Withlacoochee Regional Planning Council (WRPC) had finalized their most recent hurricane evacuation study and that the hurricane SLOSH (Sea Lake and Overland Surge from Hurricanes) models and maps were the same as previous data, but were updated with time-history points or flood statistics, and that new evacuation times and analysis would be incorporated in future COMP amendments and the Evaluation and Appraisal Report (EAR).

He then defined the following proposed LDC revisions for OA-03-06:

- Section 1500 - Definitions
- Section 2022 - Classification of Buildings by Occupancy
- Section 2023 - Determinations of a Change of Use
- Section 4162 - Basis for Establishing Areas of Special Flood Hazard
- Section 4163 - General Standards for Development in Floodplains
- Section 4164 - Standards for Recreational Vehicles in Floodplains
- Section 4165 - Standards for Manufactured Homes in Floodplains
- Section 4166 - Coastal High Hazard Area
- Section 4454 - Assistant Living Facilities (ALF) and Nursing Home Facilities (NHF)
- Section 4610 - Low Intensity Coastal and Lakes District (CL), and
- Table 4-4 - Density and Dwelling Unit Type Standards for Residential Uses

Clerk's Note: Refer to agenda documents for detailed descriptions of the above revised sections.

Mr. McDonald advised that the public hearing for this application was scheduled for December 7, 2004.

Chairman Wooten announced that Susan Boyer, Crystal River Manager, wished to address two issues concerning this amendment.

Ms. Boyer thanked staff for already addressing one issue, which exempted the City of Crystal River from not being able to expand its water and sewer facilities in the CHHA. She said the second issue was that the City of Crystal River did not think the

boundaries of the CHHA were clearly defined and it was difficult to interpret the boundary lines without the exact parcel and legal description.

Mr. Dixon explained that the map was prepared based on the best available information, and that on most parcels the lot lines were followed exactly, but the boundary lines on some of the larger parcels might not be precise. He added that if there was an issue with a parcel, the property owner could apply for an LDC amendment to determine if the property was inside or outside the CHHA. (4:29 P.M.)

Mr. Stillwell spoke on behalf of the Citrus County Builders Association (CCBA) and stated that his client and he had multiple meetings with staff, had reviewed all the items, and were satisfied with the document. He pointed out that Mr. McDonald alluded to a provision about the multi-family category east of US-19 requiring a conditional use; however, that language was deleted at the transmittal hearing and was not included in staff's report.

Dixie Hollins, owner of Hollinswood Ranch and Citrus Mining and Timber, Inc., addressed the Board regarding his property located north of the Cross Florida Barge Canal. He stated that he was under the impression that the PDRB had moved the CHHA boundary line westerly in that area. Mr. Dixon confirmed that the PDRB did vote to move the boundary line and if the Board approved, staff could make that change on the map. The Board agreed to the change.

Mr. Hollins questioned if new power plants would be allowed within the CHHA and spoke about Carolina Power and Light Company's interest three years ago in locating two plants on his property. He also asked if a mining operation could be expanded into the CHHA next to an existing one. Mr. Dixon responded by stating that he did not think new power plants would be allowed in the CHHA, and the ordinance provided an exemption that would not preclude the expansion of an existing mining operation.

Mr. McDonald expounded on Mr. Dixon's comments by stating that the amendment would not preclude the expansion of other mining if the land was rezoned for Extractive (EXT) use, mining uses would not be bound by height limitations, and the amendment would not preclude additional power plants if the land were rezoned. He added that Progress Energy would be allowed to expand on property that was already zoned Industrial (IND) and Transportation Communication Utilities (TCU).

Mr. Dixon explained to Commissioner Bartell that the language could be fine-tuned to address the electrical generation issue.

Mr. Dixon answered Mr. Hollins' question regarding IND allowable uses by stating that certain IND uses, such as a recycling center and outdoor storage would be restricted within the CHHA, and that the ordinance would have to be amended to allow a power plant within the CHHA.

Commissioner Fowler remarked that he thought the ordinance should be amended to allow new power plants within the CHHA. Mr. Maidhof stated that if the Board concurred that new power plant facilities or new mines should be considered within the CHHA, the exemption section could be amended to read as follows: *"The following uses are exempted from the restrictions of this section due to unique location, nature, and importance of these uses: ~~Progress Energy's Crystal River~~ power plant facilities, Seven Rivers Community Hospital, and ~~existing~~ mining operations and related uses"....* The Commissioners agreed with his recommendation. He pointed out that any power plant of significant size would be subject to major federal and state permitting regulations.

Chairman Wooten asked if anyone else wished to speak in favor or in opposition. With no further public comment, the Chairman closed the public portion of the public workshop.

Commissioner Batchelor questioned how flood zones were determined in the CHHA. Mr. Dixon explained that FEMA flood zones were based on elevation and were tied to the federal flood insurance based on studies that were done years ago. He added that the CHHA was based on the SLOSH model, a study that determined what level of inundation would occur with different category hurricanes.

Commissioner Batchelor commented that he could not understand why his property was determined to be in a flood zone when his property was at a higher elevation than some surrounding properties. Mr. Dixon informed him of a process through FEMA whereby a registered surveyor would perform an elevation survey to determine whether the property was in a flood zone or not. He offered to show Commissioner Batchelor the maps and SLOSH models used in determining flood zones.

Mr. McDonald added that higher elevations were sometimes included in a flood zone because they were surrounded by lower elevations that would flood, which caused the higher elevation to become inaccessible.

With no further public comment, the Chairman closed the public portion of the public workshop. (4:48 P.M.)

6- **COUNTY ADMINISTRATOR'S REPORT**

6-A **UNIFORM AD VALOREM METHOD OF COLLECTION OF NON-AD VALOREM ASSESSMENTS**

Mr. Wesch stated that this matter involved a statutory prerequisite that required the Board to set a public hearing and adopt a resolution to notify the property appraiser of the potential to use the non-ad valorem method of collection of assessments on next year's tax bill. He advised that staff had identified potential uses for this collection method, including roadway improvements, water and wastewater improvements, and public safety services. He added that the adoption of this resolution did not bind the Board to any project, and that each project would come back to the Board on an individual basis subject to further public hearings and notification requirements.

Motion by Commissioner Bartell, seconded by Commissioner Fowler, to set a public hearing on December 14, 2004, at 1:40 P.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness on the adoption of a resolution indicating the Board's intent to use the uniform ad valorem method of collection of non-ad valorem assessments for the provision of services and capital improvements including but not limited to road improvements, roadway maintenance, water and wastewater improvements, and extensions and public safety services to include law enforcement, fire services, and any other lawful purposes approved by the Board, capital equipment and facilities.

Mr. Battista explained to Morris Harvey that this item was pursuant to Section 197.3632, Florida Statutes. Mr. Wesch further explained that as the projects were presented to the Board, each property owner who might be subject to a special assessment would receive notification by mail in addition to advertisements in the local newspaper identifying and explaining each project. He stated that the Board's requested action today was to make the program available should the Board decide to use this method of collection in the upcoming year. He added that this method had been used numerous times in the past, and reminded the Board that a similar hearing was held this same time last year concerning the Citrus Springs MSTU (Municipal Service Taxing Unit); however, the taxing method was not needed.

The Chairman called a question on the motion, and the motion carried unanimously. (4:52 P.M.)

7- **COMMISSIONER JOSH WOOTEN, CHAIRMAN**

7-A **PLANNING AND DEVELOPMENT REVIEW BOARD**

Commissioner Fowler nominated Dwight Hooper to fill one Regular Member position on the Planning and Development Review Board for a term that would expire November 30, 2007.

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board ceased nominations.

Mr. Wesch announced that he had received notification from Daniel Galbreath and Robert Christensen to remove their names for consideration for the Member-at-Large position. Chairman Wooten advised that Chris Lloyd was a late addition for consideration.

Commissioner Batchelor nominated James Kellner and Mike Moberly and Commissioner Bartell nominated Raymond Hughes to fill Member-at-Large positions on the Planning and Development Review Board for terms that would expire November 30, 2007.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board ceased nominations. (4:55 P.M.)

7-B **CITRUS COUNTY WATER AND WASTEWATER AUTHORITY**

Commissioner Bartell nominated Robert K. Hnat to fill a Technical Member position on the Citrus County Water and Wastewater Authority for a term that would expire October 31, 2008.

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board ceased nominations. (4:56 P.M.)

7-C **LAKE TSALA APOPKA BASIN RECREATION & WATER ADVISORY BOARD**

The Chairman announced a vacancy for a Member-at-Large position on the Lake Tsala Apopka Basin Recreation and Water Advisory Board for a term that would expire September 30, 2005.

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board accepted with regret the resignation of Barry M. Johnson, Member-at-Large, of the Lake Tsala Apopka Basin & Water Advisory Board.

7-D **CODE ENFORCEMENT BOARD**

Commissioner Wooten nominated Donald Grudecki and Commissioner Bartell nominated Robert Jeeves to fill an Alternate Member position on the Code Enforcement Board for a term that would expire November 30, 2006.

Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board ceased nominations. (4:58 P.M.)

11- **COMMISSIONER JIM FOWLER**

11-A **RESTORATION OF PROPERTY RIGHTS - FAY HANDY**

Commissioner Fowler stated that this request was for the Board to consider waiving the application fee and for the County to assume public notification costs for a large-scale COMP amendment for Mr. Fay Handy. He detailed the history and work that had been done by Mr. and Mrs. Handy to prepare the property for the intended use as a recreational vehicle (RV) park. He said that Mr. Handy became seriously ill, then moved to South Florida and was not aware of and did not receive notification that the COMP had been adopted; therefore, essentially lost development rights to the property. He advised that on several occasions Mr. and Mrs. Handy sought resolution to restore their property rights prior to the adoption of the COMP. He stated that Mr. and Mrs. Handy and the County had reached an agreement without involving attorneys through a COMP amendment to reacquire their property rights without incurring the costs of administration and notification; however, they would be responsible for the cost of preparing the application.

He responded to Commissioner Bartell's question regarding the size of the property by stating that about 100 acres were involved.

Mr. Wesch addressed Commissioner Bartell's questions concerning vested rights by stating that staff had determined that there was not sufficient justification to establish

vested rights. He added that Mr. Handy was informed that he could pursue the legal process to determine vested rights; however, Mr. Handy declined that course of action. He added that Mr. and Mrs. Handy filed a lawsuit in circuit court in the early 1980s, but the County prevailed in that litigation.

Discussion ensued regarding the \$2,600 fees that would be waived, the amendment requiring the DCA approval, an RV park being a good use in a flood plain, the applicants having to demonstrate that there was no concurrency, drainage, water, or sewer issues, and so on.

Mr. Maidhof explained to Chairman Wooten that in the early 1980s, the Planning Commission denied the Handy's application, which they challenged in circuit court. Mrs. (Audrey) Handy further explained that after their petition (application) was denied, they filed an appeal; however, no attorney would accept their appeal, and she was unsuccessful in self-representation. She added that the appeal was not denied because the project was not viable or did not meet specifications, but because she did not present the case documentation on the proper format, so the case was thrown out on a technicality.

Discussion followed regarding the County taking away the Handy's rights to use their property for its intended use; the advantages and disadvantages of using certified mail to notify property owners of land use changes; there were no guarantees that staff would approve the Handy's COMP amendment, and so on.

Mrs. Handy commented that she and Mr. Handy understood that other permitting would need to be approved and that this application might be denied; however, their grievance was that they were denied the right to go through the process years ago.

Commissioner Phillips stated that although she appreciated everything Mr. and Mrs. Handy had endured; many people were in the same situation and might not have received notification of the adoption of the COMP in 1990. She expressed concern that waiving the application fees would set a precedent. She added that she believed Mr. and Mrs. Handy did not receive the notification; however, she thought staff made every attempt to contact them and did not believe the County denied them the right to use their property.

Mr. Maidhof answered Commissioner Phillips' question regarding vested rights by stating that had Mr. and Mrs. Handy successfully achieved a vested rights determination, they would have been allowed to move forward with the project. He advised that an alternative was the recognition of the unrecorded subdivision that would divide the property into five-acre residential tracts, which Mr. and Mrs. Handy had no desire to do. He further stated that the options were to pursue vested rights, which he did not think would be successful, litigation, which was costly, or the compromise approach for a COMP amendment as suggested by Commissioner Fowler. He mentioned that there was no guarantee staff would recommend approval of the application until they could review the details of the project.

Mrs. Handy added that this application addressed recreational uses, which were encouraged in the COMP along the Withlacoochee River area on Highway 48.

Discussion continued concerning the following: the potential of subdividing the 100 acres of property currently designated CL into five lots; litigation not being advantageous to Mr. and Mrs. Handy or the County; the application process; setting a precedent; denial of property rights; whether this was the first request to waive fees on this type of application; absolving the taxpayers of any perceived wrongdoing; and that Mr. and Mrs. Handy could still file a lawsuit if their application was denied.

Mr. Maidhof informed Commissioner Wooten that should Mr. and Mrs. Handy prove unsuccessful in the application process, it would be extremely difficult for them to obtain a successful ruling in court due to the method staff used to process applications and the influence of the DCA.

Mr. Battista commented that the primary issue of litigation was an exhaustion of administrative remedies, and the County would probably use that defense in court with a motion to dismiss the case and require Mr. and Mrs. Handy to go through the appropriate administrative procedures.

Commissioner Fowler told Commissioner Wooten that Mr. Handy bought a wastewater treatment system for the purpose of an RV park, and then Mr. Handy became ill, which prevented him from participating in the process that would have guaranteed him his property rights. He added that this was an important matter, and if someone else approached the Board in the future and alleged that this governmental organization acted erroneously regarding that person's property rights, the Board should be willing to listen to them as well.

Chairman Wooten stipulated that his reason for approving this request was because of the unique circumstances.

Motion by Commissioner Batchelor, seconded by Commissioner Fowler, to waive the application fee for a large scale Comprehensive Plan Amendment for Fay Handy and authorize the County to assume public notification costs for this application.

Commissioner Phillips told Mr. and Mrs. Handy that she appreciated their situation and was sorry for Mr. Handy's health problems; however, she could not approve waiving the application fee because they could still proceed to court if they did not receive a favorable answer.

Mrs. Handy commented that she understood Commissioner Phillips' position, but had they intended to file a lawsuit, they would have done so before now.

Commissioner Bartell stated that he believed Mr. and Mrs. Handy were honorable people and they had presented a unique situation, but he agreed with Commissioner Phillips' comments and did not want to set a precedent.

Commissioner Fowler remarked that he did not believe he was elected to public office to avoid setting a precedent because circumstances and people change. He stated that if some situations were as simple as yes or no, there would be no need to have five commissioners to think and use judgment in making decisions. He emphasized that he had no problem approving this request and denying another if the facts and circumstances did not validate the proper level.

The Chairman called a question on the motion. Motion Carried. Voting Aye: Commissioners Batchelor, Fowler, and Wooten. Voting Nay: Commissioners Bartell and Phillips. (5:44 P.M.)

14- **ANY OTHER BUSINESS OR PERSONS WISHING TO ADDRESS THE BOARD**
14-A **COMMENTS FROM COMMISSIONERS BATCHELOR AND WOOTEN**

Commissioner Batchelor voiced appreciation for the support of the citizens during the years he had served on the Board. He stated he would miss the camaraderie of staff, and he wished the newly elected commissioners well.

Commissioner Wooten commented that he too had enjoyed the last four years on the Board and the accomplishments that had been made. He stated that the Board would be making decisions in the future on impact fees, the 25-Year Transportation Master Plan, road widening projects, a solid waste transfer station, universal garbage, water and sewer projects, and the Floral City Town Center. He wished the Board well and complimented Mr. Wesch and his staff for their talents and dedication.

Commissioner Fowler remarked that it was great to serve on a Board where commissioners could disagree respectfully, and stated that dissent made this country's government system work. He added that was a pleasure being on this Board, and he agreed with Commissioner Wooten's complimentary comments about staff.

There being no other business to come before the Board, the Chairman adjourned the meeting. (5:51 P.M.)

ATTEST: _____, Clerk _____, Chairman