

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.

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

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

#2-A **PROCLAMATION -- JACK HANNA**

Mr. Wesch introduced Mr. Hanna, and gave a brief review of his background and accomplishments as a national conservation spokesman known throughout America. He also read the proclamation into the record.


*Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized all Commissioners to sign a Proclamation recognizing Jack Hanna for his efforts in promoting environmental stewardship and protection.*

Commissioner Wooten made brief comments and the Chairman presented the proclamation to Mr. Hanna.


Mr. Hanna thanked the Board for welcoming him to Citrus County, and stated that he enjoyed visiting and seeing the manatees and wildlife, that he was impressed with the Board and their interest in the environment, and that he had filmed at Homosassa and Crystal River before and hoped to be filming other shows there.

Members of Red Turtle Lodge presented Mr. Hanna with a welcome and friendship gift. (I-420/1:22 P.M.)

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

 Sumner Waite made comments regarding the Outlook 2001 brochure that was distributed and complained that there was no information on how to communicate with the Commissioners or the Administrator via e-mail. He remarked that he had e-mailed Mr. Wesch through the webmaster on the County website; however, had never received a reply from him.

The Chairman replied to Mr. Waite by stating that staff would speak to him sometime during the meeting in regard to the website e-mail. Commissioner Phillips stated that the Commissioners did not have Internet access on their computers and therefore were unable to reply directly to e-mails.

 Clark Stillwell representing Creative Choice, the developers of the residential component of the Beverly Hills multi-use project, stated the project was a state funded elderly housing project that had received the number one rating in the State for its classification. He advised that the current ordinance, which was previously approved by the Board, required a master site plan approval. The applicant had submitted the master site plan and was scheduled for a June 6 hearing with the Planning Development and Review Board (PDRB), and a June 25 public workshop and July 9 public hearing with the Board of County Commissioners (Board). He explained that his client was required to file a zoning form with the State by June 26, and if the form was not filed on time his client would lose their number one rating and the project would not go forward. He requested the Board waive the public workshop and hold the public hearing on June 25, due to there being no legal requirement to hold two public hearings. He added that his client would publish the legal ads at his expense.

**Clerk's note:** for clarification purposes, staff provided the application number and applicant name as AA-02-07, Water and Air Research, Inc. for Randum Corp.

Mr. Battista stated that there was no requirement in the Land Development Code (LDC) to have a workshop, and since there was ample time to advertise, the workshop could be waived at the Board's discretion.


Discussion ensued regarding deviating from the current procedure, there being less opportunity for public input, this application being for the residential portion of the same project previously approved by the Board for the commercial portion, moving the public workshop and public hearing to an earlier date, etc.


***Motion by Commissioner Fowler, seconded by Commissioner Bartell, to set the public workshop for the above referenced application on June 11, 2002, and the public hearing on June 25, 2002, at the Masonic Building, 111 West Main Street, 3rd Floor, Inverness.***

***Directive:*** Staff to place the same information package provided to the PDRB, in the June 11, 2002, agenda package and then provide additional information by special courier or at the Board's briefing.

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

(I-1203/1:39 P.M.)

 Cynthia Cino addressed Item #3-X (the Adopt-A-Park Agreement with the Springbusters) and requested the Board's support in getting Bluebird Spring repaired, so that the children in that part of the County had a place to swim.

 Duane Brooks spoke of the possible increase in gas tax and suggested adding ½ cent for our rivers, lakes, and springs.

Mark Wilson thanked the Board for forming the Lake Tsala Apopka Basin Recreation and Water Advisory Board, and asked for continued support in keeping Citrus County part of the beauty of the Nature Coast. (I-1358/1:43 P.M.)

#2-C LAKE TSALA APOPKA BASIN RECREATION AND WATER ADVISORY BOARD (ADVISORY BOARD) ACCOMPLISHMENTS

Wayne Sawyer made brief comments and gave a report of the Advisory Board's accomplishments and goals. He stated that under the Lakes Management Plan, the Advisory Board was charged with addressing the management of water quality, aquatic plants, fish and wildlife, and water quantity.

He reviewed the muck removal process that took place and became top priority when the Advisory Board was first formed and commended Aquatic Services for a job well done under the restraints that were put upon them. He added that water levels were now the number one priority of the Advisory Board, and that the drought was not the only problem. He advised that the Advisory Board had approved the Southwest Florida Water Management District's (SWFWMD) proposal to remove the illegal dikes in Potts Preserve, which separates the river from the chain of lakes, and was seeking ways to maximize water flow into the lakes when the river rises.

Commissioner Wooten thanked the Advisory Board for their work and asked them to report to the Board a couple times a year. The Chairman stated that he enjoyed reading their minutes and commended their work. He added that the Board would be interested in knowing any agency that did not cooperate with the Advisory Board so that they could possibly assist. (I-2163/2:03 P.M.)

#2-D PROCLAMATION—ADOPT A SHELTER CAT MONTH

Mr. Wesch read the proclamation into the record and the Chairman presented the proclamation to Charles Polisenio, Director of Public Safety.

*Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation declaring the month of June as "Adopt-a-Shelter-Cat Month."* (I-2290/2:06 P.M.)

#2-E PROCLAMATION--JENNIFER ARNOLD

The Chairman pulled this item and stated that it would be rescheduled when Miss Arnold could attend.

#2-F CPA/AA-02-10, WALDEN WOODS II

Gary Maidhof read the ordinance preambles into the record, and Ian McDonald, AICP, Senior Planner, Community Development Division (CDD), reviewed the staff report as follows:

<b>Applicant Name/Number:</b>	CPA/AA-02-10, H. W. Barrineau and Associates, Inc. for Walden Woods II
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<b>Land Use:</b>	<b>GFLUM:</b> Medium Density Residential District (MDR) to High Density Residential District (HDR) with PD Overlay. <b>LDCA:</b> MDR* (mobile homes allowed) to HDR with PDO.
<b>Property Data:</b>	The western half of Parcel 3A000-0070 in an unrecorded subdivision in the SW1/4 of Section 30, Township 20 South, Range 18 East, about one mile south of the intersection of US-98 and US-19, on the north side of the existing Walden Woods development.
<b>Staff/PDRB Recommendation:</b>	<b>Staff:</b> GFLUM-Approval LDCA – Approval subject to the following condition: 1) The tree survey and tree preservation plan shall be made a part of the Master Plan and incorporated into all project requirements and documentation. <del>A minimum of 1,928 trees, as shown on the survey dated 3-8-02, shall be preserved.</del> <b>PDRB:</b> Approval
<b>Proposed Project:</b>	Walden Woods II West Unit, Phase I, 9.9-acres with 27 mobile homes, a clubhouse, swimming pool, and some other recreational facilities.

He stated that the applicant had provided a tree preservation plan, that the application was consistent with the Comprehensive Plan, and read the staff recommendation into the record. He advised that the applicant had requested and staff approved the removal of the last sentence of the staff’s condition, so that the applicant was not held to a specific number of trees.

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

*Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign (1) an ordinance amending Ordinance No. 89-04, Comprehensive Plan, by revising the GFLUM, iaw CPA/AA-02-10, Walden Woods II, from MDR to HDR with PDO.*

**ORDINANCE NO. 2002-A13,**

and

*(2) an ordinance amending Ordinance No. 90-14, by revising the LDCA, iaw CPA/AA-02-10, Walden Woods II, from MDR\* to HDR with PDO, as amended by staff.*

**ORDINANCE NO. 2002-A14**

(1-2562/2:11 P.M.)

**The Chairman recessed the meeting and reconvened at 2:25 P.M.**

#2-G **PROPOSED UTILITY RATE ADJUSTMENT**

Mr. Wesch advised that through Board direction, Henry Thomas, representing the Public Resource Management Group (PRMG) recalculated the proposed water and sewer rate adjustment, based on the following:

1. The utility rates must be cost based.
2. The rates should include gas tax funding for the Utility Capital Improvement Projects (CIP) as related to road widening.
3. Calculate wastewater rate options using both the 5,000-gallon and 10,000 gallon caps.
4. Utility connection fees must be cost based.

Mr. Thomas distributed an information package "Additional Services Relating to the 2001 Water and Wastewater Rate Assessment, May 28, 2002" (filed with the Clerk's agenda) and reviewed the information with the Board. He stated that the proposed rates would insure that the revenues were adequate for the water and wastewater systems financial needs. He added that at the March 26, 2002, meeting there was Board consensus regarding the utility rates and the connection fees being cost based, and that rates should include gas tax funding for the Utility CIP projects. He advised that the outstanding issues were the wastewater rates and the sewer cap. He reviewed the information regarding the 10,000-gallon cap (current standard cap) vs. the 5,000-gallon cap and advised that both rates would produce the revenues necessary. He also reviewed the agreement with Ozello Water Association on proposed bulk water rates. He discussed and recommended the following:

1. Current rates were not adequate over the next five years.
2. County should finalize its capital funding plan to ensure appropriate funding was available to implement the CIP.
3. County should consider adopting an appropriate cost recovery plan to ensure that utility rates were in place in advance of pursuing external debt financing required to implement the CIP.
4. County should consider adopting cost-based utility rates, including proposed wholesale water rates to ensure that rates were fair and equitable among customer classes.
5. County should consider adopting the cost-based connection fees and miscellaneous service charges set forth herein.
6. Implementation of a wastewater rate based on a 5,000-gallon billing maximum would result in an additional increase to residential customers using less than 6,000-gallons per month and a rate reduction to customers using more than 6,000-gallons per month as well as a rate increase to all of the County's commercial customers.

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

Hugh Winfrey, Richard Coon, Sumner Morse, James DeYoung, John Klie, Bernard Kurtz, Sumner Waite, and Mike Ellis spoke in favor of the 5,000-gallon cap.

Edward Renfro, representing the Ozello Water Association (OWA) made brief comments about the OWA and recommended approval of the proposed bulk water agreement.

Mr. Thomas replied to Zoe McLendon's comments by stating that the rate study only addressed County utility systems. He added that the rates for the South Dunnellon system were higher than the County utilities; however, were developed by the prior utility owner to support their own internal cost structure, and indexed a small percentage each year annually. He advised that the long-term plan would be for the County to roll in as many of these systems; e.g., Laguna Palms, South Dunnellon, and Southwest Citrus, as the County utility rates became higher and it became feasible. He replied to Commissioner Wooten's question by stating if these systems were rolled into the County utilities now, everyone's rates would be increased to make up the difference.

Mr. Thomas explained to E. Gonsalves that the annual percentage increases in the sewer rates were due to the timing and borrowing for the CIP projects. Ken Frink, Director of Public Works, explained the proposed CIP projects that were driving those increases.

Mr. Thomas replied to Commissioner Wooten by stating that approximately 4.7 million dollars was considered as funding from gas tax sources as opposed to utility customers. He reiterated how the 5,000-gallon cap and the 10,000-gallon cap would affect the utility customers.

The Chairman closed the public portion of the public hearing.

***Upon motion by Commissioner Wooten, seconded by Commissioner Bartell, and carried unanimously, the Board approved the proposed bulk water rate recommended in the May 14, 2002 correspondence from PRMG with the Ozello Water Association (\$0.86 existing rate, \$0.96 FY 2003, \$1.01 FY 2004, and \$1.06 FY 2005).***

***Motion by Commissioner Bartell, seconded by Commissioner Fowler, to approve the 5,000-gallon cap version of the proposed water and sewer rates as published in the Citrus County Chronicle on May 9, 2002.***

***Amended motion by Commissioner Bartell, seconded by Commissioner Fowler, to approve the 5,000-gallon cap version of the proposed water and sewer rates as published in the Citrus County Chronicle on May 9, 2002, and adopt and authorize the Chairman to sign a resolution amending the utility rates and providing for an effective date of October 1, 2002.***

Commissioner Wooten stated that he was in favor of the 10,000-gallon cap; because he did not believe in rewarding people for using more water during a water shortage.

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

***RESOLUTION NO. 2002-102*** (II-1799/3:31 P.M.)

**The Chairman recessed the meeting and reconvened at 3:49 P.M.**

#3- **CONSENT AGENDA**

***Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board pulled Item #3-II.2 (Communication tower at the Lecanto Detention Facility), and approved the balance of the Consent Agenda, as follows:***

#3-A Approved the minutes of the regular meeting held on May 14, 2002.

#3-B Approved the following warrants: Payroll registers dated 05/14/02 at \$417,450.58 and dated 05/16/02 at \$31,983.10. Accounts Payable register dated 05/24/02 at \$1,393,847.68.

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

RESOLUTION NO. 2002-103

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TITLE III C-2 BUDGET FOR FY 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-318 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 the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on February 28, 2002 the Citrus County Board of County Commissioners received notice of a revision to the 2002 Title III 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 2001/2002; and

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 28<sup>th</sup> day of May 2002, as follows:

1. The Board does hereby amend its budget to include the estimated revenues and expenditures listed in Exhibit "A" attached hereto and made a part hereof by reference.

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

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

***EXHIBIT "A"***

	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	182C-331-693	USDA Title III Grants	8,715
	182C-381-004	County Cash Match	103
		Total Revenues	\$8,818
<u>Expenditures</u>	182C-5348C-54005	Travel – Volunteer	2,740
	182C-5348C-55221	Meals	6,078
		Total Expenditures	\$8,818

RESOLUTION NO. 2002-104

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE STATE HOUSING INITIATIVE PARTNERSHIP BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, the State of Florida has established a State Housing Initiative Partnership (SHIP); and

WHEREAS, in accordance with program guidelines, interest earned may be utilized for program application and closing assistance repayments are available for appropriation; 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 2001/2002; and

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 28<sup>th</sup> day of May 2002, as follows:

1. The Board does hereby amend its budget to include the estimated revenues and expenditures listed in Exhibit "A" attached hereto and made a part hereof by reference.

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

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	133B-337-350	Recycle Closing Assistance	22,117
	133B-361-200	SBA Interest	6,896
		Total Revenues	\$29,013
<u>Expenditures</u>	133B-5304B-53100	Professional Services	250
	133B-5304B-54330	Strategy – Utility Assistance	2,206
	133B-5304B-54926	Closing Assistance – Existing	9,655
	133B-5304B-54928	Closing Assistance w/Construction	16,807
	133B-5304B-55417	Training	95
		Total Expenditures	\$29,013

RESOLUTION NO. 2002-105

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE TITLE III E BUDGET FOR FY 2001/2002

WHEREAS, on April 9, 2002 through Resolution 2002-070 the Citrus County Board of County Commissioners approved an application for financial assistance under the Older Americans Act Family Caregiver Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on May 6, 2002 the Mid-Florida Area Agency on Aging, Inc. executed the contract providing funds to benefit elderly residents of the county; and



WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for Fiscal Year 2001/2002; and

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 28<sup>th</sup> day of May 2002, as follows:

1. The Board does hereby amend its budget to include the estimated revenues and expenditures listed in Exhibit "A" attached hereto and made a part hereof by reference.

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

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS

OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	184-334-691	State Grant	24,500
	184-361-200	SBA Interest	106
	184-381-004	County Cash Match	4,218
		Total Revenues	\$28,824
<u>Expenditures</u>	184-5326-51200	Regular Salaries and Wages	3,141
	184-5326-52100	FICA Taxes	240
	184-5326-52200	Retirement Contributions	230
	184-5326-52300	Life and Health Insurance	600
	184-5326-52400	Workers Compensation	24
	184-5326-54160	Postage	89
	184-5326-53485	Contract Services – Respite Care	24,500
		Total Expenditures	\$28,824

#3-D Approved the following budget transfers: **RMD:** \$500 from #102-4102-53400 to #54604. **SWM:** \$6,004 from #401-5216-54605 to #56400. **HSD/SHIP:** \$250 from #133-5304-55100 to #53100, \$165 from #54000, \$106 from #54160, \$3,190 from #54330, \$250 from #54700, \$50 from #54921, \$3,021 from #55100, \$28 from #55201, \$34 from #55270, \$59 from #55400, and \$496 from #56400 to #54630, and \$82,406 from #133A-5304A-54926 to #54928. **LSD:** \$950 from #131-6212-55200 to #55270. **CANNING CTR:** \$1,200 from #001-6308-55120 to #56400. **SSD/TRANS. OPS:** \$360 from #159C-7204C-56400 to #55270. **INSURANCE TRUST:** \$33,950 from #171-247-200 with \$33,750 to #8100-53100 and \$200 to #55120. **CITRUS SPRINGS MSBU:** \$5,600 from #730-8200-56400 to #56300.

#3-E Approved and authorized the Chairman to sign Satisfactions of Judgment for David Morris, Case No. 01-03477 MM; Casey R. Carter, Case No. 01-03668 MM; Larry Dean Philp, Case No. 01-03661 TC; Robert Samuel Reagle, Case No. 01-03396 TC, and James Shannon Eason, Case No. 02-00423 TC.

#3-F Acknowledged receipt of the audited financial statements for the District Five Medical Examiner for fiscal year ended September 30, 2001.

#3-G Approved and authorized the Chairman to sign Special Assessment District Releases of Lien: **Resolution No. 81-03:** Candido Marquez, AK# 1835976, and Mariano & Justa Leal, AK# 1835976. **Resolution No. 86-29:** Dennise A. Moore, AK# 2274191, Michael Jahrsdoerfer, AK# 2274191, Thomas Owens, AK# 1134340, Patsy Bottoms, AK# 1134340, John Morrison, AK# 1202574, Colin & Martha May Wise, AK# 1574323, Annette Coffy, AK# 1621801, James, Kevin & Judith McDow, AK# 1589134 & AK# 1589142, and Rodney D. Rossell, AK# 1160111. **Resolution No. 90-76:** John Bartleman, AK# 1092523.

#3-H Acknowledged receipt of the annual financial statements and additional information for the Withlacoochee Area Legal Services Inc., for fiscal year ended December 31, 2001.

#3-I Waived the Citrus County Auditorium rental fees at \$103.15 for the Citrus County Chronicle Political Forum.

#3-J Approved and authorized the Chairman to sign a contract with Interim Healthcare of North Central Florida to provide for In Home Respite Services under the Title III E Family Caregiver Program from May 6, 2002, to December 31, 2002.

#3-K Approved extending Bid No. 00-115 (cold mix open-graded asphalt base, reclaimed asphalt base course and crack sealing) awarded to Florida Highway Products, Inc., for a third year beginning August 1, 2002

#3-L Approved and authorized the Chairman to sign a contract with Ultimate Nursing Care to provide for In Home Respite Services under the Title III E Family Caregiver Program from May 6, 2002, to December 31, 2002.

#3-M Appointed Tom Chancey to fill a Hernando Pool Resident position on the Lake Tsala Apopka Basin Recreation and Water Advisory Board for a term that would expire September 30, 2003.

#3-N Approved and authorized payment of an invoice from the Florida Retirement System for conversion of retirement credits for William M. Connell at \$2,817.82, and approved the following related budget transfer: **DPS:** \$2,818 from #001-247-200 to #3340-52200.

#3-O Approved and authorized the Chairman to sign a five-year lease with Little M. Crowell, Jr., for the lease of lands at \$0.05 per square foot of hangar space at the Inverness Airport, with an option to renew for another five years at a renegotiated fee.

#3-P Approved and authorized the Chairman to sign Amendment No. 1 to the Interlocal Agreement dated March 26, 1991 with the Ozello Water Association to modify the service territory.

#3-Q Set the following public hearings at 2:10 P.M. on July 23, 2002, in the Commission Room, Masonic Building, 3<sup>rd</sup> Floor, 111 West Main Street, Inverness: **1)** on an Ordinance establishing the Castle Lake Park Municipal Service Street Lighting Unit; and **2)** for the purpose of hearing public comment on the utilization of the uniform method for collecting the non-ad valorem assessment.

#3-R Approved the following engineering/consultant firms to provide general engineering services on an as-needed basis for a period of three years: Dyer, Riddle, Mills & Precourt, Inc.; Professional Engineering Consultants, Inc.; Central Testing Laboratory; Hoyle, Tanner & Associates; Harding ESE, Inc.; and Jones Edmunds & Associates.

#3-S Approved and authorized the construction of a fishing pier/deck for the Trails End Park as part of the budgeted renovation project at estimated costs including contingency totals of \$6,550.

#3-T Approved and authorized the Chairman to sign the Adopt-A-Park Agreement with the North Citrus Civic Association to assist with certain aspects of improvements and maintenance at Citronelle Park.

#3-U Approved and authorized the Chairman to sign an application with the Florida Department of Revenue for 2002/2003 State Revenue Sharing funds.

#3-V Approved and authorized the Chairman to sign an Indemnity Agreement with Sanderson Henigar Enterprises, LLC, for the construction and installation of a water line in the right-of-way of North Prospect Avenue.

#3-W Approved and authorized the Chairman to sign the following agreements with Class Software Solutions Ltd.: **1)** Terms and Conditions of CSS General Software Services, **2)** General Software Services, and **3)** Software Support and Maintenance.

#3-X Approved and authorized the Chairman to sign the Adopt-A-Park Agreement with Springbusters to continue assisting with improvements and maintenance at Bluebird Spring Park, and utilized the new Adopt-A-Park Program to reestablish their partnership.

#3-Y Set a Public Hearing on June 11, 2002 at 2:35 P.M., in the Commission Room, Masonic Building, 3<sup>rd</sup> Floor, 111 West Main Street, Inverness for the purpose of receiving public input regarding the federally mandated "Technology Protection Measure" and updated "Internet Safety Policy" for Library Services.

3-Z Approved and authorized the Chairman to sign an Indemnity Agreement with Corey's Landing Condominium Association for the construction and installation of a sanitary sewer connection crossing in the right-of-way of West Halls River Road.

#3-AA Approved and authorized the Chairman to sign an application for the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program for fiscal year 2002-2003.

#3-BB Approved and authorized the Chairman to sign a contract with A+ Healthcare Specialists to provide for In Home Respite Services under the Title III E Family Caregiver Program from May 6, 2002, to December 31, 2002.

#3-CC Approved and authorized the Chairman to sign an Indemnity Agreement with Rolling Oaks Utilities, Inc., for the construction and installation of a water line in the right-of-way of Regina Boulevard and South Washington Street.

#3-DD Approved and authorized the Chairman to sign a contract with Nature Coast Lodge to provide for Facility Based Respite Services under the Title III E Family Caregiver Program from May 6, 2002, to December 31, 2002.

#3-EE Approved the settlement amount of \$20,000 as proposed by Florida Gas Transmission Company and directed the Office of Management and Budget to deposit the funds into an account for the specific purpose of funding reforestation efforts including trees and landscaping on public projects.

#3-FF Approved and authorized the Chairman to sign a contract with Mariner Healthcare of Inverness to provide for Facility Based Respite Services under the Title III E Family Caregiver Program from May 6, 2002, to December 31, 2002.

#3-GG Approved attendance of the County Attorney at the Annual Florida Municipal Attorneys Association Seminar to be held in Key Largo, July 11-13, 2002.

#3-HH Approved and authorized the Chairman to sign a contract with Developing Options for Seniors, d/b/a Sugarmill Manor and Pleasant Grove Assisted Living Facility to provide for Facility Based Respite Services under the Title III E Family Caregiver Program from May 6, 2002 to December 31, 2002.

#3-II.1 Approved and authorized the Chairman to sign an authorization allowing the Citrus County Sheriff's Office to proceed to advertise, select, and sign a contract with a tower contractor for a communication tower at the Lecanto Detention Facility.

#3-JJ Approved and authorized the Chairman to sign the Civil Citation Grant application from the State of Florida Department of Juvenile Justice.

#3-KK Approved and authorized the Chairman to sign the Contract for Application, Planning and Program Administration Services On-Going Community and Economic

Development Projects, and Addendum No. 1 at \$20,000 to prepare a State Revolving Fund Request for Inclusion Application, with Summit Professional Services for FY 2002.

#3-LL Waived bid procedures and allowed the Utilities Division to purchase standard lift station pumps, control panels, and other miscellaneous equipment from Barney's Pumps, Inc., for the Historic Hernando School in an amount not to exceed \$12,700.

#3-II.2 **COMMUNICATION TOWER AT THE LECANTO DETENTION FACILITY**

Mr. Wesch advised that some issues had arisen that needed to be resolved regarding the site clearing at the communication tower site, and staff would present the item back to the Board at a later date.

#2-H **OA-02-01 DDS**

Mr. Maidhof read the ordinance preamble into the record, and Joanna Coutu, Senior Planner, CDD, stated that the proposed amendment would reorganize the existing tower ordinance to avoid duplications, and some subsections had been relocated to eliminate confusion among permit applications. She advised that a revision had been added as requested by the Citrus County Sheriff's Office to remove height limits for towers serving public safety purposes. She further stated that proposed changes were made to provide for Conditional Use review for all towers proposed in General Commercial, Recreation, Rural Residential, and Low Intensity Coastal and Lakes Districts (CL). She advised that the proposal had been reviewed and recommended for approval by the Aviation Advisory Board. She concluded by stating that one error had been made in the terminology in Section 12 (Evidence of Pursuing Collocation), and that the clause general rate structure for leasing should be removed from the ordinance.

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

***Motion by Commissioner Bartell, seconded by Commissioner Fowler, to adopt and authorize the Chairman to sign an ordinance, with changes outlined by staff, amending Ordinance No. 90-14, iaw OA-02-01; by providing for revisions to definitions; by providing for revisions to standards for commercial wireless telecommunication towers, structures, and antennas; and by providing for codification, severability, and an effective date.***

Ms. Coutu clarified for Commissioner Phillips that increasing the height of the towers would be for public safety purposes only.

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

**ORDINANCE NO. 2002-A15**

#2-I **SV-02-01, HAROLD B. STEPHENS, ESQ., OBO COLQUITT AND VICKI CAIN**

Ms. Coutu reviewed a request by Harold B. Stephens, on behalf of Colquitt and Vicki Cain to vacate a portion of an unnamed 10-foot alley in Block 15, Sections 1 and 2,

property of Crystal Heights Development Company for the placement of perimeter fencing of the alley. She stated that the utility companies, Mosquito Control Board, Public Safety, Land Section, and Emergency Management Operations had no objections, and that the Plat Review Team, PDRB, and staff recommended approval.

The Chairman opened the public hearing for public comment, and asked for anyone to speak in favor. Mr. Stephens spoke in favor, and stated that it would be an improvement to the community.

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

***Upon motion by Commissioner Batchelor, seconded by Commissioner Wooten, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution approving Street Vacation SV-02-01, as petitioned by Harold B. Stephens, Esquire, on behalf of Colquitt and Vicki Cain.***

**RESOLUTION NO. 2002-106** (II-2086/3:50 P.M.)

At the meeting of the Board of County Commissioners of Citrus County, Florida, held in the County Commissioners' Board Room on the third floor of the Masonic Building located at 111 West Main Street, Inverness, Florida, at 3:20 P.M. on the 28th day of May, 2002, Commissioner Batchelor introduced and moved for the adoption of the following:

**RESOLUTION NO. 2002-106**

WHEREAS, a Petition was presented to the Board of County Commissioners by Harold B. Stephens, Esquire, on behalf of Colquitt and Vicki Cain, who purport to be the owners of lands lying adjacent to a 10-foot portion of an unnamed alley, Property of the Crystal Heights Development Company (Section 36, Township 18 South, Range 17 East); and

WHEREAS, said Petition requested the Board to close, vacate, abandon and discontinue said portion of the unnamed 10-foot alley lying adjacent to Lots 11, 12, 13 and 14, Block 15 of Section One, Property of the Crystal Heights Development Company, as recorded in Plat Book 1, Page 42, public records of Citrus County, Florida, and Lots 26, 27 and 28, Block 15 of Section Two, Property of Crystal Heights Development Company, as recorded in Plat Book 2, Page 7, public records of Citrus County, Florida (Section 36, Township 18 South, Range 17 East), more fully described in Exhibit "A" which is attached hereto, and made a part hereof by reference; and

WHEREAS, the Board adopted a Resolution calling for a public hearing to determine the advisability of closing, vacating, abandoning and discontinuing the same, to be held in the County Commissioners' Board Room, on the third floor of the Masonic Building, 111 West Main Street, Inverness, Florida, at 3:20 P.M. on the 28th day of May, 2002; and

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

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

WHEREAS, this Board has determined that a portion of the unnamed alley as previously described herein, should be closed, vacated, discontinued and abandoned, and any right of Citrus County and the public in and to any lands delineated on said recorded plat, as said portion of the street or alleyways should be renounced and disclaimed.

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

1. That a portion of an unnamed 10-foot alley lying adjacent to Lots 11, 12, 13 and 14, Block 15 of Section One, Property of the Crystal Heights Development Company, as recorded in Plat Book 1, Page 42, public records of Citrus County, Florida, and Lots 26, 27 and 28, Block 15 of Section Two, Property of the Crystal Heights Development Company, as recorded in Plat Book 2, Page 7, public records of Citrus County, Florida (Section 36, Township 18 South, Range 17 East), more fully described in Exhibit "A" which is attached hereto and made a part hereof by reference, be and the same are hereby closed, vacated, abandoned and discontinued, and any right of Citrus County or the public in and to the same, or in and to the lands delineated on said recorded plat of the same, is hereby renounced and disclaimed.

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

3. That a copy of this Resolution shall be signed by the Chairman of this Board, attested by the Clerk of this Board, and the seal of this Board shall be affixed thereto, and the same furnished to Petitioner to be recorded in the public records of Citrus County, Florida.

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

Motion seconded by Commissioner Wooten and carried.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

Exhibit "A"

The South ½ of a 10 foot alley lying adjacent to Lots 26, 27 and 28, Block 15, of Section Two Property of the Crystal Heights Development Co., according to the plat thereof recorded in Plat Book 2, page 7, public records of Citrus County, Florida.

AND

The North ½ of a 10 foot alley lying adjacent to Lots 11, 12, 13, and 14, Block 15, of Section One Property of the Crystal Heights Development Co., according to the plat thereof recorded in Plat Book 1, page 42 of the public records of Citrus County, Florida.

#2-J **INTERLOCAL AGREEMENT WITH PASCO AND PINELLAS COUNTIES**

Mr. Battista read the title of the resolution into the record, and Sandy MacLennan, Attorney with Squire, Sanders & Dempsey, L.L.P., explained the terms of the Interlocal Agreement. She stated that the bonds would not be a debt or obligation to the County, but would be paid from loan payments made by Florida Power Corporation. She added that due to the five-year extension of Pinellas County bonds, a public hearing was required, that if the agreement was approved by Citrus, Pasco, and Pinellas Counties, Florida Power Corporation would then present the final documents for Board approval.

She responded to Commissioner Bartell by reiterating that there would be no financial obligation or responsibility to the County.

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

**Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution authorizing the execution and delivery of an Interlocal Agreement with Pasco County, and Pinellas County, to provide for the issuance by Citrus County, of certain refunding bonds of Citrus County, Pasco County, and Pinellas County, to refinance the cost of certain pollution control, sewage and solid waste disposal facilities owned and operated by Florida Power Corporation; approving pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of not exceeding \$240,865,000 revenue refunding bonds on behalf of Florida Power Corporation pursuant to a plan of financing; authorizing certain incidental actions; providing for severability; and providing an effective date.** **RESOLUTION NO. 2002-107** (II-2209/4:00 P.M.)

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

#6-A **RESIDENTIAL BURN BAN**

Mr. Wesch stated that the burn ban was placed in effect pursuant to authority delegated to and signed by the Chairman on May 17, 2002, and that under the enabling legislation, the matter required review by the Board for continuation.

Mr. Polisenio explained that the average drought index was 646 on a 0-800 scale, with 800 being desert-like conditions, and that the current level of drought in the County ranged from 541-708. He advised that the amount of rain forecast in the next day or two would be insignificant in relieving drought conditions, and that the burn ban should remain in place until rainfall increased moisture levels and fire danger decreased.

He replied to the Chairman that the burn ban had been outlined in two articles in the newspaper, and that he had requested the article be printed again.

Mr. Wesch responded to Commissioner Wooten by stating that the burn ban could also be removed by the Chairman's signature without Board approval.

**Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution declaring that a drought emergency existed and implemented the provisions of Chapter 46, Article III of the Citrus County Code, "The Emergency Drought Condition Fire Hazard", effective immediately.** **RESOLUTION NO. 2002-108** (II-2368)

#6-B **MORATORIUM -- MEADOWCREST DRI**

Mr. Wesch stated that this was a follow up from the previous Board meeting with regard to what staff believed to be a non performance by the signatory to the Meadowcrest DRI. He added that pursuant to Board direction, the developer's counsel was contacted in an attempt to resolve the issue, but that those attempts had been unsuccessful, and staff



was now requesting a moratorium on new construction permitting within the Meadowcrest DRI.

Mr. Maidhof stated that he had made minor modifications to the resolution as follows: **1)** specific reference to Chapter 380.06(17) F.S. had been added; and **2)** Paragraph 1 had been modified to clearly indicate that the moratorium would affect only development permits of the developer or his agents, and not existing residents of Meadowcrest. He also stated that currently there were 23 vacant residential parcels and 15 vacant commercial parcels.

He explained to the Chairman that the intent of the second modification was that if a lot was owned by a future residential or commercial resident, rather than the developer, a new development permit would be issued.

He addressed Commissioner Bartell's concerns of transfer of ownership by the developer by stating that staff would flag the permitting system so that all new development permits within Meadowcrest would be reviewed by him, and that he would consult with the County Attorney's office before issuance. He stated that if the traffic study warranted a signal, it would be the developer's responsibility to apply to the Florida Department of Transportation (FDOT) for construction and cost, and that he would expect the developer and the FDOT to share the expense. He explained that the intent of the original Meadowcrest DRI traffic study was to determine the impact the Winn Dixie would have on the intersection, but that the study was never done.

Mr. Battista responded to Commissioner Bartell by stating that after extensive attempts to negotiate with the developer, the only remedy under the DRI Statute would be to bring sanction against the developer.

The Commissioners agreed that it was regrettable to have to resort to this extent when the developer was a respectable citizen; however, the developer did agree to the traffic study condition, and the Board should follow staff's advise.

***Motion by Commissioner Phillips, seconded by Commissioner Wooten, to adopt and authorize the Chairman to sign a resolution, as amended by staff, instituting a moratorium on new construction permitting within the Meadowcrest DRI.***

Mr. Stillwell, representing Meadowcrest Development, referred to his letter written to the Chairman (filed with the Clerk's agenda), in which he proposed the use of special masters to resolve the situation in order to avoid litigation. He indicated that he thought innocent people would be penalized by the moratorium. He explained that the developer did not mind doing the traffic study, but that he had already paid \$595,000 to mitigate all transportation improvements. He thought the study would be a waste of money, that a light would be warranted based on current standards, and that the expense of the traffic study should be invested in the project. He added that cost was not and never had been an issue, but that the developer should not be asked to pay more than his fair share. He

stated that annual reports were filed, the DRI was modified three times, and that no one had requested the traffic study.

Mr. Maidhof assured Commissioner Wooten that all applications would cross his desk, and that innocent people would not get hurt. He advised that by proceeding directly into discussion of the traffic signal and not doing the traffic study first would require an amendment to the resolution. He stated that if the developer escrowed the funds it would be considered a good faith effort and the matter would probably go into mediation.

The Chairman expressed concerns that while the matter was in arbitration, the County would be held responsible if an accident occurred at the intersection. Mr. Battista replied that if the issue ended up before a judge and a jury, there would be reason to be concerned.

Mr. Wesch stated that he did not think that escrowing funds to demonstrate good faith was necessary or would solve the problem. He stated that the FDOT had indicated a traffic light was needed, and that Mr. Maidhof's suggestion that a traffic study was currently warranted would be a basis for negotiation for cost sharing of the traffic signal.

Mr. Stillwell informed Mr. Wesch that the reason the developer agreed to the language of the Development Order in 1992 was because it was a no risk situation. He added that the project was only 1/10 built out, and that according to the FDOT studies in 1998 and 1999, the addition of one driveway cut would not warrant a traffic light.

Mr. Waite stated that the contract should be enforced on all of Meadowcrest, due to the wording of the resolution and that 50% of the properties had already been transferred into different names.

Mr. Stillwell replied that a blanket moratorium would affect innocent people who had vacant lots, and that the developer had transferred property but was not asking that those properties be exempted.

Joyce Valentino stated that the important thing was health and safety, and recommended that the Board take the most expeditious route to accomplish construction of the traffic signal.

***Motion by Commissioner Phillips, seconded by Commissioner Fowler, to adopt and authorize the Chairman to sign a resolution, as amended by staff, instituting a moratorium on new construction permitting by the developer and his agent in the Meadowcrest DRI, until compliance was achieved.***

Mr. Maidhof replied to Commissioner Batchelor's question by stating that the resolution would be recorded in the public records, which was reviewed by title companies, and that the moratorium would create a cloud on the title. He emphasized again that no new development on parcels within the Meadowcrest DRI would be issued by staff until he

could review the real estate history and ownership to determine that it was purchased by an innocent party and not an agent of the developer.

Mr. Wesch stated that this would not be the end of the process, that staff would still communicate with Mr. Stillwell and the developer to attempt to negotiate the matter. He also discussed the attempt by Mr. Stillwell to bring this matter under the Bert J. Harris Property Act, which he and Mr. Battista felt was not applicable.

The Commissioners agreed that support of the motion was the best way to protect the citizens of the County and discussed the importance of expediting the matter.

***The Chairman called a question on the motion, and the motion carried unanimously.***  
**RESOLUTION NO. 2002-109** (III-873/4:50 P.M.)

**The Chairman recessed the meeting and reconvened at 5:00 P.M.**

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

#7-A **DESALINATION PLANT**

The Chairman addressed the Board regarding the possibility of constructing a desalination plant, due to an article he read in the newspaper indicating that Commissioner Bartell had expressed an interest. He voiced the following concerns: that a desalination plant would be for regional use and would require a pipeline; who would be responsible for controlling the water; environmental problems, etc. He stated that he did not understand the logic in pumping water back inland after it had flowed from the shores, mixed with salt water, and then have to deal with the brine. He added that the idea of intercepting some of the fresh water and bringing it back inland so that it would fill the aquifer made more sense to him.

Commissioner Bartell agreed theoretically with Commissioner Fowler, and stated that the County was water rich compared to other counties in the State, but that in the last four years, the County had been in severe drought. He also stated that Citrus County was one of the few counties in the State that had the ability to construct a desalination plant. He advised that he began discussing ways to supply potable water after the Tampa Bay area began drilling more wells and drying up the environment. He advised that the cost of producing and transporting desalinated water was almost as competitive as the cost of transporting ground water. He explained that the experts could explain the cost and environmental damage that might happen in diverting fresh water from going into the rivers. He talked about the problem of salt-water intrusion if the aquifer was depleted with no way to replenish it. He mentioned that the springs, which previously pumped fresh water into the Ozello wells, were now completely salty. He advised that there was a multitude of alternative water resources, including aquifer storage, reuse, conservation, etc. He felt that the Board should explore possibilities today because the County would experience water problems in the future. He further stated that for years federal dollars for water had been sent to the western part of the United States, but that there was an opportunity to divert some of the funds to Florida. He recommended that the

Commissioners read articles on the Internet written in the Orlando Sentinel pertaining to a discussion of a desalination plant in Orlando piping water to the East Coast.

He responded to the Chairman regarding SWFWMD's involvement by stating that they had contributed \$186 million to the Tampa Bay area, that the Basin Board had been talking for nine months about creating a funding mechanism for future projects and that desalination was the #1 project. He stated that the system would be a regional or local system, and that a pipeline to Tampa was not part of the equation.

Commissioner Batchelor questioned how the County would justify receiving federal funds for a desalination plant now if there were plenty of water resources. Commissioner Bartell explained that it would be similar to the CIP, in that the County would target money for five, ten, fifteen or twenty years in the future.

Discussion ensued regarding the following: directing efforts and energy into infrastructure to resolve current water problems; there being no market for a desalination plant at this time; planning today for future water shortages; alternative water sources; cost and time involved in research; relying on the water management district for information on water shortage conditions; relaying goals to SWFWMD and other agencies; holding a workshop with SWFWMD, new development in the middle of the State being the major cause of water shortage, etc.

The Chairman thanked Commissioner Bartell and the Board for the discussion. Commissioner Bartell assured the Board that he would continue to explore water shortage alternatives and report new findings to the Board.

**Consensus:** Staff to schedule a public workshop for a future Board meeting, and invite SWFWMD, the Basin Board, and other experts for discussion of water shortage problems.

#10- **COMMISSIONER JOSH WOOTEN**

#10-A **KEEP CITRUS COUNTY BEAUTIFUL, INC.**

***Upon motion by Commissioner Wooten, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution, in support of Keep Citrus County Beautiful, Inc.***

**RESOLUTION NO. 2002-110**

There being no other business to come before the Board, the Chairman adjourned the meeting. (III-2501/6:40 P.M.)

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