


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 Wooten led in the Invocation and the Pledge of Allegiance to the U.S. Flag.


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

(Clerk's note: there were audio problems throughout the meeting.)


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

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

 Nancy Dunwoodie, representing the Florida Alliance for Lien Law Reform, read a prepared speech regarding the lien law issue. She stated that Senate Bill 2458 and House Bill 1719 being proposed by our state legislators were steps in the right direction; however, she believed more needed to be done on this issue. She asked the Board to petition the legislators to strengthen the lien laws to ensure that residents would not continue to be victims of incompetent builders, increase the financial requirements related to the licensing of contractors, and increase the actions taken to investigate and/or suspend a contractor's license.

 Anthony Tomasello expressed concern regarding the possible extension of the Crystal River Airport runway and passed out a document indicating this extension. He stated that staff had assured him that there were no plans to extend the runway; however, he was still concerned that the document indicated different. He added that in 1991 a previous Board had made a commitment that there would be no further extension to that airport runway.

Mr. Wesch stated that there were no plans to extend the runway beyond what was already constructed. He reviewed the document that Mr. Tomasello distributed and explained that the document showed a protection zone and was not meant to indicate a runway extension. He advised that he would put that information in writing and affirm that to both the Board and Mr. Tomasello.

 Dave Conant congratulated the staff responsible for getting the Bonner Lee removed from Kings Bay. He talked about the traffic backup at the landfill on Saturdays and Mondays and suggested policing that area by the sheriff's office during those days. He felt that once people were ticketed for illegal disposal of trash the problem would go away. He added that he was also in support of additional code enforcement staff.

(I-522/1:21 P.M.)

#3- **CONSENT AGENDA**

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board pulled Items #3-M and #3-II (Funding for

the Homosassa Wastewater Phase 3 Project) and approved the balance of the Consent Agenda, as follows:

#3-A Approved the minutes of the special meeting (Attorney/Client Session) and the regular meeting held on March 25, 2003.

#3-B Approved the following warrants: Payroll registers dated 04/02/03 at \$445,443.93 and dated 04/03/03 at \$30,961.21. Accounts Payable register dated 04/08/03 at \$2,550,343.18.

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

RESOLUTION NO. 2003-069

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE AQUATIC SERVICES BUDGET FOR FISCAL YEAR 2002/2003

WHEREAS, on March 11, 2003 the Citrus County Board of County Commissioners executed a Derelict Vessel Removal Grant Agreement with the Florida Fish and Wildlife Conservation Commission; and

WHEREAS, the Florida Fish and Wildlife Conservation Commission subsequently executed the agreement providing funds to remove a derelict vessel; 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 2002/2003; 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, in regular session on the 8th day of April 2003, 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.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	150-334-399A	FFWCC Grant	\$102,000
<u>Expenditures</u>	150-6304-53400	Other Contractual Services	\$102,000

RESOLUTION NO. 2003-070

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE SHERIFF'S OFFICE GENERAL OPERATING BUDGET FOR FISCAL YEAR 2002/2003

WHEREAS, on March 12, 2003 the Citrus County Sheriff issued debt; and

WHEREAS, these debt proceeds will be used to purchase vehicles; 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 2002/2003; 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, in regular session on the 8th day of April 2003, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	001-384-000	Debt Proceeds	\$375,989
<u>Expenditures</u>	001-3101-56000	Capital Outlay	\$375,989

RESOLUTION NO. 2003-071

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE PARKS SPECIAL PROGRAMS BUDGET FOR FISCAL YEAR 2002/2003

WHEREAS, the Parks and Recreation Section will be collecting additional funds from new teams and leagues that have formed; and

WHEREAS, these funds will be used for the additional umpires that will be necessary as a result of the additional teams and leagues; 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 2002/2003; 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, in regular session on the 8th day of April 2003, as follows:

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

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	104-347-210	Recreation Fees - Exempt	\$12,320
<u>Expenditures</u>	104-6104-53400	Other Contractual Services	\$12,320

#3-D Approved the following budget transfers: **SYSTEMS MGMT:** \$425 from #001-2150-56400 to #-55120 and \$400 from #-54612 to #-54604. **P&R:** \$14,362 from #639-2839-56300 with \$8,334 to #-54610 and \$6,028 to #-56400. **SSD:** \$420 from #001-2991-53480 to #-54100, \$3,108 from #176-5350-51200 to #-51306, and \$1,000 from #-51200 to #-56200. **ED:** \$15,000 from #102-4104-51200 to #-51306. **HOMOSASSA WW PHASE II:** \$19,678 from #363-5771-53100 to #-56300.

#3-E Approved and authorized the Chairman to sign Satisfactions of Judgment for Tammy Joanne Bennett, Case No. 02-00382-MM; Larry Wayne Bryant, Case No. 02-01399-MM; Edie Jacqueline Beynon, Case No. 02-03288-TC; James Ray Cline, Case No. 02-02004-MM; Johnny L. Edge III, Case No. 02-02999-I; Linda D. Gillum, Case No. 02-02194-MM; Michael J. Fullenkamp, Case No. 02-01974-MM; Carla Hernandez, Case No. 02-03374-MM; Derrick Thomas Herrick, Case No. 02-02029-MM; Joseph Anthony Kapp, Case No. 02-03150-MM; William Tracy Kuna, Case No. 01-03597-TC; Christina Ann Leedy, Case No. 01-03393-TC; Robert Michon, Case No. 02-03193-TC; Christina Louise Motes, Case No. 02-01087-MM; Terry B. Proctor, Case No. 02-00495-MM; Julee Reale, Case No. 01-02596-MM; William Rizzo, Case No. 01-00646-MM; Larry Gene Roberts, Case No. 02-00120-TC; Frederick J. Shahid, Case No. 02-03357-MM; Carl Bryant Taylor Jr., Case No. 02-02028-TC; Ryan Varner, Case No. 01-00563-MM; Shawn Michael Weigant, Case No. 02-01664-MM; Thomas Whittamore, Case No. 00-01292-MM; David H. Morris, Case No. 02-00060-TC; and Clinton Daniel Geiger, Case No. 02-03287-MM.

#3-F Approved and authorized the Chairman to sign Connection Charge Installment Lien Agreements for Richard H. Kirschner, and Lester W. and Regina Anderson.

#3-G Approved and authorized the Chairman to sign a Release of Lien for special assessments: Resolution No. 2001-149, No. 2001-186, and No. 2001-229 for Charles E. and Betty J. Name, AK# 1087953.

#3-H Approved the following wire transfers: **HERITAGE CONSULTANTS, INC.** \$12,356.30 dated 03/04/03, and \$10,028.61 dated 03/19/03. **PGCS:** \$6,682.87 dated 02/28/03, \$5,475.35 dated 03/07/03, \$7,222.09 dated 03/14/03, and \$7,535.73 dated 03/21/03. **BANK OF AMERICA:** \$25,486.82 dated 03/19/03. **NATURE COAST TITLE:** \$5,211.30 dated 03/14/03. **AMERICAN TITLE:** \$15,135.47 dated 03/18/03, and \$14,167.99 dated 03/27/03.

#3-I Approved bond debt service payments due May 1, 2003, and authorized the Chairman and the Clerk to sign letters authorizing wire transfers by Mercantile Bank (Citrus Bank) to SunTrust Bank Central Florida for Capital Improvement Revenue Bonds,

Series 2001A at \$95,891.25, and SunTrust Bank Central Florida for Capital Improvement Revenue Bonds, Series 2001B at \$144,007.50.

#3-J Approved staff's request to negotiate an agreement with the Homosassa Special Water District for supply of public drinking water to the Chassahowitzka area.

#3-K Appointed Thomas Larson to fill a Consumer position on the Construction Licensing and Appeals Board for a term that would expire on February 1, 2006.

#3-L Approved and authorized the Chairman to sign the Benefit Services Management Agreement with Heritage Consultants Inc., to provide administration services for the County's self-funded dental program, effective November 1, 2002, through September 30, 2005.

#3-N Approved and authorized the Chairman to sign the Host Agency Agreement with Experience Works to provide work opportunities for older individuals within the Animal Control Division.

#3-O Approved and authorized the Chairman to sign Waste Disposal Account Agreements with **1)** Citrus Hills Investment Properties, establishing a charge agreement for monthly disposal fees at the Central landfill, up to \$500, **2)** Pave-Rite, Inc., establishing a charge agreement for monthly disposal fees at the Central Landfill, up to \$400, and **3)** Wheeler Construction, Inc., establishing a charge agreement for monthly disposal fees at the Central Landfill, up to \$200.

#3-P **1)** Approved and authorized the Chairman to sign a Waste Disposal Account Agreement with Onyx Waste Services of Florida, Inc., establishing a monthly charge agreement for disposal fees up to \$120,000, **2)** approved the transfer of the original Landfill Payment Bond No. ESD5296756 dated 02/01/99 and attached Riders, **3)** accepted the Rider amending the bond amount from \$200,000 to \$120,000, and **4)** approved the termination of the Waste Disposal Account Agreement dated 08/14/01 at \$200,000.

#3-Q Approved establishing additional cash bag change funds at \$50 each for the Solid Waste Management Division with Claire Smith and Cathleen J. Winter assigned as the custodians.

#3-R Authorized the Fire Services Division to submit an application electronically for the FY 03 Fire Act Grant Program in order to purchase airpaks.

#3-S Waived the \$101.15 Citrus County Auditorium rental fee for the Floral City Lions Club 50th anniversary dinner to be held on April 25, 2003.

#3-T Approved and authorized the Chairman to sign the State of Florida Department of Transportation Public Transportation Joint Participation Agreement, Financial Project No. 40306319401, Contract No. AN-354, at \$100,000 to fund the Inverness Airport Runway marking/sealing.

#3-U→X Approved and authorized the Chairman to sign Host Agency Agreements with Experience Works to provide work opportunities for older individuals and others within the Coastal Region Library, Central Ridge Library, Library Services Division, and Lakes Region Library.

#3-Y Approved revisions to the 2002-2003 Citrus County Health Department's Annual Contract to reflect a decrease in state funding at \$463, a decrease in federal funding at \$590, and a decrease in the Immunization Program at \$248.

#3-Z **1)** Accepted a General Warranty Deed from Lesley A. and Lucille E. Thomas for Lot 95, Pleasure Acres, for a future lift station site, and **2)** directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-AA **1)** Accepted a General Warranty Deed from James T. and Adeline June Atkinson, for Lots 1, 2, 3, 4, 9,10,11 and the north 15 feet of Lot 12, Block 9, together with the south half of vacated Palmetto Street, Floral City Investment Company's Addition, which would provide future parking for the Floral City Community Center, Fire Station, and Masonic Building, and **2)** directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-BB **1)** Approved and authorized the Chairman to sign the Community Care for the Elderly 2003-2004 contract application with Mid-Florida Area Agency on Aging (MFAAA), and **2)** adopted and authorized the Chairman to sign a resolution authorizing the contract for funding with the Department of Elder Affairs through the MFAAA, effective July 1, 2003, through June 30, 2004. **RESOLUTION NO. 2003-072**

#3-CC **1)** Approved the County's Premium Conversion Plan Document Amendment regarding the use and disclosure of protected health information of the participants enrolled in the County's Health Plan, a requirement of the Health Insurance Portability and Accountability Act, and **2)** approved and authorized the Chairman to sign the Certification to Group Health Plan, HMO or Health Insurance Issuer, which verified that the Plan documents were amended to include the uses and disclosures of protected health information.

#3-DD **1)** Approved and authorized the Chairman to sign Business Associate Agreements with Preferred Governmental Claims Solutions and Gallagher Benefits Services, and **2)** approved and authorized the Chairman or Vice-Chairman to sign additional Business Associate Agreements upon receipt.

#3-EE Approved and authorized the Chairman to sign **1)** the Medifax-EDISM Inc. Business Associate Agreement, and **2)** a Data Sharing Agreement with the State of Florida, Agency for Health Care Administration. **3)** Approved and authorized the Chairman or Vice-Chairman to sign additional Business Associate Agreements upon receipt.

#3-FF Approved settlement of a worker's compensation claim at \$205,000 inclusive plus costs of \$795.16 for George Martinez.

#3-GG Approved and authorized the Chairman to sign an Indemnity Agreement with the Beverly Hills Development Corporation to utilize the right-of-way of North Forest Ridge Boulevard for access and loading of excess fill from an adjacent lot at Hollow Ridge.

#3-HH Approved and authorized the Chairman to sign the First Amendment Services Agreement with James A. Neal, Jr., P.A., for the provision of legal services for foreclosing selected code enforcement liens or for seeking money judgments on such liens at a cost of \$1,250 per case.

#3-JJ This item was pulled for a future agenda. (**Clerk's note:** Administrative staff pulled this item before the Board meeting.)

#3-KK Approved and authorized the Chairman to sign a Water and/or Wastewater Developer's Agreement with the Citrus County Municipal Service Benefit Unit for Water and/or Wastewater Utility Services and Wayne A. Nowlan for the cost to extend and install a water line to his new residence on East Ireland Court in Citrus Hills, plus connection fees of \$1,443.

#3-LL Approved and authorized the Chairman to sign the Right of Entry Agreement with the Citrus County Fair Association, Inc., and the State of Florida Department of Transportation for the realignment of the intersection of US-41 and the road between the Citrus County Fairgrounds and the Inverness Airport.

#3-MM Authorized the Department of Community Services to take the appropriate steps to reflect a name change from Support Services to Community Support Services.

#3-NN Approved the following Bid Committee Report: **1)** Bid 071-03, SWM, construction of phase 2 landfill expansion, awarded to Advance Construction Services, Inc., at \$5,461,837, which included a base bid amount, contingency amount for field change orders, and the award of alternate nos. 1 through 8; **2)** Bid Waiver Request, DDS, waived bid procedures for the purchase of five YSI 600-0-02 salinity meters requested by the Southwest Florida Water Management District (SWFWMD) for the County's component of the Coastal Water Quality Cooperative Funding Grant; **3)** Bid No. 010-03, ASD, mechanical harvesting-Inverness pool, approved the termination of services with Smolensky Underwater Weed Harvesting under a no-cause termination provision in the contract with 30 days written notice, and awarded to the second lowest bidder, Texas Aquatic Harvesting, and approved and authorized the Chairman to sign an agreement for mechanical harvesting of aquatic vegetation in the Lake Tsala Apopka, Inverness Pool.

#3-M & II **FUNDING FOR THE HOMOSASSA WASTEWATER PHASE 3 PROJECT**

Mr. Wesch explained that items #3-M and #3-II were both regarding a possible funding opportunity through the United States Department of Agriculture (USDA) for the Homosassa Wastewater Phase 3 Project. He advised that staff was recently quoted a loan rate and was comfortable that they could secure a lower rate through either the State's Revolving Loan Fund or private entities. He requested that the Board not act on

those items today, and stated that a formal agenda item would be presented at the April 22, 2003, meeting. (I-582)

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

#6-A **CAPITAL IMPROVEMENT REFUNDING REVENUE LOAN SERIES 2003A**

Mr. Wesch requested that the Board authorize the refund and re-issuance of the Series 1993 Bonds with SunTrust Bank due to net present value savings of \$325,520. He also requested authorization for the Chairman and the other Board members to sign any closing documents that might be necessary.

Upon Motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board 1) awarded RFP 082-03 to SunTrust Bank at 2.95 percent for the Capital Improvement Revenue Loan Series 2003A, and 2) adopted and authorized the Chairman to sign the authorizing and award resolution for the Citrus County, Florida, Capital Improvement Refunding Revenue Bonds, Series 2003.

RESOLUTION NO. 2003-073 (I-640/1:24 P.M.)

#6-B **SENATE BILL 2458 AND HOUSE BILL 1719**

Gary Maidhof, Director of Development Services (DDS), explained that Florida's Construction Lien Law became effective in February 1989 and was established to provide consumer protection; however, recent incidents in our County had identified some flaws with enforcement of the current rule. He advised that Senator Argenziano and Representative Dean had sponsored companion bills (Senate Bill 2458 and House Bill 1719) to amend the rule and address the flaws in the system. He reviewed the construction lien law changes that were contained in the draft bills. (I-1064)

The Chairman tabled this item until later in the meeting.

#2-B **EMPLOYEE SERVICE AWARDS**

The following staff were recognized for their years of service to the County: 10 Years: Robert E. (Rob) Hensen, and Susan J. Metcalfe. (I-1140/1:38 P.M.)

#6-B **SENATE BILL 2458 AND HOUSE BILL 1719 CONTINUED**

Mr. Maidhof replied to Commissioner Bartell's question by stating that informational/educational forms could be done at the local level, however different interpretations of the law could cause legal problems. He advised that consumers could now obtain information on the Internet from the State's websites. He believed that uniformity of all the jurisdictions was important.

Commissioner Bartell advised that the State had designed an affidavit that both the contractor and homeowner had to sign before a permit was issued to build a pool, making sure that all parties were fully aware of the law. He suggested that a similar affidavit be signed before any permit was pulled to build a home. He added that he would like something to be done on a local level now if legally possible, or bring this idea to the legislators for consideration.

Commissioner Phillips agreed with Commissioner Bartell's suggestion and added that the Board needed to do everything possible to assure the consumer that they had all the information needed.

Kimberly Corbin, License Inspector, addressed Commissioner Phillips' questions by explaining that her department gave information to citizens regarding complaints against contractors, and if the contractor's license and insurance was up to date. She added that they did not discuss details of the complaints over the telephone; however, the citizen could come to the office to review them. She recommended citizens go the Clerk's office website to check for judgments or liens against the contractor.

Commissioner Phillips stated that she supported the proposed legislative changes. She asked staff to let the Board know of anything that could be done at a County level so that it could be addressed.

Motion by Commissioner Phillips, seconded by Commissioner Bartell, to approve and authorize the Chairman to sign a letter of support for the proposed changes to the Legislative Delegation regarding Senate Bill 2458 and House Bill 1719.

Mike Moberley, representing Citrus County Builders Association (Association), stated that he had met with Senator Argenziano regarding this legislation and that the house bill and senate bill had already been changed and would be going to committee tomorrow. He added that the Senator encouraged people who wanted to get involved, to make the trip to Tallahassee because there would be opportunities to speak at the committee meetings. He advised that the Association's concern was with the intent portion, which needed to be tightened up, and that there was some other language that should be added. He suggested that due to the time constraints, the Board should present their idea of the affidavit to the legislators immediately.

Bob Vicari stated that he was a victim of Artistic Home Builders and that he and his wife started the Alliance for Lien Law Reform. He added that more protection was needed for the homeowner and that he supported the motion.

Amended motion by Commissioner Phillips, seconded by Commissioner Bartell, to approve and authorize the Chairman to sign a letter of support for the proposed changes to the Legislative Delegation regarding Senate Bill 2458 and House Bill 1719 and to include the following suggestions: 1) require the signing of an affidavit by the property owner and the contractor to ensure that they understand the law before permits are issued, and 2) that the warning clause contained in the contract was bold, italic, and a large type size.

Discussion continued regarding the letter being faxed to the legislators, the County's lobbyist personally delivering the information to the legislators, sending a copy of the letter to the Florida Association of Counties, that additional revisions would be forthcoming, etc.

Commissioner Bartell replied to Mrs. Dunwoodie's concerns by stating that it was important for the Board to move forward with the endorsement of the original draft and then put faith in the legislative delegation. He stated that if the Board agreed and his schedule allowed he would drive to Tallahassee tomorrow to attend the committee meetings.

The Chairman called a question on the motion, and the motion carried unanimously. (I-2388/2:10 P.M.)

The Chairman recessed the meeting and reconvened at 2:34 P.M.

#2-C **VOLUNTEER SERVICE HOURS**

Mr. Wesch explained that this presentation was to inform the Commissioners and citizens of the County as to the value of the volunteer hours enrolled in the Nature Coast Volunteer Center, and to present them a "Money Wagon", which represented this value.

Diane Cary, Nature Coast Volunteer Center Supervisor and the Retired and Senior Volunteer Program Director, reported that 1,058 volunteers donated 183,443 hours during 2002 for a value of approximately \$2,944,260.15. She stated that with continued support from funding sources, County government, and citizen volunteers they would continue to assess and meet the needs of the County. (II-30/2:37 P.M.)

#2-D **PLAT VACATION AND ATLAS AMENDMENT FOR BLACK DIAMOND PROPERTIES, INC.**

Mr. Maidhof read the ordinance preamble into the record.

Mrs. Slingerland polled the Board for ex parte communications on Items #2-D and #2-E, and all Commissioners stated that they had no previous communications. She then administered the oath to staff, applicants, agents, and witnesses who would provide testimony. She stated that staff had received a Request To Intervene As Party In Opposition (Request) on application AA-02-16 from U. Yun and Bann Kang Ryo; however, they were not present at the workshop and were not present today. The Chairman stated that since the party was not present the Board would not recognize their Request.

#2-D.1 **PV-02-04, CLARK STILLWELL FOR BLACK DIAMOND PROPERTIES, INC.**

Joanna Coutu, AICP, Senior Planner, Community Development Division (CDD), reviewed a petition to vacate Tract D of Black Diamond Fourth Addition, and a portion of Tract D of Black Diamond Third Addition. She stated that the atlas amendment would establish a use on those tracts if they were vacated. She added that the original plat indicated those tracts as open space, landscape buffers, or signage; however, now the developer wanted to vacate those areas and allow for residential construction. She advised that the master plan for Black Diamond would not be changed as far as the overall number of units. She mentioned that she had received a fax from an abutting property owner; however, the owner was not present. She reported that the Plat Review Team (PRT) discussed the subject vacation on October 16, 2002, and recommended approval with conditions. She also stated that on December 5, 2002, the Planning Development

and Review Board (PDRB) recommended approval with conditions by a 6-0 vote. She read the conditions into the record.

#2-D.2 AA-02-16, CLARK STILLWELL FOR BLACK DIAMOND PROPERTIES, INC.

Ms. Coutu presented the following staff report:

Applicant Name/Number:	AA-02-16, Clark Stillwell for Black Diamond Properties, Inc.
Land Use:	Land Development Code Atlas (LDCA): Modification to an approved Planned Development Master Plan, amending Ordinances 2000-A02 (AA-99-15), 94-A27 (AA-94-06), 86-A53 (Z-86-43)
Property Data:	Approximately 1326.4 acres of property lying in Sections 15, 16, 21, and 22, Township 18 South, Range 18 East (Black Diamond Ranch).
Staff/PDRB Recommendation:	Approval, subject to approval of Plat Vacation PV-02-04, with conditions as outlined in the backup materials
Proposed Project:	Allow for residential use on Tract D, Black Diamond Fourth Addition, and a portion of Tract D, Black Diamond Third Addition, further described as Black Diamond Ranch.

She advised that this amendment would allow two additional areas for residential construction. She reported that during the review of the application it was noted that a condition of the original application was not met, which was to provide or escrow \$30,000 for improvements at the entrance to the project at CR-491 before the issuance of the 350th building permit. She added that one of the conditions of this application was that the applicant provided or escrowed \$30,000 for those improvements, and added that the applicant had provided the County Attorney's office with a motion to escrow that \$30,000. She read the additional conditions into the record.

Mr. Stillwell, representing Black Diamond Properties, Inc., stated that he wanted the record to reflect a complete copy of the application, the PDRB minutes and approval, the staff report, the letters that had been received to date, and incorporate by reference the workshop comments. He reviewed the project and commented that there was no increase in density and that the open space remained far below the standards of similar planned developments. He advised that he had been in contact with both parties in opposition to this amendment and explained the developer's intent. He provided a copy of page 39 of the deed restrictions and a contract for sale used by Black Diamond (filed with the Clerk's agenda) that allowed the developer the absolute right to modify the plans.

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

Upon Motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign 1) a resolution approving Plat Vacation PV-02-04, as petitioned by Clark A. Stillwell, Esquire, on behalf of Black Diamond Properties, Inc., and 2) an ordinance amending the

Citrus County Land Development Code Atlas, Ordinance No. 90-14, as described in application AA-02-16, Clark A. Stillwell, Esquire, for Black Diamond Properties, Inc.

RESOLUTION NO. 2003-074 AND ORDINANCE NO. 2003-A03 (II-405/2:50 P.M.)

#2-E **2003 SMALL SCALE CYCLE 2 AMENDMENTS**

#2-E.1 **CPA/AA-03-12, CLARK STILLWELL FOR WILLIAM J. AND LINDA BEGA**

Ian McDonald, AICP, Senior Planner, DDS, gave the following staff presentation:

Applicant Name/Number:	CPA/AA-03-12, Clark Stillwell for William J. and Linda Bega
Land Use:	Generalized Future Land Use Map (GFLUM): from Rural Residential District (RUR) to General Commercial District (GNC) LDCA: from RUR* (mobile homes allowed) to GNC with a Planned Development Overlay (PDO)
Property Data:	0.58 acres ± of a 4.6-acre ± parcel along the south side of Gulf to Lake Highway (SR-44) on Lots 190 and 191 of the Deerwood Subdivision in the SW1/4 of Section 11, Township 19S, Range 19E, east of the Withlacoochee State Forest and about a mile west of the Inverness city limits.
Staff/PDRB Recommendation	Approval with three conditions (listed in backup materials)
Proposed Project:	Future retail boat dealership and 101 mini-warehouse units
Public Hearing:	April 22, 2003

He described the surrounding existing land uses, and stated that no agency comments or public comments had been received. He stated that the applicant had previously requested a similar amendment in 2000; however, the application had been withdrawn due to concerns about access from residential streets, neighborhood compatibility, and deed restrictions. He added that those issues had since been addressed. He also stated that the PDO would ensure adequate buffering between the adjacent residential areas and the proposed commercial uses of the property, and would eliminate any access to the property from adjacent residential streets. He reported that there were no major concurrency issues, and that the proposed GNC designation at this location appeared to be consistent with the Comprehensive Plan (COMP). He read the findings of fact and conditions into the record.

Mr. Stillwell advised that the applicant had a Florida Department of Transportation Access Management Permit for this property. He reviewed the history of the previous application and explained that the neighborhood concerns were access and buffering. He advised that the new site plan prohibited access onto Buck Court, the stormwater drainage was back toward the residential area, and the buffers were larger than required by code. He added that some questions had been received from the neighbors, but generally, they had received support.

The Chairman opened the public workshop for public comment, and asked for anyone to speak in favor or in opposition. With no public comment, the Chairman closed the public workshop.

#2-E.2 CPA/AA-03-13, LEONARD R. GIORDANO FOR R & L DEVELOPMENTS

Glenn Bailey, Environmental Planner, CDD, gave the staff report as follows:

Applicant Name/Number:	CPA/AA-03-13, Leonard R. Giordano for R & L Developments
Land Use:	GFLUM: from RUR to GNC LDCA: from RUR* to GNC
Property Data:	0.67 acres ± in Section 21, Township 20S, Range 20E, Pine Lake Subdivision, Block D, Lots 1, 2, 3, and 4, located at 7729 East Pine Lake Lane in the Floral City area.
Staff/PDRB Recommendation:	Approval
Public Hearing:	April 22, 2003

He explained that the site contained a small commercial structure comprising of two separate units. He stated that the site was commercially developed at a time when commercial uses were allowed on the property, but was not carried over to GNC during the 1990 Stipulated Settlement Agreement (SSA) with the Department of Community Affairs (DCA). He advised that since the subject property had a commercial use and the site was already developed, no concurrency issues were foreseen. He stated that the proposed amendment would allow the property to be used as intended and permitted without nonconformity, and that it was consistent with the goals, objective, and policies of the COMP.

Mr. Giordano gave a brief history of the property. He explained that a church occupied the building and operated a bible bookstore. He requested approval of the amendment so that the property would meet the legal definition of its current use.

The Chairman opened the public workshop for public comment, and asked for anyone to speak in favor.

Richard Caterino spoke in favor. He said that his family did not realize there was a zoning change. He requested that the Board put the correct designation on the property.

The Chairman then asked for anyone to speak in opposition. With no further public comment, the Chairman closed the public portion of the public workshop.

(II-1059/3:09 P.M.)

#2-F AA-03-05, MICHAEL ROOKS FOR PARESH DESAI

Mrs. Slingerland polled the Board for ex parte communications. Commissioner Phillips stated that she had a telephone call on this application and that she explained that it was quasi judicial and that she could not talk about it.

Richard Hughes, Planner, CDD, presented the following staff report:

Applicant Name/Number:	AA-03-05, Michael Rooks for Parish Desai
Land Use:	Low Density Residential District (LDR) with PDO. To reinstate a previously approved, and now expired PDO.
Property Data:	Approximately 8.73 acres in Section 27, Township 19S, Range

	17E, more specifically, Parcel 31440, located at the intersection of West Spring Cove Road and West Yulee Drive (CR-490), in Homosassa.
Staff/PDRB Recommendation	PDRB: Denial Staff: Approval subject to conditions outlined in the backup materials.
Proposed Project:	84-bed Assisted Living Facility (ALF)
Public Hearing:	April 22, 2003

He explained that the proposed development was initially reviewed as an atlas amendment (AA-00-06), and approved by the Board on June 13, 2000, with a development order valid for one year. However, the development order had expired due to delay in development of the property, which according to the applicant was caused by delays in the Homosassa Sewer Extension Project, now available for use. He stated that the proposed impervious surface ratio was 24 percent, well below the allowed 35 percent. He added that the site contained 2.8 acres of wetlands, which if disturbed or otherwise impacted, mitigation would be required before the issuance of a new development order to reinstate the PDO.

Mr. Rooks submitted for the record a copy of the revised SWFWMD Environmental Resource Permit for this project, and an information only survey (filed with the Clerk’s agenda). He gave a brief history of the project and stated that they had no objections to staff’s conditions. He asked the Board to consider the following: 1) that the original project was scaled down to meet the concerns of the PDRB, 2) that the project met concurrency requirements, 3) most of the opposition at the PDRB hearings was from the Homosassa River Alliance based on the project being in a Coastal High Hazard Area (CHA), and 4) when the PDRB voted for denial, the documents were not available to convince them that there were no wetland impacts.

Mr. Rooks replied to Commissioner Phillips' questions by stating that the Environmental Study and the SWFWMD Environmental Resource Permit showed two man made ponds and that the building would not impact the wetlands. He added that SWFWMD would not issue a permit to construct a building on top of a spring.

Commissioner Bartell stated and it was confirmed that the sewer system was available for Dr. Desai to hook up to his project.

Chuck Dixon, CDD Director, replied to Commissioner Fowler's question by stating that if the applicant had been issued a building permit within one year, the PDO would have been good for another year. He added that since the building permits were not issued, the PDO expired and the applicant needed approval again.

The Chairman opened the public workshop for public comment, and asked for anyone to speak in favor.

Mr. Stillwell stated that Dr. Desai and Dr. Dixon retained him after the PDRB decision. He reported that in the 2000 ordinance there was no time constraint listed and

that the draft ordinance enclosed in the backup material was identical in that regard. He added that if there was a time constraint in 2000, it was not stated, and that Section 4 of the ordinance probably repealed that time constraint. He also questioned if the CHA objective policies and goals as stated in Chapter 4 of the COMP applied outside of the designated element. He advised that the COMP said the CHA should be applied to the lands designated in Chapter 4. He added that this property was not in the Coastal Planning Area and the application of that policy was inappropriate.

The Chairman then asked for anyone to speak in opposition.

Jim Nicoll, Linda Lee, Winston Perry, Kathleen Stonerock, Jim Bitter, Priscilla Watkins, Dan Hillen, and Ron Miller spoke in opposition stating that it was clear in the COMP that this project should not be approved in the CHA, expressed concern with the impacts to the wetlands, the aquifer, and the river, and were concerned with ALF evacuation, and the medical waste, etc. (**Clerk's note:** several documents were distributed only to the Commissioners and might not be filed with the Clerk's agenda.)

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

Mr. Maidhof replied to Commissioner Bartell's questions by stating the language regarding the one-year time frame for the PDO was in the LDC. He stated that the COMP was compiled and reviewed by different individuals and agencies; in addition, there was public input. He added that there were occasions where one portion of the COMP would support a certain objective and another portion that appeared to oppose that same objective. He suggested that an outside professional review the LDC and COMP. He added that staff could come back with specific issues; i.e., the differences between the LDC and COMP.

Mr. Dixon stated that he took the most conservative interpretation of the LDC when determining if the PDO had expired. He added that the applicant could have appealed that decision and chose not to. Mr. Maidhof concurred that the PDO had expired.

Mr. Maidhof replied to Commissioner Wooten's comment regarding the need for a public workshop on those issues by stating that if there were any specific issues on this application, staff would bring that information back at the public hearing. He suggested that the issues of the LDC/COMP could be discussed further at the end of the meeting.

Discussion continued regarding the regulation of the medical waste, the evacuation plans for an ALF in a flood zone, etc.

Directive: Staff to provide the following information for the public hearing: the evacuation plans for this project, and what legally or factually changed from the approval in June 2000 until now.

(III-2207/4:32 P.M.)

#2-I **PROCLAMATION - GIRL SCOUT GOLD AWARD**

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation commending Rebekah N. Nuzzi, a member of the Girl Scouts of Suncoast Council in Tampa, for earning the Gold Award. (III-2363/4:35 P.M.)

#2-H **PROCLAMATION - NATIONAL TELECOMMUNICATIONS WEEK**

Upon motion by Commissioner Wooten, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation proclaiming April 13 - 19, 2003, as National Telecommunications Week, and joined in honoring the men and women whose diligence and professionalism kept our citizens safe.

Sheriff Jeff Dawsy thanked Commander Robert Blume, Bureau Commander of the Sheriff's Office, other members of his staff, and former Congresswoman Karen Thurman for their assistance in the implementation of the radio communications system. He presented a check to the Board for \$750,000, which had been awarded by the federal government to help pay for the radio communications system. (III-2673/4:40 P.M.)

The Chairman recessed the meeting and reconvened at 4:55 P.M.

#2-J **BEARCAT CHEERLEADERS OF CRYSTAL RIVER MIDDLE SCHOOL**

Motion by Commissioner Wooten, seconded by Commissioner Bartell, to approve and authorize all Commissioners to sign a Certificate of Recognition to the Bearcat Cheerleading Squad of Crystal River Middle School, distinguished winners of a U.S. Cheerleading Championship trophy received at the Orange County Convention Center in Orlando, on March 1 and 2, 2003.

Irene Huff, the Bearcat Cheerleaders Coach, informed the Board that this was the first and only Citrus County School to win a National Cheerleading Championship. She added that championship rings were also awarded; however, it would cost \$1,000 to purchase 16 rings. She mentioned that she had solicited the School Board for half the cost of the rings, and she implored the Board to provide the other \$500.

Commissioner Wooten amended his motion to include that the Board would pay half the expense (\$500) for the purchase of 16 National Cheerleading Championship rings, and challenged the School Board to do the same.

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

Ms. Huff introduced the cheerleaders, who performed a cheer for the Commissioners and the audience. (III-3075/5:05 P.M.)

(Clerk's Note: Due to audio equipment failure, there was no tape recording from Item #6-C until the middle of Item #2-L.6.)

#6-C VETERANS MEDICAL CLINIC

Mr. Wesch stated that at the Board's previous meeting, a generalized discussion was held; however, no formal direction was provided to staff regarding the possible location of a Veterans Medical Clinic in Citrus County at the former Brown School (Heritage Hospital) property. He requested that the Board authorize staff to make the necessary contacts at the local level, coordinate this initiative with Congresswoman Ginny Brown-Waite, and contact the Veterans Affairs Administration (VA) for guidance. He added that if an affirmative response was received from the VA, the County could then explore the purchase of the former Brown School property.

Motion by Commissioner Bartell, seconded by Commissioner Phillips, to authorize staff to 1) contact and coordinate this initiative with Congresswoman Ginny Brown-Waite and contact the Veterans Affairs Administration, and 2) explore the purchase of the former Brown School (Heritage Hospital) property.

Mr. Wesch affirmed for Commissioner Bartell that Congresswoman Brown-Waite would be contacted first to confirm whether there was a probability for this initiative before staff engaged in negotiations to purchase the property.

Commissioner Phillips pointed out that if Congresswoman Brown-Waite responded favorably to the request, the Board should proceed forward and decide a way to fund the purchase for the proposed site.

Commissioner Wooten also requested that staff explore options for the use of a portion of the facility by other agencies.

Commissioner Phillips stated that other uses of the facility should be compatible with the Veterans Medical Clinic.

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

(5:09 P.M.)

#9- COMMISSIONER JOSH WOOTEN, SECOND VICE-CHAIRMAN

#9-A MARTIN LUTHER KING, JR. HOLIDAY

Commissioner Wooten stated that one of his suggestions at the Goal Setting Workshop was to add Martin Luther King, Jr. day to the County's list of scheduled holidays. He read a list of the number of paid holidays that were observed by neighboring counties and cities (filed with the Clerk's agenda).

Commissioner Bartell clarified that the County's Constitutional Officers observed the same holidays as the County employees, and he questioned the monetary loss if this holiday was added.

Mr. Wesch replied that the County's one-day payroll would be \$68,000, including benefits; however, that did not include the Constitutional Officers' payrolls.

Commissioner Wooten remarked that although he understood the loss of production, he felt the employees would make up that loss throughout the year.

Commissioner Batchelor commented that the County would not be out of line in comparison to the number of paid holidays in other counties.

Upon motion by Commissioner Wooten, seconded by Commissioner Fowler, the Board approved the addition of Martin Luther King, Jr. day into the County's list of scheduled holidays beginning in the year 2004. Motion Carried. Voting Aye: Commissioners' Batchelor, Fowler, Phillips, and Wooten. Voting Nay: Commissioner Bartell. (5:16 P.M.)

#2-G OA-03-01, DDS

Mr. Maidhof stated that the proposed LDC ordinance amendment addressed a number of specific concerns that had either been raised by recent case law or created inconsistency with current state health regulations. He summarized the changes as follows:

Section 1: Redefines Adult Care Facilities to be consistent with state statute.

Sections 2 - 6: Amends the platting exemption requirements to address concerns raised in the DCA's "Evergreen" decision.

Section 7: Decision of the Hearing Officer shall not be subject to further administrative or legislative action by Citrus County.

Sections 8 & 9: Revised Section 445.4 regarding ALF and the Nursing Home Facilities to restore consistency with state standards.

Sections 10-13: Standard LDC ordinance amendment inclusions.

The Chairman opened the public workshop for public comment. With no public comment, the Chairman closed the public workshop.

Mr. Maidhof stated that this amendment would be back before the Board on April 22, 2003. (5:21 P.M.)

#2-K 2002 EXEMPT CYCLE AMENDMENT, CPA-02-02, DDS

Mr. Maidhof made brief comments, and Mrs. Slingerland polled the Board for ex parte communications regarding applications CPA-02-02, CPA/AA-02-18, CPA/AA-03-01, CPA/AA-03-03, CPA/AA-03-05, and CPA/AA-03-09. Each Commissioner replied that he/she had no previous communications on those applications.

Mr. McDonald summarized the staff report as follows:

Applicant Name/Number:	CPA-02-02, DDS
Amendment:	Update Citrus County's Capital Improvement

	Element (CIE) from the 2001-2005 planning period to the current five-year planning period. Tables 12-1 through 12-6 would be updated to 2002-2006 and associated text and supporting data would be revised throughout the CIE.
Staff/ PDRB Recommendation:	Approval

He stated that the items in the five-year CIE were only those projects that needed to maintain levels of service in the COMP, and did not include all the County's projects. He also stated that the implementation in the levels of service were successful, that water lines were installed ahead of schedule, that road widening projects were well coordinated, and that staff was ready to accommodate new development.

Mr. Maidhof read the ordinance preamble into the record.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending the Citrus County Comprehensive Plan, Ordinance No. 89-04 as amended by revision to the Chapter Twelve: Capital Improvements Element, in accordance with (iaw) application CPA-02-02, DDS. ORDINANCE NO. 2003-A04

#2-L **2003 FIRST CYCLE AMENDMENTS**

#2-L.1 **CPA/AA-02-18, DDS FOR CITRUS HILLS PROPERTY OWNERS ASSOCIATION**

Mr. Maidhof explained that the following applications were for transmittal to the DCA, and Ms. Coutu gave the staff report as follows:

Applicant Name/Number:	CPA/AA-02-18, DDS for Citrus Hills Property Owners Association (POA)
Land Use:	GFLUM and LDCA: from LDR and Medium Density Residential (MDR) to Central Ridge Residential (CRR).
Property Data:	1,611 acres in a portion of Citrus Hills 1st and 2nd Additions as per Plat Book 9, Pages 76-83 and Plat Book 12, Pages 18-19.
Staff/PDRB Recommendation:	Approval

She stated that the POA wanted to restrict further subdivision of existing parcels in this area through the Minor Subdivision process. She also stated that the POA thought their deed restrictions prevented minor subdivisions and had represented that to homeowners when property was purchased; however, someone had been successful in obtaining a minor subdivision in this area.

Mr. Stillwell requested that his comments from the public workshop be incorporated by reference, and that this application be transmitted to the DCA.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board approved application CPA/AA-02-18, DDS.
 (5:28 P.M.)

#2-L.2 CPA-03-01, DDS, "OLD HOMOSASSA AREA REDEVELOPMENT PLAN" SUB-ELEMENT

Mr. Maidhof advised that this application had been postponed, and would be scheduled for the June 10 and July 8 review cycles.

#2-L.3 CPA/AA-03-01, DDS FOR TWIN LAKES

Ms. Coutu summarized the following staff report:

Applicant Name/Number:	CPA/AA-03-01, DDS for Twin Lakes
Land Use:	GFLUM: from Residential Mixed Use (RMU) to Low Intensity Coastal and Lakes (CL). LDCA: from Planned Development Residential (PDR) to CL and Coastal Lakes Residential (CLR).
Property Data:	59.9 acres. Parcels 13000, 11000-0010, 110B0-0010, and 110B0-0020 in Section 11, Township 19 South, Range 20 East, and parcels 41400, 43000, and 44100 in Section 12, Township 19 South, Range 20 East.
Staff/PDRB Recommendation:	Approval

She advised that this application was initiated by the PDRB in order to remove an expired Planned Development (PD) from the GFLUM and LDCA. She gave a brief history of the Twin Lakes (a/k/a Laguna Palms a/k/a Island Village) PD, which was originally approved for 220 units. She stated that only 32 units had been constructed, and that it was doubtful vested rights could be granted for the project. She added that different owners of property in the area had requested this amendment due to their wish to build single family residences on the individual parcels. She advised that there were three smaller out parcels that also received the PD designation, and staff was proposing a CLR designation on those parcels and the remainder would be a CL designation. She reported that the proposed amendment was consistent with the COMP.

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

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board approved application CPA/AA-03-01, DDS for Twin Lakes. (5:30 P.M.)

#2-L.4 CPA/AA-03-03, DDS FOR THE DEPARTMENT OF PUBLIC WORKS (DPW)

Ms. Coutu presented the staff report as follows:

Applicant Name/Number:	CPA/AA-03-03, DDS for DPW
Land Use:	GFLUM and LDCA: Redesignation from various designations to Transportation, Communication, Utilities (TCU) on certain parcels of land used by the DPW for storage of road materials.
Property Data:	13.6 acres on four three parcels: Property 1: Section 23, Township 19 South, Range 17 East; Homosassa Highlands Lot 1. Property 2: Section 27, Township 17 South, Range 17 East; portion of Parcel 11000. Property 3: Section 23, Township 17 South, Range 17 East, Citronelle, Lots 514, 520-524, and 532-534. Property 4: Section 23, Township 18 South, Range 17 East; A.J. Swanson's Sunshine Park, Block D; Lots 1 and 2.
Staff/PDRB Recommendation:	Approval

She explained that the original report initially had four properties, and that Property 1 had been removed at the request of the DPW. She stated that the properties contained existing Road Maintenance stockpile sites and/or facilities.

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

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board approved application CPA/AA-03-03, DDS for DPW. (5:32 P.M.)

#2-L.5 CPA/AA-03-05, DDS FOR CRYSTAL RIVER AIRPORT

Ms. Coutu gave the following staff report:

Applicant Name/Number:	CPA/AA-03-05, DDS
Land Use:	GFLUM and LDCA: Redesignation of three parcels from various designations to TCU.
Property Data:	Approximately 18 acres located near the Crystal River Airport. Area #1: Section 34, Township 18 South, Range 17 East, parcels 42410 and 42425, and Crystal View, Lot 19 Area #2: Section 34, Township 18 South, Range 17

	East, Crystal View, Lot 2, Lot 18, and a portion of Lot 1 Area #3: Section 35, Township 18 South, Range 17 East, Crystal Paradise Estates Unit 3 Unrecorded, Lot 23 and a portion of Lot 31, Crystal Paradise Estates Unit 2, Block R, Lots 11 – 13, and Block P, Lots 1 - 9, Lot 16, and a portion of Lots 10 and 17.
Staff/PDRB Recommendation:	Approval
Proposed Project:	Various uses as outlined in the Airport Master Plan

She stated that approval of this application would allow recognition of parcels that had been recently acquired by the County for airport use, in accordance with the Crystal River Airport Master Plan. She displayed a map and gave information regarding each parcel.

She advised that there was a proposed restaurant north of the airport, and that the owner thought this application would prohibit the construction of the restaurant. She stated that there were some concerns regarding air space height. She also stated that she had explained to the property owner and the developer of the restaurant that air space height was not affected by land use, and would have no influence on the airport runway.

She responded to Commissioner Bartell's question by stating that Area #1 contained the Marquee property and was removed from the application because the owner had never sold the property to the County.

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

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board approved application CPA/AA-03-05, DDS.
(5:35 P.M.)

#2-L.6 ***CPA/AA-03-09, DDS FOR INVERNESS AIRPORT***

Ms. Coutu summarized the staff report as follows:

Applicant Name/Number:	CPA/AA-03-09, DDS
Land Use:	Property 1: GFLUM and LDCA: from MDR to TCU. Property 2: GFLUM and LDCA: from LDR to Public, Semi-public, Institutional (PSI) Property 3: GFLUM: from LDR to PSI, and LDCA: from LDR* to PSI. Property 4: GFLUM: from LDR to PSI, and LDCA: from LDR* to PSI.
Property Data:	Approximately 150 acres located near the Inverness Airport. Property 1: Section 21, Township 19 South, Range 20 East, Inverness Highlands South, Block 200, Lots 128 through 135. 0.88 acres +

	<p>Property 2: Section 32, Township 19 South, Range 20 East, a portion of Parcel 11000 described as the E $\frac{3}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$. 29.17 acres +</p> <p>Property 3: Section 33, Township 19 South, Range 20 East, Parcel 43000. 40 acres +</p> <p>Property 4: Section 33, Township 19 South, Range 20 East, Parcel 31000. 80 acres +</p>
Staff/PDRB Recommendation:	Approval
Proposed Project:	Various uses as outlined in the Airport Master Plan

She stated that the proposed use for Property 1 was for a drainage retention area and an alternate access to the airport area, that Properties 2, 3, and 4 would allow airport use, as well as service and repair of motorized vehicles, including aircraft.

She reported that PSI land use was restricted and limited to government offices, aircraft repairs, schools, etc., and was not for industrial or commercial use. In addition, she stated that a large buffer was proposed along the Highlands area to reduce some of the impacts.

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

Muriel Kroneis and Mary Ann Glowacki, both living in the vicinity of the proposed area, questioned the letters they had received from the County, and were concerned that the expansion of the airport would affect their property in regard to value, noise, other businesses, etc.

Mr. Maidhof explained that the purpose of the letters was to notify property owners living within 500 feet of the proposed land use change, so that the property owners could express concerns regarding that land use change.

The Chairman stated that the extension of the runway was due to insurance requirements placed on airplanes that landed on runways less than 5,000 feet long.

Discussion ensued regarding the property values, 100-foot buffers, the capability of landing larger planes and corporate jets, the land use changing from LDR to PSI, noise levels, etc.

Mr. Maidhof suggested that Ms. Coutu make arrangements for the women to meet with the Public Works Department to discuss the concept of the Airport Master Plan.

The Chairman then asked for anyone to speak in opposition. With no further public comment, the Chairman closed the public portion of the public hearing.

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board approved application CPA/AA-03-09, DDS.

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board approved applications CPA/AA-02-18, CPA/AA-03-01, CPA/AA-03-03, CPA/AA-03-05, and CPA/AA-03-09, DDS, for transmittal to the Department of Community Affairs. (V-246/5:45 P.M.)

#7- **COMMISSIONER JIM FOWLER, CHAIRMAN**

#7-A **AFFORDABLE HOUSING ADVISORY COMMITTEE**

Commissioner Wooten nominated Willie White for an At-Large position to the vacant Residential Building Industry position for a two-year term ending April 25, 2005.

Commissioner Phillips nominated James Stanina for a Banking Representative position for another two-year term that would expire April 25, 2005.

Commissioner Bartell nominated Joe Guimmarra for a Building Trades Representative position for a two-year term ending April 25, 2005.

Commissioner Batchelor nominated David Sotrines for an At-Large position for a two-year term that would expire April 25, 2005.

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board ceased nominations. (V-279/5:48 P.M.)

#7-B **AVIATION ADVISORY BOARD**

The Chairman announced a vacancy for a Member-at-Large position on the Aviation Advisory Board that would expire September 30, 2004.

#7-C **CONSTRUCTION LICENSING AND APPEALS BOARD**

Commissioner Wooten nominated John Young to fill a Consumer position on the Construction Licensing and Appeals Board for a term that would expire February 1, 2005.

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board ceased nominations. (V-295)

#7-D **CITRUS COUNTY WATER AND WASTEWATER AUTHORITY**

Commissioner Bartell nominated Cheryl Neff Phillips as a Lay Member, and Commissioner Wooten nominated Dave Stanton as an Alternate Member with technical qualifications to the Citrus County Water and Wastewater Authority to serve nominal four-year terms beginning May 1, 2003, and expiring October 31, 2006.

Upon motion by Commissioner Batchelor, seconded by Commissioner Fowler, and carried unanimously, the Board ceased nominations. (V-331/5:50 P.M.)

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

#13-A **MASONIC BUILDING LEASE**

Motion by Commissioner Fowler, seconded by Commissioner Wooten, to approve and authorize the Chairman to sign an Addendum to the lease with the Masonic

Office Center, Inc., (successor to M/T Development Corporation) authorizing the County to remain in the Masonic Building for up to six 30 day terms after the termination date of October 1, 2003.

Mr. Battista explained to Commissioner Bartell that the current lease agreement term was through September 30, 2004; however, the addendum language provided for the 30 days written notice and holdover period before termination of the lease.

The Chairman called a question on the motion, and the motion carried unanimously. (V-380)

#13-B ***PETITION BEFORE THE DEPARTMENT OF COMMUNITY AFFAIRS***

Mr. Battista requested that the Board consider approving and authorizing the Chairman to sign a letter to Carl A. Bertoch, Esquire, stating that the Board had determined it should take no action regarding the Petition Challenging the Consistency of the Citrus County Land Development Regulation (Ordinance 2002-A10). He advised that the Board had 30 days in which to respond to Mr. Bertoch as to whether the Board would reconsider those actions taken one year ago concerning the density issue with the Mixed Use District in the LDC. He added that the result of the proposed response from the Board would probably be that Mr. Bertoch would file a letter on behalf of his clients to the DCA requesting that the DCA consider the issue.

He responded to Commissioner Bartell's question by stating that the Board's only alternative would be to try to negotiate with Mr. Bertoch and his clients within the 30-day period or extended period, if agreed upon by all parties. He added that if the negotiations were amiable to Mr. Bertoch's clients, there would be no need to proceed forward with the DCA.

In response to Commissioner Bartell's question regarding Mr. Stillwell's client who was also challenging the County, he advised that Mr. Stillwell's case was under the Bert Harris Act, was not a DCA issue, and would be discussed at a future meeting.

He explained to the Chairman that the Board was not required to respond to the Petition, but that the letter would be sent as a courtesy to Mr. Bertoch.

Mr. Maidhof clarified the communications that staff had with the DCA as follows: **1)** A letter was transmitted to the DCA reaffirming staff's desire to meet with them regarding what the DCA felt were inconsistencies between the COMP and the LDC, and to seek solutions; and **2)** correspondence through e-mail had been sent to the DCA indicating that staff felt the DCA should not serve as a mediator; however, staff would be receptive to meeting with the DCA to work through the issues. He added that staff had received no response to the e-mail as of this date.

Upon motion by Commissioner Wooten, seconded by Commissioner Fowler, and carried unanimously, the Board approved and authorized the Chairman to sign a response to the Petition Challenging the Consistency of the Citrus County Land

Development Regulation (Ordinance No. 2002-A10) with the Comprehensive Plan filed by Linda Richards, Joanne Bartell, Danny Richards, Niki Richards, Pete Peterson and Mary Peterson against Citrus County. (V-655)

#13-C **SUNCOAST PARKWAY**

Commissioner Batchelor advised the Board that he recently met with Carl Gibilaro, Project Manager of Florida's Turnpike Enterprise, and others who questioned the Board's support for the Suncoast Parkway. He stated that there appeared to be a misinterpretation from the opposition to the Suncoast Parkway after the Board sent a letter requesting that the populated areas of Sugarmill Woods, Crystal Oaks, and Pine Ridge be eliminated or avoided. He added that the legislative delegation was also concerned that the Board's support had lessened. He stated that he assured Mr. Gibilaro his position had not changed, and that he was still strongly in favor of the Suncoast Parkway going through the County.

Motion by Commissioner Batchelor, seconded by Commissioner Fowler, to send letters to Senator Nancy Argenziano, Representative Charlie Dean, Senator Mike Fasano, and Congresswoman Ginny Brown-Waite reaffirming that the Board's support for the Suncoast Parkway had not lessened, and to continue the process of the Suncoast Parkway study.

Commissioner Wooten stated that when he gave his support for the Suncoast Parkway, he thought the predetermined corridor was a logical route, and that the Board and the Department of Environmental Protection (DEP) supported it. However, now that federal funding was involved, other alternatives must be reviewed. He mentioned that he had received e-mail from Joyce Valentino, Congresswoman Brown-Waite's representative, asking for the support of the "no build option".

Commissioner Batchelor emphasized that the Board needed to show its support for the Suncoast Parkway, and should not let the opposition influence the state legislators to cease the process.

Commissioner Phillips requested that the letter also be sent to Senators Bob Graham and Bill Nelson. She stated that she had always supported and would continue to support the Suncoast Parkway because it would be needed in the future. She further stated that although she understood other alternatives must be analyzed due to the federal study, she was emphatic about the Suncoast Parkway having minimal impact on the people. She added that the state purchased environmentally sensitive areas after the decision was made to build the Suncoast Parkway, and she felt there was no reason to move the preferred corridor that was selected in the first study. She advised that in her conversations with the Turnpike Enterprise representatives she suggested using Florida Power's right of way land, which had already been environmentally impacted, would not be developed, and would not impact people. She agreed that the Board must remain unanimous in its support of the Suncoast Parkway, and remarked that the study should still go through the entire process, even though the "no build option" might be selected.

Commissioner Batchelor stated that the Turnpike Enterprise representatives clearly understood the Board's position for reviewing alternate routes rather than going through the inhabited areas. He reiterated that the Board should forward the letters specifying that the Board's support had not waned, and that the study should move forward and come to a conclusion.

Commissioner Wooten mentioned that the study was 1/3 finished.

The Chairman called a question on the motion, and the motion carried unanimously. (V-1060)

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

#14-A **SENATE BILL 1660**

Commissioner Bartell informed the Board that Senator Argenziano was supporting Senate Bill 1660 (Bill), which preempted local government from placing more restrictions or from preventing intensive industrial agriculture, such as large chicken farms. He requested that the Board either by resolution or by letter notify Senator Argenziano that the County should reserve the right to have some regulatory control over local zoning beyond the Right to Farm Act.

Commissioner Phillips added that Representative Charlie Dean co-sponsored the Bill. She was concerned not only with preempting of local government, but also that the Bill was tied to the Bert Harris Act, which meant that counties must compensate agriculture land owners if their land use designation was changed.

Other comments and concerns by the Commissioners were as follows: agriculture was a good industry for the County and second to tourism; intensive industrial farming would have adverse impacts on the citizens; the County should have regulations to limit those impacts; citizens property rights should be protected, water quality issues, etc.

Commissioner Wooten suggested that before taking official action, Mr. Maidhof contact Senator Argenziano and share the Board's ideas, information, and problems. Commissioner Bartell added that staff could also send letters to both Senator Argenziano and Representative Dean making known the Board's concerns.

Mr. Maidhof stated that he would draft a letter that would reflect the Board's concerns. The Commissioners clarified that the letter should be sent to Senator Fasano and to all co-sponsors of the Bill.

#14-B **LAND DEVELOPMENT CODE**

Commissioner Phillips stated that she attended the public workshops as a citizen when the LDC and the COMP were developed, and she did not think at that time, the LDC would be beneficial or easy to understand by the average citizen. Her opinion was that the County should have remained with zoning ordinances rather than establishing the LDC

because she thought ordinances would be easier for the public to understand. She added that the LDC needed to be revamped and made user friendly.

Commissioner Wooten agreed that the LDC should be amended and requested that a discussion be scheduled for a future meeting.

In response to Commissioner Phillips' inquiry as to whether the County could return to zoning ordinances, Mr. Wesch stated that the difference was in the philosophy; whether the Board wanted a traditional zoning code ordinance or a performance code. He advised that there was a requirement for a unified set of land development regulations. He explained that the LDC represented a performance code with certain standards in place, and if those standards were met, the landowner was entitled to use the property, as he wanted. He further explained that a zoning code ordinance created certain land use districts and specified allowable and prohibited uses. He stated that staff could develop background information outlining the pros and cons, and conduct a study on the experiences of other jurisdictions.

Commissioners' Phillips and Wooten thought it should be done, and asked that the information and study be completed as soon as possible.

Mr. Maidhof concurred with Mr. Wesch's analysis; however, he did not think returning to separate ordinances was the best option. He agreed that the performance-based concept was a major basis for many of the controversies the County encountered today.

He replied to Commissioner Bartell's question by stating that staff could request an independent view from the Regional Planning Council; however, they would expect compensation. He recommended that staff research the information as Mr. Wesch advised, explore the options, consider discussions with an outside private consultant, the Regional Planning Council, the DCA, etc., and report the information to the Board.

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

(V-1885/6:32 P.M.)

ATTEST: _____, Clerk _____, Chairman