

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
Attorney:	Robert B. Battista
Administrator:	Richard Wm. Wesch
Clerks:	Theresa Steelfox and Glenda Brown, Deputy Clerks

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

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

 Brett Wattles, Economic Development Council (EDC) Executive Director distributed a marketing brochure (filed with Clerk's agenda) regarding the benefits of the EDC, which had been sent to 31,000 households in the County.

Commissioner Wooten commended Mr. Wattles for his productive leadership and remarked that this was a great easy to read document.

 Judge Patricia Thomas asked on behalf of the Drug Court Program, for approval of a budget subsidy for the remainder of fiscal year 2002-2003 in order to continue its operation. She stated that Cathy Taylor, Director of the Office of Management and Budget, had submitted information regarding the amount needed (filed with the Clerk's Agenda).

Mr. Wesch advised that \$16,000 was the amount needed to continue the Drug Court Program through the end of this fiscal year.

Judge Richard Howard also spoke in support of the Drug Court Program, its effectiveness and success in getting people off drugs, and that it saved taxpayers' dollars.

***Motion by Commissioner Bartell, seconded by Commissioner Phillips, to approve Judge Thomas' request of \$16,037.36 for the Drug Court Program for the balance of this fiscal year.***

Commissioners' Wooten and Batchelor made brief supporting comments about the Drug Court Program.

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

Mr. Wesch answered Commissioner Bartell's question by stating that a budget transfer for this request would be presented to the Board at the next meeting.(1-215/1:10 P.M.)

#3- **CONSENT AGENDA**

***Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board pulled Item #3-O (Professional Services Contract for Impact Fee Update), Item #3-II (Building Division Staff Increase Request), and Item #3-MM (Homosassa Lions Club), and approved the balance of the Consent Agenda, as follows:***

#3-A Approved the minutes of the special meeting held on May 21, 2003 (Solid Waste Management) and the regular meeting held on May 27, 2003.

#3-B Approved the following warrants: Payroll register dated 06/10/03 at \$449,435.83 and dated 06/12/03 at \$30,309.25. Accounts Payable register dated 06/23/03 at \$1,879,825.18.

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

RESOLUTION NO. 2003-114

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, the Sheriff's Office has received funds from insurance reimbursements, vehicles sold at auction, and a donation from the National Oceanic Atmospheric Administration; and

WHEREAS, these funds will be used for capital purchases and various operating expenditures; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for Fiscal Year 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 24<sup>th</sup> day of June 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

<b><i>EXHIBIT "A"</i></b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	001-369-900	Other Miscellaneous Revenue	50,543
		Total Revenues	\$50,543

<u>Expenditures</u>	001-3101-53000	Operating Expenditures	5,950
	001-3101-56000	Capital Outlay	23,157
	001-3103-56000	Capital Outlay	21,436
		Total Expenditures	\$50,543

RESOLUTION NO. 2003-115

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE SHERIFF'S OFFICE SPECIAL REVENUE FUNDS BUDGETS FOR FISCAL YEAR 2002/2003

WHEREAS, the Citrus County Sheriff's Office is authorized by Florida Statutes to establish special revenue funds; and

WHEREAS, the Citrus County Sheriff's Office has established the following funds: Radiological Emergency Planning Fund and Intergovernmental Radio Fund; 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

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BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<b>RADIOLOGICAL EMERGENCY PLANNING</b>			
<u>Revenues</u>		Miscellaneous Revenue	\$1,795
<u>Expenditures</u>		Operating Expenditures	\$1,795
<b>INTERGOVERNMENTAL RADIO FUND</b>			
<u>Revenues</u>		Other Fines and Forfeitures	12,000
		Interfund Transfer	229,140
		Total Revenues	\$241,140
<u>Expenditures</u>		Operating Expenditures	12,000
		Capital Outlay	229,140
		Total Expenditures	\$241,140

RESOLUTION NO. 2003-116

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE SHERIFF'S OFFICE SPECIAL LAW ENFORCEMENT TRUST FUND BUDGET FOR FISCAL YEAR 2002/2003

WHEREAS, pursuant to the Florida Contraband Forfeiture Act, the Sheriff has established a Special Law Enforcement Trust Fund; and

WHEREAS, the Sheriff will use the funds collected for a contribution to the School of Criminology at Florida State University and FOCUS program booklets, awards, and medals; 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

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BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>		Contraband and Forfeiture	\$10,101
<u>Expenditures</u>		Operating Expenditures	\$10,101

RESOLUTION NO. 2003-117

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

WHEREAS, the Citrus County Court Alternatives Program has received funding from the State of Florida Department of Children and Families; and

WHEREAS, these funds may only be used for program related expenditures; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for Fiscal Year 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

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/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	040-334-999	State Non-Grant Revenue	\$15,000
<u>Expenditures</u>	040-5770-53400	Other Contractual Services	\$15,000

RESOLUTION NO. 2003-118

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, SUPPLEMENTING RESOLUTION NO. 2003-055

WHEREAS, Resolution 2001-051 and Resolution 2001-147 authorized the issuance of Capital Improvement Expansion Revenue Bonds of the Citrus County Courthouse including remodeling and renovation of the existing courthouse facility; and

WHEREAS, on March 11, 2003 the Citrus County Board of County Commissioners approved a change order to the construction contract to remodel the existing Courthouse; and

WHEREAS, additional Court Facility fines are available to fund the addition to the Courthouse and therefore, surplus bond proceeds are available to fund the Boardroom and Administrative Offices; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 24<sup>th</sup> day of June 2003, as follows:

1. The Board does hereby amend its budget to include the supplemental information for Resolution 2003-055.

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

#3-D Approved the following budget transfers: **ADMIN SERVICES/OMB:** \$1,440 from #001-2101-55275 to #-2125-55417. **BOCC:** \$800 from 001-2109-55100 to #-54160. **OMB:** \$1,600 from #001-2125-51200 to #-51306. **SSD/VETERANS SERVICES:** \$268 from #001-2991-53480 to #-54600. **BD:** \$2,000 from #066-3445-54000 to #-55417. **DPS/ACD:** \$16,000 from #001-5106-56400 with \$14,000 to #-55210 and \$2,000 to #-53400. **SSD/WELFARE ADMIN:** \$5,000 from #001-5220-247-200 to #-54903 and \$157 from #-54615 to #-54600. **SSD/RSVP:** \$1,000 from #162D-5379D-51200 to #-51306, **HSD/SHIP:** \$1,447 from #133A-5304A-51210 to #-54928, \$7,032 from #-51210, \$679 from #-52100, \$912 from #-52200, \$726 from #-52300, \$503 from #-52400, \$463 from #-54160, \$19 from #-54605, \$1,178 from #-54630, \$100 from #-54700, \$6 from #-54921, \$11 from #-55100, \$33 from #-55201, and \$13 from #-55400 to #-53400. **P&R:** \$1,223 from #104-6104-56400 to #-55275. **LSD:** \$1,352 from #131-6212-54604 with \$1,252 to #-55120 and \$100 to #-54921.

#3-E Approved the donation of the following equipment to the Citrus County School Board for continued use by the students:

<b>INVERNESS MIDDLE SCHOOL</b>	
PROPERTY #	DESCRIPTION
15049	Panasonic VHS Camcorder with attachments

CRYSTAL RIVER HIGH SCHOOL HEALTH ACADEMY	
PROPERTY #	DESCRIPTION
15578	Anti Smoking Health Display
15578A	Smoker's Roulette
15578F	Smokey Sue
15578B / B1	Biquest Inflatable Lung Kit
15578C	Death of a Lung Model
15578D	Second Hand Smoke Demonstrator
15578E	Consequences of Smoking Display
15578G	Smokey Sue for 2 w/ connection tube
LECANTO HIGH SCHOOL	
PROPERTY #	DESCRIPTION
14903	Sony DXF 50 5" Viewfinder
14904	DXC 3000 Camera
14904A	Sony Power Supply
14904B	Sony DXF-51 Viewfinder
14905	Sony DXC 3000 Video Camera
14905A	Sony Control Unit
14905B	Sony Power Supply
14905B1	ITE Dolly
14905C	50' Sony Camera Cable
14905E	Fuji Lens Extender
14906	Bogen Tripod w/Dolly
14907	1 Set Rear Lens Controls
14908	Sony Control Unit
14909	Advantage Pro 4 1/2" Mat Cutter
14910	CCP2 Processor w/ Lift
14911	Dell Computer System
14966	Quickset QMTH Tripod
14969	Panasonic SVHS VCR
14970	Canon Lo-26 Lens Control

#3-F Approved the donation of youth furniture to the Hernando Heritage Council as follows:

Property Number	Description
14034 - T/93 & T/94	Two 30" round tables
14034 - T60-67 & T/95-96	Ten youth chairs

#3-G Approved the following items for deletion from the County's fixed asset list:

OFFICE OF MANAGEMENT AND BUDGET		
Property Number	Description	Condition
12206	Lanier Copier	Not Cost Effective to Repair
PARKS & RECREATION		
Property Number	Description	Condition
11606	Spiral Slide	Unsafe
FIRE SERVICES		
Property Number	Description	Condition
11136	Cannon Copy Machine	Obsolete
12913	Ice Machine	Non-Repairable

9810	8000 lb. Winch	Non-Repairable
11230	36" MTD Riding Mower	Non-Repairable
<b>ROAD MAINTENANCE</b>		
<b>Property Number</b>	<b>Description</b>	<b>Condition</b>
06846A	School Flashing Beacon	Obsolete
7724	GE Mobile Radio	Not Repairable
11437	Tech 2000 Computer	Obsolete
14128	Suncoast Computer	Obsolete
<b>LIBRARY SERVICES</b>		
<b>Property Number</b>	<b>Description</b>	<b>Condition</b>
8640	Xerox Memorywriter Typewriter	Non-Repairable
10419	Panasonic AG 550 TV / VCR	Non-Repairable

#3-H Approved and authorized the Chairman to sign Connection Charge Installment Lien Agreements for Ann T. Aultman and Callahan Realty Trust.

#3-I Acknowledged receipt of a letter from the Citrus County Mosquito Control District dated May 30, 2003, regarding their registered office address and mailing address.

#3-J Approved and authorized the Chairman to sign the following Satisfactions of Judgment: Donald Carl Ortbring, Case No. 02-03901-TC; Victor Joseph Padilla, Case No. 02-03715-TC; George Edward Barger, Case No. 02-03177-MM; April Dawn Colavito, Case No. 02-02215-MM; Randy Dale Degear, Case No. 02-01811-MM; William Stewart Jones, Case No. 02-01872-MM; William I. Joyner, Case No. 02-00947-TC; Harold John Kettleman II, Case No. 02-02598-MM; Michael George Nadeau, Case No. 02-02925-TC; Joshua James Prestidge, Case No. 02-03348-MM; Matthew Grady Shears, Case No. 02-00516-TC; Elemberto Adrian Sosa, Case No. 02-03676-TC; Keith Michael Stallings, Case No. 02-03475-TC; Timothy Todd, Case No. 03-00995-CT; Myia Trest Tomko, Case No. 03-00360-TC; Samira M. Valle, Case No. 02-00666-TC; Linda Mae Anderson, Case No. 02-00684-TC; Alexandria Argerenon, Case No. 02-01555-MM; Christopher Allen Arnold, Case No. 02-02724-TC; James Lee Bourn, Case No. 02-02330-MM; Rita S. Broce, Case No. 02-02338-TC; Darren Jay Daniels, Case No. 03-00282-TC; Sharon Marie Devault, Case No. 03-00488-MM; Jamie R. Dutton, Case No. 03-00240-MM; Christopher G. Friar, Case No. 02-03359-TC; Amy Katherine Malek, Case No. 03-00848-CT; Devin Michael McCarthy, Case No. 03-00235-TC; Michael S. Podloski, Case No. 02-01830-MM; Gregory Owen Pringle, Case No. 02-03564-TC; David Scott Smith, Case Nos. 02-02263-TC and 02-02473-TC; Timothy Michael Smith, Case No. 03-00060-TC; Dean Spencer, Case No. 99-00562-MM; Joel M. Sturtz Jr., Case No. 02-02808-MM; Crystal Marie Thompson, Case No. 02-01943-TC; and Ron Paul Wilde, Case No. 02-03622-TC.

#3-K Set a public workshop on July 8, 2003, at 2:05 P.M. and a public hearing on July 22, 2003, at 2:45 P.M. in the Masonic Building, 3rd Floor, 111 West Main Street, Inverness to consider amendments to the Citrus County Land Development Code (LDC) Ordinance No. 90-14, Application AA-03-08, Robert L. Henigar for Sweger Development Company, LLC.

#3-L **1)** Approved and authorized the Chairman to sign a contract for funding with Mid-Florida Area Agency on Aging (MFAAA), and **2)** adopted and authorized the Chairman to

sign a resolution authorizing the contract for funding of the Medicaid Waiver Program through the Department of Elder Affairs, effective July 1, 2003 - June 30, 2004, at \$895,581.57. **RESOLUTION NO. 2003-119**

#3-M Set the following public hearings in the Masonic Building, 3rd Floor, 111 West Main Street, Inverness to consider amendments to the Citrus County Comprehensive Plan (COMP), Ordinance No. 89-04 as amended and the LDC Atlas, Ordinance No. 90-14:

2003 FIRST CYCLE AMENDMENTS TO THE GENERALIZED FUTURE LAND USE MAP (GFLUM)	
DATE/TIME	APPLICATION/APPLICANT
<b><u>Adoption Workshop:</u></b> July 22, 2003 at 2:00 P.M.	CPA/AA-02-18 (DDS) CPA/AA-03-01 (DDS) CPA/AA-03-03 (DDS)
<b><u>Adoption Hearing:</u></b> August 12, 2003 at 5:05 P.M.	CPA/AA-03-05 (DDS) CPA/AA-03-09 (DDS)

#3-N 1) Accepted a Temporary Construction Easement from Cheryl L. Newell, Executive Director of the Annie W. Johnson Senior Service Center, Inc., to correct a perpetual drainage problem located on Lots 659 and 660, Townsite of Dunnellon, and 2) directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-P Approved and authorized the Chairman to sign the Schaper Roofing Contractor's Leak Warranty, and the Duro-Last Roofing, Inc., 15-Year Warranty for the new roof installations at the Coastal Region and Lakes Region Libraries.

#3-Q Approved and authorized the Chairman to sign a two-year contract with Team Equipment, Inc., for servicing 27 units of HURST Rescue Tools (Jaws of Life) at \$375 each per year for a total of \$20,250.

#3-R Approved staff's request to negotiate and purchase Lot 138, Town of Citronelle, from Carey Hamilton at an amount not to exceed \$15,000, plus closing costs for Citronelle Park enhancement and expansion.

#3-S 1) Accepted the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida Quit Claim Deed for the US-41 Road Improvement Project FPN #2571841, Parcels 108-A and 108-B, for the purpose of clearing the title, and 2) directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-T Approved and authorized the Chairman to sign Change Order No. 1 at \$24,492.90 from Pospiech Contracting, Inc., for the Croft Road Force Main Project to provide additional sod and driveway restoration.

#3-U Approved and authorized the Chairman to sign a proposal with Professional Engineering Consultants, Inc., for construction phase services in the CR-491 Roadway-Widening Project at \$799,528.



#3-V 1) Approved a request by the Community Support Services (CSS) to apply online for \$100,751 in funding for continuation of the Retired Senior and Volunteer Program Grant, 2) approved and authorized the Chairman to sign the Certifications Regarding (A) Debarment, Suspension and Other Responsibility Matters; (B) Drug-Free Workplace Requirements; and (C) Lobbying, and Assurances - Non-Construction Programs, and 3) adopted and authorized the Chairman to sign a resolution authorizing the application and execution of a contract for funding of a National Senior Service Corps Program.

**RESOLUTION NO. 2003-120**

#3-W Approved settlement and authorized payment at \$25,000 concerning a worker's compensation claim involving Caterina Marks that occurred on February 8, 1999.

#3-X Approved and authorized the Chairman to sign the Certificate of Substantial Completion for Phase I of the Judicial Facility.

#3-Y Approved and authorized the Chairman to sign the Bell Data Systems, Inc., (BDS) Customer Agreement for the software license and maintenance on the Social Services supervisor's computer at \$1,550 for the software and \$450 for telephone support.

#3-Z 1) Approved and authorized the Chairman to sign Certifications Regarding (A) Debarment, Suspension and Other Responsibility Matters; (B) Drug-Free Workplace Requirements; and (C) Lobbying, and Assurances - Non-Construction Programs for the development of a Foster Grandparent Program in Citrus County, and 2) adopted and authorized the Chairman to sign a resolution authorizing the funding of an Americorps Vista Program with the Corporation for National Service. **RESOLUTION NO. 2003-121**

#3-AA Approved and authorized the Chairman to sign an Environmental Review Record and Environmental Certification and Request for Removal of Environmental Conditions for the CDBG-NR Grant to provide funding for the Homosassa Wastewater Collection System – Phase 4 (Chassahowitzka) and Chassahowitzka Water System Projects.

#3-BB Authorized 1) staff to sell vehicles (property numbers, descriptions, and VIN numbers filed with backup material) through Weeks Auction Co., Inc., and 2) the Clerk to release the titles.

#3-CC Approved the donation and authorized the Clerk to transfer titles on two County transit buses, property numbers 9340 and 9292 to the Sheriffs Office for use in the Sheriff's Explorer Program.

#3-DD Approved and authorized the Chairman to sign the Waiver of Accounting and Service of Petition for Discharge, and Receipt of Beneficiary and Consent to Discharge regarding the \$5,000 bequest from the Estate of George P. Moscoso to benefit homeless animals.

#3-EE 1) Adopted and authorized the Chairman to sign a resolution approving the preliminary assessment roll and reported costs for the Lake Tsala Gardens Water Special

Assessment District (2002) and setting the final hearing on July 22, 2003, at 2:30 P.M., and 2) set a public hearing on July 22, 2003, at 2:30 P.M. in the Masonic Building, 3rd floor, 111 West Main Street, Inverness on the adoption of a resolution adopting and certifying a non-ad valorem assessment roll for the Lake Tsala Gardens Water Special Assessment District (2002) pursuant to Section 197.3632, Florida Statutes, and providing an effective date.

**RESOLUTION NO. 2003-122**

#3-FF Approved the following items for the Historic Hernando School grounds: 1) expanded the current mowing Bid #006-03 with Earth Movers to include a one-time cleanup charge of \$1,727 and follow-up routine mowing and trimming at a cost of \$210 per cut for a cost of \$1,680 for the remainder of the current fiscal year, 2) approved \$1,205.54 to Pospiech Contracting, Inc., in accordance with Bid #010-02 to remove three trees located on the property, 3) approved \$8,406 for the Road Maintenance Division to repair and overlay the existing parking lot, and 4) approved the related budget transfer: **MOD:** \$13,019 from #001-247-200 to #-2670-53400.

#3-GG 1) Approved and authorized the Chairman to sign the Florida Department of Environmental Protection (FDEP) Solid Waste Tire Grant Application, and 2) approved and authorized the Chairman to sign, upon review and acceptance by the County Attorney, the Waste Tire Grant Agreement and subsequent grant reimbursement requests to the FDEP as received during fiscal year 2003 – 2004.

#3-HH 1) Approved a request by the CSS to apply for the Older Americans Act Title III E Program Mini Grant to develop a Grandparents Raising Grandchildren Program from August 1, 2003, through December 31, 2003, 2) approved and authorized the Chairman to sign the Service Provider Summary Information Page, and 3) adopted and authorized the Chairman to sign a resolution authorizing a contract for funding of aging programs with the MFAAA.

**RESOLUTION NO. 2003-123**

#3-JJ Approved the Sheriff's Office request to apply for an online Grant Application for an Internet Crimes Against Children (ICAC) Task Force, and designated Deputy Wayne King, Grant Coordinator, as the authorized representative for completion and submission of said grant.

#3-KK Approved the revision of Administrative Regulation (AR) 13.01-1 - Abandonment and Vacation of Public Lands, Plats of Record, Streets, Alleys, and Other Public Rights -of-Way.

#3-LL Authorized staff to proceed with the reclaiming and resurfacing of North Independence Highway by DAB Constructors, Inc., as part of the annual re-paving contract, and approved work under the contract to Florida Highway Products at \$200,916.34 for asphalt reclaiming.

#3-NN Approved the following Bid Committee Report: 1) Bid No. 093-03, HSD, home repairs, awarded RHB 2003-004 to Heath Restoration Contractor, Inc., at the base bid of \$10,081.09 as the lowest bidder; 2) Bid No. 103-01, UD, generator maintenance, renewed

the current bid with CK Power under the same terms and conditions listed in the bid documents; **3)** Bid No. 119-01, SWM, transportation of leachate, renewed the current bid with AAA White's Septic for fiscal year 2003-2004 under the same terms and conditions stated in the bid documents, and authorized the Chairman to sign the extension letter; **4)** Bid No. 001-03, SWM, management of waste tires, renewed the current bid with Wheelabrator Ridge Energy, Inc., under the same terms and conditions listed in the bid documents, and authorized the Chairman to sign the extension letter; **5)** Bid No. 002-03, SWM, on-site yard waste processing, negotiated the renewal agreement with Consolidated Resource Recovery and authorized the Chairman to sign the modified agreement; **6)** ITB No. 074-03, MOD, painting services, rescinded the award with Quality Colors and awarded to VIP Painting, as the next lowest bidder meeting all requirements and specifications; **7)** RFP No. 072-03, AD, boat docks and fishing pier projects, awarded to Deck Docktors, Inc., as the lowest bidder for the construction of C-39/Spruce Drive boat dock at \$13,531.26 and Turner Camp Road boat dock at \$7,236.64; **8)** RFP No. 075-03, CSD, extension services/environmental health building, awarded to RE Graham & Associates as the bidder that received three first place scores at \$78.54 per square foot; **9)** Bid Waiver Request, DPW, installation of fire hydrants, waived the bid procedures and allowed the DPW to use Coastal Underground Services Inc., as a sole source provider for fire hydrant installation for Florida Water for the installation of 13 fire hydrants at \$4,000 per hydrant for a total cost of \$52,000; **10)** Piggyback Bid Request; UD, pump station/manhole rehabilitation, allowed the UD to piggyback the City of Delray Beach's bid with Chaz Equipment Co., Inc., for the rehabilitation of pump station wetwells and manholes. (I-780/1:30 P.M.)

**#3-O PROFESSIONAL SERVICES CONTRACT FOR IMPACT FEE UPDATE**

Commissioner Phillips stated that this item was the result of the three year impact fees evaluation. She questioned why only four of the six impact fee categories were evaluated.

Mr. Wesch replied that the study for the remaining two impact fee categories (Parks and Recreation and Public Safety) were not on the same three year cycle, and would be presented to the Board next year.

***Upon motion by Commissioner Wooten, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized the Chairman to sign the agreement with Tindale-Oliver and Associates, Inc., for the Transportation Impact Fee Study, RFP No. 047-03.***

**#3-II BUILDING DIVISION STAFF INCREASE REQUEST**

Commissioner Phillips stated that this item, which was to add three additional building inspector positions, should have been under the Administrator's recommendation to the Board rather than on the Consent Agenda. She also stated that she believed the budget should be amended for positions during the budget process, not mid-year. She was concerned that due to the County's salary structure, the issue of attracting multi-licensed building inspectors had not been addressed. She felt that more review was needed to make the County's salary structure competitive and the Building Division more efficient.

The Chairman stated that he thought the Commissioners had agreed at the Goal Setting Session that building inspectors should be added due to the increased workload of the Building Division.

Commissioner Bartell stated that he was concerned about the level of service due to the increase in the number of inspections per day, and that the quality and certification of building inspections would be jeopardized. He further stated that although he understood Commissioner Phillips' concern, there were positions that needed to be filled, which would be delayed another three months if the Board waited until the budget process. He pointed out that because it was critical to retain quality in the Building Division and that the criteria in the number of permitting applications justified the need, he would support the request. He specified that the Building Division Budget fund was supported by permit fees and not by the general fund.

Commissioner Wooten agreed that the item should have been under the Administrator's agenda; however, he supported the request, and felt it would benefit the building community as well as the consumers in obtaining proper quality inspections.

Commissioner Batchelor supported the request as well, and stated that certified building inspectors were in high demand, and the County had to move forward to compete with the proper salaries, or else drive-by type inspections would occur and inspectors would leave due to the workload.

***Motion by Commissioner Batchelor, seconded by Commissioner Bartell, to adopt and authorize the Chairman to sign a resolution amending the Building Division Budget for fiscal year 2002/2003.***

Mr. Wesch responded to Commissioner Phillips' comments and questions by stating that if the motion were approved, the three new positions would be advertised. He explained that a salary survey was currently being performed through the Human Resources Department, and if the survey revealed that pay adjustments needed to be made within the Administrator's authority; those adjustments would be done to ascertain that the County remained competitive. He added that if pay adjustments were revealed that exceeded the Administrator's authority to address, those adjustments would be discussed at the budget workshop for implementation.

Commissioner Bartell pointed out that in 1999 the Board instructed staff to perform an annual salary review for the Building Division due to competitiveness.

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

**RESOLUTION NO. 2003-124**

RESOLUTION NO. 2003-124

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

WHEREAS, three additional Inspectors are necessary to keep pace with the current and anticipated level of inspections performed by the Building Division; and

WHEREAS, these new positions will allow the Building Division to maintain the quality of the inspections performed; 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 24<sup>th</sup> day of June 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

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>		Cash Carry Forward	105,471
		Total Revenues	\$105,471
<u>Expenditures</u>	066-3445-51200	Regular Salaries and Wages	21,321
	066-3445-52100	FICA Taxes	1,632
	066-3445-52200	Retirement Contributions	1,230
	066-3445-52300	Life and Health Insurance	2,514
	066-3445-52400	Worker Compensation	4,974
	066-3445-54100	Communication Services	600
	066-3445-55201	Tools, Implements, Special Clothing	2,700
	066-3445-55208	Fuel and Lubes	3,000
	066-3445-56400	Machinery and Equipment	67,500
		Total Expenditures	\$105,471

#3-MM **HOMOSASSA LIONS CLUB**

Commissioner Bartell clarified that this agreement was with the Homosassa Lions Club, not the Hernando Lions Club as stated in the recommended action on the agenda memorandum.

**Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously,** the Board approved and authorized the Chairman to sign an Agreement with the Homosassa Lions Club to provide insurance coverage for the facility, to sponsor an Experience Works member, and to allow 100 hours of usage per year by the County at no cost.

#2-B **PRESENTATION OF ENGRAVED PLAQUE TO PAULA BALLINGER**

**Upon motion by Commissioner Bartell, seconded by Commissioner Wooten, and carried unanimously,** the Chairman presented an engraved plaque to Charles Poliseno, Public Safety Director, who accepted the plaque on behalf of Paula Ballinger for 25 years of employment. (I-839/1:30 P.M.)

**The Chairman recessed the meeting and reconvened at 1:35 P.M.**

#2-C **CERTIFICATE OF APPRECIATION FOR MARILYN JORDAN**

**Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously,** the Board approved and authorized all Commissioners to sign a certificate of appreciation to Marilyn Jordan, retiring City Clerk of Inverness.

Commissioner Wooten presented the certificate to Mrs. Jordan who stated that it had been her privilege to be a public servant for the citizens of Inverness for 38 years. She expressed appreciation to the Board and commended the Commissioners and staff for their wonderful relationship with the City of Inverness. (I-982/1:40 P.M.)

#2-D **JUNE - NATIONAL HOMEOWNERSHIP MONTH**

**Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously,** the Board approved and authorized all Commissioners to sign a proclamation proclaiming June as National Homeownership Month.

The Chairman presented the proclamation to Mike Smallridge representing the Realtors Association who thanked everyone involved in assisting and promoting homeownership.

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

#6-A **CRYSTAL GLEN COMMUNITY RECREATION CENTER**

Mr. Wesch advised that the owners of Crystal Glen Development, Inc., had offered the Crystal Glen Clubhouse facilities to the County as a donation in exchange for fulfilling a development condition of the Crystal Glen Development Order for the installation of turning lanes along CR-490. He stated that based on an appraisal, the estimated value of the clubhouse and surrounding properties was \$380,000, and the cost estimate of the work to fulfil the Crystal Glen Development Order was \$92,000. He added that if the Board decided to approve this endeavor, staff had identified some countywide uses. He specified that the recreational opportunities requested in this solicitation were not part of any recreational master plan or future view of the County.

At the Chairman's request, he identified some of the countywide uses as being an open swim program; junior lifeguard training; water aerobics; youth and adult instructional classes; tennis lessons; exercise/aerobics; and sewing. He stated that there were other recreational amenities in close geographic areas, such as the Lecanto Senior Center, the Bicentennial Park, and the Whispering Pines Park. He added that staff had not identified this facility as a target to extend recreational opportunities at this time.

The Commissioners expressed the following concerns regarding the request: the facilities would become available to all citizens in the County; the reaction or resentment of the Crystal Glen community to the traffic and use of the facility by outsiders; the uncertainty in accepting clubhouses as County property within the confines of a development; it was not prudent to accept a developer's property for a subdivision as a County facility; the facility was an amenity for a particular development; it was the developer's responsibility to maintain or to make provisions for maintaining the facility; taxpayers should not pay for those types of facilities, especially for recreational purposes; operating costs and continuing expenditures; funds could be better spent on expanding County facilities; the facility should remain in private ownership; it would set a precedent; it was not a good investment for the County; the developer could negotiate with the homeowners association; the legality or the ability of a developer disposing of a particular building in a subdivision, etc.

The Chairman suggested that the Board send a letter of gratitude to the developer for the offer.

***Upon motion by Commissioner Wooten, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized the Chairman to sign a letter of gratitude to the Crystal Glen developer.*** (I-1465/1:55 P.M.)

#6-B **PROPOSED FEES FOR 2003-2004 SOLID WASTE MANAGEMENT**

Mr. Wesch advised that following the workshop on May 21, 2003; the Board directed staff to finalize the solid waste fee proposal for fiscal year 2003-2004. He summarized the proposed rates as follows:

- Residential disposal assessment at \$25 per residential dwelling
- Commercial disposal fee of \$1.20 per cubic year
- \$2 fee per visit to the landfill
- No charge for the disposal of self-haul bulky waste, fluorescent lamps and mercury-containing devices, metal appliances, tires up to five, and electronic equipment.

He stated that he thought staff had met the Board's direction concerning this issue and requested approval.

He responded to Commissioner Bartell's question by clarifying that there would not be a transaction fee for material items that were covered under the assessment prepayment.

**Motion by Commissioner Bartell, seconded by Commissioner Phillips, to 1) approve the proposed fee schedules prepared by staff for Solid Waste Management for fiscal year 2003-2004; 2) set a public hearing on July 8, 2003, at 2:40 P.M. in the Commission Room, Masonic Building, 3<sup>rd</sup> Floor, 111 West Main Street, Inverness, to consider adopting fees and assessment rates for Solid Waste Management for fiscal year 2003-2004 as proposed by staff; and 3) set a public hearing on July 22, 2003, at 1:50 P.M. in the Commission Room, Masonic Building, 3<sup>rd</sup> Floor, 111 West Main Street, Inverness, to consider adopting the residential solid waste assessment roll prepared by the Property Appraiser's Office.**

Commissioner Wooten commented that it was never easy to ask citizens for money, and he thanked the Commissioners and staff for the reforms that had been made, especially in not charging for bulky items, which should encourage people to dispose of those items properly.

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

(I-1600/1:59 P.M.)

#6-C **ECONOMIC DEVELOPMENT UTILITY EXPANSION PROGRAM**

Mr. Wesch stated that this issue was discussed by the Board previously and pertained to the Economic Development Utility Expansion Program (Program). He said that at the direction of the Board, staff had revised the Program to be viewed as a loan rather than a grant, and that the EDC had reviewed the revisions.

Commissioner Bartell stated that issues had been clarified and the Board would have the authority in granting the Program on a case by case basis, which would be in the form of a loan to be paid back into the Occupational License Tax Fund (Fund). He questioned if existing businesses in the area of expansion would benefit or be assessed for the water or sewer line extension to a new business.

Mr. Maidhof replied that the County ordinance required an existing business to connect within one year. He stated that the connection fee paid would be refunded to the Fund as an off-site improvement component. He explained that a water connection would be a benefit to an existing business, and the intent would be to establish central sewer along commercial corridors.

He answered Commissioner Phillips' question by stating that the property owner must be a signatory to the agreement, which existed between the utility, the County, the EDC, and the tenant/property owner. He added that the property owner was also a part of the grant application, and that the only recourse the County would have if the loan were not paid would be through the lien process.

Commissioner Wooten commented that all his concerns had been addressed, that the Program would give the EDC another mechanism, and that it was an achievement toward the goal of central water and sewer.



***Motion by Commissioner Wooten, seconded by Commissioner Bartell, to approve establishment of an Economic Development Utility Expansion Program.***

Mr. Maidhof clarified for Commissioner Bartell that the intent was that 100 percent of the loan would be paid back to the Fund; however, he stated if development did not occur the applicant would be responsible for 80 percent pay back.

Commissioner Batchelor commented that in the past, the Fund was used as a grant for an incentive to improve existing businesses or attract new industry in the area. He was concerned that the Program now being in the form of a loan would not offer an incentive for businesses to expand or build.

Mr. Wattles responded to his concern by stating that the EDC understood that this revised Program would not replace the existing EDC Grant Program, but would be an additional opportunity to use the Fund. Commissioner Wooten added that the EDC could present any proposal to the Board, grant or otherwise. He stated that the Program was designed to assist tenants or property owners when it was cost prohibitive to extend water or sewer lines.

Mr. Maidhof clarified that this Program was not intended to replace the existing EDC Grant Program. He pointed out that if this Program was adopted, there would be three programs available; 1) the Community Development Block Grant (CDBG), 2) the existing EDC Program that could involve various aspects, and 3) the proposed Program, which would be used strictly for utility related projects in the form of a payback program. He added that recovery would occur from existing businesses that benefit within a one-year period, and from development of additional vacant properties.

He addressed Commissioner Phillips' concerns and requests by stating that the wording on the EDC application could be changed to "grant/loan" rather than grant because the applicant was only responsible for 80 percent reimbursement. He also stated that the program would be a two-step process, approval of the project application and approval of the service agreement. He further stated that the application could be revised to require the signature of the property owner as well as the applicant.

***Amended motion by Commissioner Wooten, seconded by Commissioner Bartell, to approve establishment of an Economic Development Utility Expansion Program, and to change the wording on the Economic Development Council application from grant to "grant/loan", and to add a signatory line for the property owner.***

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

(1-2565/2:20 P.M.)

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

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

The Chairman announced a vacancy for an unexpired term for a Low Income Advocate Voucher Program participant on the Affordable Housing Advisory Council, which would expire on April 25, 2004.

#7-B **FLORAL CITY COMMUNITY SIGN**

The Chairman stated that the purpose of this request was to accept the bid with Clark Construction for the construction of a community sign at \$4,953, and to execute a stewardship agreement with the Floral City Heritage Council for installation and maintenance of the sign and associated landscaping.

Mr. Wesch answered Commissioner Wooten's question by stating that the contractor (Clark Construction) would install the sign.

Commissioner Phillips stated that although she had the highest respect for the Floral City Heritage Council and the accomplishments they had done in their community; it was difficult for her to approve the expenditure for this sign when other communities had to explore grants and donations to acquire signs.

The Chairman declared that this request was unique because it was an ingress into the County, it was on a County road, it was part of the overall Roadside Beautification Program, and it was part of the traffic calming device for historic Floral City. He stated that staff could look for other areas in the County that met the same criteria for placement of signs.

Commissioner Phillips stated that intersections in her district fit this criterion and they had paid for their own signs, and that the entrance to Citrus Springs was a road coming into the County as well. She added that it was a fairness issue, and she could not support expending dollars for this sign when it had not been done in other communities.

Commissioner Bartell commented that he had the same philosophy as Commissioner Phillips and stated that grant funds were used for a sign in Old Homosassa. He mentioned that he thought it would set a precedent, and he questioned the legality and liability issue of placing a permanent structure in a County right of way.

Mr. Battista advised that there was liability risk whenever a structure was placed in a County right of way. He stated that Risk Management could analyze the issue and advise the dollar amount for that type of liability.

***Motion by Commissioner Fowler, seconded by Commissioner Wooten, to accept the lowest bid from Clark Construction for the construction of the Floral City Heritage Council community sign at \$4,953, and 2) to approve and authorize the Chairman to sign the Stewardship Agreement with the Floral City Heritage Council of the Citrus County Historical Society, Inc., to install and maintain the Floral City community sign and associated landscaping.***

Commissioners Wooten, Fowler, and Batchelor made the following comments: this was unique request; it was not a large infrastructure expenditure as requested by some communities; Floral City deserved the expenditure; the Board should move forward with the Roadside Beautification Program by placing attractive signs at entrances to the County, and the love for the Floral City community.

**Commissioner Batchelor called a question on the motion. Motion carried.**  
**Voting Aye: Commissioners Batchelor, Fowler, and Wooten. Voting Nay:**  
**Commissioners Bartell and Phillips.** (I-3198/2:31 P.M.)

#8- **COMMISSIONER GARY BARTELL, FIRST VICE-CHAIRMAN**

#8-A **KOREAN WAR MONUMENT SITE**

Commissioner Bartell explained that this request was made by the Korean War Veterans Association (KWVA) Post 192 to place a small monument on the grounds of the Historic Courthouse in Inverness on a temporary basis following a ceremony honoring the Korean War Veterans. He stated that the City of Inverness had agreed to place the monument permanently at the future Memorial Garden.

***Motion by Commissioner Bartell, seconded by Commissioner Phillips, to approve temporary placement of the Korean War Monument on the grounds at the Courthouse Square in Inverness.***

Commissioner Bartell replied to Commissioner Batchelor's question by stating that the temporary period would be six months or until the City of Inverness had completed the Memorial Garden.

The Chairman spoke emphatically regarding his support of veterans, and his belief that a monument honoring the veterans of this County should not be moved. He stated that a portable monument diminished the dignity and reverence dedicated to the veterans.

KWVA Chapter 192 President Commander Jerry Stamberger stated that Post 192 would be happy to leave the monument on the grounds of the Courthouse Square permanently.

Commissioner Phillips withdrew her second to the motion.

***Amended motion by Commissioner Bartell, seconded by Commissioner Phillips, to approve ~~temporary~~ permanent placement of the Korean War Monument on the grounds at the Courthouse Square in Inverness.***

Commander Stamberger distributed a design of the monument (filed with the Clerk's Agenda), and stated that the Armistice was signed 50 years ago on July 27, 1953, in Korea. He reported the number of casualties in Korea from 1950 to 1953. He requested that the Board approve the permanent placement of the monument, which would also honor two local heroes of the Korean War. He announced that a dedication

ceremony would be held on July 26, 2003, at 9:00 A.M. to honor the Korean prisoners of war and the missing and killed in action.

Discussion ensued as follows: placing the monument on the Beverly Hills library grounds, which was closer to those who served in the war; advising the Historical Society about the placement of the monument on the Historic Courthouse grounds; the Historic Courthouse grounds being the appropriate place for the monument due to the long term plan of moving the monuments to a memorial garden surrounded by a gate on the lawn of the Historic Courthouse, etc.

Commissioner Wooten stated that he perceived three options for permanent placement of the monument; the Historic Courthouse grounds, the Beverly Hills library grounds, or the Inverness Memorial Park, which would not be created until after the 50<sup>th</sup> anniversary.

Herman Butler affirmed that the veterans wanted the monument placed in a proper permanent location in time for the dedication of the Armistice. He emphasized that this was part of the history of the County.

At Commissioner Wooten's request, all the Korean War Veterans in the audience voted unanimously in favor of placing the monument on the Historic Courthouse grounds.

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

(II-312/2:50 P.M.)

<p><b>The Chairman recessed the meeting and reconvened at 3:05 P.M.</b></p>
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#2-E ***SV-03-02, KEVIN JENKINS***

Joanna Coutu, AICP, Senior Planner, Community Development Division (CDD), reviewed a petition to vacate an unnamed alley lying between Lot 2, and Lots 1, 3, and 4, Block 33, Town of Homosassa. She stated that Mr. Jenkins made this request to allow open storage of boats within the alley area. She reported that the utility companies, Mosquito Control, Public Safety, Fire Services, Land Section, and Emergency Operations had reviewed the request and had no objections. She advised that the Plat Review Team (PRT) discussed the subject vacation on February 5, 2003, and had no objections, that the Planning and Development Review Board (PDRB) recommended approval on April 3, 2003, and that staff recommended approval.

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

Mr. Jenkins asked for the Board's approval.

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

sign a resolution approving Street Vacation SV-03-02, as petitioned by Kevin Jenkins.

**RESOLUTION NO. 2003-125** (II-383)

At the meeting of the Board of County Commissioners of Citrus County, Florida, held in the County Commissioners' Board Room on the third floor of the Masonic Building located at 111 West Main Street, Inverness, Florida, at 2:15 P.M. on the 24th day of June, 2003, Commissioner Bartell introduced and moved for the adoption of the following:

**RESOLUTION NO. 2003 – 125**

**WHEREAS**, a Petition was presented to the Board of County Commissioners by Kevin Jenkins, who purports to be the owner of an unnamed alley lying between Lot 2, and Lots 1, 3 and 4, Block 33, Town of Homosassa, as recorded in Plat Book 1, Page 42, public records of Citrus County, Florida (Section 32, Township 19 South, Range 17 East); and

**WHEREAS**, said Petition requested the Board to vacate, abandon and discontinue said unnamed alley lying between Lot 2, and Lots 1, 3 and 4, Block 33, Town of Homosassa, as recorded in Plat Book 1, Page 42, public records of Citrus County, Florida (Section 32, Township 19 South, Range 17 East), more fully described in Exhibit "A" which is attached hereto, and made a part hereof by reference; and

**WHEREAS**, the Board adopted a Resolution calling for a public hearing to determine the advisability of closing, vacating, abandoning and discontinuing the previously described unnamed alley, to be held in the County Commissioners' Board Room, on the third floor of the Masonic Building, 111 West Main Street, Inverness, Florida, at 2:15 P.M. on the 24th day of June, 2003; and

**WHEREAS**, Notice of such hearing was published in accordance with the law at the expense of the Petitioner; and

**WHEREAS**, a hearing has been held in accordance with such Resolution, Notice, and the law pertaining thereto; and

**WHEREAS**, this Board has determined that the unnamed alley lying between Lot 2, and Lots 1, 3 and 4, Block 33, Town of Homosassa, as previously described herein, should be closed, vacated, discontinued and abandoned, and any right of Citrus County and the public in and to any lands delineated on said recorded plat, as said portion of the street and alleyway should be renounced and disclaimed.

**IT IS, THEREFORE, RESOLVED** by the Board of County Commissioners of Citrus County, Florida, as follows:

1. That the unnamed alley lying between Lot 2, and Lots 1, 3 and 4, Block 33, Town of Homosassa, as recorded in Plat Book 1, Page 42, public records of Citrus County, Florida (Section 32, Township 19 South, Range 17 East), more fully described in Exhibit "A" which is attached hereto, and made a part hereof by reference, be and the same are hereby closed, vacated, abandoned and discontinued, and any right of Citrus County or the public in and to the same, or in and to the lands delineated on said recorded plat of the same, is hereby renounced and disclaimed.

2. That this Resolution shall be spread upon the Minutes of this Board meeting.

3. That this Resolution shall be signed by the Chairman of this Board, attested by the Clerk of this Board, and the seal of this Board shall be affixed thereto.

4. That notice of the adoption of this Resolution shall be published in a weekly newspaper authorized by law to publish legal notices in Citrus County, Florida, within thirty (30) days from this date.

5. That the proof of publication of notice of public hearing, the resolution as adopted, and the proof of publication of the notice of the adoption of such resolution shall be recorded in the deed records of the county.

6. That the Clerk of the Board is hereby directed to forward a certified copy of this Resolution to the petitioner and all abutting property owners.

Motion seconded by Commissioner Batchelor and carried for adoption by the Board on the 24th day of June 2003.

ATTEST:  
/s/ Betty Strifler  
BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA  
/s/ Jim Fowler  
JIM FOWLER, CHAIRMAN

**EXHIBIT "A"**

That part of the platted alley lying between Lot 2 and Lots 1, 3, and 4, Block 33, as per plat of Town of Homosassa, recorded in Plat Book 1, Page 6, public records of Citrus County, Florida.








#2-F OA-01-03, TREE PROTECTION STANDARDS

Mr. Maidhof read the ordinance preamble into the record, and CDD Director Chuck Dixon presented the following staff report:

<b>Applicant Name/Number:</b>	OA-01-03, DDS, Tree Protection Standards
<b>Proposed Project:</b>	Amend Ordinance No. 90-14, LDC, by providing for revisions to the tree preservation and protection standards, including mitigation, reforestation, exemptions, tree preservation site plan requirements, application requirements, a Citrus County tree guide, canopy and tree lined scenic road protection; and by providing for codification, severability, and an effective date.
<b>Staff/ PDRB Recommendation:</b>	Approval

Mr. Dixon reviewed the changes outlined in his memorandum dated June 12, 2003, (included in the backup materials). He stated that the proposed ordinance offered a better alternative for implementation of the Tree Preservation and Protection Standards than the current provisions in the LDC.

He summarized the proposed ordinance as follows:

-  It provided for very large trees (diameter breast height of 24 inches or more) in nonresidential areas.
-  It clarified that tree removal on vacant property in the regulatory flood plain was not a special circumstance and was subject to mitigation requirements, which should help to protect wetlands.
-  Agriculture and silviculture operations would be exempt.
-  Tree protection or tree planting on residential single family properties would require a minimum of two trees on a 10,000 square feet or less lot, and one tree per 3,000 square feet for lots over 10,000 square feet.
-  Two options would be available to the owner/contractor on residential single family properties; 1) submittal of a site plan for tree clearing and preservation, or 2) signing an affidavit affirming that the required trees would be maintained.
-  Standards for nonresidential properties, including multi-family projects would remain the same, one tree per 3,000 square feet or fifteen trees per acre.
-  Very large trees defined as specimen trees would have a higher value in terms of mitigation.

- ☛ Mitigation requirements would encourage preservation and effective enforcement.
- ☛ Tree protection would be encouraged when new subdivisions were designed and platted.
- ☛ Canopy and tree-lined scenic roadway provisions were expanded based on existing conditions and the need to ensure resources were not lost.
- ☛ Reforestation standards were simplified.
- ☛ Replacement trees must be at least Florida Grade #1 nursery stock and a minimum size of two inches caliber measured at six inches above grade.
- ☛ Mitigation requirements would ensure the purpose and intent of the Tree Preservation and Protection Standards; certain circumstances would require either on-site or in-kind reforestation.
- ☛ A Landscape Enhancement Fund (LEF) would be created to pay for tree planting projects for public benefit.
- ☛ If standards were not met for tree preservation or reforestation, the property owner/contractor would have the option to pay into the LEF at a rate of \$125 per required tree credit.

The Chairman opened the public portion of the public hearing and asked for anyone to speak in favor.

Attorney Clark Stillwell spoke on behalf of the Citrus County Builders Association (CCBA) and thanked the staff for the progress that had been made and for adding the fire safety footprint to the ordinance. He was concerned that the removal of trees for filling the regulatory flood plain had not been addressed, and thought the regulatory flood plain should be defined in the ordinance.

Mr. Maidhof stated that the regulatory flood plain was defined in the LDC; and that this provision of the ordinance would only apply to the filling of vacant property. He stated that language could be added for clarify; however, it was conceived that the impact on trees for residential or nonresidential properties would be addressed during the building permit process.

Another matter of interest to Mr. Stillwell was that the ordinance did not have a cap on the number of trees per acre on large parcels, for example, pastureland. He mentioned that Hernando County had a one-acre cap.

Mr. Dixon stated that if there were no trees on the property, trees would not have to be replaced, and that the intent of the ordinance was to protect the overall tree canopy, not just development, and that agriculture was exempt.

Mr. Maidhof responded to Commissioner Bartell's question by stating that the calculation for trees would be on the total acreage. He suggested that the following language be added to the requirement of one tree per 3,000 square feet of total land area: \*or direct replacement up to (number to be decided by the Board) number of trees.

After a brief discussion, Commissioner Phillips suggested that the cap be set at 35 for the number of replacement trees.

Mr. Stillwell also expressed concern with the language in the ordinance regarding the issue of new agricultural land use. He stated that in order to qualify, the property must have an agriculture ad valorem exemption. Mr. Maidhof said that was correct unless a Bonified Agriculture Best Management Practice (BMP) Plan, Forestry Management Plan, or some other legitimate professional agriculture plan was provided to demonstrate intent. Mr. Stillwell replied that people in a hobby farm business would not qualify for BMP standards or receive an agriculture classification.

Mr. Maidhof replied by stating that he thought staff had addressed the issue because most hobby farms were classified as part of a residential property and would be reviewed under residential standards. He added that on vacant property, agricultural intent would need to be proven by the applicant.

Mr. Stillwell pointed out that the builders had no objections to the intent of the ordinance; however, some of the language referring to the agricultural use within residential land use districts was problematic and needed clarification.

Mr. Maidhof suggested that the words "on vacant property" be inserted into Section 4343 Paragraph D of the ordinance, which he read as follows: "*Removal of the natural tree canopy to allow development of agricultural, silvicultural, and nursery operations within residential land use districts on vacant property will require proof of operational intent.*"

Mr. Maidhof explained to Commissioner Phillips that the regulatory flood plain was defined in the LDC as land that would be inundated by flood known to have occurred or reasonably characteristic of what could be expected to occur from overall inland or tidal waters in accumulation of runoff of surface waters from rainfall. He stated that the concern was that reforestation would be lost if trees were removed from vacant property or that the fill would kill the trees if they were left. He added that the intent was to cease filling flood plain properties until they were ready for development. He stressed that fill should be a tool of development, not a tool of marketing.

Ron Lieberman spoke in favor of the ordinance; however, he questioned if the picture of a tree barricade portrayed in the proposal was an example or a standard. He was concerned that if the tree barricade were a standard, there would be additional costs to affordable housing.

Mr. Maidhof explained that the intent was to provide long-term satisfactory protection of the tree from damage or filling during construction. He stated that staff would have the flexibility of working with the applicant on alternative methods, such as vegetation hedges, for the different situations that could occur. Mr. Dixon added that the picture was an example, and that construction materials, modifications, and dimensions could change to preserve more trees, which would give staff the ability to vary from the example.



Discussion ensued regarding the exemption of tree barricades on 10,000 square foot lots or less, providing protection of trees during construction, preservation of trees, the flexibility of choosing different materials for the tree barricades, alternative of paying into the Tree Preservation Fund, different requirements for different types of trees, educating the public about trees, etc.

Mr. Lieberman was concerned that trees would be destroyed in the future because it would cost less to pay \$125 to cut down a tree than to build a tree barricade. He agreed with Commissioner Bartell that if there were an exemption for a tree barrier on small lots, it would help with affordable housing, and there would be no discretion of staff to force an applicant to build a tree barrier.

Discussion ensued about the economic feasibility of cutting down trees on small lots rather than building tree barriers, the incentive of removing trees being counterproductive to the intent of the ordinance, etc.

Gaston Hall spoke against barricading the trees on residential properties. He suggested adding the words "*at the end of the job, trees would either be maintained or planted*" to the affidavit language in Section 4345 Paragraph E.2. He added that when tree barricades were constructed on small lots, there was no room on the site for construction, and the only option was to remove the tree.

The Chairman asked for anyone to speak in opposition.

Mr. Smallridge suggested that a better approach would be to encourage rather than force people to preserve trees. He suggested that the County offer tree coupons or vouchers to property owners, which would be provided by a landscaping nursery or the Key Training Center as part of the cost of permitting.

Mr. Maidhof stated that an AR had been adopted in regard to the Affordable Housing Tree Enhancement Program and that this proposal could be incorporated into that program; however, he thought the cap should be limited to two trees regardless of the size of the property. He advised that the Tree Enhancement Program was started with tree saplings and would not meet the Florida Grade #1 standards. He recommended that the language be amended to read "*Florida Grade #1 or trees from the Tree Enhancement Program.*"

The Chairman closed the public portion of the public hearing.

Mr. Maidhof outlined the changes to be made to the ordinance as follows:

1. General Provisions - Section 4343 A: Add language to the following sentence: Removing trees for the purpose of filling the regulatory floodplain "**on vacant property**" is not considered a special circumstance and is subject to the mitigation requirements contained herein.

2. Reforestation - Section 4350: Change the wording from shall to "**should**" in paragraph D, and revise figure 1 (depicting barricade around protected tree) to reflect that it was an **example and that the barricade dimensions may vary**.
3. Residential Development Standards - Section 4345 B: Add an asterisk and language at the end for lots over 10,000 square feet **\*or direct replacement up to 35 trees**".
4. General Provisions - Section 4343 D: Add the following language to the sentence: Removal of the natural tree canopy to allow development of agricultural, silvicultural, and nursery operations within residential land use districts **"on vacant property"**.
5. Tree Protection Standards - Section 4349 A: Modify to read as follows: "A highly visible tree protection barrier at least 36" in height shall be placed around the drip line of protected trees, **"except residential home sites, which may use plastic ribbons or other temporary marking measures."**

He added that if the Board favored Mr. Smallridge's idea, language would need to be added to the Reforestation Standards, Section 4350, Paragraph D to read as follows: *"trees from the County's Tree Enhancement Program are exempt from this requirement."* He stated that staff would negotiate with the Key Training Center regarding the voucher system, draft an AR that would implement a Tree Enhancement Program for all residential tree removal permits, and present the AR to the Board for approval within 30 days.

He addressed Commissioner Phillips' concern about the associated costs of a tree voucher program by stating that the Tree Enhancement Program was funded from a mitigation fee paid by Florida Gas, and that no ad valorem taxes had been spent to establish the program. He added that currently expenses of the Key Training Center were less than \$1,000 and were limited to the purchase of the seedlings and replacement costs of pots and soils. He added that the residential tree removal permit fee would be designed to make sure the program was self-funded.

***Motion by Commissioner Wooten, seconded by Commissioner Phillips, to adopt and authorized the Chairman to sign an ordinance of Citrus County, Florida, amending Ordinance No. 90-14, the Citrus County Land Development Code; by providing for revisions to the Tree Preservation and Protection Standards, including mitigation, reforestation, exemptions, tree preservation site plan requirements, application requirements, a Citrus County tree guide, canopy and tree lined scenic road protection; and by providing for codification, severability, and effective date in accordance with Application OA-01-03, as outlined by Mr. Maidhof.***

Mr. Maidhof answered Commissioner Batchelor's question by stating that the overall costs would be minimal, that the expense would be for non-compliance, and that the \$125 penalty for removal of trees without permit would cover the cost of code enforcement action. He advised that currently the existing staff would be sufficient; however, additional staffing would be requested in the future due to the volume of building permits. He explained that an additional code enforcement officer was proposed in this year's budget and was needed whether this ordinance was adopted or not. He stated that this would be a penalty-based system rather than an educational program, and that with this ordinance, compliance would be extremely high.

The Chairman pointed out that compliance was already extremely high, that most people loved and enjoyed trees, and that the only problem was with a few people who clear cut property. He stated that he did not think there was a tree problem in the County, and that costs versus benefits should be considered when adopting an ordinance. He remarked that this ordinance was too complicated and would serve no purpose other than making government more intrusive and more expensive.

Discussion continued regarding the minimum community standards and the simplicity of the proposed ordinance, prohibiting and eliminating clear cutting of trees, the ordinance would be enforceable and that unenforceable laws were an insult to law-abiding citizens, the County's continued growth, the expense and need for additional code enforcement staff, neighbors reporting neighbors breaking the rules, etc.

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

**ORDINANCE NO. 2003-A12** (III-456/4:38 P.M.)

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

#2-G **VOLUNTARY CATCH AND RELEASE PROGRAM FOR LARGEMOUTH BASS**

Tom Chancey, Lake Tsala Apopka Basin Recreation and Water Advisory Board (Advisory Board), gave a presentation concerning the need to implement a Voluntary Catch and Release Program for Largemouth Bass. He stated that the program would insure a larger survival rate of the 150,000 bass fingerlings that had been stocked in the lakes this past spring. He outlined the proposal as a Volunteer Catch and Release Program covering the Tsala Apopka Chain of Lakes, with a five-year duration, and a cost of approximately \$10,000 for signage, promotion, and labor. He suggested using volunteers and producing the signs in the County sign shop as cost saving ideas. He requested the Board's support for this program as well as approval to use Lake Improvement Funds. He distributed an article titled "Characteristics of Trophy Largemouth Bass Populations in Florida" (filed with the Clerk's agenda).

Jerry Krummrich, Fish and Wildlife Conservation Commission (FWCC), stated that a voluntary program would give the fish that had been stocked and those that had survived the drought a chance to create a quality fishery. He added that a voluntary program would be very beneficial because of the educational aspects of it. He indicated that there might be funds available from the FWCC through the \$1 freshwater fishing license fee, which would need approval from the FWCC and would need to be justified on the basis that it met the criteria for need and education established by the FWCC for such funding.

Discussion ensued regarding including the entire County in this program, survival rate of the 150,000 bass fingerlings, the Advisory Board reporting on the success of the program, staff working with FWCC to get data analysis on the west side of the County to see what those fisheries were doing, the Lake Improvement Funds being available for the entire County, etc.

**Motion by Commissioner Wooten, seconded by Commissioner Batchelor, to approve the implementation of a "Voluntary Catch and Release Program for Largemouth Bass" on the Tsala Apopka Chain of Lakes and authorize expenditure from the Lake Improvement Funds.**

Commissioner Phillips stated that she supported the program, and clarified that the motion was for the Tsala Apopka Chain of Lakes until analysis came back on the west side. She reiterated that the funding would also have to be approved by the FWCC.

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

(III-1252/5:19 P.M.)

#2-H **D-03-01, AVIS CRAIG FOR THE VILLAGES OF CITRUS HILLS**

Commissioner Phillips recused herself from this issue and left the meeting (Notice of Voting Conflict filed with the Clerk's Agenda).

Mr. Maidhof read the resolution preamble into the record and Mrs. Slingerland administered the oath to staff and the applicant. She then polled the Board for ex parte communications, and each Commissioner replied that they had no previous communications concerning this item.

Jenette B. Collins, AICP, Principal Planner, CDD, explained that this application was for a Notice of Proposed Change (NOPC) to the Master Development Plan for the Villages of Citrus Hills. She added that the proposal did not constitute a substantial deviation. She stated that no changes or new materials had been received since the June 10, 2003, workshop. She requested that the written report to the PDRB dated April 4, 2003, the memo to the Board dated May 2, 2003, and staff's presentation from the June 10, 2003, workshop be made a part of the public record for this application. She advised that the applicant had amended the resolution to meet the conditions of the PDRB. She added that staff was recommending approval with one condition, which was the pending receipt of Map "H".

Ms. Craig requested that her comments made at the June 10, 2003, workshop be made a part of the public record for this application and also requested that the Board follow the recommendation of staff and the PDRB.

The Chairman opened the public hearing for public comment and asked for anyone to speak in favor and 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 a resolution determining that the proposed changes to the Villages of Citrus Hills Development of Regional Impact described in detail in a Notice of Proposed Change application dated December 2002, filed on January 27, 2003, by Hampton Hills did not constitute a substantial deviation from the Development Orders approved in Resolution**

Nos. 98-19, 2000-016, 2000-063, 2000-159, 2001-151, and 2002-044, in accordance with application D-03-01. **RESOLUTION NO. 2003-126** (III-1458/5:25 P.M.)

Commissioner Phillips returned to the meeting.

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

#12-A **CONSTRUCTION VARIANCE REQUEST - SHENANDOAH PLT-03-02**

Mr. Maidhof reported that the applicant was requesting a construction variance on the required cul-de-sac length of 1,500 feet to 1,924 feet. He added that the PRT reviewed the request, that Public Safety and Engineering had no objections, and that staff recommended approval.

***Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board approved the request from the developers of Shenandoah (PLT-03-02) for a variance from the required cul-de-sac length, as contained in the Land Development Code to the requested cul-de-sac length of 1,924 feet.*** (III-1497/5:26 P.M.)

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

#14-A **CONSISTENCY OF A LAND DEVELOPMENT REGULATION**

Mr. Battista informed the Board that the Department of Community Affairs (DCA) had conducted an informal hearing and subsequently found the County's amendment to the Mixed-Use (MXU) land designation consistent with the COMP. He advised that if the petitioner did not agree with the DCA's determination they could file a petition to the Division of Administrative Hearings (DOAH) within 20 days.

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

#13-A **RESOLUTION ENDING THE STATE OF GENERAL EMERGENCY**

Mr. Battista recommended that the Board adopt a resolution ending the State of General Emergency, in order to go back to normal operation. He explained that another proclamation declaring a state of emergency could be put in place if necessary.

***Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution ending the State of General Emergency in Citrus County, Florida, declared by the Chairman of the Board of County Commissioners, pursuant to proclamation as authorized by Citrus County Ordinance No. 30-35.***

**RESOLUTION NO. 2003-127**

#13-B **LEGAL SERVICES FOR EMINENT DOMAIN PROJECT**

Mr. Battista explained that due to the time frame of the CR-491 and CR-486 Improvement Projects, his office could not adequately cover the required task in the time frame necessary for both projects to stay on schedule. He requested that the Board consider the Engagement Letter received from the law firm of Pennington Moore Wilkinson Bell & Dunbar who had offered to provide both acquisition and litigation services on the CR-486 Improvement Project.

**Motion by Commissioner Wooten, seconded by Commissioner Fowler, to approve and authorize the Chairman to sign the Engagement Letter with the law firm of Pennington Moore Wilkinson Bell & Dunbar for acquisition and litigation services on the CR-486 Improvement Project.**

Mr. Battista responded to Commissioner Bartell's question by stating that the County had obtained legal services before without going through a bid or request for proposal process. He reassured the Board that this was a competent firm, and that the rates were competitive. He also explained that there was some miscommunication between his office and the law firm's office in getting the final proposal, which caused this to be placed on the agenda as an additional item.

**The Chairman called a question on the motion, and the motion carried unanimously.** (III-2272/5:44 P.M.)

#13-C **SEMI-ANNUAL PAYMENT FOR DEBT SERVICE ON 2003 ISSUE**

Mr. Wesch explained that two banks calculated interest in different ways, which caused the wrong amount to be approved at the June 10, 2003, meeting. He requested that the Board authorize the Chairman to sign a corrected letter requesting that Mercantile Bank wire \$37,271.61 for interest payment due July 1, 2003, on the Citrus County Capital Improvement Refunding Bonds, Series 2003A.

**Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized the Chairman to sign a corrected letter requesting that Mercantile Bank wire \$37,271.61 for the interest payment due July 1, 2003, on the Citrus County Capital Improvement Refunding Bonds, Series 2003A.** (III-2319/5:45 P.M.)

There being no other business to come before the Board, the Chairman adjourned the meeting. (III-2344/ 5:46 P.M.)

ATTEST: \_\_\_\_\_, Clerk \_\_\_\_\_, Chairman