

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

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

#2 PUBLIC HEARINGS - WORKSHOPS - PERSONS TO APPEAR

#2-A OPEN TO THE PUBLIC

☛ Sam Lyons addressed the Board regarding a concern expressed recently as to the extent of cooperative funding projects between the County and the Southwest Florida Water Management District (SWFWMD). He distributed a sheet of information, "Historical Summary of Cooperative Funding Projects November 20, 2003" (filed with the Clerk's agenda), and stated that \$4,800,000 had been appropriated by the SWFWMD to Citrus County, which did not include \$100,000 the Basin Board designated last week for tussocks in the Tsala Apopka Lake Chain. He mentioned that SWFWMD had provided "swim" dollars for Kings Bay, in school and community grant funds, trust fund dollars for the management and restoration of public lands such as Potts Preserve and Flying Eagle, and 2.1 million dollars had been appropriated for the reconstruction of the Wysong Dam water control structure. He emphasized that a large amount of tax dollars allocated to the SWFWMD were given back to the County.

The Chairman extended appreciation to Mr. Lyons and to the SWFWMD for their contribution to the tussock problem.

☛ Govind Mirpuri shared news that his daughter Shelley Mirpuri was the youngest student to graduate from Citrus County Schools, from St. Leo University, and was now graduating as the youngest student from the University of Florida, and possibly the youngest graduate in Florida. He extended an invitation to the Board to attend her graduation from the University of Florida on December 19, 2003, at 2:00 P.M.

The Chairman thanked Mr. Mirpuri for the invitation and requested that staff invite Ms. Mirpuri to a Board meeting. Commissioner Phillips agreed and thought it would be appropriate to award a certificate of recognition to Ms. Mirpuri for her great accomplishments.

☛ Thellie Simmons, Jr., commended Marion Knudsen for her accomplishments on the Planning Development and Review Board (PDRB), particularly with tree protection. He

stated that her biggest accomplishment was convincing the County to purchase the Homosassa Wildlife Park in Homosassa, which was later sold to the state and was now one of the biggest attractions in Florida. He handed out an article from the Chronicle Newspaper (filed with the Clerk's agenda) that showed a picture of Marion Knudsen standing against a pine tree from what he thought was from a virgin pine forest that was destroyed in 1922, which she had tried to preserve. He stated that if any of those trees were left standing, he wanted them protected.

☛ Joyce Valentino stated that she had been appearing before the PDRB and the Board for many years and that the citizens of the County, not politics, had been her first priority. She clarified that an e-mail she sent was to support Mrs. Knudsen and all of the PDRB members for working so well together.

She also mentioned that many citizens were upset over the extra fees at the landfill and the yearly pass, and wondered if the Board would hold a workshop to explain how fees were used and to give the public an opportunity to express their opinion and possibly reconsider those fees.

The Chairman stated that the landfill fees would be reviewed at the end of the quarter.

☛ Marco Wilson thanked the Board for supporting the eco system of the County and for those who attended the Senate Natural Resources Committee meeting in Chiefland. He asked the Board to continue their support for natural resources as they plan for development because this County was a beautiful place to live.

☛ Ted Archambault complimented Mrs. Knudsen on the excellent job she had done on the PDRB. He stated that her experience was of great significance, and he felt the need to support her in this issue.

☛ Joseph Azzareli introduced himself to the Board as a relatively new resident of the County. He stated that he had submitted a request to be considered for a vacancy on the PDRB as a way of becoming involved and serving the community. He further stated that he was not a member of the Builders Association, and that he believed the issue was not whether one was pro development or pro environment, but rather how to manage growth in a responsible manner. He added that he was pro environment and asked for the Board's consideration if a vacancy was available.

☛ Ruth Locklear stated that she had previously addressed the Board regarding her request to close some roads through her property, and that County staff was supposed to work with her concerning this issue; however, there had been no response.

Mr. Wesch replied that Ms. Locklear appeared before the Board on November 18, 2003, at which time; staff informed the Board that there was a complex legal description issue in the Old Homosassa area due to different surveys conducted over a course of time. He explained that the County was unable to achieve neighborhood

cooperation concerning the different surveys in order to resolve Ms. Locklear's issues. He further stated that staff was still evaluating whether there was an alternative that would not rely on neighborhood cooperation, but at this time, staff did not have an answer. He added that staff would continue to work on the problem and report any progress made to the Board.

Ms. Locklear showed documents to the Board dating back to 1983 that she had filed in court regarding the roads in question. She stated that the roads through her land had never been taken or maintained by the County, and she wanted the roads closed so her heirs could avoid this problem. She added that the issue had never been settled in court, and she had no desire to cause trouble with other property owners, though, she might ask for money from the County.

☛ Beverly Overa, a newcomer to Citrus County expressed disappointment with the process for nominations to the PDRB. She stated that rules were made and should have been followed, and that Mr. Azzarelli should have submitted his application by the deadline. She stated that from what she had read and heard about Mrs. Knudsen, she was a fair person with years of experience who had fulfilled the tasks and duties of her position well. She protested the extension of the PDRB applications and questioned if this was the right thing to do.

☛ Jim Bitter pointed out that over the last year many legal issues of great importance had been discussed before this Board; however, most of those issues were not on the Board meeting agenda. He declared that unless there was a dire emergency, the County Attorney's issues should be published on the Board's agenda.

#2-B EMPLOYEE SERVICE AWARDS

The following employees were recognized for their years of service to the County: **5 Years:** Shannon Budd and David Vance. **10 Years:** Jerry Sharp. **15 Years:** Donald Cretty, Ernest (Ernie) Meyer and Ann Monacelli were not present. **20 Years:** Bradley (Brad) Ferguson.

#3- CONSENT AGENDA

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board pulled Item #3-II (SWFWMD Permit Negotiations) and #3-JJ (Citrus County Courthouse Change Order No. 32) to be scheduled for a later date, and Item #3-NN (Citrus Springs Municipal Service Benefit Unit (MSBU)/Municipal Service Taxing Unit (MSTU) for discussion, and approved the balance of the Consent Agenda, as follows:

#3-A Approved the minutes of the regular meeting held on November 4, 2003, and the special meeting held on November 18, 2003 (Attorney/Client Session).

#3-B Approved the following warrants: Payroll registers dated 11/25/03 at \$468,684.60 and dated 11/26/03 at \$31,285.31. Accounts Payable register dated 12/08/03 at \$3,498,199.20.

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

RESOLUTION NO. 2003-270

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

WHEREAS, on October 22, 2002, through Resolution 2002-234 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act, Title III Program and a contract to provide services with Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on October 30, 2003, the Citrus County Board of County Commissioners signed Amendment #3 to the contract; and

WHEREAS, on November 3, 2003, Mid-Florida Area Agency on Aging, Inc. signed the amendment, increasing the amount of funding under the contract; and

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

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

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

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

ADOPTED, in regular session this 9th day of December 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/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	180D-331-691	Title III Federal Grant	16,382
	180D-381-004	County Cash Match	1,821
		Total Revenues	\$18,203
Expenditures	180D-5347D-51200	Regular Salaries and Wages	2,730
	180D-5347D-52100	FICA Taxes	209
	180D-5347D-52200	Retirement Contributions	203
	180D-5347D-52300	Life and Health Insurance	11
	180D-5347D-52400	Workers Compensation	33
	180D-5347D-53104	Consultant Fees – Legal	440
	180D-5347D-53400	Other Contractual Services	5,000
	180D-5347D-53483	Contract Services – Homemaker	7,952
	180D-5347D-54004	Travel – Administration	100
	180D-5347D-54100	Communications Services	100
	180D-5347D-54160	Postage	50
	180D-5347D-54300	Utility Services	800
	180D-5347D-55107	Program Supplies	500

	180D-5347D-55417	Training	75
		Total Expenditures	\$18,203

RESOLUTION NO. 2003-271

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

WHEREAS, on October 22, 2002, through Resolution 2002-234 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act, Title III Program and a contract to provide services with Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on October 30, 2003, the Citrus County Board of County Commissioners signed Amendment #3 to the contract; and

WHEREAS, on November 3, 2003, Mid-Florida Area Agency on Aging, Inc. signed the amendment, increasing the amount of funding under the contract; and

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	181D-331-691	Title III Federal Grant	264
	181D-381-004	County Cash Match	28
		Total Revenues	\$292
Expenditures	181D-5370D-51200	Regular Salaries and Wages	250
	181D-5370D-52100	FICA Taxes	19
	181D-5370D-52200	Retirement Contributions	19
	181D-5370D-52300	Life and Health Insurance	1
	181D-5370D-52400	Workers Compensation	3
		Total Expenditures	\$292

RESOLUTION NO. 2003-272

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

WHEREAS, on October 22, 2002, through Resolution 2002-234 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act, Title III Program and a contract to provide services with Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on October 30, 2003, the Citrus County Board of County Commissioners signed Amendment #3 to the contract; and

WHEREAS, on November 3, 2003, Mid-Florida Area Agency on Aging, Inc. signed the amendment, increasing the amount of funding under the contract; and

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

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

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

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ADOPTED, in regular session this 9th day of December 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/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	182D-331-691	Title III Federal Grant	7,985
	182D-331-693	USDA – Title III Grants	6,494
	182D-381-004	County Cash Match	907
		Total Revenues	\$15,386
Expenditures	182D-5348D-51200	Regular Salaries and Wages	1,500
	182D-5348D-51204	Salaries – Site Manager	725
	182D-5348D-52100	FICA Taxes	171
	182D-5348D-52200	Retirement Contributions	166
	182D-5348D-52300	Life and Health Insurance	3
	182D-5348D-52400	Workers Compensation	35
	182D-5348D-53400	Other Contractual Services	1,000
	182D-5348D-54004	Travel – Administration	160
	182D-5348D-54005	Travel –Volunteer	3,000
	182D-5348D-54012	Travel – Outreach	1,000
	182D-5348D-55221	Meals	7,626
		Total Expenditures	\$15,386

RESOLUTION NO. 2003-273

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TRANSPORTATION DISADVANTAGED PLANNING GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, on June 11, 2002, through Resolution 2002-119 the Citrus County Board of County Commissioners approved an application for financial assistance to undertake a transportation disadvantaged service project and a contract to provide services with the Florida Commission for the Transportation Disadvantaged; and

WHEREAS, the Citrus County Board of County Commissioners signed Supplemental #1 to the contract; and

WHEREAS, on September 29, 2003, the Florida Commission for the Transportation Disadvantaged signed the supplemental, increasing the amount of funding under the contract; and

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

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	118D-334-492	Transportation Disadvantaged	18,336
		Total Revenues	\$18,336
Expenditures	118D-5322D-51200	Regular Salaries and Wages	11,284
	118D-5322D-52100	FICA Taxes	863
	118D-5322D-52200	Retirement Contributions	834
	118D-5322D-52300	Life and Health Insurance	1,920
	118D-5322D-52400	Workers Compensation	110
	118D-5322D-54000	Travel and Per Diem	1,000
	118D-5322D-54100	Communications Services	500
	118D-5322D-54160	Postage	300
	118D-5322D-54300	Utility Services	200
	118D-5322D-54676	Copier Maintenance	100
	118D-5322D-54921	Advertising	150
	118D-5322D-55100	Office Supplies	500
	118D-5322D-55400	Dues, Books, Subscriptions	75
	118D-5322D-55417	Training	500
		Total Expenditures	\$18,336

RESOLUTION NO. 2003-274

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

WHEREAS, funds are available from the close of the Community Care for the Elderly, Alzheimer's Disease Initiative, and Medicaid Waiver programs; and

WHEREAS, these funds will be used to cover the salary and fringe benefits of a part-time accounting clerk; and

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues		Cash Carry Forward	34,462
		Total Revenues	\$34,462
Expenditures	183D-5338D-51200	Regular Salaries and Wages	21,289
	183D-5338D-52100	FICA Taxes	1,629
	183D-5338D-52200	Retirement Contributions	1,584
	183D-5338D-52300	Life and Health Insurance	4,108
	183D-5338D-52400	Workers Compensation	255
	183D-5338D-53400	Other Contractual Services	1,597
	183D-5338D-56400	Machinery and Equipment	4,000
		Total Expenditures	\$34,462

RESOLUTION NO. 2003-275

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE EMERGENCY MEDICAL SERVICES GRANT BUDGET FOR FISCAL YEAR 2003-04

WHEREAS, the Citrus County Board of County Commissioners fiscal year ended on September 30, 2003; and

WHEREAS, the Citrus County Board of County Commissioners was awarded an Emergency Medical Services Grant whose contract ends after September 30, 2003; and

WHEREAS, proper budgeting procedures require that this grant be re-appropriated for fiscal year 2003-04; and

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues		Cash Carry Forward	4,323
		Total Revenues	\$4,323
Expenditures	068D-5418D-55106	Medical Supplies	1,054
	068D-5418D-55275	Computer Software	177
	068D-5418D-55417	Training	2,595
	068D-5418D-56400	Machinery and Equipment	497
		Total Expenditures	\$4,323

RESOLUTION NO. 2003-276

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

WHEREAS, the Division of Library Services received donations in the prior fiscal year that have not been appropriated; and

WHEREAS, State Aid to Libraries funds received in excess of the amount budgeted may also be appropriated; 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

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BOARD OF COUNTY COMMISSIONERS

OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues		Cash Carry Forward	\$8,156
Expenditures	131-6212-56600	Library Books - Publications	\$8,156

RESOLUTION NO. 2003-277

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE ROAD IMPACT FEES AND 5 YEAR CAPITAL PROJECT BUDGETS FOR FISCAL YEAR 2003-04

WHEREAS, on November 18, 2003, the Citrus County Board of County Commissioners approved the revised transportation section of the 2004-2008 Capital Improvement Program; and

WHEREAS, the budget needs to be amended to reflect the correct amounts available; and

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS

OF CITRUS COUNTY, FLORIDA

/s/ Josh Wooten

JOSH WOOTEN, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
ROAD IMPACT FEES/DISTRICT 2			
Revenues	602-400-200	Cash Carry Forward	(75,000)
Expenditures	602-2802-56103	CR 486 Land Acquisition	(75,000)
ROAD IMPACT FEES/DISTRICT 6			
Revenues	606-400-200	Cash Carry Forward	(20,000)
Expenditures	606-2806-56363	CR 490 Turn Lanes	(20,000)
ROAD IMPACT FEES/DISTRICT A			
Revenues	662-363-241	Road Impact Fees	200,000
	662-400-100	5% Reserve	(10,000)
	662-400-200	Cash Carry Forward	205,000
		Total Revenues	\$395,000
Expenditures	662-2831-56361	CR 486 – Forest Ridge to US 41	1,115,000
	662-2831-56367	CR 486 – SR 44 to Meadowcrest	(200,000)

	662-2831-57100	Debt Service – Principal	(196,000)
	662-2831-57200	Debt Service – Interest	(324,000)
		Total Expenditures	\$395,000
ROAD IMPACT FEES/DISTRICT B			
Revenues	663-363-241	Road Impact Fees	25,000
	663-400-100	5% Reserve	(1,250)
	663-400-200	Cash Carry Forward	161,250
		Total Revenues	\$185,000
Expenditures	663-2832-56361	CR 486 – Forest Ridge to US 41	(35,000)
	663-2832-57100	Debt Service – Principal	136,000
	663-2832-57200	Debt Service – Interest	84,000
		Total Expenditures	\$185,000
ROAD IMPACT FEES/DISTRICT C			
Revenues	664-400-200	Cash Carry Forward	752,000
		Total Revenues	\$752,000
Expenditures	664-2833-56103	CR 496 Land Acquisition	75,000
	664-2833-56361	CR 486 – Forest Ridge to US 41	1,965,000
	664-2833-56365	Fort Island Trail	(913,000)
	664-2833-56367	CR 486 – SR 44 to Meadowcrest	(200,000)
	664-2833-57100	Debt Service – Principal	(65,500)
	664-2833-57200	Debt Service – Interest	(109,500)
		Total Expenditures	\$752,000
ROAD IMPACT FEES/DISTRICT D			
Revenues	665-363-241	Road Impact Fees	250,000
	665-400-100	5% Reserve	(12,500)
	665-400-200	Cash Carry Forward	11,754
		Total Revenues	\$249,254
Expenditures	665-2834-56361	CR 486 – Forest Ridge to US 41	419,754
	665-2834-57100	Debt Service – Principal	(65,000)
	665-2834-57200	Debt Service – Interest	(105,500)
		Total Expenditures	\$249,254
5 YEAR CAPITAL PROJECT			
Revenues	326-400-200	Cash Carry Forward	(8,613,530)
		Total Revenues	(\$8,613,530)
Expenditures	326-4110-56320	Islamorada Culvert Replacement	(2,635)
	326-4110-56321	Duvall Island Pipe Retrofit	(50)
	326-4110-56339	CR 491 – CR 486 to SR 44	(300,301)
	326-4110-56357	Croft Road	(2,147,559)
	326-4110-56359	CR 491 – CR 486 to Pine Ridge	(314,720)
	326-4110-56361	CR 486 – Forest Ridge to US 41	(5,461,265)
	326-4110-56365	Fort Island Trail	(387,000)
		Total Expenditures	(\$8,613,530)

#3-D Approved the following budget transfers: **BD:** \$500 from #066-3445-55120 to #55270 and \$500 from #-54615 to #-55275. **ED/ROAD AND BRIDGE:** \$60,000 from #102-9998-60020 and \$40,000 from #-60050 to #-4104-53100. **DPW/MAINT. OPS/FLEET:** \$200 from #550-4150-55100 to #-55400. **HSD/SHIP:** \$54 from #133B-5304B-55100 to #-

54615. **DRUG COURT:** \$4,375 from #040-5750-55200 to #-54400. **ASD:** \$2,300 from #150-6304-56326 to #-54300. **AVIATION:** \$300 from #001-7201-53400 to #-54921. **DPW/ADMIN./CITRUS SPRINGS MSBU:** \$1,800 from #730-8200-55203 to #-56400.

#3-E Approved and authorized the Chairman to sign Satisfactions of Judgment for Dean Jay Andrinie, Case No. 1997 CF 000426; Marvin Lee Mason, Case No. 99 CF 819; Kimberly Mannerberg, Case No. 1999 MM 000324; Jamie Dawn Simmons, Case No. 1997 CT 001025; Yolanda Brown, Case No. 00-003577-MM; Thomas E. O'Neill, Case No. 03-001686-CT; Angela M. Strickland, Case No. 02-02840-MM; Page Hamor Bosworth, Case No. 03-00237-TC; Aaron Matthew Smith, Case No. 01-02709-TC; Dwayne Alan Wagner, Case No. 02-03482-MM; Nelson JJ Summers, Case No. 03-000758-MM; Edward Stephen Millunzi, Case No. 03-000816-MM; Elizabeth Kershaw Massey, Case No. 02-03581-TC; Jerry J. Hubbell, Case No. 02-01161-MM; Joseph Scott Hummel, Case No. 02-02875-MM; Sharon K. Hatcher, Case No. 03-000707-MM; Clinton Daniel Geiger, Case No. 03-001210-MM; George Wayne Cornish, Case No. 03-001669-MM; Ryan Alexander Burby, Case No. 02-02891-MM; George Jerome Anderson, Case No. 03-1539-CT; Isaha Farrington, Case No. 02-03621-MM; Phillip A. Hines, Case No. 02-02469-TC; Angela Marie Massey, Case No. 03-000832-MM; Darick Charles Moody, Case No. 02-03297-TC; and Christopher Rigos, Case No. 02-03379-TC.

#3-F Acknowledged receipt of the SWFWMD District Five-Year Capital Improvements Plan Fiscal Year 2003-2004 to Fiscal Year 2007-2008 and the Proposed Five-Year Water Resource Development Work Program.

#3-G Authorized the Chairman to sign the Electronic Funds Transfer Permission Form and the Direct Deposit Sign-Up Form.

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

County Attorney's Office		
8742	IBM Wheelwriter 6	Not Cost Effective to Repair
Fire Prevention		
2066	LoBand Radio	
9608	LoBand Radio	
11336	HiBand Radio	
Courts		
11330	Classic Standard Computer System	Obsolete
12690	Citrus Standard Computer System	Obsolete
Fire Services		
6864A	Motorola Portable Radio	Obsolete/irreparable
9803	Continental Computer System	Obsolete
3416	Motorola Portable Radio	Obsolete
6511A	Motorola Portable Radio	Obsolete
6868	Motorola Portable Radio	Obsolete
8895	Motorola Portable Radio	Obsolete
2089	Motorola Portable Radio	Obsolete
3070	Motorola Portable Radio	Obsolete

3396	Motorola Portable Radio	Obsolete
6471	Motorola Portable Radio	Obsolete
6886	Motorola Portable Radio	Obsolete
7699	Motorola Portable Radio	Obsolete
Parks & Recreation		
8087	Ring Climber & Two Picnic Tables	Unsafe
8279	Chain Link Fencing	Not Cost Effective to Repair
Library Services		
8859-B/303	Wicker Chair w/cushion	Removed by donor 10/04/03
BOCC Administration		
13999-1	Micromania Computer	Obsolete
14341	3 Com 24 Port Hub	Obsolete
10564	Telex 4000 Slide Projector	Obsolete
Fire Training Services		
11558	Smoke Machine	Irreparable
Aquatics		
8470	19" Samsung TV	Obsolete
9937	Telex Caramate 4000	Obsolete
Haz-Mat		
11451	Laptop Computer – Microsmart 486	Obsolete
12546	Dell 166 Computer	Obsolete
10669A	Panasonic KX-P4430	Obsolete

#3-I Approved bond debt service payments due January 1, 2004, and authorized the Chairman and the Clerk to sign letters authorizing wire transfers by Mercantile Bank to Sun Trust Bank for the Capital Improvement Refunding Bonds, Series 2003-A, at \$82,626.22, and First Union National Bank for Capital Improvement Revenue Bonds, Series 1996 at \$126,168.13.

#3-J Approved and authorized the Chairman to sign a Connection Charge Installment Lien Agreement for Anna R. Goettelmann.

#3-K Approved the following wire transfers:

Heritage Consultants, Inc	\$ 12,480.47	11/04/03
Heritage Consultants, Inc	\$ 8,287.34	11/19/03
Preferred Governmental Claims Solutions	\$ 12,030.83	10/24/03
Preferred Governmental Claims Solutions	\$ 1,151.95	10/31/03
Preferred Governmental Claims Solutions	\$ 7,782.26	11/07/03
Preferred Governmental Claims Solutions	\$ 13,555.74	11/14/03
Preferred Governmental Claims Solutions	\$ 18,505.46	11/21/03
US Postal Service	\$ 13,000.00	11/04/03
Bank of America	\$ 45,952.04	11/14/03
Florida Department of Revenue	\$ 1,406.08	11/20/03
American Title Services of Citrus Co Inc	\$ 12,461.59	11/03/03
Title Offices LLC	\$ 5,451.88	11/07/03
American Title Services of Citrus Co Inc	\$ 15,763.13	11/07/03
First American Title dba Crystal River Title	\$ 3,777.63	11/21/03

#3-L Set public hearings as shown to consider amendments to the Citrus County Land Development Code (LDC) Ordinance No. 90-14:

Public Workshop:	December 16, 2003, at 2:30 P.M.
Public Hearing:	January 13, 2004, at 2:15 P.M.
Location:	Citrus County Courthouse, 110 N. Apopka Avenue, Inverness
Application/Applicant:	AA-03-22, Larry Clark for William R. Stocker, Sr.

#3-M Approved and authorized the Chairman to sign a Deed of Conveyance to Leslie T. Hargis for the purchase of the remainder of County surplus Parcel 193, containing 7,647 square feet, more or less, for \$7,500.

#3-N Approved and authorized the Chairman to sign an Equipment Maintenance Agreement with Danka on the Minolta EP5000 copier located in the Community Support Services Division effective October 1, 2003, through September 30, 2004.

#3-O Approved and authorized the Chairman to sign ten additional Certificates for Ultimate Purchaser and Federal Tax Exemption forms per the RFP No.087-03 Fuel Card Purchasing Program that was approved by the Board on August 9, 2003.

#3-P Approved and authorized the Chairman to sign a Maintenance and Connectivity Support Agreement with IKON for the Canon CFXL4000 fax machine, Serial No. ULM51291, located in the Building Division effective October 1, 2003, through September 30, 2004, at \$371.96.

#3-Q Approved and authorized the Chairman to sign the Guaranteed Maintenance Agreement with Lanier for the 6613 copier, Serial No. 411600, located in the Permitting Office, effective October 1, 2003, through September 30, 2004, at \$120.

#3-R **(1)** Accepted a Permanent Ingress/Egress Easement Deed from Timothy J. Defoe to provide a connector and corner cut for County-owned East Rooks Road and South Power Avenue located in Flying Z Ranch, and **(2)** directed the Clerk to place the acceptance stamp thereon and record in the public records.

#3-S Approved and authorized the Chairman to sign the Authorization and Approval Form with the Withlacoochee River Electric Cooperative, Inc., for the installation of five streetlights in the Sugarmill Woods Subdivision (Oak Village) at an annual cost of \$533.76.

#3-T Approved and authorized the Chairman to sign the Annual "Choose Life" Speciality License Plate Report to DHSMV by County for fiscal year ending September 30, 2002.

#3-U **(1)** Accepted Temporary Construction Easements from West Hernando Congregation of Jehovah's Witnesses, Inc., for Parcel 751, and from Larry L. Grant and Laretta M. Grant and Bruce Van Allen and Linda C. Van Allen for Parcel 738, **(2)** a Utility, Drainage, and Access Easement Deed from Annie E. Tyte and Linda Cook, Trustees for

Parcel 832, and **(3)** directed the Clerk to place the acceptance stamp on all documents and record in the public records.

#3-V Approved and authorized the Chairman to sign the Administrative Law Judge Services Contract (Contract No. C-004) with the State of Florida, Division of Administrative Hearings for services as needed at a rate of \$129 per hour.

#3-W Appointed Robert K. Hnat to serve a nominal four-year term as an Alternate Member with Technical Qualifications on the Citrus County Water and Wastewater Authority for a term that would expire on October 31, 2007.

#3-X Authorized staff to advertise the Request for Qualifications regarding Davis Lake restoration services.

#3-Y Approved and authorized the Chairman to sign a Contract for Sale and Purchase with Heritage Land Development, LLC, F/K/A Asish Sanon LLC for Parcels 100, 707 and 807, and with Barrie John Ratcliff and Donna H. Ratcliff for Parcel 113 of the CR-486 Road Improvement Project from Forest Ridge Boulevard to US-41, Hernando.

#3-Z Approved and authorized the Chairman to sign an Indemnity Agreement with Lake Gardens of Citrus, Inc., for the clearing of a portion of County right-of-way for ingress and egress known as North Springlake Drive.

#3-AA Approved and authorized the Chairman to sign a Federal Annual Certification Report for the Citrus County Sheriff's Office pertaining to shared forfeiture activities.

#3-BB **(1)** Approved a request by the Community Support Services Division to apply for funding under the Florida Department of Transportation (FDOT) for fund year 2004/2005, which would cover Section 5310 Capital and Section 5311 Operations, for the period beginning October 1, 2004, and ending December 31, 2005, **(2)** adopted and authorized the Chairman to sign resolutions authorizing the application and execution of a contract for funding of a Section 5310 and Section 5311 Grant Applications with the FDOT, and **(3)** approved and authorized the Chairman to sign the applications and all other related items.

RESOLUTION NOS. 2003-278 AND 2003-279, RESPECTIVELY

#3-CC Adopted and authorized the Chairman to sign a resolution certifying that the Nature Coast Affordable Housing Corporation's Program for the construction of housing for very low income persons was consistent with local plans and regulations.

RESOLUTION NO. 2003-280

#3-DD Approved and authorized the Chairman to sign a Purchase Agreement with the FDOT for a perpetual easement for Parcel No. 802 at \$5,450.

#3-EE Approved and authorized the Chairman to sign a Grant-In-Aid Agreement for Child Dependency with the Justice Administrative Commission in an amount not to exceed \$27,993.72 for the period beginning July 1, 2003, and ending June 30, 2004.

#3-FF Approved and authorized the Chairman to sign a letter of support to Governor Jeb Bush requesting additional funding for Crisis Stabilization Unit beds in the region used for providing treatment and a safe-haven for mentally ill patients at times of often life-threatening crises.

#3-GG Approved and authorized the Chairman to sign the Occupational Medicine Contract with Citrus Memorial Hospital Family Care Center for the volunteer firefighter's annual physicals, effective January 2, 2004, through January 2, 2005.

#3-HH Acknowledged receipt of a Complaint filed in the circuit court in the matter styled Shirley Thompson vs. Citrus County pertaining to an alleged injury sustained at the Citrus County Landfill.

#3-KK Authorized the Chairman to send a letter to the West Central Florida Municipal Planning Organization Chair's Coordinating Committee (CCC) confirming that Citrus County would like to be included as a non-voting partner entity in the proposed Interlocal Agreement for Regional Transportation Planning and Coordination in West Central Florida.

#3-LL Set public hearings as shown to consider amendments to the Citrus County Comprehensive Plan (COMP), Ordinance No. 89-04 as amended and the LDC Atlas, Ordinance No. 90-14:

Transmittal Workshop:	March 9, 2004, at 2:00 P.M.
Public Hearing:	April 13, 2004, at 5:01 P.M.
Location:	Citrus County Courthouse, 110 N. Apopka Avenue, Inverness
Application/Applicant:	CPA-04-01 (DDS) CPA/AA-04-02 (Citronelle Park) CPA/AA-04-06 (Olsen for Black Diamond Ranch)

#3-MM Approved use of the Historic Courthouse grounds on December 23, 2003, at 12:00 P.M. for a National Homeless Memorial Service directed by the Hunger and Homeless Coalition.

#3-OO Approved and authorized the Chairman to sign a Settlement Agreement with Gulf to Lakes Associates, Ltd., in the matter styled Citrus County vs. Brannen Properties, Inc., et al., Case No. 2003-CA-373 (the CR-491 condemnation).

#3-PP Approved the ranking of the public safety Geographical Information System (GIS) Mapping firms, and authorized staff to negotiate a contract with Jones, Edmund and Associates, Inc.

#3-QQ Approved the following Bid Committee Report: **(1)** Bid No. 028-04, Code Enforcement (CE), demolition and debris removal, awarded to Cross Environmental Services as the lowest bidder; and **(2)** Bid Waiver Request, Parks & Recreation (P&R), lighting system, waived bid procedures and allowed P&R to utilize Musco Lighting for the purchase and installation of a lighting system at the Lecanto Community Park.

#3-NN CITRUS SPRINGS MUNICIPAL SERVICES BENEFIT UNIT (MSBU)/MUNICIPAL SERVICE TAXING UNIT (MSTU)

Mr. Wesch stated that staff recently received a letter from the County's outside attorney from the law firm of Nabors, Giblin & Nickerson indicating that there was a concern regarding the current funding philosophy pertaining to the Citrus Springs MSBU due to the case law of Donnelly vs. Marion County. He added that the Supreme Court denied the appeal in that case, which meant that the County should reevaluate the current funding strategy used to fund the Citrus Springs MSBU. He cautioned that there was a statutory deadline of January 1 of any given year for the potential creation of a MSTU, and should a public hearing not take place, the potential funding strategy would be unavailable for the upcoming 12 months. He pointed out that staff did not think this would be the only funding strategy for the Citrus Springs MSBU needs; however, in order to implement a MSTU and impose millage, the affected property owners must receive due public notice, and a hearing must be set before the Board to establish that millage. He explained that the action taken today, was to set a public hearing only, and if the ordinance were adopted it would merely be a safeguard should it become necessary to make that recommendation to the Board next year.

Motion by Commissioner Fowler, seconded by Commissioner Phillips, to set a public hearing on December 16, 2003, at 3:00 P.M. on an Ordinance amending Chapter 90, Article XVI of the Citrus County Code; creating the Citrus Springs Municipal Service Taxing Unit (MSTU) pursuant to Section 125.01(1)(q), Florida Statutes; amending Section 90-682 of the Citrus County Code providing for the purpose of the Citrus Springs MSBU and Citrus Springs MSTU; amending Section 90-685 of the Citrus County Code providing for the annual budget of the Citrus Springs MSBU and Citrus Springs MSTU; amending Section 90-688 of the Citrus County Code providing for the expenditure of revenue; creating a new Section 90-690 of the Citrus County Code providing for the levy of ad valorem taxes within the Citrus Springs MSTU and authorizing the use of said tax revenues to provide certain services, programs, and facilities within the Citrus Springs MSTU; providing for inclusion in the Code; providing for severability and providing an effective date.

Commissioner Phillips stated that she was surprised that the Supreme Court denied an appeal in the Donnelly case. She reiterated that this action was only to set a public hearing due to the statutory requirement of January 1 to consider this funding option. She remarked that this public hearing would be held in the courthouse due to the timing issue; however, when a decision was to be made regarding the funding sources, she would like to schedule the public hearing in Citrus Springs so that the residents could attend more readily. She requested that the Chairman ask if anyone in the audience would like to address this issue.

The Chairman concurred with Commissioner Phillips and asked for public comment. There was no public comment.

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

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

#6-A **FDOT STORMWATER MANAGEMENT RESOLUTION**

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution requesting that the Florida Department of Transportation District 7 include retrofitting of historical stormwater discharges in their Citrus County road projects.

RESOLUTION NO. 2003-281

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

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

The Chairman announced a new position for a Citizen's Representative of the Florida Association for Community Action on the Transportation Disadvantaged Coordinating Board for a one-year term that would begin on January 16, 2004, and expire on January 16, 2005.

#7-B **PDRB NOMINATIONS**

Mr. Wesch advised that James Hill had withdrawn his name for consideration.

Commissioner Batchelor nominated James Bard to fill a Regular Member position on the PDRB for a term that would expire on November 30, 2006.

Motion by Commissioner Phillips, seconded by Commissioner Bartell to cease nominations.

Commissioner Fowler nominated Michael Moberly.

The Chairman questioned the nomination since a motion had been made to cease nominations; however, the Commissioners expressed no objection to the nomination.

The Chairman and Commissioner Phillips discussed the nomination and voting procedures, and Commissioner Phillips requested that the Board vote separately for District 1 and District 2 positions. Commissioners Bartell and Phillips then withdrew their first motion to cease nominations to allow Commissioner Fowler's nomination.

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

Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board approved voting on the two candidates today.

The Commissioners proceeded to vote by ballot (voting ballots filed with the Clerk's agenda). Mr. Battista disclosed that there were four votes for James Bard and one vote for Michael Moberly. The Chairman announced the appointment of James Bard to fill a Regular Member position on the PDRB for a term that would expire on November 30, 2006. He postponed nominations for District 2 until later in the meeting.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board approved and authorized all Commissioners to sign certificates of appreciation to Thomas O. Owens, former member of the Aviation Advisory Board, Dominic H. Christofaro, Jr., Ernest Gonsalves (absent), and Clyde MacKenzie, former members of the Citrus Springs Advisory Council, Earl G. Childs, Jr. (absent), and Chris Ensing (absent), former members of the Code Review and Appeals Board, and Marie Straight, former member of the Construction Licensing and Appeals Board in recognition of their dedicated service to Citrus County and their community.

#7-B **PDRB - CONTINUED**

Commissioner Fowler nominated Michael J. White and Commissioner Bartell nominated Marion Knudsen to fill a Regular Member position on the PDRB for a term that would expire on November 30, 2006.

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

Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board approved voting on the nominations today.

After the Commissioners voted (ballots filed with the Clerk's agenda), Mr. Battista advised that the vote was three to two in favor of Marion Knudsen. Marion Knudsen was appointed to fill the Regular Member position on the PDRB.

#7-C **SUNCOAST PARKWAY 2 - S1 ALIGNMENT**

The Chairman stated that at the Board meeting held on November 18, 2003, he had requested adoption of a resolution opposing the S-1 alignment for the Suncoast Parkway 2 Project (Parkway); however, the item was tabled until all five Commissioners could discuss the matter. He stated that Sugarmill Woods was the only community that the Parkway would bisect, and he thought this resolution would be beneficial to the Parkway study group when making their decision.

Commissioner Batchelor commented that he had made a statement at the last Board meeting that he felt the letter sent by the Board to the Parkway study group in March regarding minimizing impacts to various communities, including Sugarmill Woods was very clear, and that this action would be redundant. He added that because the proposed resolution included only Sugarmill Woods, the Board would be criticized by other communities; therefore, he would not support this suggestion.

The Chairman replied that this was an environmentally sensitive area, and he thought the Board could take a stronger position and give those residents peace of mind; however, he would abide by the wishes of the Board.

Commissioner Phillips remarked that she felt the Board had sufficiently relayed their position to the Parkway officials in letters as well as personally. She stated that while

the Board supported the Parkway, they had encouraged the officials to select the least intrusive corridor and were adamant about protecting the County's water sources. She added that the Board might wish to comment after the Parkway officials made their final decision.

Commissioner Bartell applauded the Chairman for bringing the issue forward because there had been much discussion regarding the Parkway route; however, he had reiterated to the Parkway officials that the S-1 corridor was totally ludicrous and unacceptable from a practical and destructive standpoint and cost factor. He added that he was not sure it was necessary to repeat the Board's position, but if the S-1 corridor were chosen, he would not support the Parkway.

The Chairman stated that he would not support the Parkway either if that route were selected.

Commissioner Fowler agreed that the Board's position was clearly stated in the previous letter and that further action could have a snowball effect from one community to another.

The Chairman expressed appreciation to the Board for the discussion.

#2-D PV-03-01, LARRY M. HAAG, OBO GARY F. AND MARGARET E. OWEN

Margaret Beake, AIA, AICP, Senior Planner, Community Development Division (CDD) reviewed a request petitioned by Larry M. Haag on behalf of Gary F. and Margaret E. Owen to vacate the northern utility easement and a portion of the eastern utility easement of Lot 28, Block B-127 of Cypress Village, Sugarmill Woods. She stated that the request was made in order to eliminate encroachments of an air conditioning pad with wall and a pool screen enclosure. She reported that the utility companies, the Public Safety Department, Fire Services Division, Land Section, and Emergency Management Operations 911 Center had reviewed the vacation and had no objections. She stated that the Plat Review Team (PRT) recommended approval on August 6, 2003, and that the PDRB recommended approval with conditions on October 2, 2003, with a 7-0 vote. She added that according to the COMP Policy 10.4.2, the location of an existing or future utility would not be adversely affected.

Mr. Haag advised that when this house was built many years ago, an air conditioning slab and part of a pool deck encroached into an easement, and by granting this request, a cloud would be removed from the title to the property.

The Chairman opened the public hearing for public comment and asked if anyone wished to speak in favor or in opposition. With no public input, 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 approving Plat Vacation PV-03-01, as petitioned by Larry M. Haag, on behalf of Gary F. and Margaret E. Owen. **RESOLUTION NO. 2003-282**

The Chairman recessed the meeting and reconvened at 2:20 P.M.

#2-E **2003 SMALL SCALE CYCLE #5 AMENDMENTS**

Director of Development Services Gary Maidhof made brief comments, and Mrs. Slingerland polled the Board for ex parte communications regarding applications CPA/AA-03-24 and CPA/AA-03-25. All Commissioners replied that they had no previous communications on either application. Mr. Maidhof then read the ordinance preambles into the record.

#2-E.1 **CPA/AA-03-24, STILLWELL FOR ASHEVILLE PARTNERS**

Glenn C. Bailey, Environmental Planner, presented the following staff report:

Applicant Number/Name:	CPA/AA-03-24, Clark A. Stillwell, Esquire for Asheville Partners
Land Use:	GFLUM: from RUR, Rural Residential District to PSO, Professional Services and Office District LDCA: from RUR* (mobile homes allowed) to PSO with a Planned Development Overlay
Property Data:	Approximately 1.41 acres directly to the west of a portion of Golden Gate Center, a planned mixed use development most recently amended by Ordinance No. 2001-A40 (PDO-01-01), located southwest of the CR-491 and North Modelwood Drive intersection
Staff/PDRB Recommendation:	GFLUM: Approval LDCA: Approval with four conditions (outlined in backup material)

He stated that the owners of the Golden Gate Center recently acquired the subject property from the Diocese of St. Petersburg and proposed to use it as an expansion of the medical office facilities designated on the current master plan. He also stated that the Golden Gate Center was partially developed, that self-storage facilities and certain infrastructure had been constructed, and that the drainage retention area and interior roadways were in place. He described the surrounding existing land use and advised that the request would only nominally increase the Golden Gate Center boundary by reconfiguring the medical facility site from two smaller buildings into one larger structure for a total building square footage increase of 6,600. He read the conditions of approval into the record.

Mr. Stillwell, representing the applicant, made brief comments regarding the proposed amendment. He pointed out that the existing stormwater permit on the property was sufficient for the increased size of the building and for parking, that central utilities were available, and that the property adjoined commercial property on all sides. He stated that the Diocese had no comment throughout the process, and he requested approval of the amendment.

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

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board approved application CPA/AA-03-24, Clark A. Stillwell, Esquire for Asheville Partners.

#2-E.2 CPA/AA-03-25, VINT FOR CUMBERLAND FARMS INC.

Mr. Bailey presented the following staff report:

<i>Applicant Number/Name:</i>	CPA/AA-03-25, Robert Vint for Cumberland Farms, Inc.
<i>Land Use:</i>	GFLUM: from MDR, Medium Density Residential to GNC, General Commercial LDCA: from PSO to GNC
<i>Property Data:</i>	Approximately 3.37 acres of the east 350 feet of four narrow lots located at 8078 South Suncoast Boulevard in the Sugarmill Woods area
<i>Staff/PDRB Recommendation:</i>	GFLUM: Denial/Approval LDCA: Denial/Approval with four conditions (outlined in backup material)
<i>Proposed Project:</i>	To facilitate reconfiguration and expansion of the current use

Mr. Bailey stated that the existing Cumberland Farms Convenience Store was established when much of the land in Citrus County bordering US-19 was commercially zoned. He explained that since then land use designations along the highway had been changed to discourage strip commercial development. He added that the lot containing the store was allowed to retain its commercial designation on the LDCA, while the other four lots involved with this application became PSO, allowing less intense office-type uses. He advised that the proposed expansion from two to six gas pump islands would involve all five lots. He described the existing surrounding land uses and stated that there were no apparent concurrency issues with the proposed change; however, the proposal was inconsistent with the COMP, which contained policies encouraging commercial nodes while discouraging sprawl and strip commercial development.

Mr. Vint, representing the applicant, stated that records indicated that the existing store was built prior to 1982, and that the building needed to be updated and modernized to bring it up to the current design standards of the Cumberland Farms stores. He asked that the Board concur with the PDRB and grant the re-designation of this parcel.

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

Motion by Commissioner Batchelor, seconded by Commissioner Fowler to approve application CPA/AA-03-25, Robert Vint for Cumberland Farms, Inc.

Commissioner Phillips stated that the County had entered into a Stipulated Settlement Agreement (SSA) with the Department of Community Affairs (DCA) not to expand this area until commercial nodes were developed to at least 80 percent, and they were nowhere near that percentage. She also stated that allowing this expansion would be inconsistent with specific policies of the COMP, and although she understood the applicant's position, she could not support an amendment that was inconsistent with COMP.

In response to Commissioner Bartell's request, Mr. Bailey explained staff's position for not recommending approval of this amendment. He stated that it was not consistent with the COMP and the established guidelines for development of commercial nodes. He advised that the amendment area was approximately 300 feet to the north of the closest commercial node, and was not yet 80 percent developed. He read Policy 17.17.7, which mandated "*no nodes should be considered for expansion unless 80 percent of the existing nodal area (less right of way) is developed or approved for development of nonresidential land uses or as otherwise warranted by the proposed development.*"

Commissioner Bartell agreed with Commissioner Phillips and reiterated that the SSA prohibited expansion of the commercial node area until development had reached 80 percent, and to expand would be a violation of the COMP; therefore, he could not support the motion.

Commissioner Fowler advised that many areas of the County were in violation of the COMP. He stated that the applicant merely wanted to remodel the store and make it a more modern, attractive, functional building, and he believed the Board should allow the amendment.

Mr. Maidhof replied to the Chairman's questions by stating that any redevelopment would be subject to the County's current standards, and that the entire store was outside of the commercial node.

The Chairman noted the PDRB approval vote of 7 to 0, and stated that he thought to enhance the existing building would be best for the community, and that the Board would be within their rights to support this amendment.

Discussion continued regarding the following: setting a precedent; the inconsistencies in the COMP should be addressed and changed; abiding by the policies and goals of the SSA and the COMP; the SSA goals were not made to allow existing businesses to decay and run down over time; bringing the existing building up to today's standards, etc.

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

Upon Motion by Commissioner Wooten, seconded by Commissioner Batchelor, 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 #5, in accordance with (iaw) application CPA/AA-03-24, Clark A. Stillwell, Esquire for Asheville Partners and application CPA/AA-03-25, Robert Vint for Cumberland Farms, Inc., 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 #5, iaw application CPA/AA-03-24, Clark A. Stillwell, Esquire for Asheville Partners and application CPA/AA-03-25, Robert Vint for Cumberland Farms, Inc.
ORDINANCE NO. 2003-A36 AND ORDINANCE NO. 2003-A37, RESPECTIVELY

Motion carried. Voting Aye: Commissioners Batchelor, Fowler, and Wooten. Voting Nay: Commissioners Phillips and Bartell.

#2-F **OA-03-04, DDS**

Mr. Maidhof read the ordinance preamble into the record and reviewed the following amendments: **(1)** standardizing the filing requirements for lot reconfigurations (Section 2246), minor subdivisions (Section 2247), and large lot rural subdivisions (Section 2248) to maintain consistency, **(2)** typographical error in the standards of special flood hazards (Section 4163), **(3)** establishing standards for water and wastewater facilities (Section 4723 & 4733) by eliminating Appendices C and D, and **(4)** minor adjustment to Appendix G to include telecommunication tower standards.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign an Ordinance of Citrus County, Florida amending Ordinance No. 90-14, the Citrus County Land Development Code, by amending the filing requirements for lot reconfigurations, minor subdivisions, and large lot rural subdivisions; by amending appeal standards; by establishing standards for water facility construction, fire flow, fire hydrants, and wastewater treatment systems; by deleting appendices C and D; by amending Appendix G, uses and levels of review for communication/transmission towers; and by providing for codification, severability, and an effective date. **ORDINANCE NO. 2003-A38**

#2-G **REQUEST FOR RELOCATION OF BILLBOARD**

Mr. Stillwell informed the Board of the billboard's location, which was on the east side of US-19, south of the Sugarmill Woods entrance. He stated that this request was prepared pursuant to a new statute that became effective July 1, 2002, to provide an alternative of relocating an existing nonconforming billboard, which was subject to being removed by a County ordinance. He advised that the billboard was in the cross access easement and if relocated, it would be moved approximately 100 yards to the north into an

open space area, which would be more aesthetically pleasing to his client (the property owner) and to the billboard company (Clear Channel). He stated that the size of the billboard would not increase, that it would be brought up to current structural standards, and that it would remain a nonconforming use. He further stated that Clear Channel had agreed to all the conditions, and he asked the Board to authorize the billboard relocation at the client's expense and avoid the downfalls of becoming a test case for a new law. He explained that this was a practical solution to a small problem through a legislative function, that it would not set a precedent, and that it had no value other than to this billboard and to the property owner.

Mr. Maidhof answered Commissioner Bartell's question regarding the applicant signing a consent form to agree to the removal of a nonconforming use by stating that this situation was not caused by staff action. He stated that the applicant had indicated that the billboard would be removed; however, later realized they did not have consent of the billboard owners. Mr. Stillwell added that the problem began when the billboard company changed and became Clear Channel. He thought this type of situation could be avoided in the future if a professional land use planner or an attorney made an affirmative declaration that the applicant owned the property and there were no other outstanding interests on the property that affected the application. He added that if the affirmation turned out to be false, the County would have a legal reason to revoke the permit.

Commissioner Bartell agreed with Mr. Stillwell's recommendation for a safeguard of the title interest and thought it would eliminate any precedent handled on this particular billboard. He also stated that he did not think the County should litigate this new statute.

Mr. Maidhof agreed and pointed out that staff was building a database using the FDOT's website and the contractor for surveying billboards on County roadways. He added with that information available, this type of situation would not occur in the future. Mr. Stillwell stated that a title interest affirmation would also work for other land use issues.

Motion by Commissioner Bartell, seconded by Commissioner Wooten, to authorize staff to work with the applicant to resolve the issue to allow the relocation of this billboard, and direct staff to come back with a recommendation for a safeguard to avoid this type of situation in the future.

Mr. Maidhof advised that he thought staff could finalize the agreement with Mr. Stillwell quickly. He added that the appropriate mechanism (safeguard) would be for staff to review the sign regulations, review the new statute, make the appropriate adjustments, and address the permitting concerns regarding other interests in the properties. He added that staff was working on a LDC amendment and could include this issue as well.

He responded to the Chairman's question regarding the December 18, 2003, Code Enforcement Board (CEB) action by stating that if this motion was approved today, he would generate a memorandum to the CEB explaining the Board's action. He added that if the final agreement were approved, it would eliminate the violation for the certificate of compliance with the CEB. He also stated that there should not be a problem with the

CEB extending the time for staff and the applicant to work through the final agreement and bring it back to the Board in January.

Discussion ensued as follows: that there would be no increase in the size of the billboard and it would be built to new standards; that approval of the relocation of the billboard would avoid litigation with Clear Channel; that the cost of relocation would be borne by the property owner and Clear Channel, etc.

Commissioner Phillips questioned if staff could amend the LDC so that the required conditions must be completed prior to construction and before a permit was issued. Mr. Maidhof replied that typically, if a required condition had not been met or was violated, the conditional use would be declared null and void. He further stated that in fairness to the applicant, and due to the third party aspect (Clear Channel) in this particular case, he thought the relocation of the billboard was a good resolution. He explained that billboards had lifetimes and suggested recognizing the existing lifetime of this new billboard, at the end of which, it would be amortized and removed. He added that other counties had been very successful in using this method.

Mr. Stillwell answered Commissioner Batchelor's question by stating that Clear Channel had agreed to the relocation of the billboard, and that he was authorized to act on behalf of Sugarmill Square Associates and Clear Channel in this matter.

The Chairman concurred with Commissioner Batchelor's statement that he could support this action if it were made clear that it would not set a precedent and there would not be a continuance.

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

Mrs. Slingerland clarified that the motion was not to approve the proposed agreement, but to develop an agreement that was acceptable to both parties and present the agreement back to the Board for final approval.

#2-H ***LITTER ORDINANCE REVISION***

Mr. Wesch read the ordinance title into the record and explained that the ordinance amended Sec. 82-1 (a) of the Citrus County Litter Ordinance, which must be amended to read "County Department of Public Safety, County Department of Public Works", rather than "County Department of Development Services," reflecting that litter enforcement had been transferred to Public Safety.

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

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

sign an ordinance amending Section 82-1 (a) of the Citrus County Litter Ordinance.

ORDINANCE NO. 2003-A39

The Chairman recessed the meeting and reconvened at 3:25 P.M.

#2-1 **DAVIS LAKE PRESENTATION**

Mark Edwards, Aquatic Services Director, and Phillip Rhinesmith, SWFWMD Project Manager, gave a PowerPoint presentation regarding an update on the Davis Lake Restoration Project. Mr. Edwards discussed the history and description of Davis Lake and stated that on numerous occasions the lake had been covered with tussocks (organic muck) encompassing the entire lake ranging from 15 to 20 feet. He advised that this project was being conducted through a cooperative agreement between the County and the SWFWMD to determine the age, composition and accumulation of organic sediments within the lake.

The PowerPoint presentation included pictures of Davis Lake, mud islands, sedimentation that caused plant growth, the initiation of the Tussock Removal Project by using a cookie cutter machine, pictures of the lake before and after removal of the tussocks, and restoration funding for FY 2003 at \$278,517.

Mr. Rhinesmith continued the presentation and addressed the FY 2003 Phase I Material Testing by the University of Florida regarding particle size and composition and by the University of California Lawrence Livermore Lab for Radiocarbon dating and Lead 210 dating. He showed Davis Lake spudding (coring) locations through the sediment at various footages and described the sediment as gelatinous and 98 percent water with sand at the bottom of the lake. He advised that the material had been depositing at a relatively stable period for the last 5,500 years.

Mr. Edwards stressed that it was important to Radiocarbon date the sediments in order to establish the timeframe and to determine if this was a recent or historical phenomenon. He pointed out that of the 8,000 Florida lakes, less than a dozen had any type of Radiocarbon dating performed. He added that the top 5 1/2 feet of material would be analyzed using a different Lead 210 testing to determine how recent some of the upper layer of material was. He anticipated 125 acres to restore the once open body and approximated 243,000-acre feet of sediments (3.2 million cubic yards of material). He estimated that the cost for hydraulic dredging would range from \$26 million to \$98 million based on staff's analysis of \$7.90 a cubic yard up to \$29.93 if polymers were injected into the material. He specified that the cost did not include disposal of the material.

He concluded the presentation of the FY 2004 Phase II Request for Qualification (RFQ) for Material Reduction and/or Removal. He stated that an engineering firm would provide the cost analysis for different options for the lake, including an In Lake Pilot Project, in which this Board had requested assistance of \$2 million due to the Department of Environmental Protection (DEP) legislative issues.

The Chairman stated that the long-term solution was exorbitant; however, the citizens were grateful for the tussock removal.

Mr. Rhinesmith commented that part of the request for the RFQ was to determine a less costly alternative. He stated that several chemical companies had used polymers to reduce the material to provide more usable surface water and that in the future, options would be presented to the Board for a more cost effective method.

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

#12-A **FINAL PLAT - PLT-03-05 - BRENTWOOD TOWNHOMES PHASE I**

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board (1) approved and authorized the Chairman to sign the Plat of Brentwood Townhomes Phase I (PLT-03-05), Improvement Agreement, and Water and Wastewater Developer's Agreement, and (2) directed the Clerk to record the plat and related documents in the public records.

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

#14-A **ADVISORY BOARD VACANCIES**

The Chairman suggested that the Board direct staff to publicize advisory board vacancies on the County's website or through the newspaper due to many people not being aware of openings. Commissioner Bartell remarked that he thought it was a good idea as well as retaining the names of citizens who had submitted applications.

Mr. Wesch stated that appropriate adjustments would be made to the website that would indicate available positions to advisory boards.

#14-B **VETERANS MEETING**

Commissioner Phillips informed the Board that she, Mr. Wesch, and others attended a meeting December 3, arranged by Congresswoman Ginny Brown-Waite with state Veterans Administration (VA) officials to tour the Brown School for the possible use of a portion of that building for a nursing home. She explained the two different veterans programs, one of which was for a new expanded veteran's clinic due to overcrowded conditions, and the other was for a veteran's nursing home. She said that VA officials had reviewed the Brown School as a possible location for their expanded clinic, which could also accommodate the Veterans Service Officer and his staff; however, the federal government provided funding for the veterans clinic, and VA officials would make the final decision on the location. She further explained that nursing homes were funded by federal, state, and local governments, usually sixty-five percent from the federal government, and thirty-five percent from state and local governments, and that state legislators would participate and help the County with this issue. She added that the VA would evaluate the documentation provided regarding the construction of the Brown School, and then evaluate and determine if a portion of the Brown School would fit their nursing home needs.

She also stated that the VA required fifteen acres in order to build a nursing facility. She informed the Board that she asked the VA officials that if part of the Brown

School were not suitable, would it be beneficial if the County acquired the Brown School site and donated some acreage to the federal government for the construction of the nursing home. She also informed that Citrus County was one of five areas identified as critical for nursing home needs; however, the VA had not prioritized those areas at this time. She expressed appreciation to the Board for their support, and stated that she would continue to work with Congresswoman Brown-Waite and the state elected officials and veterans.

Commissioner Fowler complimented Commissioner Phillips for her efforts to bring this facility to the County, and commented that the Board supported her one hundred percent and would do whatever they could to make this a reality.

The Chairman stated that her work was extraordinary, and that he had created and appointed Commissioner Phillips to a new position as Veterans Services Liaison because this Board had shown a commitment to the veterans of this County.

Discussion followed regarding the Brown School site totaling 31 acres, addressing ADA requirements throughout the building, separate entrance for the expanded veteran's clinic, providing additional parking, etc.

Commissioner Batchelor also thanked Commissioner Phillips for the tremendous accomplishment and stated that the possibility of this taking place would mean a great deal to the veterans and the community.

Commissioners Phillips expressed appreciation to Congresswoman Brown-Waite and the state representatives for their support of the nursing home concept, and commended the veterans for their hard work on the issue as well.

#14-C **PUBLIC SAFETY DEPARTMENT (DPS) MSBU**

Commissioner Batchelor mentioned that some time ago there was a discussion about the establishment of an MSBU for DPS, which he did not support at the time due to unanswered questions. He suggested and hoped the Board would agree to direct staff to bring this matter back after the first of the year with details and answers to those questions previously discussed.

Commissioner Fowler agreed. Commissioner Phillips concurred that it should be reviewed again; however, due to the recent Donnelly vs. Marion County Case, she felt the Board should receive an attorney's opinion regarding the legality of the issue.

Mr. Wesch advised that staff would compose a presentation outlining the legal requirements and accomplishments via an MSBU funding method the later part of January or early February.

Commissioner Bartell stated that the legal issue should be addressed first. Short discussion followed, and Mr. Battista discussed the Donnelly vs. Marion County Case and

advised that it should be interpreted as an ad valorem tax case versus an assessment case.

The Chairman commented that staff had direction and requested that the issue be presented to the Board sometime in January.

There being no other business to come before the Board, the Chairman adjourned the meeting. (3:55 P.M.)

ATTEST: _____, Clerk _____, Chairman