

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

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

#13-A **FALLEN HEROES OF CITRUS COUNTY, INC., MONUMENT**

Commissioner Batchelor recognized Fred Bunts, Vice-President of the Fallen Heroes of Citrus County, Inc., who made brief comments regarding a memorial and the request for it to be placed in the Bicentennial Park.

Community Services Director Brad Thorpe made brief statements concerning the monument and the proposed location for the monument in the Bicentennial Park, and Director of Public Works Ken Frink presented a short PowerPoint presentation.

Motion by Commissioner Batchelor, seconded by Commissioner Phillips, to approve and authorize the placement of the Fallen Heroes War Memorial at the Bicentennial Park.

Commissioners commented on the beautiful monument, the location being the appropriate place for the monument, being proud to have the monument in our County, how we should always honor our veterans, etc.

The Chairman called a question on the motion, and the motion carried unanimously. (Short discussion followed). (1:22 P.M.)

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

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

Chester Bradshaw distributed a package of information regarding the restoration of the Tsala Apopka Lake System (filed with the Clerk's agenda). He read a proposed resolution into the record and asked the Board to adopt the resolution to show their support for the conservation, preservation, and restoration of the Tsala Apopka Lake System. He also asked the Chairman or someone from staff to go with him to the Board of Internal Trustees, in front of Governor Bush, to explain the economical and recreational values of the lake system to Citrus County.

The Chairman stated that the Board would consider the information that he presented. (1:27 P.M.)

#2-B **"MEDIATION WEEK" PROCLAMATION**

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation proclaiming November 2 through November 8, 2003, as Mediation Week.

Director of the Citrus County Court Mediation Program Wendell Reed and Judge Mark Yerman made brief comments and introduced representatives from the Citrus Springs and Crystal River Middle Schools. (1:41 P.M.)

#2-C **ADVISORY BOARD CERTIFICATES OF APPRECIATION AWARDS**

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized all Commissioners to sign certificates of appreciation to Karen Blount (not present), former member of the Special Library District Advisory Board, Theresa Girdwain and Peter Monteleone, former members of the Water and Wastewater Authority Board, and Johnnie Mounts, former member of the Transportation Disadvantaged Coordinating Board, in recognition of their dedicated service to Citrus County and their community: (1:42 P.M.)

#2-D **ADVISORY BOARD PLAQUE AWARDS**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized the Chairman to present plaques to Jean Grant, former member of the Transportation Disadvantaged Coordinating Board, and Gregory B. Hagar, former member of the Industrial Development Authority Board, in recognition of their dedicated service to Citrus County and their community. (Carroll M. Cave, former member of the Special Library District Advisory Board was not present). (1:44 P.M.)

#3- **CONSENT AGENDA**

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board approved the Consent Agenda, as follows:

#3-A Approved the minutes of the regular meeting held on September 23, 2003.

#3-B Approved the following warrants: Payroll registers dated 10/14/03 at \$448,886.44 and dated 10/16/03 at \$30,038.28. Accounts Payable register dated 10/27/03 at \$3,777,900.57.

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

RESOLUTION NO. 2003-223

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE HEALTH INSURANCE BUDGET FOR FISCAL YEAR 2002-03

WHEREAS, the health insurance plan had more participants during the 2002-03 fiscal year than originally anticipated; and

WHEREAS, the additional revenues received need to be appropriated to cover the cost of the insurance; 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 2002-03; and

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

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

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

ADOPTED, in regular session this 28th day of October 2003, by the Citrus County Board of County Commissioners.

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
Revenues	170-341-220	Family Coverage	47,600
	170-341-240	Employers Contribution	36,500
		Total Revenues	\$84,100
Expenditures	170-8000-52300	Life and Health Insurance	84,100
		Total Expenditures	\$84,100

RESOLUTION NO. 2003-224

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE SCHOOL IMPACT FEES BUDGET FOR FISCAL YEAR 2002-03

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

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

WHEREAS, the budget needs to be amended to reflect the actual amounts paid for the fiscal year; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2002-03; 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

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues		Cash Carry Forward	182,742
		Total Revenues	\$182,742
Expenditures	611-2800-56100	Land	(283,629)
	611-2800-56200	Buildings	466,371
		Total Expenditures	\$182,742

RESOLUTION NO. 2003-225

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

WHEREAS, on June 24, 2003 through Resolution 2003-123 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act, Title III Mini Grants Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on September 25, 2003 the Mid-Florida Area Agency on Aging, Inc. signed the contract providing funds to benefit elderly residents of the county; and

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

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

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/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
Revenues	077-331-691	Title III Federal Grant	13,977
	077-389-910	In Kind Revenue	9,641

		Total Revenues	\$23,618
Expenditures	077-5789-51306	Casual Labor	4,363
	077-5789-51604	Staff – In Kind	6,510
	077-5789-52100	FICA Taxes	334
	077-5789-52199	FICA Taxes – In Kind	498
	077-5789-52299	Retirement Contributions – In Kind	484
	077-5789-52399	Life and Health Insurance – In Kind	26
	077-5789-52400	Workers Compensation	49
	077-5789-52499	Workers Compensation – In Kind	67
	077-5789-53100	Professional Services	2,034
	077-5789-53499	Program Labor – In Kind	750
	077-5789-54004	Travel – Administration	580
	077-5789-54100	Communications Services	75
	077-5789-54160	Postage	200
	077-5789-54400	Rentals and Leases	500
	077-5789-54405	Building Space – In Kind	881
	077-5789-54700	Printing and Binding	1,000
	077-5789-55100	Office Supplies	500
	077-5789-55107	Program Supplies	3,992
	077-5789-55199	Program Supplies – In Kind	350
	077-5789-55250	Miscellaneous - In Kind	425
		Total Expenditures	\$23,618

RESOLUTION NO. 2003-226

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

WHEREAS, on June 24, 2003 through Resolution 2003-120 the Citrus County Board of County Commissioners approved an application for financial assistance under the Retired and Senior Volunteer Program and a contract to provide services with the Corporation for National and Community Service; and

WHEREAS, on August 22, 2003 the Corporation for National and Community Service signed the Notice of Grant Award providing funds to benefit elderly residents of the county; and

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

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

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ATTEST:
/s/ Betty Strifler

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA
/s/ Jim Fowler

BETTY STRIFLER, CLERK

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	162E-331-690	Federal Grant	100,751
	162E-366-900	Other Contributions and Donations	1,453
	162E-381-004	County Cash Match	42,514
		Total Revenues	\$144,718
Expenditures	162E-5379E-51200	Regular Salaries and Wages	74,855
	162E-5379E-52100	FICA Taxes	5,555
	162E-5379E-52200	Retirement Contributions	7,915
	162E-5379E-52300	Life and Health Insurance	11,228
	162E-5379E-52400	Workers Compensation	1,234
	162E-5379E-54000	Travel and Per Diem	4,750
	162E-5379E-54004	Travel – Administration	1,519
	162E-5379E-54005	Travel – Volunteers	19,709
	162E-5379E-54100	Communications Services	420
	162E-5379E-54160	Postage	2,500
	162E-5379E-54500	Insurance	2,906
	162E-5379E-54605	Equipment Maintenance	84
	162E-5379E-54676	Copier Maintenance	1,000
	162E-5379E-55100	Office Supplies	1,500
	162E-5379E-55107	Program Supplies	3,200
	162E-5379E-55221	Meals	3,793
	162E-5379E-55400	Dues, Books, Subscriptions	450
	162E-5379E-55417	Training	2,100
		Total Expenditures	\$144,718

RESOLUTION NO. 2003-227

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

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

WHEREAS, on September 18, 2003 the State of Florida Department of Elder Affairs issued a purchase order providing funds to benefit elderly residents of the county; and

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

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

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OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	052C-331-901	Adult Protective Services	6,826
		Total Revenues	\$6,826
Expenditures	052C-5421C-53436	Stipend –Senior Companion Grant	3,200
	052C-5421C-54004	Travel – Administration	250
	052C-5421C-54005	Travel – Volunteer	1,750
	052C-5421C-54160	Postage	350
	052C-5421C-55107	Program Supplies	750
	052C-5421C-55221	Meals	526
		Total Expenditures	\$6,826

RESOLUTION NO. 2003-228

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE VOTER EDUCATION BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, in accordance with the 2003 Legislature, \$2,976,755 was specifically appropriated for voter education; and

WHEREAS, Citrus County's portion has been calculated to be \$27,156.78 and these funds will be used to promote voter education and voter outreach programs; and

WHEREAS, this Resolution also authorizes the Chairman to sign the Certificate Regarding Matching Funds; and

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

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

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BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	001-335-191	Voter Education	27,157
		Total Revenues	\$27,157
Expenditures	001-2443-54000	Travel and Per Diem	3,216

	001-2443-54160	Postage	4,824
	001-2443-54700	Printing and Binding	3,039
	001-2443-54921	Advertising	8,039
	001-2443-55100	Office Supplies	4,823
	001-2443-55417	Training	3,216
		Total Expenditures	\$27,157

RESOLUTION NO. 2003-229

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

WHEREAS, the Citrus County Teen Court received donations in prior fiscal years that have not been appropriated; and

WHEREAS, these funds will be used to purchase t-shirts and other promotional items to acknowledge and reward the youth, adults and partners of the Teen Court program; and

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

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

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/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues		Cash Carry Forward	\$3,000
Expenditures	079-2155-55210	Miscellaneous Supplies	\$3,000

RESOLUTION NO. 2003-230

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE UTILITY EXPANSION FUND BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on October 14, 2003 the Citrus County Board of County Commissioners awarded a contract for construction of the Meadowcrest Reclaimed Water Transmission Main Project; and

WHEREAS, this project will be funded by a grant from Southwest Florida Water Management District and utility expansion fees; and

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

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

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OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues		Cash Carry Forward	\$1,646,720
Expenditures	451-9600-56300	Improvements other than Buildings	\$1,646,720

RESOLUTION NO. 2003-231

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

WHEREAS, on September 3, 2003 the Citrus Springs M.S.B.U. Board of Directors voted to pay off the remaining debt on the community center; and

WHEREAS, the budget needs to be amended to have the funds available and in the proper account; and

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

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

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OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues		Cash Carry Forward	5,061
		Total Revenues	\$5,061

Expenditures	730-8200-57100	Debt Service – Principal	19,136
	730-8200-57200	Debt Service – Interest	(14,075)
		Total Expenditures	\$5,061

#3-D Approved the following budget transfers: **ADMIN. SERVICES:** \$58,110 from #001-247-200 to #-2101-53102 and \$145,205 from #-247-731 to #-2101-53401. **SSD/TRANS. MEDICAID SERVICES:** \$18,000 from #159D-5409D-53491 with \$7,000 to #-53492 and \$11,000 to #-53493. **SSD/SOCIAL SERVICES:** \$930 from #001-5220-54615 to #-55275. **SSD/CSCC:** \$600 from #730-8225-51200 to #-51306.

#3-E Approved and authorized the Chairman to sign Satisfactions of Judgment for Earl Lonell Williams, Case No. 1995 MM 003591; Marc Michael Esser, Case Nos. 1996 CO 000792, 1994 CO 001314, and 1996 CO 000276; Diane J. Beville, Case No. 98-00378-CF; Stacey L. Cembrola, Case No. 03-001240-MM; James Paul Jones, Case No. 03-001508-CT; Michael Stephen Kinder, Case No. 01-03292-TC; Cheri Lin Crouch, Case No. 02-00708-TC; Otto Hall Brooks, Case No. 03-001747-CT; John Christopher Pittman, Case No. 02-2642-TC; Richard Dorofy, Case No. 98-01862-MM; Eddie G. Harris, Case No. 02-03719-MM; Erica Marie Hubbell, Case No. 02-00574-MM; Thomas Kunruther, Case No. 03-00566-MM; James Lord, Case No. 03-000798-MM; David J. McCarthy, Case No. 03-000663-MM; Peter Michael Mack, Case No. 03-001473-CT; John Thomas Orcutt, Case No. 02-02388-MM; Vincent Anthony Pacifico, Case Nos. 03-486-MM and 03-000974-MM; Gregory S. Rass, Case No. 02-03087-MM; Chad Anthony Rich, Case No. 03-000265-MM; Nancy Rose Sawyer, Case No. 02-02463-TC; Jack Leon Shumate, Case No. 03-001460-MM; Paul Anthony Vacca, Case No. 03-00031-MM; Nathan C. Wood, Case No. 03-000467-MM; Jeffery M. Yearwood, Case No. 03-000818-MM; Catherine M. Zelaya, Case No. 03-000465-MM; Robbie D. Lord Jr., Case No. 03-00085-MM; Willis B. Carver, Case No. 02-02003-MM; Arron Pete Eckels, Case No. 02-003869-MM; and Kathryn A. Powers, Case No. 03-000506-MM.

#3-F Acknowledged receipt of the Homosassa Special Water District Resolution Number 03-01 adopting the final millage rate for FY 2003-2004 and Resolution Number 03-02 adopting a final budget and resolution for FY 2003-2004.

#3-G Acknowledged receipt of the Southwest Florida Water Management District (SWFWMD) Budget in Brief, Fiscal Year 2004 Annual Service Budget.

#3-H Approved donation of the following items to the Key Training Center and deletion from the Clerk's fixed asset list:

Property ID	Description	Condition
11618-000	Panel sys w/workstations	Obsolete
11618-001	Modular workstations/panels	Obsolete
11618-002	Laminated wall panels	Obsolete

#3-I Approved disposal of the following obsolete assets for recycling, and for removal from the Clerk's fixed asset list:

Property ID	Description	Condition
8638	Xerox 6020 Memory Writer	Obsolete
12692	Computer System	Obsolete
11379	Panasonic Printer	Obsolete
11367	Panasonic Printer	Obsolete
11298	Panasonic Printer	Obsolete
14336	Data Card Image Express	Obsolete

#3-J Approved donation of the following items to the Guardian Ad-Litem and deletion from the Clerk's fixed asset list:

Property ID	Description	Condition
11618-000	Panel sys w/workstations	Obsolete
11618-001	Modular workstations/panels	Obsolete
11618-002	Laminated wall panels	Obsolete

#3-K Approved and authorized the Chairman to sign a Release of Lien for special assessments: Resolution No. 95-87: George H. Weiser III and Georgianne Weiser, Alternate Key No. 1119375.

#3-L Approved and authorized the Chairman to sign a Satisfaction of Lien filed by and on behalf of the Citrus County Municipal Service Taxing Unit for Water and Wastewater Utility Services with William H. Jr., and Lola A. Larder.

#3-M (1) Approved and authorized all Commissioners to sign a proclamation recognizing the month of November 2003 as "National Epilepsy Awareness Month," and (2) authorized staff to forward a signed copy of the proclamation to the Committee for Epilepsy Awareness.

#3-N Approved and authorized the Chairman to sign an Equipment Maintenance Agreement with Danka at \$942.60, effective October 1, 2003, through September 30, 2004, for the Minolta 2050 copier located in the Housing Services Division.

#3-O Approved a Fortune Telling application submitted by Linda Ferris Seidel doing business as Spiritual Accessories, 3858 East Gulf to Lake Highway (SR- 44) Largo Plaza, Inverness.

#3-P Appointed Kennedy Smith to fill an unexpired Member-at-Large position on the Aviation Advisory Board for a term that would expire on September 30, 2004.

#3-Q Approved and authorized the Chairman to sign the Amendment to Extended Maintenance Plan Scott Accounting Software System License Agreement #88258 for the Housing Services Division, effective October 1, 2003, through September 30, 2004, at \$1,608.

#3-R Approved and authorized the Chairman to sign the Amendment to the Compensation Endorsement with Heritage Consultants Inc., concerning dental claims administration for year two increase of \$2.58 for the County's self-funded dental program from October 1, 2003, through September 30, 2004.

#3-S Approved the Volunteer Firefighters Accident & Sickness Proposal, and authorized staff to issue a check for \$26,170 to Arthur J. Gallagher and Company for renewal of said policy.

#3-T Set the following public hearings in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness to consider amendments to the Citrus County Land Development Code (LDC) (Ordinance No. 90-14):

Public Workshop:	November 04, 2003	2:05 P.M.
Public Hearing:	November 18, 2003	2:00 P.M.
Application/Applicant:		
<u>AA-03-13 (Isabell Malec for St. Elizabeth Ann Seton Parish)</u>		
<u>AA-03-16 (Pinecrest Building Corporation for Nugent)</u>		
<u>AA-03-17 (Stillwell for Taylor Made Homes)</u>		
<u>AA-03-19 (Walker for Carrollwood Development)</u>		
AA-03-21 (Dean for Jordan)		

#3-U **(1)** Approved and authorized the Chairman to sign an Assignment Agreement DVR No. 2003-010, Alternate Key No. 1185424 with William L. McCluen for permanent reassignment of development rights for residential properties within municipal service benefit units for installation of water and wastewater systems for the Chassahowitzka Water Quality Assessment District, and **(2)** directed the Clerk to record the agreement in the public records.

#3-V **(1)** Accepted General Warranty Deeds from Sylvain R. and Deborah U. Robitaille for Lot 18, Las Brisas, and from Alfred Twiggs, Jr., and Ruth Twiggs for Lot 199, Townsite of Hernando to Citrus County for the CR-486 Road Improvement Project from Forest Ridge Boulevard to US-41, Hernando, and **(2)** directed the Clerk to place the acceptance stamp thereon and record the deeds in the public records.

#3-W **(1)** Accepted a Warranty Deed from SAT Sr. Limited Partnership for the donation of the Betz Farm property that would provide recreation and conservation areas to the County, and **(2)** directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-X Approved and authorized the Chairman to sign an Equipment Maintenance Agreement with Danka at \$45 monthly from October 1, 2003, through September 30, 2004, for the Toshiba E-Studio-35 copier located at the Extension Office.

#3-Y Waived the \$228.80 fee for the Nature Coast Youth Athletic Foundation benefit softball tournament to be held on November 15, 2003, at the Bicentennial Park.

#3-Z Approved and authorized the Chairman to sign the Equipment Maintenance Agreement with Danka at \$151.54 per month from October 1, 2003, through September 30, 2004, for the Minolta EP5000 copier located at the Central Landfill Administration Office.

#3-AA (1) Approved and authorized the Chairman to sign the Modification of Agreement No. 2 Task Authorization No. 2 – Phase 2 Landfill Expansion with SCS Engineers changing the scope of services for Task 2 and increasing the not-to-exceed fee amount by \$19,000, and (2) approved and authorized the Chairman to sign a Change Order Request to Purchase Order No. 46239 for \$19,000 from 2003-2004 funds.

#3-BB Appointed Ronald Broadbent to fill a four year Lay Member position on the Citrus County Water and Wastewater Authority Board for a term that would expire on November 9, 2007.

#3-CC Approved and authorized the Chairman to sign a Professional Services Agreement with Hoyle, Tanner & Associates, Inc., for upcoming airport improvement projects.

#3-DD Approved and authorized the Chairman to sign an Agreement for Exchange of County Personal Property with Marion County for the sale of the Animal Control Software Program authored by Systems Management for the terms specified in the contract.

#3-EE Approved and authorized the Chairman to sign the Renewal/Purchase Order Worksheet with Danka at \$816.24, effective October 1, 2003, through September 30, 2004, for the Minolta 3000 copier located in the Human Resources Office.

#3-FF Authorized staff to transmit the Interlocal Service Delivery Agreements to the Department of Community Affairs in compliance with the requirements of Chapter 2002-296, Laws of Florida.

#3-GG Approved the consulting service contract with Greenhorne & O'Mara, Inc., to update the Local Mitigation Strategy in accordance with the new requirements of the Disaster Mitigation Act of 2000.

#3-HH Approved and authorized the Chairman to sign the Equipment, Maintenance, and Supply Agreement with Copytronics at \$624, effective October 1, 2003, through September 30, 2004, for the Minolta Model D1350 copier located in the Senior Care Services Office.

#3-II Adopted and authorized the Chairman to sign a resolution setting a public hearing on December 9, 2003, at 2:00 P.M., in the Citrus County Courthouse, 110 North Apopka Avenue, Inverness for PV-03-01 as petitioned by Larry M. Haag, on behalf of Gary F. and Margaret E. Owen.

RESOLUTION NO. 2003-232

#3-JJ Approved and authorized the Chairman to sign the Revised Amendment to Commitment Letter to Creative Choice Homes XXVIII, LTD dated March 12, 2002, for \$150,000 under the Citrus County Rental Development Strategy funded by the State Housing Initiative Program (SHIP).

#3-KK Approved the 2004 Board meeting dates and deadlines.

#3-LL Approved and authorized the Chairman to sign an Indemnity Agreement with the Floral City Heritage Council to allow the placement of temporary signs, barricades, and luminaries in rights-of-way for the upcoming Floral City Heritage Days, December 5 and 6.

#3-MM Approved and authorized all Commissioners to sign a certificate of appreciation to Amy Payne, a former Transportation Disadvantaged Coordinating Board member in recognition of her dedicated service to Citrus County and her community.

#3-NN Approved and authorized the Chairman to sign Amendment No. 3 to Contract for Aerial Photography and Mapping for Inclusion in GIS with 3001 Inc., which authorized a 30 day extension, moving the completion date to November 30, 2003.

#3-OO Approved the following Bid Committee Report: **(1)** Bid No. 109-03, HSD, home repairs, awarded the alternate bids for RHB 2003-008 to Heath Restoration Contractor, Inc., at \$1,175 as the lowest bidder; **(2)** Bid No. 024-04, MOD, petroleum products, awarded on a split bid basis to Whetstone Oil Co., Inc., Seaboard Distribution, Inc., and Baxley Oil Co. as the lowest bidders; **(3)** Bid No. 025-04, RMD, concrete block and materials, awarded to RMC Ewell, Inc., as the only bidder; **(4)** Bid No. 118-01, FM, auction services, renewed the current bid with Weeks Auction Company under the same terms and conditions listed in the bid documents; **(5)** ITB 044-03, RMD, thermoplastic traffic striping, renewed the current bid with Oglesby Construction, Inc., under the same terms and conditions listed in the bid documents.

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

#6-A **HISTORICAL RESOURCE ADVISORY BOARD**

Mr. Wesch stated that the purpose of this item was to adopt a resolution creating the formation of the Historical Resource Advisory Board (HRAB), which the Board approved on June 10, 2003, and to nominate seven individuals to fill special category and Lay Member positions for HRAB.

Mr. Thorpe made brief comments regarding the nominating committee, the selected members to serve on the HRAB, etc.

Vice-President of the Citrus County Historical Society Beverly Drinkhouse thanked the Board for their support.

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

sign a resolution creating the formation of the Historical Resource Advisory Board (HRAB).

RESOLUTION NO. 2003-233

Commissioner Bartell nominated (1) Michael Ballard to fill the History position, Richard Clay to fill the Architect position, Gary Ellis to fill the Archeology position, and Tom Franklin to fill the Historical Society Member position on the Historical Resource Advisory Board for two-year terms, and (2) Marilyn Jordan, David Arthurs, Sr., and Florence Langley to fill Lay Member positions on the Historical Resource Advisory Board (HRAB) for one-year terms.

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board ceased nominations. (1:51 P.M.)

#2-E **VETERANS APPRECIATION WEEK AND VETERANS DAY PROCLAMATION**

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation proclaiming November 11, 2003, as "Veterans Appreciation Day" and November 1 through November 11, 2003, as "Veterans Appreciation Week". (1:55 P.M.)

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

#7-A **TRANSPORTATION DISADVANTAGED COORDINATING BOARD**

Commissioner Batchelor nominated Janet E. Clymer to fill a newly created Regional Workforce for Development position on the Transportation Disadvantaged Coordinating Board for a three-year term that would begin on October 1, 2003, and expire on September 30, 2006.

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

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

Upon motion by Commissioner Wooten, seconded by Commissioner Phillips, and carried unanimously, the Board accepted with regret the resignation of Dave Stanton from the Citrus County Water and Wastewater Authority and announced a vacancy for an Alternate Member with technical qualifications for the unexpired term that would expire on October 31, 2006.

#7-C **PLANNING AND DEVELOPMENT REVIEW BOARD**

The Chairman announced expiration of terms for two Regular Member positions and two Alternate Member positions on the Planning and Development Review Board (PDRB) that would expire on November 30, 2003.

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

Commissioner Wooten nominated Robert Marra to fill an unexpired Inverness Pool Resident position on the Lake Tsala Apopka Basin Recreation & Water Advisory Board that would expire on September 30, 2004.

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

Commissioner Wooten nominated John P. McMichael to fill an Alternate Member position on the Lake Tsala Apopka Basin Recreation & Water Advisory Board that would expire on September 30, 2005.

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

#7-E CODE ENFORCEMENT BOARD

The Chairman announced expiration of terms for members of the Code Enforcement Board, which would expire on November 30, 2003.

#7-F CITRUS UNITED BASKET (CUB)

Mr. Wesch stated that with the cooperation of the City of Inverness a resolution to the CUB situation had been reached. He explained that the County would be assisting in the demolishing of CUB's existing building and site preparation to accommodate a portable building at 105 Mill Street in Inverness. He advised that the cost to the County would be approximately \$3,800. (Short discussion followed regarding the cooperation between government agencies).

Motion by Commissioner Bartell, seconded by Commissioner Wooten, to approve providing assistance to Citrus United Basket in demolishing their existing building and site preparation to accommodate a portable building at 105 Mill Street in Inverness.

Commissioner Wooten stated that he was grateful that the County could assist in a small way in order to take care of the volunteers that serve CUB, and that he hoped the relationship between CUB and the County would remain in the future.

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

(2:02 P.M.)

The Chairman recessed the meeting and reconvened at 2:16 P.M.

#2-F AA-03-14, DEPARTMENT OF DEVELOPMENT SERVICES (DDS)

Mrs. Slingerland polled the Board for ex parte communications and all Commissioners replied that they had no previous communications concerning this item.

Glenn C. Bailey, Environmental Planner, Community Development Division (CDD), gave the following staff report:

Applicant Name/Number:	AA-03-14, DDS
Land Use:	Re-designation from Agricultural District (AGR), to Rural Residential District (mobile homes allowed) (RUR*)
Property Data:	Approximately 160 acres in Section 24, Township 17

	South, Range 17 East, further described as Lots 1-35 of Citronelle Ranchette Unrecorded Subdivision and Lots 1-16 of A.R.L. & W Unrecorded Subdivision, located in the Southwest Quarter Section (Dunnellon area).
Staff/PDRB Recommendation:	Approval
Public Hearing:	November 18, 2003

He explained that the amendment area was inadvertently re-designated from RUR* to AGR due to the approval of AA-98-13 (Ordinance No. 99-A01), and that this amendment would revert the land use designation back to RUR*. He stated that the amendment area consisted of lot sizes ranging from approximately two acres up to five acres. He reported that the residential area was a combination of site built and mobile homes, that the majority of the subject lots were vacant, that the landscape was upland sandhills, that the property was located within Flood Zone C, etc. He added that the requested land use re-designation would make the amendment area consistent with the Generalized Future Land Use Map (GFLUM), and would recognize historical and surrounding development patterns by allowing for the placement of mobile homes.

The Chairman opened the public workshop for public comment and asked if anyone wished to speak in favor. David Roberts stated that the 160 acres was divided into two separate unrecorded subdivisions, that there was always the understanding that mobile homes would be allowed, that there were existing mobile homes in the area, and that the RUR* designation would make the area consistent with the surrounding area.

The Chairman then asked for anyone who was in opposition. With no further public comment, the Chairman closed the public workshop. (2:21 P.M.)

#2-G 2003 SECOND CYCLE AMENDMENT

Director of Development Services Gary Maidhof announced that CPA-03-02 (DDS-Water Supply Workshop) had been withdrawn and would be resubmitted in a future review cycle.

#2-G.1 CPA-03-01, DDS – OLD HOMOSASSA WATERFRONT PLAN

Margaret A. Beake, AIA, AICP, Planner, CDD, presented the staff report as follows:

Applicant Name/Number:	CPA-03-01, DDS - Old Homosassa Waterfront Plan
Element:	Text amendment to the Future Land Use Element for the "Old Homosassa Area Redevelopment Plan" (Plan) prepared in conjunction with the Waterfronts Florida Program administered by the Department of Community Affairs (DCA).
Staff/PDRB Recommendation:	Approval

She stated that the community plan was prepared through a visioning process with local residents and businesses, which addressed commercial fishing, river access,

environmental protection, community facilities, development guidelines, and other issues. She also stated that after the plan amendment was approved an associated LDC amendment would be prepared to implement the guidelines in the plan. She advised that two options had been prepared by staff for consideration and that on July 8, 2003; the Board approved Option 2 for transmittal to the DCA. She advised that the DCA had made positive comments about the application.

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. (2:24 P.M.)

#13-B RANDALL FOTI & DEBORAH FOTI VS. CITRUS COUNTY AND THE CITRUS COUNTY CODE ENFORCEMENT BOARD

Mr. Battista stated that an Order denying the Petition for Writ of Certiorari previously filed in the Fifth District Court of Appeals in the matter styled Randall Foti & Deborah Foti vs. Citrus County and the Citrus County Code Enforcement Board had been received from the Fifth District Court of Appeals.

The Chairman recessed the meeting and reconvened at 2:44 P.M.

#2-H D-03-04, MEADOWCREST DEVELOPMENT OF REGIONAL IMPACT (DRI)

Mr. Battista polled the Board for ex parte communications, and each Commissioner replied that they had no previous communications concerning this item.

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

Applicant Name/Number:	D-03-04, Clark A. Stillwell, for Gulf to-Lake Association, LTD (Meadowcrest DRI - Notice of Proposed Change (NOPC))
Property Data:	Section 25, Township 18 South, Range 17 East and; Section 30, Township 18 South, Range 18 East. 340 ± acres
Staff/PDRB Recommendation:	Approval subject to conditions as listed in the backup material
Public Hearing:	November 18, 2003

She stated that the proposal did not constitute a substantial deviation and then gave a brief history of the development. She also stated that the NOPC request would change the commercial, office, residential, and industrial land uses near SR-44 around the Winn Dixie Shopping Center. She advised that the NOPC would accomplish the following: **(1)** revise the Master Development Plan; **(2)** reshuffle the land uses around the Winn Dixie Shopping Center; **(3)** establish new limits on land uses; **(4)** extend the completion date of Phase II to December 2008; **(5)** allow the developer to integrate office and commercial land uses within one parcel that would share the same infrastructure; and **(6)** allow for the exchange of up to 90,000 square feet of industrial land for 124 units of cluster housing. She reported that the developer had submitted a traffic analysis demonstrating an overall

decrease in traffic due to those land use changes. She outlined staff's conditions for approval as recommended in their memorandum dated September 17, 2003, and the revised condition stated in the memorandum dated October 6, 2003.

Mr. Stillwell, representing the applicant, stated that this proposal was a non-substantial deviation, that there would be a reduction in traffic impacts, that this proposal allowed for an interchange of uses, that the commitment to excellence in landscaping and design would remain, etc.

Fred Goodrow, representing Berryman and Henigar, displayed maps of the Master Development Land Use Plan and explained the proposed changes.

Mrs. Farnsworth replied to Commissioner Phillips' question regarding recreation in the DRI by stating that a large recreational area had been developed as required by the Development Order.

The Chairman opened the public workshop for public comment. With no public comment, the Chairman closed the public portion of the public workshop. (3:00 P.M.)

#2-I **LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG)**

Mr. Wesch made brief comments regarding the purpose of the public hearing and requirements of the LLEBG Fund Allocation Grant No. 2003-LB-BX-1990. He advised that the Sheriff's Office had been awarded \$51,196, with a cash match of \$5,688, which was budgeted within the Sheriff's budget.

Deputy Wayne King confirmed that the cash match was part of the Sheriff's budget along with part of the match coming from the Drug Court Operations.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Wooten, and carried unanimously, the Board authorized the Sheriff's Office to submit a Request for Disbursement and approved the requested expenditure of funds for the Local Law Enforcement Block Grant (LLEBG) at \$51,196 with a cash match of \$5,688.

#2-J **CERTIFICATE OF ACHIEVEMENT - CHET OLSHEWSKY**

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized all Commissioners to sign a certificate of achievement to Chet OlsheWSky in recognition and honor of being selected the 2003 Outstanding Florida Master Gardener of the Year.

(3:10 P.M.)

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

#2-K **2003 SMALL SCALE CYCLE #4 AMENDMENTS**

Mr. Maidhof read the ordinance preambles into the record, and Mrs. Slingerland polled the Board for ex parte communications regarding applications CPA/AA-03-17 and CPA/AA-03-20. Commissioners Batchelor, Fowler, Phillips, and Wooten replied that they had no previous communications. Commissioner Bartell stated that he had limited discussion with the owner pertaining to the purchase of the property involved in application CPA/AA-03-17. Mrs. Slingerland then administered the oath to staff and witnesses who would provide testimony.

#2-K.1 **CPA/AA-03-17, JAMES NEAL JR. FOR JOHNSON SELECT MOTOR CARS**

Mr. Bailey gave the staff presentation as follows:

Applicant Name/Number:	CPA/AA-03-17 (James Neal Jr. for Johnson Select Motor Cars)
Land Use:	GFLUM and LDC Atlas: from Low Density Residential (LDR) to General Commercial (GNC)
Property Data:	Section 15, Township 19 South, Range 17 East, a portion of Parcel "B" of MSP-00-11 of Parcel 41200 located north of West Longfellow Street at 2219 South Suncoast Boulevard in the Homosassa Springs area. Approximately 9.9 acres of a 16.7-acre parcel.
Proposed Project	Automobile Dealership
PDRB Recommendation:	Approval
Staff Recommendation:	Denial

He stated that the overall parcel was under two separate land use designations including the 400-foot commercial corridor adjacent to US-19 and the remainder as LDR with site access off US-19. He advised that the existing commercial portion of the parcel contained a mobile structure that was being used for car sales. He added that the amendment area was vacant of structures, contained no pristine natural habitat or wetlands, and there were multiple active gopher tortoise burrows on the site. He reported that the overall parcel contained approximately 5.3 acres of commercially designated land, and the applicant wished to extend the GNC portion of the property eastward by approximately 770 feet, which would leave a strip of LDR approximately 120 feet wide in the rear portion of the parcel. He described the surrounding areas and explained that there were no concurrency issues, that central water and sewer were available, and that the proposal should not significantly affect the current level of service for traffic on US-19; however, the proposed land use change would be incompatible with much of the surrounding area of residential land use. He stated that there was a legitimate concern about increased activity and noise that might be generated by commercial development, which could negatively impact the surrounding residential community. He also stated that there were questions regarding the need for so much increased commercial acreage with the 400-foot commercial corridor already established on the subject property. He added that the application sought to create a 15.2-acre piece of commercially zoned land outside a commercial infill area without the benefit of a Planned Development Overlay (PDO) to set certain development conditions.

Mr. Neal, representing the applicant, pointed out that the Kia Dealership was crammed with automobiles, which was the reason for expanding and rezoning this piece of property. He added that this property was disturbed many years ago and there was nothing pristine about it. He took exception to staff's disagreement regarding incompatibility with the surrounding neighborhood, except for the ten houses along West Longfellow Street. He stated that there would be no impact to the rear abutting Stone Brooke Drive, which would remain LDR with a significant buffer of residential lots. He spoke about an existing incompatible use on Parcel B, a garage that sat in the back on Stone Brooke Drive, and stated that with the precedent already set, Mr. Johnson asked approval to build his dealership. He distributed a proposed site plan (filed with the Clerk's agenda) that showed a Kia Dealership and a future automobile dealership with separate buildings for the two brands of automobiles. He stated that the applicant was hoping to restrict most building to the front 400 feet, and that he might construct some storage units for automobiles for sale in the back. He advised that he had talked with some of the people along West Longfellow Street and most were opposed to the zone change; however, this property was cleared long before those homes were built. He added that Mr. Johnson owned a couple of those lots and did not wish to have a negative impact on the residents, and that he would be required to install adequate buffers that would comply with LDC regulations to decrease the incompatibility. He mentioned that the PDRB felt that a PDO was not required, that the application was consistent with the Comprehensive Plan (COMP), and requested approval of the straight zoning change.

The Chairman opened the public portion of the public hearing for comment and asked if anyone wished to speak in favor. He then asked if anyone wished to speak in opposition.

Richard R. Bachtel submitted a petition signed by residents along West Longfellow Street opposing the proposed development (filed with the Clerk's agenda). He stated that this type of development would cause disruption to the residents and the natural habitat of the gopher tortoises. He replied to the Chairman's question by stating that his property was 100 feet deep, that there was a considerable amount of traffic on West Longfellow Street, and that there seemed to be no concern for the citizens in that area.

Helen Iannotta spoke in opposition due to the gopher tortoises and other wildlife on the property, and was concerned about speeding vehicles on West Longfellow Street. In response to her questions regarding the buffer and storage units, Mr. Maidhof replied that the LDC required a combination of trees and scrubs as buffers, and that staff was not aware of the intended use for the proposed storage units; however, GNC land designation did allow mini storage units.

Valerie Reynolds spoke in opposition and stated that she was not comfortable with the ten-foot buffer of trees because there would only be 26.5 feet from the corner of her house to the property line. She expressed concern about the noise from the loud speakers and the lights, and stated the greatest impact would be to her house on West

Longfellow Street. She further stated that she hoped the applicant would agree to install a larger buffer at that particular location if the Board approved the request.

Linda Bachtel agreed with Ms. Reynolds concerning the noise from the loud speakers, and asked the Board to deny the application because of the infringement on their property rights.

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

Commissioner Phillips asked how this change would affect the Stipulated Settlement Agreement (SSA) with the DCA concerning commercial property along the corridor. Mr. Maidhof replied that this was a straight COMP atlas amendment request and that this parcel was not included in the commercial landfill area and would not infringe on the SSA. He confirmed her statement that once this parcel was changed to GNC, it could be used for any general commercial use, that this 9.9 acres was currently designated LDR due to the surrounding residential properties, and that staff's analysis indicated that there was not a need for additional commercial property in that area.

Commissioner Phillips said that she believed there was a compatibility issue with the residential properties and that the two-inch diameter tree buffer was not large enough to absorb the noise.

Mr. Maidhof responded to Commissioner Bartell's questions as follows: **(1)** he was not aware of any applications in the past for a land use change on the back portion of this property; **(2)** although the applicant might be willing to increase the buffer on the south side of the property, it would not be binding on the property because this was a straight land use request; **(3)** traditionally commercial entrances were not encouraged through residential properties; however, an application for an entrance onto Stone Brooke Drive could be considered if it was in the best interest of maintaining safety and proper traffic flow; and **(4)** the applicant would be bound by the US-19 Access Management Plan.

Mr. Maidhof answered Commissioner Batchelor's question regarding compatibility by stating that if this application was not approved and residential development occurred on the LDR portion, the County would not require a buffer between the LDR and GNC properties because both parcels were under the same ownership. He added that under the PDO process the audience participants, the PDRB, and the Commissioners would have the flexibility to evaluate and review the proposed buffers, the specified uses or layout of the development, and decide if compatibility had been reached by providing additional standards. However, he reiterated that the application before the Board today was a straight land use request.

Commissioner Wooten stated that he was not opposed to the project; however, he was concerned about doubling the size of the property and that no guarantee would be provided to the residents in the surrounding areas that a proper buffer would be installed. He addressed Ms. Reynolds concern by stating that she bought property, which adjoins

GNC property, and regardless of the decision made tonight, the Board could not stop commercial development next to her property. He questioned if the Board wanted to relinquish its role in how the subject property should be developed.

Mr. Maidhof replied to Commissioner Fowler's question by stating that he was not aware of storage units being built on the property; however, under a straight land use change, the Board would not have the ability to change the use.

Commissioner Fowler remarked that he did not think anything could be done for Ms. Reynolds, but he was very concerned about the compatibility of the other six homes on West Longfellow Street, the possibility of another access point to the property, and that the buffer was insufficient. He thought the Board should have more control over this property in order to protect the interest of the residents on West Longfellow Street.

Commissioner Batchelor remarked that the subject property had been in the same condition for years and appeared to be commercial property and until this application was presented to the Board, he thought it was commercial property.

Discussion ensued regarding the following: the applicant's indication to move forward with a straight land use designation rather than a PDO; even though the applicant might install a great buffer to mitigate impacts, the County could not require that buffer to remain; the project needing a transition to the residential area; the PDO process; the applicant building the dealership on the front 400 feet of GNC property; access to the proposed storage units, etc.

Mr. Neal presented his rebuttal and closing statements. He stated that he appreciated the concerns the Board had about the impacts on the six houses, and although Mr. Johnson would not want those homes adversely affected, the property would be developed because there were many uses permitted under the LDC designation. He also stated that there were provisions in the LDC to address the incompatibilities of noise, lighting, etc. He further stated that those homes close to US-19 would have impacts because the front 400 feet of the property was commercial. He remarked that after listening to the Board's discussion tonight, the applicant would probably start construction on the front 400 feet and come back with a PDO amendment. He commented that in the past, he had seen straight GNC zone changes, and he did not think there would be any great dramatic impact on residential use, which would not be already protected by the LDC standards. He added that Mr. Johnson wanted to construct quality automobile dealerships that were compatible with other dealerships on US-19, and he asked that the Board approve the zone change.

Motion by Commissioner Phillips, seconded by Commissioner Fowler, to deny application CPA/AA-03-17, James Neal Jr., for Johnson Select Motor Cars.

Commissioner Bartell reiterated that the Board must review the application as a straight zoning change. He explained that he liked the project, but thought it should be

brought back to the Board as a PDO in order that compatibility issues could be addressed; therefore, he would support the motion to deny the request.

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

#2-G. 2 CPA/AA-03-20, CLARK STILLWELL FOR HOME DEPOT USA

Mr. Bailey presented the following staff report:

Applicant Name/Number:	CPA/AA-03-20 (Clark Stillwell for Home Depot USA)
Land Use:	GFLUM: Low Intensity Coastal and Lakes District (CL) and LDR to GNC LDC Atlas: Mixed Used District (MXU) to GNC
Property Data:	Section 34, Township 18 South, Range 17 East, a portion of Parcel 33000 located at 70 North Suncoast Boulevard in the Crystal River area. 7.42 acres ±
Proposed Project	To accurately reflect existing conditions (Home Depot site)
Staff/PDRB Recommendation:	Approval

He explained that the overall parcel contained 21.85 acres and was under three separate land use designations on the LDC Atlas, that the MXU portion of the site separated GNC designated land adjacent to US-19 to the east and CL on the western side. He stated that conservation easements would remain MXU, and that the building footprint, paved areas, and storm water drainage were proposed to change to GNC. He reported that the Home Depot store was developed in 2001, and that in 2002 the MXU standards were altered (Ordinance 2002-A10) to reduce the intensity of commercial development allowed, which created a valid non-conforming use. He reported that the applicant wished to ensure conformity by re-designating the MXU portion of the property to GNC. He mentioned that staff had received negative comments from the public expressing reservations to the applicant's intent; however, there were no apparent concurrency issues, the subject property was served by public water and sewer, drainage was approved, no additional traffic impacts would be created, no further development was proposed, the existing site and use was compatible with the surrounding area, etc.

Mr. Stillwell, representing the applicant, requested that the application, the supplemental materials he had provided, the staff report, the public notices, and his comments at the public workshop be incorporated into the record. He stated that due to the MXU land designation, hundreds of properties would be facing this same question in the future. He also stated that his client was aware of the peoples' concerns and had tried to be as limited as possible with this application to the existing structure. He distributed a map (filed with the Clerk's agenda), which depicted the existing GNC zoning, the CL area, the conservation easements, etc. He further stated that the ability to expand was appropriate, and if the request was approved the structure would become conforming. He added that the depth of this GNC property was no greater than the Bealls store to the

north, that there were no compatibility or concurrency issues, and that this application would set a good precedent with limitations and constraints, which the Board could use in future applications of this type.

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.

Mr. Maidhof answered Commissioner Bartell's question regarding this application setting a precedent for changing the land use on multiple MXU properties by stating that staff would not apply a method as sophisticated as the approach used by Mr. Stillwell. He explained that the Home Depot was a relatively new development that had many features conducive to this approach, such as already established conservation easements and drainage systems. He advised that many MXU designations were older developments with no conservation easements, so it would be difficult to use this type of approach on staff initiated applications; however, some applicants might look to this method to try to change a designated land use to a more intense use. He stated that unless there was a compelling reason to change to another land use, staff's approach to vacant property would be to conform to the GFLUM. He further stated that the difficulty would be with the MXU properties of older developed, partially developed, and future redevelopment. He remarked that this application would set a precedent for some of the private sector; however, every application would still be evaluated by staff, the PDRB, and the Board.

Mrs. Slingerland added that the action taken today would not set a precedent because given the circumstances; staff would evaluate the existing land for the most appropriate use.

Upon motion by Commissioner Wooten, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign (1) an ordinance amending the Atlas of the Citrus County Land Development Code, Ordinance No. 90-14 as amended, by revising the land use designation on certain parcels of land as presented in the 2003 Small Scale Review Cycle #4, in accordance with (iaw) application CPA/AA-03-20 (Clark Stillwell for Home Depot USA), and (2) an ordinance amending the Comprehensive Plan, Ordinance No. 89-04 as amended, by revising the Generalized Future Land Use Map on certain parcels of land as presented in the 2003 Small Scale Review Cycle #4, iaw CPA/AA-03-20 (Clark Stillwell for Home Depot USA).

ORDINANCE NO. 2003-A25 AND 2003-A26 RESPECTIVELY

#13-C **AGREEMENT FOR EMERGENCY PROCEDURES AND ASSISTANCE**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized the Chairman to sign the Agreement for Emergency Procedures and Assistance Grant for Fiscal Year 2003/2004.

The Chairman asked Deputy King why the letter from the DCA addressed to him dated August 7, 2003, was just now appearing on the agenda without public notice or

input. Deputy King explained that he did not receive the letter until October 17, and that in the future he would make certain the letters arrived on time.

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

There being no other business to come before the Board, the Chairman adjourned the meeting. (6:22 P.M.)

ATTEST: _____, Clerk _____, Chairman