



The Board of County Commissioners of Citrus County, Florida, met in regular session on the above date. The Chairman called the meeting to order and Commissioner Fowler led in the Invocation and the Pledge of Allegiance to the U.S. Flag.


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


#2 PUBLIC HEARINGS - WORKSHOPS - PERSONS TO APPEAR

#2-A OPEN TO THE PUBLIC

 Morris Harvey asked if Item #3-PP (Attorney/Client Session) would be pulled for discussion, and Commissioner Phillips stated that she would request that item be pulled based on the correspondence the Board had received.

 The Chairman responded to Mike Smallridge's question regarding Item #2-C (Occupational License Ordinance) by stating that the public would be allowed to speak after the presentation.

 Gwen Cook requested forgiveness on approximately \$13,000 in penalties and liens on a piece of property that she had purchased at a tax deed sale. The Chairman suggested that she present the information to Mr. Wesch so that the item could be placed on a future agenda.

 Marco Wilson commented on Item #10-A (Proposal by Mike Hampton Foundation for Sports Complex) by stating that it was often difficult for kids to find practice fields in Citrus County, and that it was refreshing to see a sports figure like Mr. Hampton come to his hometown and propose this sports complex. He asked the Board to look at the proposal and do whatever was necessary to make this a reality.

#10- COMMISSIONER GARY BARTELL

#10-A PROPOSAL BY MIKE HAMPTON FOUNDATION FOR SPORTS COMPLEX

Commissioner Bartell reported that he had attended a meeting with the Mike Hampton Foundation (Foundation) regarding a proposal for the possibility of a public/private partnership to construct a recreational sports complex. He stated that the potential benefits of this proposal would be the much-needed facilities for the youth and the savings to the taxpayers. He said that he had suggested that the Foundation present their proposal to the Board and to the public. He then introduced Mike Hampton and Brent Hall.

Mike Hampton thanked the Board for allowing him to present the proposal. He stated that sports had a great influence on his life and taught him character, leadership, etc. He explained that the facility the Foundation hoped to provide would require the help of the Board, the School Board, and many others in the community. He added that the County was growing and there were not enough ball fields for the kids to play on. He also stated that the facility would accommodate many sports and would be something that the community could be proud of.

Mr. Hall stated that Mr. Hampton was willing to work together with the Board, and hopefully the School Board, to make this facility happen. He added that the facility should be large enough to expand upon when needed. He commented that he was very proud to be a part of this proposal, and he hoped the Board would consider being a part of it also. He suggested that all of the entities come together to discuss the particulars of the partnership.

Commissioner Bartell suggested that the Board authorize staff to negotiate with the Foundation on the details, responsibilities, etc., and then return to the Board with that information.

Discussion ensued regarding the generous offer, that authorizing staff to negotiate with the Foundation was the appropriate action to take today, that local government should become a partner to make this happen, that maybe resources could be pooled together and include some of the features that were talked about at the 2003 Goal Setting Meeting for the family recreation center, etc.

Motion by Commissioner Bartell, seconded by Commissioner Phillips, to authorize staff to pursue the proposal by the Mike Hampton Foundation, and once an agreement was made, present the agreement to the Board for final authorization.

Mike Gudis stated that he thought Mr. Hampton's ideas were wonderful and suggested that an indoor swimming pool be discussed during the negotiations. Commissioner Bartell said that he had discussed an indoor swimming pool with Mr. Hampton and Mr. Hall and it was decided that it could be phased in. He suggested working on the nucleus of the facility and then the expansion.

School Representative David Stevens stated that the superintendent wanted him to express to the Board that he was very interested in supporting Mr. Hampton's proposal. He added that the proposal would go before the School Board at the appropriate time.

Commissioner Fowler commented on the resources and the amount of volunteers that helped to make the park in Holder become a reality. He stated that he was sure the community would again show their support, volunteer hours, and make suggestions to make this facility happen.

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

(1:22 P.M.)

#3- **CONSENT AGENDA**

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board pulled Item #3-PP (Attorney/Client Session), and approved the balance of the Consent Agenda, as follows:

#3-A Approved and authorized the Chairman to execute the minutes of the regular meeting held on January 13, 2004.

#3-B Approved the following warrants: Payroll registers dated 01/20/04 at \$473,559.76 and dated 01/22/04 at \$31,583.07. Accounts Payable register dated 01/26/04 at \$1,877,516.45.

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

RESOLUTION NO. 2004-015

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE COMMODITY FOODS DISTRIBUTION PROGRAM BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on December 16, 2003, through Resolution 2003-286 the Citrus County Board of County Commissioners approved an application for financial assistance under the Commodity Food Distribution Program and a contract to provide services with the Department of Agriculture and Consumer Services, Bureau of Food Distribution; and

WHEREAS, on December 18, 2003, the Citrus County Board of County Commissioners executed an amendment to the contract; and

WHEREAS, on December 24, 2003, the Florida Department of Agriculture and Consumer Services, Bureau of Food Distribution executed the amendment; and

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

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

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

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

ADOPTED, in regular session this 27th day of January 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 | 195E-331-690 | Federal Grant | 1,183 |
| | | Total Revenues | \$1,183 |

| | | | |
|---------------------|------------------|----------------------------|---------|
| <i>Expenditures</i> | 195E-5336E-51200 | Regular Salaries and Wages | 825 |
| | 195E-5336E-52100 | FICA Taxes | 62 |
| | 195E-5336E-52200 | Retirement Contributions | 62 |
| | 195E-5336E-52300 | Life and Health Insurance | 143 |
| | 195E-5336E-52400 | Workers Compensation | 13 |
| | 195E-5336E-54000 | Travel and Per Diem | 25 |
| | 195E-5336E-54400 | Rentals and Leases | 53 |
| | | Total Expenditures | \$1,183 |

RESOLUTION NO. 2004-016

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE TITLE III B GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on December 16, 2003, through Resolution 2003-288 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act, Title III Programs and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on December 30, 2003, the Mid-Florida Area Agency on Aging, Inc. executed the contract providing funds to benefit elderly residents of the county; and

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

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

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 27th day of January 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 |
| <i>Revenues</i> | 180E-331-691 | Title III Federal Grant | 175,205 |
| | 180E-361-200 | SBA Interest | 815 |
| | 180E-366-900 | Other Contributions and Donations | 875 |
| | 180E-381-004 | County Cash Match | 19,468 |
| | | Total Revenues | \$196,363 |
| <i>Expenditures</i> | 180E-5347E-51200 | Regular Salaries and Wages | 60,005 |
| | 180E-5347E-51204 | Salaries – Site Manager | 11,141 |
| | 180E-5347E-51306 | Casual Labor | 2,300 |
| | 180E-5347E-52100 | FICA Taxes | 5,619 |
| | 180E-5347E-52200 | Retirement Contributions | 6,199 |
| | 180E-5347E-52300 | Life and Health Insurance | 11,879 |

| | | | |
|--|------------------|------------------------------------|-----------|
| | 180E-5347E-52400 | Workers Compensation | 1,873 |
| | 180E-5347E-53400 | Other Contractual Services | 4,000 |
| | 180E-5347E-53480 | Contract Services – Transportation | 80,625 |
| | 180E-5347E-53483 | Contract Services – Homemaker | 1,920 |
| | 180E-5347E-54000 | Travel and Per Diem | 1,276 |
| | 180E-5347E-54004 | Travel – Administration | 1,160 |
| | 180E-5347E-54100 | Communications Services | 1,188 |
| | 180E-5347E-54160 | Postage | 108 |
| | 180E-5347E-54300 | Utility Services | 2,788 |
| | 180E-5347E-54600 | Repairs and Maintenance | 360 |
| | 180E-5347E-54605 | Equipment Maintenance | 900 |
| | 180E-5347E-54676 | Copier Maintenance | 400 |
| | 180E-5347E-55100 | Office Supplies | 1,550 |
| | 180E-5347E-55107 | Program Supplies | 540 |
| | 180E-5347E-55211 | Janitorial Supplies | 200 |
| | 180E-5347E-55400 | Dues, Books, Subscriptions | 125 |
| | 180E-5347E-55417 | Training | 207 |
| | | Total Expenditures | \$196,363 |

RESOLUTION NO. 2004-017

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE TITLE III C-1 GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on December 16, 2003, through Resolution 2003-288 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act, Title III Programs and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on December 30, 2003, the Mid-Florida Area Agency on Aging, Inc. executed the contract providing funds to benefit elderly residents of the county; and

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

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

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

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

ADOPTED, in regular session this 27th day of January 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 |
| <i>Revenues</i> | 181E-331-691 | Title III Federal Grant | 161,492 |
| | 181E-361-200 | SBA Interest | 443 |
| | 181E-366-900 | Other Contributions and Donations | 24,952 |
| | 181E-381-004 | County Cash Match | 17,944 |
| | | Total Revenues | \$204,831 |
| <i>Expenditures</i> | 181E-5370E-51200 | Regular Salaries and Wages | 40,598 |
| | 181E-5370E-51204 | Salaries – Site Manager | 8,717 |
| | 181E-5370E-51306 | Casual Labor | 1,000 |
| | 181E-5370E-52100 | FICA Taxes | 3,850 |
| | 181E-5370E-52200 | Retirement Contributions | 4,247 |
| | 181E-5370E-52300 | Life and Health Insurance | 10,337 |
| | 181E-5370E-52400 | Workers Compensation | 1,369 |
| | 181E-5370E-53201 | Consultant | 200 |
| | 181E-5370E-53400 | Other Contractual Services | 6,800 |
| | 181E-5370E-54000 | Travel and Per Diem | 1,160 |
| | 181E-5370E-54004 | Travel – Administration | 1,300 |
| | 181E-5370E-54012 | Travel – Outreach | 870 |
| | 181E-5370E-54100 | Communications Services | 3,000 |
| | 181E-5370E-54160 | Postage | 200 |
| | 181E-5370E-54300 | Utility Services | 5,488 |
| | 181E-5370E-54600 | Repairs and Maintenance | 590 |
| | 181E-5370E-54605 | Equipment Maintenance | 900 |
| | 181E-5370E-54676 | Copier Maintenance | 400 |
| | 181E-5370E-55100 | Office Supplies | 1,650 |
| | 181E-5370E-55107 | Program Supplies | 900 |
| | 181E-5370E-55211 | Janitorial Supplies | 200 |
| | 181E-5370E-55221 | Meals | 110,400 |
| | 181E-5370E-55400 | Dues, Books, Subscriptions | 275 |
| | 181E-5370E-55417 | Training | 380 |
| | | Total Expenditures | \$204,831 |

RESOLUTION NO. 2004-018

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
CITRUS COUNTY, FLORIDA, ADOPTING THE TITLE III C-2 GRANT
BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on December 16, 2003, through Resolution 2003-288 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act, Title III Programs and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on December 30, 2003, the Mid-Florida Area Agency on Aging, Inc. executed the contract providing funds to benefit elderly residents of the county; and

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

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

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 27th day of January 2004, by the Citrus County Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

ATTEST:

/s/ Betty Strifler

/s/ Josh Wooten

BETTY STRIFLER, CLERK

JOSH WOOTEN, CHAIRMAN

| EXHIBIT "A" | | | |
|---------------------|------------------|-----------------------------------|-----------|
| | ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT |
| <i>Revenues</i> | 182E-331-691 | Title III Federal Grant | 178,898 |
| | 182E-331-693 | USDA – Title III Grants | 75,109 |
| | 182E-361-200 | SBA Interest | 1,500 |
| | 182E-366-000 | Contributions (Private) | 21,461 |
| | 182E-366-900 | Other Contributions and Donations | 24,952 |
| | 182E-381-004 | County Cash Match | 19,963 |
| | | Total Revenues | \$321,883 |
| <i>Expenditures</i> | 182E-5348E-51200 | Regular Salaries and Wages | 34,129 |
| | 182E-5348E-51204 | Salaries – Site Manager | 5,492 |
| | 182E-5348E-52100 | FICA Taxes | 3,031 |
| | 182E-5348E-52200 | Retirement Contributions | 3,344 |
| | 182E-5348E-52300 | Life and Health Insurance | 8,846 |
| | 182E-5348E-52400 | Workers Compensation | 1,157 |
| | 182E-5348E-54000 | Travel and Per Diem | 161 |
| | 182E-5348E-54004 | Travel – Administration | 1,160 |
| | 182E-5348E-54005 | Travel – Administration | 26,100 |
| | 182E-5348E-54012 | Travel – Outreach | 2,610 |
| | 182E-5348E-54100 | Communications Services | 1,102 |
| | 182E-5348E-54160 | Postage | 52 |
| | 182E-5348E-54300 | Utility Services | 1,332 |
| | 182E-5348E-54600 | Repairs and Maintenance | 875 |
| | 182E-5348E-54605 | Equipment Maintenance | 250 |
| | 182E-5348E-54676 | Copier Maintenance | 100 |
| | 182E-5348E-55100 | Office Supplies | 100 |
| | 182E-5348E-55107 | Program Supplies | 725 |
| | 182E-5348E-55221 | Meals | 231,317 |
| | | Total Expenditures | \$321,883 |

RESOLUTION NO. 2004-019

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE TITLE III B - LEGAL GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on December 16, 2003, through Resolution 2003-288 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older

Americans Act, Title III Programs and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on December 30, 2003, the Mid-Florida Area Agency on Aging, Inc. executed the contract providing funds to benefit elderly residents of the county; and

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

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

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

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BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

ATTEST:

/s/ Betty Strifler

/s/ Josh Wooten

BETTY STRIFLER, CLERK

JOSH WOOTEN, CHAIRMAN

| EXHIBIT "A" | | | |
|---------------------|-----------------------|----------------------------|---------------|
| | ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT |
| <i>Revenues</i> | 186-331-691 | Title III Federal Grant | 4,880 |
| | 186-381-004 | County Cash Match | 543 |
| | | Total Revenues | \$5,423 |
| <i>Expenditures</i> | 186-5337-53104 | Consultant Fees – Legal | 4,880 |
| | 186-5337-54000 | Travel and Per Diem | 75 |
| | 186-5337-54100 | Communications Services | 117 |
| | 186-5337-54160 | Postage | 111 |
| | 186-5337-54676 | Copier Maintenance | 75 |
| | 186-5337-55100 | Office Supplies | 75 |
| | 186-5337-55107 | Program Supplies | 90 |
| | | Total Expenditures | \$5,423 |

RESOLUTION NO. 2004-020

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE TITLE III E GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on December 16, 2003, through Resolution 2003-288 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act, Title III Programs and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on December 30, 2003, the Mid-Florida Area Agency on Aging, Inc. executed the contract providing funds to benefit elderly residents of the county; and

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

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

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
 OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

| EXHIBIT "A" | | | |
|---------------------|------------------|-----------------------------|----------|
| | ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT |
| <i>Revenues</i> | 184B-331-691 | Title III Federal Grant | 30,382 |
| | 184B-381-004 | County Cash Match | 5,393 |
| | | Total Revenues | \$35,775 |
| <i>Expenditures</i> | 184B-5326B-51200 | Regular Salaries and Wages | 2,740 |
| | 184B-5326B-52100 | FICA Taxes | 210 |
| | 184B-5326B-52200 | Retirement Contributions | 304 |
| | 184B-5326B-52300 | Life and Health Insurance | 468 |
| | 184B-5326B-52400 | Workers Compensation | 64 |
| | 184B-5326B-53485 | Contract Services – Respite | 31,608 |
| | 184B-5326B-54000 | Travel and Per Diem | 34 |
| | 184B-5326B-54100 | Communications Services | 117 |
| | 184B-5326B-54160 | Postage | 112 |
| | 184B-5326B-54676 | Copier Maintenance | 18 |
| | 184B-5326B-55100 | Office Supplies | 50 |
| | 184B-5326B-55107 | Program Supplies | 50 |
| | | Total Expenditures | \$35,775 |

RESOLUTION NO. 2004-021

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

WHEREAS, the Senior Companion Program anticipates receiving donations from clients in the program; and

WHEREAS, these donations will be used to enhance the Senior Companion 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 2003-04; and

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

| EXHIBIT "A" | | | |
|--------------|------------------|------------------------|---------|
| | ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT |
| Revenues | 052C-369-945 | Donations - Activities | \$1,000 |
| Expenditures | 052C-5421C-55210 | Miscellaneous Supplies | \$1,000 |

RESOLUTION NO. 2004-022

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

WHEREAS, the West Citrus Community Center received donations in prior fiscal years to purchase a pool table; and

WHEREAS, the West Citrus Community Center is ready to purchase the pool table and the funds need to be made available; and

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

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

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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 | | Cash Carry Forward | \$1,000 |
| Expenditures | 022-5423-56400 | Machinery and Equipment | \$1,000 |

RESOLUTION NO. 2004-023

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

WHEREAS, the County receives funds from the Florida Choose Life License Plate Program when residents of the County purchase a Choose Life license plate; and

WHEREAS, these funds are distributed to not-for-profit organizations within the county whose services are limited to counseling and meeting the physical needs of pregnant women who are committed to placing their children for adoption; and

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

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

| EXHIBIT "A" | | | |
|--------------|----------------|---------------------------|----------|
| | ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT |
| Revenues | 001-335-691 | Choose Life License Plate | \$13,370 |
| Expenditures | 001-5225-58210 | Choose Life License Plate | \$13,370 |

#3-D Approved the following budget transfers: **2001B BONDS:** \$1,320 from #225-2119-60050 to #-53100. **2001A BONDS:** \$1,800 from #226-2128-60050 to #-53100. **ED:** \$6,592 from #102-4104-51200 to #-51306. **DPW/MAINT. OPS/FLEET:** \$2,000 from #550-4150-56400 to #-56200. **SWM:** \$10,000 from #401-5216-53400 to #-54605 and \$1,460 from #-5218-56400 to #-55201. **CSD:** \$500 from #001-5225-51200 to #-55417. **ESD:** \$500 from #013-5756A-55120 to #-53400 and \$1,900 from #-52300 to #-52400. **P&R:** \$2,400 from #001-6102-54605 to #-56400. **UD:** \$1,000 from #450-9300-55200 to #-54700.

#3-E Approved and authorized the Chairman to execute Satisfactions of Judgment for Amber Dawn Kelly, Case No. 03-00124-MM; Clinton Daniel Geiger, Case No. 03-000842-MM; Danielle Danae Johnson, Case No. 03-000858-CT; Theobald C. Maurer III, Case No. 02-03905-TC; Theresa Jean Salozzo, Case No. 03-00152-MM; Frank W. Welch, Case No. 02-03081-TC; Chris Allen Wood, Case No. 03-001003-MM; and Dale Ray Vanmeter, Case No. 2003-CT-000996.

#3-F Acknowledged receipt of the "State of Florida Annual Local Government Financial Report" for fiscal year 2002-2003 and a copy of the "Report on Examination" audit report for year ended September 30, 2003, on the Homosassa Special Water District.

#3-G Approved and authorized the Chairman to execute Releases of Lien for special assessments: Resolution No. 2001-202: Kelly & Carpenter Roofing & Sheet Metal, Inc., AK# 1012775 (1D); Robert and Patty Braatz, AK# 1938597 (1D); Tommy and Carleen Mason, AK# 1968712 (1D); Jaohn Menken, AK# 1968879 (1D); David and Juanita Wilhelm, AK# 1970326 (1D); Norval and Karen Thompson, AK# 1973864 (1D); Joan and Theodore Martin, AK# 1988144 (1D); William and Ellen Holway, AK# 2263326 (1D); Stephen and Jonnie Dorsey, AK# 1013127 (1E); Stephan and Rita Kautz, AK# 1980062 (1E), Raymond and Diane Jones, AK# 2994967 (1E); John W. Aleckson, Trustee, AK # 1981352 (1D), Alexander E. and Galina Podolsky, AK # 1978971 (1E), and James J. and Susan M. Weigle, AK # 2263555 (1D). Resolution No. 2001-186: Brenda and George Grothier, AK# 1203732 (1B) and Huguette Bouillon, AK# 1605938 (1B). Resolution No. 2003-154: Edward and Donna McLeod, AK# 1151465 (OB); Anthony and Evelyn DeStefano, AK# 1642892 (OB); and Paul and Jean Goldman, AK# 1649463 (OB). Resolution No. 2000-132: David and Leslie Piper, AK# 2765674 (OA); and Coolidge – Valencia Limited Partnership, AK# 2765704 (OA). Resolution No. 99-099: Robert and Nancy McDonald, AK# 1501032 (Z); Margaret Dyer, AK# 1574072 (Z); and James and Mary Key, AK# 1649111 (Z). Resolution No. 98-091: Dale and Janice Allman, AK# 1109302 (W); John and Rose Valentine, AK# 1635616 (W); John and Lisa Baker, AK# 1638488; Charles and Ann Mulloy, AK# 1639387 (W); Charles and Francis Potts, AK# 1891132 (W), and Gary and Roberta Zipper, AK# 1658641 (W). Resolution No. 97-62: Robert and Gabriele Jones, AK# 1136261 (V); Terry and Debbie Bennett, AK# 1642108 (V); F. J. and Lorraine Schroeder, AK# 1644895 (V); Fred and Lorraine Schroeder, AK# 1644909 (V); Dorothy Angelillo, AK# 1645280 (V); Margie Cellura, AK# 1184801, AK# 2446552 (V) and AK# 2446561 (V); Ralph and Catherine Collett, AK# 2450134 (V), and Robert and Theresa Levine, AK # 1641063 (V). Resolution No. 93-180: Fredrick and Christa Belzel, AK# 1877342 (T). Resolution No. 86-29 reconfirmed by Resolution No. 93-216: Evelyn Larocca, AK# 1606896 (H); Ruth Perry, AK# 1841631 (H); Charles and Deborah Hurn, AK# 2245000 (H), and John and Patricia Vinson, AK# 1701082 (H). Resolution No. 2002-142 and 2002-141: Huguette Bouillon, AK# 1605938 (2A); David Clutter, AK# 1647037 (2A); Conner Properties, AK# 2850809 (2A), AK# 2850817 (2A), and AK# 2850825 (2A); Charlene Rogers, AK# 1605873 (2A); and Rebecca Stephens, AK# 1743001 (2A). Resolution No. 86-29 reconfirmed by Resolution No. 93-216: Cora Lee Porter and Peter Locastro, AK# 1509319 (H); and Nona and Maryann and Joan Wright, AK# 2028149 (H).

#3-H Accepted the completed Canning Center Renovation Phase III Project and approved final payment at \$2,715 and release of retainage at \$2,431.50 to Daly & Zilch, Inc.

#3-I Approved the request by the Inverness Parks and Recreation and the Black History Club (co-sponsors) to use the Historic Courthouse grounds for a rhythm and blues

concert on February 6, 2004, from 5:00 P.M. until 10:00 P.M to celebrate Black History month.

#3-J Approved and authorized the Chairman to execute the Internal Revenue Service Form 8038-GC, Information Return for Small Tax-Exempt Governmental Bond Issues, Leases, and Installment Sales to report debt obligations entered into by the Property Appraiser.

#3-K **(1)** Approved and authorized the Chairman to execute the Emergency Medical Services (EMS) County Grant Application at \$29,425.70 and the Request for Grant Fund Distribution with the Florida Department of Health, and **(2)** adopted and authorized the Chairman to execute the required resolution certifying that the monies from the EMS County Grant will not be used to supplant existing County EMS budget allocations, but would be used to improve and expand the County's pre-hospital emergency medical services system. **RESOLUTION NO. 2004-024**

#3-L Approved and authorized the Chairman to execute the contract with Pospiech Contracting, Inc., for sinkhole remediation and emergency repairs to the ProLine Boats wastewater pump station and adjacent parking area at \$6,827.59, and approved the use of the water quality funds for the project.

#3-M Accepted the following Temporary Construction Easements for the CR-486 Road Improvement Project, and directed the Clerk to place the acceptance stamp thereon and record in the public records:

| |
|--|
| Parcel 705 - Grantor: L.L.J.R., Inc. |
| Parcel 733 - Grantor: William E. and Frances L. Bidwell |
| Parcel 740 - Grantor: Italian Social Club of Citrus County |
| Parcel 752 - Grantor: Roger A. and Carol A. Rashid |

#3-N **(1)** Accepted the Bill of Sale and Warranty Deed for Parcel 133 and Temporary Construction Easement 779 donated by the School District of Citrus County for the CR-486 Road Improvement Project, and **(2)** directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-O **(1)** Rescinded Exhibit "B" of DVR #2003-010, Alternate Key No. 1185424 due to a scrivener's error in the Permanent Reassignment of Development Rights Agreement for Residential Properties Within Municipal Service Benefit Units for Installation of Water and Wastewater Systems for the Chassahowitzka Water Quality Assessment District for William L. McCluen, and approved the legal description as described in Exhibit "B1", and **(2)** directed the Clerk to record the revised agreement in the public records.

#3-P **(1)** Approved and authorized the Chairman to execute the Ringhaver Equipment Co. Extended Total Machine Warranty Value Assurance to extend the machine warranty on the new Caterpillar 826G Steel Wheel Compactor, Serial Number AYH00626 for a total of 60 months or 7,500 hours, whichever occurred first, and **(2)** accepted the Performance

Bond with Machinery Insurance, Inc., at \$134,052 to be made a part of the Total Cost Equipment Purchase Agreement, Hernando County, Bid No. 03-010/JP Option II executed October 14, 2003, with Ringhaver Equipment Co.

#3-Q (1) Accepted a Permanent Underground Utility Easement Deed from Gulf-to-Lakes Associates, Ltd., Black Diamond Properties, Inc., and Black Diamond Property Owners Association, Inc., for the Black Diamond Reclaimed Water Project, and (2) directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-R Approved and authorized the Chairman to execute the Purchase Agreement with Cliff and Tracie J. Stokes for Utility, Drainage, and Access Easement 822 of the CR-486 Road Improvement Project from Forest Ridge Boulevard to US-41, Hernando.

#3-S Approved and authorized the Chairman to execute the Public Used Oil Collection Center Notification and Annual Report for 2003.

#3-T (1) Accepted Warranty Deeds for the Holden Park Parking Expansion from Ronald R. Wheeler for Lots 66 and 67, Block 309, Inverness Highlands West, and from Marie Petrik for Lot 69, Block 309, Inverness Highlands West, and (2) directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-U (1) Adopted and authorized the Chairman to execute a resolution authorizing execution of a contract for the funding of a Low Income Home Energy Assistance Program with the State of Florida, Department of Community Affairs, and authorizing the signatories for such instruments, and (2) approved and authorized the Chairman to execute the Low Income Home Energy Assistance Program Federally Funded Subgrant Agreement with the State of Florida, Department of Community Affairs, Contract Number: 04EA-4P-05-19-01-008 at \$125,334. **RESOLUTION NO. 2004-025**

#3-V (1) Accepted a Permanent Drainage and Utility Easement Deed for Parcels 107, 810, 811, and 817 and a Temporary Construction Easement for Parcels 730B, 730C, 730D, 730E, 743, 747, and 752 from Gulf to Lakes Associates, Ltd., for the CR-491 Road Improvement Project, and (2) directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-W Approved and authorized the Chairman to execute the State of Florida Department of Transportation Lease Agreement and the Addendum for the chain link fence along US-19 at the Crystal River Airport for a term of 99 years.

#3-X Appointed Dominic Christofaro to fill a Citizen's Representative of the Florida Association for Community Action position on the Transportation Disadvantaged Coordinating Board for a term that would expire on January 16, 2005.

#3-Y Approved and authorized the Chairman to execute the Title III E - Family Caregiver Program 2004 Facility Based Respite Care Contract with Developing Options for

Seniors, the parent company of Sugarmill Manor and Pleasant Grove Assisted Living Facility, beginning January 1, 2004, and ending December 31, 2004.

#3-Z Approved and authorized the Chairman to execute the Older American Act 2003 Food Service Specifications/Contract 2004 with G.A. Food Services of Pinellas County, Inc., to provide 116,870 meals to eligible 60+ Citrus County residents beginning January 1, 2004, and ending December 31, 2004.

#3-AA Approved and authorized the Chairman to execute the Title III B-OAA Program 2004 Home Based Services - Primary Contractor Bid #068-01 with A+ Healthcare Services for the provision of approximately 158 units of service.

#3-BB Approved and authorized the Chairman to execute the Transportation Agreement Older Americans Act Programs Fund Year 1/01/2004-12/31/2004 with Citrus County Transit to supply approximately 10,750 units of transportation to eligible 60+ Citrus County residents beginning January 1, 2004, and ending December 31, 2004.

#3-CC Approved and authorized the Chairman to execute the Older Americans Act Programs 1/01/2004-12/31/2004 Title IIIB Legal Assistance Contract with Withlacoochee Area Legal Services, Inc., to provide 122 units of legal services to eligible 60+ Citrus County residents beginning January 1, 2004, and ending December 31, 2004.

#3-DD Approved and authorized the Chairman to execute the Title III E - Family Caregiver Program 2004 Home Based Respite Care A+ Healthcare Contract beginning January 1, 2004, and ending December 31, 2004 for respite services not to exceed \$10,975.

#3-EE Approved and authorized the Chairman to execute the Title III E - Family Caregiver Program 2004 Facility Based Respite Care Contract with Mariner Healthcare of Inverness to provide a maximum of 2 episodes of 24 hour in patient facility based respite services not to exceed \$230 from January 1, 2004, through December 31, 2004.

#3-FF Approved and authorized the Chairman to execute the Title III E - Family Caregiver Program 2004 Home Based Respite Care Interim Healthcare Contract with Interim Healthcare of North Central Florida for respite services not to exceed \$19,142.50 beginning January 1, 2004, and ending December 31, 2004.

#3-GG Approved and authorized the Chairman to execute the Florida Department of State Division of Library and Information Services Records Disposition Compliance Statement and Records Management Liaison Officer Designation Form Fiscal Year End 2003 acknowledging compliance with Florida Statutes regarding records disposal.

#3-HH Approved and authorized the Chairman to execute the Schools and Libraries Universal Service Description of Services Requested and Certification Forms 470 and 471 enabling Library Services to apply for discounts totaling \$41,548.25 on telecommunications services for the 2004-2005 funding year.

#3-II Authorized staff to negotiate and purchase a Permanent Utility Easement for the US-19 Infill Wastewater Project located in Block 24, Homosassa from William S. Krysher, Trustee, with an opinion of value not to exceed \$22,740.80, and transfer of funds from the Utility Fund, which upon finalization of the final public hearing would be reimbursed from the assessment district.

#3-JJ Approved and authorized the Chairman to execute the Delinquency Prevention Grant Application to the State of Florida Department of Juvenile Justice for the benefit of the Citrus County Teen Court Program.

#3-KK Adopted Administrative Regulation 12.03.01-3, Rules and Regulations on Use of the Chassahowitzka River Campground and Recreational Area.

#3-LL Approved and authorized the Chairman to execute the Mediated Settlement Agreement with New England Pastry and Deli for the CR-491 Road Improvement Project.

#3-MM Rescinded the Board's previous approval on January 13, 2004, by the Road Maintenance Division, and awarded the repair of storm-damaged roads to Pave Rite, Inc., as submitted and accepted by FEMA not to exceed their reimbursement amount.

#3-NN Approved the inclusion of two City of Inverness landscape enhancement projects in the County Local Agency Program with the following ranking:

1. City of Inverness - scenic landscape
2. City of Inverness - Withlacoochee State Trail improvements
3. CR-486 - landscaping 75 foot wide median
4. CR-486 - eleven foot wide pedestrian/bicycle trail
5. SR-44 - landscape two DRA's
6. Yulee Drive and Fishbowl Drive - bike paths

#3-OO Approved and authorized the Chairman to execute a Lease with the Chassahowitzka Volunteer Fire Department, Inc., for a term of five years at \$1 per year for a 1990 GMC utilized as an incident command vehicle, squad 11.

#3-QQ Set a Goal Setting Workshop for Friday, February 20, 2004, at 9:00 A.M. at Fort Island Trail Park, 12073 West Fort Island Trail, in Crystal River.

#3-RR Approved a 90-day temporary Certificate of Public Convenience and Necessity (COPCN) to Aeromed-Tampa General Hospital while they complete the necessary steps to obtain a renewal COPCN, as allowed by Citrus County Ordinance.

#3-SS Approved and authorized the Chairman to execute a letter authorizing Kenneth E. Saunders, Jr., to withdraw participation in the DROP Program and remain in the Florida Retirement System.

#3-TT Approved the following Bid Committee Report: **(1)** Bid No. 029-04, ASD, canoe trail installation awarded to Worth Contracting at \$28,835 as the lowest bidder, and authorized the Chairman to execute the contract documents; **(2)** Bid No. 047-04, HSD, home repairs, awarded RHB 2002-034 at the base bid plus alternate #2 for a total of \$14,924.88 to Heath Restoration Contractor, Inc., as the lowest bidder; **(3)** Bid No. 064-03, UD, sludge hauling, renewed the current bid with A-Able Septic and Sewer Services, Inc., under the same terms and conditions listed in the bid documents; and **(4)** Bid No. 069-04, UD, variable frequency drives, renewed the current bid with Miller Bearings, Inc., under the same terms and conditions listed in the bid documents. (1:23 P.M.)

#3-PP ATTORNEY/CLIENT SESSION

Commissioner Phillips explained that correspondence had been received from citizens requesting that this item be pulled. She stated that the recommended action was only to set an attorney/client session for the Board, and that she would support staff's recommendation.

Mr. Battista stated that the attorney/client session was authorized by the Open Meetings Law, when there was an active case or litigation to be discussed. He added that those persons permitted to attend the meeting would be the members of the Board, himself, Ms. Slingerland, Mr. Wesch, and a court reporter, who would make a verbatim transcript of those proceedings. He advised that the Board would not be allowed to make a final decision during those proceedings; however, if the Board's guidance resulted in some sort of action, a public hearing would be advertised under his agenda, and the public would be allowed to comment.

Commissioner Phillips stated that she did not intend to discuss the merits of this case, and that she only wanted the public to know when the attorney/client session would be held.

The Chairman advised that this was standard procedure for this type of matter, that during this attorney/client session the Board would meet with staff to make a decision that was best for the taxpayers of the County without the plaintiffs knowing what they were discussing, and that he also would not discuss the merits of this matter today.

Motion by Commissioner Wooten, seconded by Commissioner Phillips, to set an attorney/client session of the Board on February 10, 2004, at 9:00 A.M. in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness to discuss litigation styled EDWARD G. GERRITS, individually and as president of GERRITS-CITRUS, INC. and SEAN M. GERRITS, individually and as president of SMG, INC., Plaintiffs/Defendants, vs. CITRUS COUNTY, a political subdivision of the State of Florida, Defendant/Plaintiff, Case No.: 2002-CA-2533.

Mr. Harvey stated that he had 186 petitions signed by concerned citizens, and he proceeded to read the petition form into the record, when Commissioner Fowler called for a point of order because Mr. Morris was not addressing the motion.

Mr. Morris confirmed for the Chairman that the petitions were not to object to the Board setting an attorney/client session, and the Chairman stated that Mr. Morris could present them to the Board for review (filed with the Clerk's agenda).

Mr. Battista reiterated that the Board would give staff guidance at the attorney/client session and any decisions made from that guidance would come before the Board in a regular public scheduled meeting.

Commissioner Phillips reiterated that the only attendants at the attorney/client session would be the Commissioners, Mr. Battista, Mr. Wesch, Ms. Slingerland, and a representative of Joy Hayes, a court reporter. She added that the court reporter would prepare a verbatim of the attorney/client session, which would be sealed until a decision was made on the issue and then released as a public document.

The Chairman addressed Mr. Harvey's concerns by stating that the Board would determine, at the attorney/client session, if the legal council and the information they received were sufficient. He suggested that Mr. Harvey write a letter to the Chairman discussing his grievances. Mr. Harvey stated that he had tried to keep informed on this matter and was not told about this approach until he read it under the Consent Agenda.

Mr. Battista asked Mr. Harvey to contact him to discuss the issues that he raised today.

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

(1:34 P.M.)

The Chairman recessed the meeting and reconvened at 1:44 P.M.

#2-B ***BEVERLY HILLS EMERGENCY NETWORK (BHEN)***

Jane Fricano introduced the members of the BHEN Committee (Committee) that were in the audience and explained how the BHEN was started. Bill Dowell and Doug Vollmer gave a slide presentation to show that the BHEN was a hometown group that would respond immediately to help people in their community in an emergency and to prepare for the County resources, as they were able to get into the area. Mr. Dowell stated that the BHEN would help people in the community to get to know one another, one another's needs, and to be prepared to help one another in a disaster. He added that the Committee intended to set up a confidential database with information about people in the community that needed special care and people who could respond to special situations. He advised that materials; i.e., water, bandages, chainsaw, and a portable generator to be used during a power loss, would be gathered and kept at an off site storage unit. He explained that the Committee hoped to extend the network idea to other communities, clubs, and organizations, which would set up similar facilities.

The Commissioners thanked the BHEN Committee for their time and efforts, and stated that they hoped other communities would become involved.

Dick Schnably thanked the Board for their support and stated that D.A.B. Constructors, Inc. had just donated a generator to the BHEN. (2:06 P.M.)

#2-C **OCCUPATIONAL LICENSE ORDINANCE**

Tax Collector Janice Warren requested that the Board appoint an Equity Study Commission to review the existing Occupational License Ordinance, consider changes as outlined in the draft ordinance, seek public input and review, and then make a recommendation to the Board. She hoped to streamline the application process for new businesses and to make the process more efficient for the administration and enforcement. She explained that the recommended occupational license structure was intended to be revenue neutral.

Commissioner Phillips advised that the last time an Equity Study Commission was developed was in 1995, and the Occupational License Ordinance went from very simple with a flat fee for everyone to the current Occupational License Ordinance with many different classifications.

Mrs. Warren stated that there were over 200 classifications currently and that she would like to reduce that to five classifications. She explained that the current classifications would be grouped together with those that pay like fees into five simple classifications with a revenue neutral effect on the business community.

Motion by Commissioner Phillips, seconded by Commissioner Fowler, to direct staff to review the proposed Occupational License Ordinance and to proceed with developing an Equity Study Commission.

Mr. Smallridge, representing the Realtor's Association, the Chamber of Commerce, and the Builders Association, asked the Board to delay this item until the memberships could gather more information about this proposal.

The Chairman explained that this motion would only set up the Equity Study Commission and that there would be ample time for public input. He added that there was a copy of the proposed ordinance in the backup material and that the proposal would streamline the process. Mr. Wesch explained that staff's first step in this process was to get direction from the Board to proceed with developing a new Equity Study Commission, which would consist of certain types of business professionals in the County.

Mrs. Warren stated that she would be available to address the community and help them to understand the proposal.

The Chairman called a question on the motion and the motion carried unanimously. (2:13 P.M.)

#2-D **TOURIST DEVELOPMENT PLAN (PLAN)**

Mr. Battista explained that the purpose of this hearing was to adopt an annual ordinance for the Plan. He proceeded to explain the amendments to the ordinance; i.e.,

changes in the fiscal year from 2001-2002 to 2003-2004, that the Plan was in force until the next annual Plan was adopted, and that in the interim the Board could amend the Plan by a super majority vote of a resolution adopted at a regular scheduled meeting.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to execute an ordinance amending Chapter 94, Citrus County Code, amending Article III, Section 94-141 thereof to provide for the County Tourist Development Plan; by amending the FY 2003-2004 Tourist Tax Fund; by providing for severability; by providing for inclusion in the Code; and by providing an effective date. ORDINANCE NO. 2004-A02 (2:16 P.M.)

#2-E **PROCLAMATION - "LIBRARY APPRECIATION MONTH"**

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized all Commissioners to execute a proclamation declaring February 2004 as "Library Appreciation Month". (2:18 P.M.)

Commissioner Bartell left the meeting.

#2-F **AA-03-24, MITCHESON**

Director of Development Services Gary Maidhof advised that the following application was quasi judicial, and Ms. Slingerland polled the Board for ex parte communications. All Commissioners replied that they had no previous communications regarding this item.

Margaret Beake, AIA, AICP, Senior Planner, Community Development Division (CDD), gave the following staff report:

| | |
|---|---|
| Application Number/Name: | AA-03-24, James and Kelly Jo Mitcheson |
| Land Use: | From Low Density Residential District (LDR) to LDR* (allowing mobile homes) |
| Property Data: | Tract B of MSP-03-02, accepted February 5, 2003, in Section 28, Township 19 South, Range 18 East. Approximately 5 acres |
| Staff/Planning and Development Review Board (PDRB) Recommendation: | Denial/Approval |
| Proposed Project: | Intended to be developed with a single-family mobile home |
| Public Hearing: | February 10, 2004 |

Mrs. Beake explained that since this application was initially reviewed and given the recommendation of approval, staff had reversed their recommendation to denial, due

to the abutting lots not allowing for mobile homes, and that approval of the application would be incompatible with the surrounding pattern of development.

Mrs. Beake replied to Commissioner Phillips' question by stating that the public who appeared at the PDRB hearing were the applicants and adjacent property owners who were in support of the amendment.

Mr. Mitcheson stated that the property was given to him and his wife by his parents. He explained that the adjacent lots did not allow for mobile homes; however, mobile homes were on the property as non-conforming, and that immediately across the road was a mobile home community. He added that his mobile home would be located approximately 700 feet off the highway and would be surrounded by cedar trees. He replied to Commissioner Phillips' question by stating that the lot immediately to the south of his property had a non-conforming mobile home, to the east was the national forest, and two lots to the north of the property had mobile homes.

The Chairman opened the public workshop and asked if anyone wished to speak in favor or opposed. With no public comment, the Chairman closed the public portion of the public workshop. (2:22 P.M.)

Commissioner Bartell returned to the meeting.

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

#6-A **BROWN SCHOOL PROPERTY**

Mr. Wesch stated that staff was directed to proceed with two state certified appraisals for the purchase of the Brown School, and preliminary appraisal reports had been received from the counties two selected appraisers. He requested authorization to commence negotiation for acquisition and purchase of the Brown School property and to set a March 9, 2004, public hearing for acquiring and executing the Brown School contract should negotiations be successful.

Motion by Commissioner Fowler, seconded by Commissioner Phillips, to authorize staff to proceed with negotiations for the purchase of the Brown School property and to schedule a public hearing on March 9, 2004, at 3:00 P.M. at the Citrus County Courthouse, 110 North Apopka Avenue, Inverness for the purpose of considering the approval of the contract.

Commissioner Batchelor stated that this was a great opportunity to do something for the veterans; however, he was concerned with moving ahead on the purchase of the Brown School without the Veterans Administration (VA) approval. He suggested placing a contingency in the contract so that it would be voided without the VA commitment.

Commissioner Phillips stated that she had no problem with Commissioner Batchelor's suggestion and asked if the motion maker would amend his motion to add that the contract would be contingent upon receiving a commitment from the VA for the use of the facility.

Commissioner Fowler stated that he understood that the motion was to authorize staff to proceed with negotiations and that the issue would be brought back to the Board before a contract was formulated. Mr. Wesch stated that staff's request was for authorization to commence negotiations, and he understood the Board's concern with having a commitment from the VA and would make that commitment a negotiating point.

Commissioner Bartell agreed with putting a contingency clause in the contract, and stated that as long as staff understood and made the contingency clause part of the negotiations he would be comfortable with moving forward.

Commissioner Phillips explained that the expanded veterans clinic and the assisted living facility were the possibilities for the property. She added that the VA had a very specific process that they had to go through in order to site such a facility. She advised that once all the properties reported to them as possible sites were evaluated they would choose and negotiate a lease for the expanded veterans clinic. She mentioned that the VA would have to go through another evaluation process to see if the facility would meet their needs for an assisted living facility. She stated that the expanded veterans clinic was funded and operated by the Federal Veterans Administration, and that the assisted living facility would be funded by the federal, state, and local governments. She also stated that due to the uncertainty of the VA citing the veterans clinic at this facility, she believed that the contingency clause needed to be made part of the negotiations in fairness to the seller.

Amended motion by Commissioner Fowler, seconded by Commissioner Phillips, to authorize staff to proceed with negotiations for the purchase of the Brown School property making the contract for purchase contingent upon receiving a commitment from the Veterans Administration for the use of the facility, and to schedule a public hearing on March 9, 2004, at 3:00 P.M. at the Citrus County Courthouse, 110 North Apopka Avenue, Inverness for the purpose of considering the approval of the contract.

President of Korean War VA Chapter 192 Ken Heisner thanked the Board for the support received on the placement of the monument at the Historic Courthouse and the hard work that had been done to try to acquire the Brown School site.

Veterans Service Office J. J. Kenney expressed concern about seeking clarification from the VA as to whether or not the County could bid on a veterans clinic if they did not own the building. Commissioner Phillips stated that she had been unable to get clarification on that issue, and that the Board could move forward because negotiations would be contingent upon the commitment of the VA.

Morris Harvey, representing American Merchant Marine Veterans, Ocala Chapter, stated that he had been reporting the status of this project to the members and wanted the Board to know that there were people outside the County who supported this.

Mr. Gudis spoke in favor of the motion and stated that this was a way to speed up the process and serve many people who deserved assistance.

Lenny Kaplan stated that it was great to see the process moving forward and that the veterans needed the services now.

Commissioner Phillips reiterated that she tried to get clarification on the ownership issue, and that Mr. Battista stated the contract would be binding with contingencies. She added that if the VA did not find this satisfactory, she would ask Mr. Wesch to schedule the issue on the next agenda.

Joyce Valentino agreed that the ownership of the building needed to be clarified and the VA needed to make a commitment to the County.

The Chairman called a question on the motion and the motion carried unanimously. (2:48 P.M.)

The Chairman recessed the meeting and reconvened at 3:02 P.M.

#2-G ***PDO-03-05, WALLACE FOR PRIME FOREST PARTNERS***

Mr. Maidhof advised that the following applications were quasi judicial and Ms. Slingerland polled the Board for ex parte communications on Applications PDO-03-05 and CPA/AA-04-05. All Commissioners replied that they had no previous communications regarding those items.

Susan Farnsworth, Planner, CDD, presented the following staff report:

| | |
|-----------------------------------|--|
| Application Number/Name: | PDO-03-05, Donald Q. Wallace, Jr., for Prime Forest Partners |
| Property Data: | Amendment to a previously approved Planned Development Overlay (PDO), amending Lots 412, 413, 414, and 415, of Parcel 22300, Forest View Mobile Home Estates, in Section 4, Township 19 South, Range 17 East |
| Staff/PDRB Recommendation: | Approval with eight conditions listed in the backup material |
| Proposed Project: | Intended to be a recreational facility, consisting of tennis courts, swimming pool, bocce court, and a restroom/changing room facility. Approximately 0.45 acre of a 105-acre development |
| Public Hearing: | February 10, 2004 |

She stated that the original application was for five lots and at the applicant's request was reduced to four lots, with the fifth lot used for a residential unit to be used by guests. She added that staff received a few phone calls requesting information and that no negative input from the public was received.

Mr. Wallace distributed a photo of the proposed project (filed with the Clerk's agenda). He stated that Forest View Estates was a retirement community, that the expansion would allow for a pool, tennis court, and a bocce court, that existing facilities

during season were crowded, and that the residents within the community were very excited about the project.

He replied to Commissioner Phillips' question by stating that there were two new homes on the abutting properties, and the owners understood that the facility was going to be located at this site.

The Chairman opened the public workshop and asked if anyone wished to speak in favor, then opposed. With no public comment, the Chairman closed the public portion of the public workshop. (3:07 P.M.)

#2-H **2004 SMALL SCALE CYCLE #1 AMENDMENTS**
CPA/AA-04-05, HAAG FOR BEVILLE

Mrs. Beake gave the following staff report:

| | |
|-----------------------------------|--|
| Application Number/Name: | CPA/AA-04-05, Daniel Haag for David A. Beville |
| Land Use: | Land Development Code (LDC) Atlas and Generalized Future Land Use Map (GFLUM): Redesignation from Professional Services/Office District (PSO) to General Commercial District (GNC) |
| Property Data: | Parcel 43322 in Section 04, Township 19 South, Range 18 East. Approximately 1.73 acres |
| Staff/PDRB Recommendation: | Approval |
| Proposed Project: | Intended to be developed with a contractor's office with an outdoor storage |
| Public Hearing: | February 10, 2004 |

She advised that the outdoor storage would not be allowed in a PSO district, that cross access with the abutting lot along SR-44 would be required by the LDC and the Comprehensive Plan for arterial and major collector roadways, and access through the subject property to the lots to the north would be required because of an existing deeded easement, which was called South Pine Pasture Point. She reported that the proposed land use would be more compatible with surrounding land uses.

Wayne Walker, Crystal Engineering, showed a drawing of the proposed project. He explained that the applicant planned to leave a heavy buffer between his site and the parcel designated Medium Density Residential (MDR), and the appropriate buffers between his site and the PSO site. He stated that the applicant would provide the access to the parcels that were immediately behind the proposed site.

The Chairman opened the public workshop and asked if anyone wished to speak in favor or opposed. With no public comment, the Chairman closed the public portion of the public workshop. (3:12 P.M.)

#2-I **ROAD IMPROVEMENT ASSESSMENT BONDS, SERIES 2004**

Mr. Wesch explained that this item was concerning the Private Road Construction and Perpetual Maintenance Program (Program). He requested Board

approval and adoption of the resolutions so that they could be attached to the complaint that would be filed to validate the bond issue and the Program.

Motion by Commissioner Fowler, seconded by Commissioner Wooten, to adopt and authorize the Chairman to execute (1) a resolution ratifying and confirming creation of the East River Road and East Stokes Ferry Road Municipal Service Benefit Unit, (2) a resolution ratifying and confirming creation of the Suburban Acres Municipal Service Benefit Unit, (3) a resolution ratifying and confirming creation of the High Ridge Estates Municipal Service Benefit Unit, and (4) a resolution authorizing the issuance by Citrus County of not exceeding \$946,000 in aggregate principal amount of road improvement assessment bonds, Series 2004 in order to finance the cost of constructing certain road improvements in the East River Road and Stokes Ferry Road Municipal Service Benefit Unit, the Suburban Acres Municipal Service Benefits Unit, and the High Ridge Estates Municipal Service Benefit Unit.

RESOLUTION NOS. 2003-026 THROUGH 2003-029, RESPECTIVELY

Commissioner Phillips stated that this action did not approve the resolutions or the financing for this Program, that it only allowed the resolutions to be a part of the complaint, which would be sent to the court system.

Mr. Wesch advised that no funds would be encumbered by the Board's actions today, and that if the courts validated the Program the Board would have final approval.

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

#6-B **CONSTRUCTION CONTRACT WITH D.A.B. CONSTRUCTORS, INC. (DAB)**

Mr. Wesch requested Board approval to award the CR-486 Road Improvement Project to DAB, and explained the procedures that were followed during this bid process. He informed the Board that due to circumstances that occurred after the opening of the bid, staff requested outside counsel (Pennington Moore Wilkinson Bell & Dunbar, P.A.) to review the bid from Advance Construction Services, Inc. (ACS). He reported that the recommendation from outside counsel stated that the requested revision to the bid from ACS could not be accepted and that their bid should be considered non-responsive.

He advised that staff received a letter today from ACS (filed with the Clerk's agenda) indicating that ACS took issue with the County's actions and requested relief; e.g., rescind the recommendation to award the bid to DAB and re-bid the project, or reimburse ACS \$30,000 for the additional insurance costs incurred based on County representation. He stated that since alternative remedies had been sought by ACS, staff would continue to recommend the bid be awarded to DAB, request authorization for staff to negotiate a resolution regarding the insurance with ACS, and report the results of that negotiation to the Board.

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board (1) approved and authorized the

Chairman to execute the construction contract at \$19,696,438.78 with D.A.B. Constructors, Inc., for the County Road 486 Road Improvement Project, contingent upon receipt of the necessary payment and performance bonds, (2) authorized staff to issue a Notice of Award to D.A.B. Constructors, Inc., and (3) authorized staff to negotiate with Advanced Construction Services, Inc., for the additional insurance purchased.

William Bachschmidt thanked the Board for their actions today, recommended that staff review the bidding process, and suggested only allowing pre-qualified contractors to bid. (3:24 P.M.)

#7- **COMMISSIONER JOSH WOOTEN, CHAIRMAN**

#7-A **TOURIST DEVELOPMENT COUNCIL**

Commissioner Batchelor nominated Starla Hayes to fill a position for an owner or operator of a motel, hotel, recreational vehicle park, or other tourist accommodation in Citrus County, on the Tourist Development Council for a term that would expire on July 31, 2005.

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board ceased nominations. (3:25 P.M.)

#8- **COMMISSIONER VICKI PHILLIPS, FIRST VICE-CHAIRMAN**

#8-A **ESTABLISHMENT OF THE CITRUS SPRINGS TASK FORCE**

Commissioner Phillips recommended that a task force be established to assist the County in finding a fair and equitable funding source for the community center and other projects that were ongoing in Citrus Springs, due to the recent court case styled Donnelly vs. Marion County. She asked the citizens within Citrus Springs that wished to serve on the task force to supply a letter and resume as soon as possible so that appointments could be made by February 24, 2004.

Motion by Commissioner Phillips, seconded by Commissioner Fowler, to establish the Citrus Springs Task Force for the purpose of assisting the Board in finding a fair and equitable funding source for the Citrus Springs Community Center and projects within that community.

Commissioner Phillips explained to Commissioner Batchelor that the task force would be asked to complete one specific task and then the task force would be disbanded.

Commissioner Bartell stated that he supported Commissioner Phillips' recommendation to establish the task force. He suggested that the Board request the Legislative Delegation to review the statutes that the courts depended upon to rule against Marion County and to see if the statutes could be amended to allow for the operations of community centers to be funded with a municipal service benefit unit (MSBU). He added that he believed the Florida Association of Counties, the League of Cities, and the public would support the amendment to the statute, and that the amendment would eliminate the problem in the County as well as other counties in the state.

Discussion ensued regarding establishing the task force as well as contacting the Legislative Delegation, possible lawsuits in this matter, needing the task force in place due to the time constraints of the budget process, getting the Citrus Springs community involved in the solution, etc.

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

Directive: Staff to research the possibility of an amendment to the statute regarding the funding of community centers with a municipal service benefit unit, then agenda the item for the next meeting for discussion and further direction. Suggestion was made to call the General Council of the Florida Association of Counties, Ginger Delegal, for her opinion in this matter. (3:41 P.M.)

#12- **COUNTY ATTORNEY'S REPORT**

#12-A **FINANCING - COUNTY ROAD 486 ROAD IMPROVEMENT PROJECT (2004)**

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to execute a resolution authorizing and approving the borrowing of \$1,700,000 from Capital City Bank to finance the County Road 486 Improvement Project (2004); the pledging of revenues derived from the first cent of a local option gas tax established pursuant to Section 336.025, Florida Statutes, for the payment of the Certificate of Obligation; determining that a negotiated sale of the Certificate of Obligation is 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; designating the Certificate of Obligation as a "Qualified Tax-Exempt Obligation"; and providing an effective date.

RESOLUTION NO. 2004-030 (3:43 P.M.)

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

#14-A **AGENDA ITEMS**

The Chairman addressed Commissioner Phillips' concerns about the Consent Agenda items by stating that he now called Item #2-A "Open to the Public" prior to any item on the agenda so that the public's questions or comments could be addressed. He added that he had asked staff to place items with large capital expenditures under the County Administrator's agenda and suggested that any major legal issues be placed under the County Attorney's agenda.

#14-B **JUVENILE JUSTICE BUDGET SHIFTS**

Commissioner Phillips replied to the Chairman's questions regarding the juvenile justice budget shifts by stating that staff was drafting a resolution that would be on the next agenda for discussion and adoption.

#14-C **GERRIT'S INCINERATOR**

Mr. Harvey stated that on July 23, 2001, he represented the SIN (Stop Incinerator Now) Committee, on the illegal citing of a disposal facility that incorporated an air curtain incinerator in north Citrus County. He added that the SIN Committee had complained that

the infraction of the code was being handled as if it were minor and affected no one. He referred to a statement that Mr. Wesch made at the July 23, 2001, meeting, that staff was in the process of making changes so there would be different levels of severity in which those code enforcement violations would be handled. He advised the Board that he had not seen anything that indicated this had been accomplished and he asked for a report on this subject.

He remarked that SMG and Gerrits Citrus had been manipulating the County since the beginning, and that they had exposed neighbors to health hazards, fumes, odors, and sound levels, which had disturbed their lives. He complained that there had been no forceful action by the County to correct this matter and requested that the Board consider outside council.

Sharlene Rubin, Martha Futscher, and Joyce Valentino made comments regarding the environmental hazards to the surrounding property owners, the need for a second opinion from outside council, the continued code violations by the applicant, etc.

Mr. Battista stated that the case was actually discussed in July 2002, and further explained that during the hearing there were a number of motions brought before the judge by the Gerrits, which were all defeated due to the legal efforts of Ms. Slingerland. He added that the County's motion for an injunction was also defeated due to the existing Florida Department of Environmental Protection permit. He advised that recently the County prevailed at the Fifth District Court of Appeals on an appeal by the Gerrits. He commented that the case had active and that all of this information would be discussed at the attorney/client session on February 10, 2004. (4:03 P.M.)

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

#2-J **D-03-02, ROCK CRUSHER ROAD DEVELOPMENT OF REGIONAL IMPACT (DRI)**

Mr. Maidhof advised that the following application was quasi judicial and Ms. Slingerland polled the Board for ex parte communications. All Commissioners replied that they had no previous communications regarding this item.

Jenette Collins, AICP, Principal Planner, CDD presented the following staff report:

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|-----------------------------------|---|
| Application Number/Name: | D-03-02, Gerald A. Figurski, P.A. on behalf of Gulf Highway Land Corporation/Henry Dingus, Jr., for Rock Crusher Road DRI, Notice of Proposed Change (NOPC) |
| Property Data: | Sections 06, 07, and 18, Township 19 South, Range 18 East, and Sections 12, 13, and 26, Township 19 South, Range 17 East, more specifically described as Rock Crusher Road DRI. 1,505 acres |
| Staff/PDRB Recommendation: | Approval |

She explained that the applicant was making three requests: **(1)** to extend build-out dates and the overall development order expiration date, **(2)** a change of timing of payment for developer's pro rata share of the cost of signalization at certain named intersections as listed in the resolution, and **(3)** a correction to the actual acreage from 1,497 acres to 1,505 acres. She requested that the written report and presentation from the public workshop be made a part of the public record.

She replied to Commissioner Phillips' question by stating that the correct build-out date was March 31, 2006, not March 31, 2011.

Mr. Figurski requested Board approval and thanked staff for doing a great job and assisting them on this project.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to execute a resolution amending the Development Order for Rock Crusher Road.

RESOLUTION NO. 2004-031 (5:03 P.M.)

There being no other business to come before the Board, the Chairman adjourned the meeting. (5:04 P.M.)

ATTEST: _____, Clerk _____, Chairman