

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

Commissioners: Commissioners Jim Fowler, Chairman; Gary Bartell, First Vice-Chairman; Vicki Phillips, Second Vice Chairman; Roger Batchelor and Josh Wooten

Attorneys: Robert B. Battista and Michele Slingerland, Assistant

Administrator: Richard Wm. Wesch

Clerks: Betty Strifler, Clerk; Theresa Steelfox and Glenda Brown, Deputy Clerks

(Clerk's note: There were technical difficulties with the sound system throughout the meeting.)

#3- **CONSENT AGENDA**

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

#3-A Approved the minutes of the regular meeting held on January 22, 2002.

#3-B Approved the following warrants: Payroll registers dated 01/22/02 at \$407,709.21, dated 01/24/02 at \$31,102.26 and \$943.23, dated 02/05/02 at \$409,659.29, and dated 02/07/02 at \$30,373.04. Accounts Payable register dated 02/11/02 at \$3,848,940.19.

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

RESOLUTION NO. 2002-015

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE SHERIFF'S OFFICE SPECIAL LAW ENFORCEMENT TRUST FUND BUDGET FOR FISCAL YEAR 2001/2002

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

WHEREAS, the Sheriff has requested to use the funds collected for: donations to Citrus High School and Lecanto High School Project Graduation; an ad in a student newspaper at Lecanto High School educating youth against using drugs, alcohol and tobacco products; a donation to the Boys and Girls Club of Citrus County; "FOCUS" supplies; technical expertise; a yearbook ad at Renaissance Center educating students against drug use and crime; and a two-week summer program in conjunction with the Florida Sheriff's Youth Ranch; 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 12th day of February 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>		Contraband and Forfeiture	25,495
<u>Expenditures</u>		Operating Expenditures	25,495

RESOLUTION NO. 2002-016

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE SHERIFF'S OFFICE GENERAL OPERATING BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, the Citrus County Sheriff's Office is leasing ten vehicles; and

WHEREAS, the Citrus County Sheriff's Office has also received funds from vehicle damage insurance, a donation for the K-9 unit, and a contract for annual report processing; 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 12th day of February 2002, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	001-369-900	Miscellaneous Revenue	30,210
	001-384-000	Debt Proceeds	197,503
		Total Revenues	\$227,713

<u>Expenditures</u>	001-3101-51000	Personal Services	18,000
	001-3101-53000	Operating Expenditures	12,210
	001-3101-56000	Capital Outlay	197,503
		Total Expenditures	\$227,713

RESOLUTION NO. 2002-017

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE ALZHEIMER'S DISEASE INITIATIVE BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-321 the Citrus County Board of County Commissioners approved an application for financial assistance under the Alzheimer's Disease Initiative Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, funds are available from the close of the prior year grant that may be carried forward; 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 12th day of February 2002, as follows:

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ATTEST:

/s/ Betty Strifler
 BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
 OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler
 JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>		Cash Carry Forward	2,165
<u>Expenditures</u>	185B-5358B-55120	Office Equipment	2,165

RESOLUTION NO. 2002-018

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE ALZHEIMER'S DISEASE INITIATIVE BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-321 the Citrus County Board of County Commissioners approved an application for financial assistance under the Alzheimer's Disease Initiative Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on January 11, 2002 the Citrus County Board of County Commissioners executed Amendment #2 to the agreement; and

WHEREAS, on January 17, 2002 the Mid-Florida Area Agency on Aging, Inc. executed Amendment #2 decreasing the amount of fees collected for services; 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 12th day of February 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.

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	185B-346-950	Fees for Services-Previous Collect	(1,476)
<u>Expenditures</u>	185B-5358B-53485	Contract Services – Respite Care	(1,476)

RESOLUTION NO. 2002-019

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE COMMUNITY CARE FOR THE ELDERLY BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-320 the Citrus County Board of County Commissioners approved an application for financial assistance under the Community Care for the Elderly Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, funds are available from the close of the prior year grant that may be carried forward; 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 12th day of February 2002, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>		Cash Carry Forward	16,210
		Total Revenues	\$16,210
<u>Expenditures</u>	183B-5345B-55120	Office Equipment	2,490
	183B-5345B-55270	Computer Accessories	2,700
	183B-5345B-55275	Computer Software	2,550
	183B-5345B-56400	Machinery and Equipment	8,470
		Total Expenditures	\$16,210

RESOLUTION NO. 2002-020

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE COMMUNITY CARE FOR THE ELDERLY BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-320 the Citrus County Board of County Commissioners approved an application for financial assistance under the Community Care for the Elderly Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on January 11, 2002 the Citrus County Board of County Commissioners executed Amendment #2 to the agreement; and

WHEREAS, on January 17, 2002 the Mid-Florida Area Agency on Aging, Inc. executed Amendment #2 increasing the amount of fees collected for services; 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 12th day of February 2002, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	183B-346-900	Fees for Services	10,126
<u>Expenditures</u>	183B-5345B-53486	Contract Services – Meals	10,126

RESOLUTION NO. 2002-021

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE RETIRED SENIOR AND VOLUNTEER PROGRAM BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-325 the Citrus County Board of County Commissioners approved an application for financial assistance under the Retired Senior and Volunteer Program and a contract to provide services with the Corporation for National Service; and

WHEREAS, funds are available from the close of the prior year grant that may be carried forward; 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 12th day of February 2002, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>		Cash Carry Forward	247
<u>Expenditures</u>	162C-5379C-54005	Travel – Volunteer	247

RESOLUTION NO. 2002-022

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TRANSPORTATION CAPITAL BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-315 the Citrus County Board of County Commissioners approved an application for financial assistance under the Section 5310 Capital Assistance Program and a contract to provide services with the State of Florida Department of Transportation; and

WHEREAS, funds are available from the close of the prior year grant that may be carried forward; 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 12th day of February 2002, as follows:

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ATTEST:
/s/ Betty Strifler
BETTY STRIFLER, CLERK

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

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>		Cash Carry Forward	1,509
<u>Expenditures</u>	129C-7227C-55120	Office Equipment	1,509

RESOLUTION NO. 2002-023

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE PARKS BUDGET FOR FY 2001/2002

WHEREAS, on February 20, 2001 the Citrus County Board of County Commissioners executed a Playground Surfacing Grant Agreement with the State of Florida Department of Environmental Protection; and

WHEREAS, on January 9, 2001 the State of Florida Department of Environmental Protection executed the agreement providing funds for playground surfacing materials; 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 12th day of February 2002, as follows:

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ATTEST:
/s/ Betty Strifler
BETTY STRIFLER, CLERK

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

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	001-334-400	State Grant	569
<u>Expenditures</u>	001-6102-54900	Other Current Charges	569

RESOLUTION NO. 2002-024

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE HISTORIC HERNANDO SCHOOL GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on March 13, 2001 the Citrus County Board of County Commissioners approved the execution of a Historic Preservation Grant Award with the State of Florida, Department of State, Division of Historical Resources; and

WHEREAS, on March 27, 2001 the State of Florida, Department of State, Division of Historical Resources executed the agreement providing funds to plan for preservation of the Historic Hernando School; and

WHEREAS, these funds have not been appropriated in the current fiscal year; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for Fiscal Year 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 12th day of February 2002, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	017-334-400	State Grant	26,924
	017-389-910	In Kind	10,816
		Cash Carry Forward	15,165
		Total Revenues	\$52,905
<u>Expenditures</u>	017-5753-53100	Professional Services	42,089
	017-5753-59901	In Kind Expense	10,816
		Total Expenditures	\$52,905

RESOLUTION NO. 2002-025

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE EMERGENCY HOME ENERGY ASSISTANCE FOR THE ELDERLY BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-323 the Citrus County Board of County Commissioners approved an application for financial assistance under the Emergency Home Energy Assistance for the Elderly Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on January 11, 2002 the Citrus County Board of County Commissioners executed Amendment #2 to the agreement; and

WHEREAS, on January 17, 2002 the Mid-Florida Area Agency on Aging, Inc. executed Amendment #2 providing an increase in funding; 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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	188B-331-590	Federal Grant	3,000
<u>Expenditures</u>	188B-5331B-54300	Utility Services	3,000

RESOLUTION NO. 2002-026

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE AMERICORPS VISTA GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-326 the Citrus County Board of County Commissioners approved an application for financial assistance under the AmeriCorps Vista Program and a contract to provide services with the Corporation for National Service; and

WHEREAS, in kind revenue is being earned by the program and needs to 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 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 12th day of February 2002, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	016-389-910	In Kind	150
<u>Expenditures</u>	016-5754-55250	Miscellaneous In Kind	150

RESOLUTION NO. 2002-027

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE FLOOD MITIGATION ASSISTANCE GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 11, 2001 the Citrus County Board of County Commissioners executed a Flood Mitigation Assistance Funding Agreement with the State of Florida Department of Community Affairs; and

WHEREAS, on January 18, 2002 the State of Florida Department of Community Affairs executed the agreement providing funds for flood mitigation projects; 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 12th day of February 2002, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	032F-331-500	FEMA Grant	332,682
	032F-389-920	Recipient's Share	110,893
		Total Revenues	\$443,575
<u>Expenditures</u>	032F-5737F-54900	Other Current Charges	332,682
	032F-5737F-59905	Recipient's Match	110,893
		Total Expenditures	\$443,575

RESOLUTION NO. 2002-028

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE FLOOD MITIGATION ASSISTANCE GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on May 9, 2001 the Citrus County Board of County Commissioners executed a Flood Mitigation Assistance Funding Agreement with the State of Florida Department of Community Affairs; and

WHEREAS, on May 23, 2001 the State of Florida Department of Community Affairs executed the agreement providing funds for a flood mitigation project; and

WHEREAS, these funds have not been appropriated in the current fiscal year; and

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT “A”			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	032D-331-500	FEMA Grant	116,973
	032D-389-920	Recipients Share	38,991
		Total Revenues	\$155,964
<u>Expenditures</u>	032D-5737D-54900	Other Current Charges	116,973
	032D-5737D-59905	Recipients Match	38,991
		Total Expenditures	\$155,964

RESOLUTION NO. 2002-029

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TRANSPORTATION OPERATIONS BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-316 the Citrus County Board of County Commissioners approved an application for financial assistance under the Section 5311 Program and a contract to provide services with the State of Florida Department of Transportation; and

WHEREAS, funds are available from the close of the prior year grant that may be carried forward; 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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>		Cash Carry Forward	1,857
<u>Expenditures</u>	159C-7204C-55417	Training	1,857

RESOLUTION NO. 2002-030

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE MEDICAID WAIVER BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-322 the Citrus County Board of County Commissioners approved an application for financial assistance under the Medicaid Waiver Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on January 15, 2002 the Citrus County Board of County Commissioners executed Amendment #4 to the contract; and

WHEREAS, on January 23, 2002 the Mid-Florida Area Agency on Aging, Inc. executed Amendment #4 providing funds for services to 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 12th day of February 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>	117B-334-691	Other State Grants	41,908
		Total Revenues	\$41,908
<u>Expenditures</u>	117B-5311B-51200	Regular Salaries and Wages	23,331
	117B-5311B-52100	FICA Taxes	1,785
	117B-5311B-52200	Retirement Contributions	2,135
	117B-5311B-52300	Life and Health Insurance	2,929
	117B-5311B-52400	Worker's Compensation	371
	117B-5311B-53486	Contract Services – Meals	8,200
	117B-5311B-54004	Travel – Administration	1,650

	117B-5311B-54005	Travel – Volunteer	957
	117B-5311B-54100	Communications Services	150
	117B-5311B-54160	Postage	200
	117B-5311B-55100	Office Supplies	200
		Total Expenditures	\$41,908

RESOLUTION NO. 2002-031

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE MEDICAID WAIVER BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 18, 2001 through Resolution 2001-322 the Citrus County Board of County Commissioners approved an application for financial assistance under the Medicaid Waiver Program and a contract to provide services with the Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, the revenue generated by the Assisted Living Waiver portion of the program has not been 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 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 12th day of February 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>	117B-340-001	Assisted Living Facility Waiver	35,800
		Total Revenues	\$35,800
<u>Expenditures</u>	117B-5311B-51200	Regular Salaries and Wages	25,578
	117B-5311B-52100	FICA Taxes	1,958
	117B-5311B-52200	Retirement Contributions	1,868
	117B-5311B-52300	Life and Health Insurance	3,260
	117B-5311B-52400	Worker’s Compensation	530
	117B-5311B-54004	Travel – Administration	1,716
	117B-5311B-54100	Communications Services	150

	117B-5311B-54160	Postage	140
	117B-5311B-54676	Copier Maintenance	140
	117B-5311B-55100	Office Supplies	460
		Total Expenditures	\$35,800

RESOLUTION NO. 2002-032

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on December 11, 2001 the Citrus County Board of County Commissioners executed a Low Income Home Energy Assistance Program Agreement with the State of Florida Department of Community Affairs; and

WHEREAS, on December 26, 2001 the State of Florida Department of Community Affairs executed the agreement providing funds for services to low income 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 12th day of February 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>	167C-331-590	Federal Grant	106,918
		Total Revenues	\$106,918
<u>Expenditures</u>	167C-5373C-51200	Regular Salaries and Wages	5,576
	167C-5373C-51205	Salaries – Outreach	10,803
	167C-5373C-52100	FICA Taxes	1,254
	167C-5373C-52200	Retirement Contributions	1,197
	167C-5373C-52300	Life and Health Insurance	2,664
	167C-5373C-52400	Workers Compensation	118
	167C-5373C-53200	Accounting and Auditing	107
	167C-5373C-54160	Postage	348

	167C-5373C-54615	Software Maintenance	450
	167C-5373C-54922	Energy Assistance Payments	27,313
	167C-5373C-54923	Energy Assistance – Crisis	54,602
	167C-5373C-54924	Weather Related Emergency	2,150
	167C-5373C-55100	Office Supplies	336
		Total Expenditures	\$106,918

RESOLUTION NO. 2002-033

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE LECANTO SENIOR CENTER BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, the Lecanto Senior Center collects fees for computer learning classes; and
 WHEREAS, these funds will be used to pay the instructors and for supplies for the computer classes; 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 12th day of February 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>	194-347-296	Recreation Fees – Senior Center	2,000
		Total Revenues	\$2,000
<u>Expenditures</u>	194-2501-53400	Other Contractual Services	1,000
	194-2501-55115	Computer Materials	1,000
		Total Expenditures	\$2,000

#3-D Approved the following budget transfers: **HR:** \$11,000 from #001-2107-54902 to #55420. **MOD:** \$15,790 from #001-2670-56300 to #54610, and \$999 from #54604 to #56400. **DDS:** \$170 from #107-2781-55417 to #55275. **FSD:** \$300 from #154-3200-54902 to #55417, \$50 from #155-3215-54902 to #55417, and \$1,500 from #51-3225-54902 to #55417. **DPW:** \$1,500 from #102-4103-51200 to #51306. **SWM:** \$205 from #401-5212-55100 to #55120, and \$400 from #5216-53100 to #5212-53100. **ADM:** \$5,000 from #001-

247-200 to #5220-54903. **WATER QUALITY:** \$23,000 from #062-247-260 to #5415-53100. **SSD:** \$163 from #016-5754-52300 and \$49 from #52400 with \$108 to #51200 and \$104 to #52100; \$2,198 from #54005 with \$600 to #54000, \$1,260 to #55221, and \$338 to #55417.

#3-E Accepted the completed Crystal River Airport FBO Addition Project, and approved final payment and release of retainage to Daly & Zilch, Inc., at \$46,731.57.

#3-F Acknowledged receipt of the Final Environmental Impact Statement (FEIS) and Record of Decision for the Occupancy and Use of National Forest Lands and Ocklawaha River Restoration.

#3-G Approved and authorized the Chairman to sign a twelve month maintenance agreement with SMI, Inc., for the NEXWOS system at the Crystal River Airport, Contract No. SMI-11365-9419-020115 at \$5,715.

#3-H Set Preliminary Budget Hearings for the FY 2002/2003 Budget on July 24 through July 26, 2002, starting at 9:00 A.M. each day in the Commission Room, 3rd Floor, Masonic Building, 111 West Main Street, Inverness.

#3-I Approved and authorized the Chairman to sign Work Authorization No. 2002-06 with Professional Engineering Consultants, Inc., for lift station and sanitary sewer design in conjunction with the proposed widening of CR-491 at \$22,537.

#3-J Authorized proceeding with negotiations for the purchase of Lots 128-135, Block 200, Inverness Highlands South for the 2002 CIP England Boulevard-Harvard Avenue Connector Road Project No. 21403 in an amount not to exceed \$20,000.

#3-K Approved and authorized the Chairman to sign the Emergency Management Preparedness Assistance Trust Fund (EMPATF) Competitive Grant Application, and adopted and authorized the Chairman to sign the supporting Resolution for funding of aerial photography for GIS mapping. **RESOLUTION NO. 2002-034**

3-L Approved and authorized the Chairman to sign an engagement letter with Williams, McCranie & Sutton, P.A., for the 2000/2001 annual audit of the Citrus County Economic Development Council, Inc., at a cost not to exceed \$5,000.

#3-M Approved and authorized the Chairman to sign an Indemnity Agreement with the Citrus County Chamber of Commerce for the installation of temporary signs for their upcoming Strawberry Festival.

#3-N Acknowledged receipt of an Amendment dated September 30, 2001, extending funding for Annual Contributions Contract FL147VO with the U.S. Department of Housing and Urban Development.

#3-O Approved and authorized initiation of a large scale Comprehensive Plan Amendment (CPA) and Land Development Code Atlas Amendment (LDC), to designate portions of Citrus Hills first addition and second addition to Central Ridge Residential (CRR), at the request of the property owner's association (POA).

#3-P Approved and authorized installation and maintenance of twenty-five street lights to be funded by the Beverly Hills Municipal Service Benefit Unit (MSBU).

#3-Q Acknowledged receipt of a Community Service Award presented by LifeSouth Community Blood Centers to Citrus County Employees.

#3-R Approved and authorized the Chairman to sign the Use of School Facilities Release and Waiver form with the Citrus County School Board in order to hold Tae Kwon Do classes at the Inverness Middle School, March 5, 12, and 19, 2002.

#3-S **1)** Approved and authorized a Temporary Construction Easement signed by Charles Creedon and Jean Creedon, Trustees of the Charles and Jean Creedon Living Trust, to regrade a swale to its original condition for drainage purposes; and **2)** authorized the Clerk to place the acceptance stamp upon same and record in the public records.

#3-T Approved and authorized the Chairman to sign the Agreement for Library Technology Consulting Services with RMG Consultants, Inc., at \$6,780.

#3-U Approved a Settlement Agreement and Release Of All Claims with Margaret Hellmuth and authorized payment at \$25,000.

#3-V.1 Appointed John Lamb to serve on the Code Enforcement Board (District 3) for a term that would expire on November 30, 2004.

#3-V.2 Reappointed Mike Smallridge to fill an Alternate Member position for the Citrus County Water and Wastewater Authority Board for a term that would expire on November 3, 2003.

#3-W **1)** Approved placement of Southern Woods at Sugarmill Woods Phase IIB on a three year developer's maintenance and authorized the Chairman to sign the Maintenance Bond Agreement No. 400JR0639 with Florida Landmark Communities, Inc., and St. Paul Fire and Marine Insurance Company; and **2)** authorized the Clerk to release the Improvement Bond and return to the developer.

#3-X Authorized staff to prepare and place the advertisement for the required Request for Qualifications for Program Administration Services FY 2002 Economic Development and Other Programs advertisement to acquire the services of a grant consultant to provide grant-related services for future CDBG projects.

#3-Y Approved and authorized staff to exercise the Buy-Back Agreement as stated in Bid No. 96-33 to sell equipment #9347 back to Ringhaver Equipment at \$47,780 and authorized the Clerk to remove #9347 from the County fixed asset listing.

#3-Z Approved and authorized the Clerk to remove a non repairable refrigeration recovery unit, Property No.15184, purchased on June 7, 2001, from the fixed asset listing.

#3-AA Approved and authorized the Chairman to sign the Florida Medicaid Re-enrollment Facility Profile Verification Form (Provider No. 024880100-Primary), Non-Institutional Medicaid Provider Agreement, and FDLE Criminal History Check and Fingerprinting Exemption Request, in order to continue to serve Medicaid waiver eligible clients.

#3-BB Approved and authorized the Chairman to sign the Florida Medicaid Re-enrollment Facility Profile Verification Form (Provider #024880101-Assisted Living Facility Waiver), Non-Institutional Medicaid Provider Agreement, and FDLE Criminal History Check and Fingerprinting Exemption Request, in order to continue to serve Medicaid waiver eligible clients in approved Assisted Living Facilities.

#3-CC Approved reorganization of the Solid Waste Management Division as proposed including:

1. Solid Waste Section Chief (Pay Grade 113) to Customer Service Crew Leader (Pay Grade 112)
2. Landfill Crew Leader (Pay Grade 112) to Operations Crew Leader (Pay Grade 112 +5% current rate)
3. Solid Waste Technician I (Pay Grade 104) (one only) to Lead Solid Waste Technician (Pay Grade 105)

#3-DD Approved the revised Scope of Services as described in the Harding ESE, Inc. proposal for additional engineering services for updated traffic study at Annapolis and CR-486, additional design and permitting of roadway drainage system, and additional survey service at \$80,061.42.

#3-EE Approved and authorized the Chairman to sign Connection Charge Installment Lien Agreements for Laurent M. and Sandra S. Barrett; Roy Campbell; John P. and Nancy L. Castro; Gerard and Odette DeBruyne; Alta P. Everts Trust (2); Sharon A. Lacy; William H. Larder Jr; Ralph Peck; Rair Investment, Inc. (2); Linda Rogers; Vincenzo and Ruth Salterio; James and Deborah Willis; Roy and Judith Yates; and John and Donna Warner.

#3-FF Approved and authorized the Chairman to sign Satisfactions of Lien for Ellen and Marion Boatwright, John E. and Mary M. Carron, Robert Montgomery and Aretta Montgomery, Darrell and Mitzi Patrick, and Scallywags Emporium.

#3-GG Approved and authorized the Chairman to sign a letter to David Donato, Treasury Management, SunTrust Bank, Nature Coast, to close Account No. 0113100036983, Citrus County Board of County Commissioners Sand/Land of Florida Enterprises, Inc., and transfer remaining funds into Account No. 6134134052973, Citrus County Board of County Commissioners-Concentration Account.

#3-HH Approved correction to the June 9, 1998 minutes, Item #12-C: Motion should read as follows:

Motion by Commissioner Batchelor, seconded by Commissioner Fowler, to adopt and authorize the Chairman to sign a Resolution dissolving the Economic Development Council by repealing Resolution No. 93-195 97-135. (Anna Vick read a statement opposing privatization of the Economic Development Council. The Chairman explained the county is only dissolving the board that was established six months ago as an advisory board. Mr. McIntosh noted the board is not needed, that the way to bring in business is eliminate tourist taxes, impact fees, business license fees, etc.)

Motion carried unanimously.

RESOLUTION NO. 98-082

#3-II Adopted and authorized the Chairman to sign a Resolution setting a public hearing for Street Vacation SV-01-07 on March 12, 2002, at 2:00 P.M., in the Commission Room, Masonic Building, 3rd Floor, 111 West Main Street, Inverness, as petitioned by the Department of Development Services on behalf of Mary F. Hooker.

RESOLUTION NO. 2002-035

#3-JJ Approved and authorized the Chairman to sign a Satisfaction of Judgment for Christopher Michael Litty, Case No. 99-184-CF.

#3-KK Approved and authorized the Chairman to sign Records Disposition Document No. 336, (Juvenile Case Files: Delinquency/Dependency); No. 339 (Probate Case Files); and No. 345 (Hazardous Materials: complaints, incident/investigation reports, safety inspection records, training records, grant files, and toxic substance list) for disposition of records that have met their assigned retention standards and are ready for destruction.

#3-LL Acknowledged receipt of information regarding Coastal Impact Assistance Program Award Notification No. NA170Z2088.

#3-MM Set a Public Hearing on February 26, 2002, at 2:25 P.M. in the Masonic Building, 3rd Floor, 111 West Main Street, Inverness, to receive citizens' comments regarding the proposed time extension to DCA Grant #99DB-4Z-05-19-01-E78 for the Homosassa Area Wastewater Collection System Project – Phase 1.

#3-NN Approved and authorized the appointment of Brad Thorpe, Director of Community Services, to the Mid-Florida Community Services, Inc., Board of Directors.

#3-OO **1)** Approved and authorized the appointment of Brad Thorpe, Director of Community Services, to the Shared Services CEO Roundtable Committee; and **2)** Flossie Benton Rogers, Director, Division of Library Services, to the Shared Services Steering Committee.

#3-PP Waived all fees associated with the rental of West Citrus Community Center by the World War II Memorial Ad Hoc Committee for their fund raiser on February 23, 2002.

#3-QQ Approved and authorized the Chairman to sign the Impact Fee Interlocal Agreement with the City of Crystal River, which would replace the following three existing agreements adopted under the old fee schedule:

- Transportation and Parks - February 10, 1987 (ref. Ord. 86-11)
- Transportation and Parks - October 20, 1987 (ref. Ord. 87-12)
- Law, Fire, EMS, Library, Public Buildings - July 19, 1988 (ref. Ord. 88-08)

#3-RR Approved and authorized the Clerk to issue the following warrants: \$1,042.02 to River Reach of Crystal River, \$756.44 to Alex Griffin, and \$634.50 to Robert Greenhood for reimbursement of commercial assessment fees paid for the period 1997 through 2001.

#3-SS Approved and authorized the Chairman to sign Change Order No. 1 at \$47,299.66 with Pave-Rite, Inc., to provide the necessary construction services to modify the flush-mount lighting system at the Crystal River Airport.

#3-TT Approved the following wire transfers: **CIS:** \$6,688.48 dated 01/03/02, and \$3,359.17 dated 01/18/02. **PGCS:** \$1,948.60 dated 01/04/02, \$4,202.77 dated 01/11/02, \$23,991.87 dated 01/18/02, and \$8,228.55 dated 01/25/02. **BANK OF AMERICA:** \$9,096.53 dated 01/17/02.

#3-UU Approved the following wire transfers: **CIS:** \$10,031.98 dated 12/07/01, and \$8,224.85 dated 12/20/01. **PGCS:** \$3,213.96 dated 12/07/01, \$10,476.09 dated 12/14/01, \$12,787.74 dated 12/21/01, and \$1,283.09 dated 12/28/01. **USPS:** \$13,000 dated 12/21/01. **BANK OF AMERICA:** \$10,642.67 dated 12/17/01.

#3-VV Approved and authorized the Chairman to sign the Service Agreement with Preferred Government Claims Service (fka JLT Insurance Services) for workers' compensation claims.

#3-WW Approved the following Bid Committee Report: **1)** RFP No. 042-02, OMB, cellular communications and equipment awarded to AT&T; **2)** Bid No. 047-02, UD, fire hydrant installation awarded to Action Industries as the lowest bidder at the prices listed below:

6" x 6"	\$1,220	8" x 6"	\$1,221
10" x 6"	\$1,261	12" x 6"	\$1,310
18" x 6"	\$1,310		

3) Bid No. 051-02, SWM, purchase of a new dozer, awarded to Highland Tractor at the net cash price plus bond total of \$118,000 as the lowest bidder under the total cost purchase option and authorized the Chairman to sign the Total Cost Agreement, and release the title on the trade in unit, Case 850G Dozer, Property ID No. 9338; **4)** Bid 053-02, HSD, home repairs awarded RHB 2002-09 at \$9,868 to John Clark, RHB 2002-08 at \$6,616.80 and RHB 2002-010 at \$13,275.25 to Heath Restoration Contractor as the lowest bidders; and **5)** Bid No. 056-02, HSD, home repairs awarded RHB 2002-011 at the base bid plus alternate total of \$11,971.50 to Heath Restoration Contractor, Inc., as the lowest bidder.

(IA-276/1:04 P.M.)

#2- PUBLIC HEARINGS - WORKSHOPS - PERSONS TO APPEAR**#2-A OPEN TO THE PUBLIC**

Sumner Waite questioned when the wording would be prepared and placed on the agenda for the movement of the Administrative Offices. He suggested that the wording for the resolution be completed within the next two months. Commissioner Fowler stated that staff was working on that wording and Commissioner Bartell responded by stating that he was going to bring this issue up at the Goal Setting Meeting.

John Klie, Vice Chairman of the Past Presidents Committee of Hillcrest Village in Meadowcrest, read a letter into the record (filed with the Clerk's agenda), in regard to the 10,000-gallon cap imposed on sewer customers. He stated that a decision to lower the cap to 5,000-gallons had been discussed in September, however, staff had not brought calculations or recommendations back to the Board. He suggested that these charges were unfair, that sewer customers were carrying the burden for all, and that a decision needed to be made by April 1, 2002. Mr. Wesch advised that staff was currently holding meetings with the Ozello Water Association (OWA), which was one of the major concerns dealing with the rate study. He stated that he believed the outstanding issues with the OWA had been resolved and staff would bring the rate study back to the Board during the second meeting in March. The Chairman advised Mr. Klie that staff was moving expeditiously on this matter.

Dave Conant made comments about the County seat editorials in the Chronicle, and the need for those editorials to state the facts and the truth. He stated that there was no intention to move the County seat, that all of the Constitutional Officers would remain in the County seat, that voters needed to express their opinion, that Commissioners should represent all of the people, etc. He also commented on Commissioner Wooten's statement in the paper regarding the delay of the Halls River Retreat decision and stated that the issue was compatibility and should be brought to closure today. (IA-2048/1:16 P.M.)

#6- COUNTY ADMINISTRATOR'S REPORT**#6-A WITHLACOOCHEE REGIONAL PLANNING COUNCIL (WRPC)**

Mr. Wesch stated that the Chairman of the WRPC had submitted a proposed revised Interlocal Agreement which would change the quorum requirement, and whom would vote on both per capita contributions as well as budgets. He added that this amendment would re-establish the position of the County and the WRPC circa 1998-1999.

Commissioner Bartell stated that he was not in favor of amending the agreement because he did not want to waive the right of an appointed person controlling the budgetary responsibility of Citrus County to the WRPC.

Commissioner Phillips clarified the letter found in the backup material by stating that the request was not coming from the Chairman but from the WRPC members, that it was difficult for WRPC to get approval of a budget because they can not get a super quorum majority of Commissioners to attend their monthly meetings, that this past year WRPC returned money to the County by reducing the per capita, etc.

Commissioners' Wooten and Batchelor concurred with Commissioner Phillips about the WRPC not being able to get a super quorum majority.

The Chairman agreed with Commissioner Bartell and stated that he believed the WRPC had outlived its usefulness.

Motion by Commissioner Fowler, seconded by Commissioner Bartell, to deny the revised Interlocal Agreement with the WRPC.

Discussion ensued regarding the Board, staff, and citizens depending on the WRPC, the Commissioners requirement to be members of the WRPC by statute, the WRPC being in a difficult situation when establishing a budget, WRPC staying in existence or not, the need to approve the revised Interlocal Agreement or to come up with a compromise, etc.

Commissioner Bartell suggested that as long as there was not an increase in the per capita rate, a simple majority vote could take place. He added that if there was an increase, representation from elected officials was needed.

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

Motion by Commissioner Phillips, seconded by Commissioner Wooten, to approve and authorize the Chairman to sign the revised Interlocal Agreement with the WRPC.

Commissioner Phillips stated that she would relay the concerns of the Board to the WRPC concerning the per capita and the non-elected officials voting on the budget.

The Chairman called a question on the motion, and the motion carried. Voting Aye: Commissioners' Batchelor, Phillips, and Wooten. Voting Nay: Commissioners' Bartell and Fowler. (IA-3857/1:34 P.M.)

#2-B ***EMPLOYEE SERVICE AWARDS***

The following staff were recognized for their years of service to the County: **5 YEARS:** Hubert (Larry) Ludwig and Richard A. (Rick) Von Staden. **10 YEARS:** Virginia A. (Ginny) Celano, Greta B. Gilchrist, and Ronald (Ron) Rupert. **25 YEARS:** Glenda Marcum. Richard Hanna and Thomas C. (Sonny) Wall were not present. (IA-4240/1:38 P.M.)

#2-C ***PROCLAMATION – BLACK HISTORY MONTH***

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized 1) all Commissioners to sign the proclamation proclaiming February as Black History Month; and 2) the use of the Historic Courthouse grounds February 16, 2002. (IA-4429/1:40 P.M.)

#2-D **PROCLAMATION – MARINE CORPS ROSE PROGRAM**

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized all Commissioners to sign the proclamation supporting the Marine Corps Rose Program to be held on February 15 and 16, 2002. (IA-4694/1:44 P.M.)

#2-E **PROCLAMATION – HAMPTON DUNN**

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation honoring Hampton Dunn for service to his Country and for the statewide and national recognition his career brought Citrus County. (IA-4916/1:46 P.M.)

#2-F **FIRE PREVENTION CODE**

Mr. Battista made brief comments and read the ordinance title into the record.

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 hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending Section 46-33 of the Citrus County Code titled "Adoption of Codes" by providing for the adoption of the Florida Fire Prevention Code; providing for severability; providing for inclusion in the Code; and providing for an effective date.

ORDINANCE NO. 2002-A02 (IB-5027/1:48 P.M.)

#2-G **FIREWISE FLORIDA**

Gary Maidhof, Director of Development Services, explained that the Firewise Program was a comprehensive educational outreach program developed by the Divisions of Forestry and Emergency Management to reduce the vulnerability of Florida communities to fire.

Mike Schlaudraff, Fire Services Director, gave information about the local forum involving homeowner's associations, realtors, builders, landscape professionals, etc., which was scheduled for February 14, 2002, at the Lecanto Government Building.

(IB-4764/1:51 P.M.)

#2-H **EXPENDITURE OF FUNDS**

Mr. Wesch stated that the proposed ordinance would allow certain expenditures of County funds to serve a County purpose; i.e., service awards for employees, food and refreshments for volunteer firefighters, etc.

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

Motion by Commissioner Batchelor, seconded by Commissioner Wooten, to adopt and authorize the Chairman to sign an ordinance finding that certain expenditures of County funds serve a County purpose; providing for expenditures of County funds for employee recognition awards, awards for individuals serving on County boards and commissions, awards, food and refreshments for volunteer firefighter recognition function pursuant to Sections 125.9501 through 125.9506, Florida Statutes, moving and travel expenses in connection with recruitment proceedings and for certain events open to the public and other government officials and food and refreshments in connection therewith; confirming and ratifying such expenditures prior to the effective date of this Ordinance; providing for severability; providing for inclusion in the Code; and providing for an effective date.

Commissioner Phillips expressed her concerns regarding Section 1 of the ordinance which authorized the County Administrator to expend County funds up to and including the sum authorized pursuant to County Administrative Regulation, which was \$10,000. She also questioned the expansion of items listed that was beyond the Boards original intent.

Mr. Wesch replied to Commissioner Phillips concerns and questions by stating that the ordinance was drafted using the current purchasing regulations which would be \$10,000 per occurrence. He added that staff took this opportunity to look at future potentials, the original issue of the volunteer firefighters, and also to codify actions previously taken.

Mrs. Strifler replied to Commissioner Bartell by stating that the passing of this ordinance would give the Board legal authority to expend funds for such purposes that they may declare as a public purpose.

The Chairman called a question on the motion, and the motion carried unanimously. ORDINANCE NO. 2002-01 (IB-3821/2:03 P.M.)

#2-1 **2002 SMALL SCALE CYCLE #1 AMENDMENTS**

#2-1.1 **CPA/AA-02-01 – DAVID HOARD**

Ian McDonald, AICP, Senior Planner, DDS, presented the staff report which included the following:

Applicant Name/Number:	CPA/AA-02-01 – David Hoard
Land Use:	Change of land use on the Generalized Future Land Use Map (GFLUM) and LDC Atlas from General Commercial (GNC) to Industrial (IND)
Property Data:	1.24 acres of land located on SR-44, near the landfill in Lecanto, or Parcel 12230 in Section 1, Township 19, Range 18E.
Staff/PDRB Recommendation:	Approval
Proposed Project:	Construction of a metal fabrication facility.

He stated that the property surrounding this parcel were all zoned commercial, the area was characterized by generally low intensity commercial and vacant properties, facilities would be taken care of on site, there were no concurrency issues, and he read the findings of fact into the record.

Mr. Maidhof read the ordinance preambles into the record as follows:

An Ordinance of Citrus County, Florida, amending the Atlas of the Citrus County Land Development Code, Ordinance 90-14 as amended, by revising the land use designation on certain parcels of land as presented in the 2002 Small Scale Review Cycle #1, as further fully described hereinbelow; providing for severability; providing for inclusion and providing for an effective date.

and

An Ordinance of Citrus County, Florida, amending the Citrus County 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 2002 Small Scale Review Cycle #1, as further fully described hereinbelow; providing for severability; providing for inclusion and providing for an effective date.

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

David Hoard spoke in favor and gave brief comments about the proposed project.

The Chairman then asked for anyone opposed. With no further 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 approved application CPA/AA-02-01, David Hoard.

#2-1.2 CPA/AA-02-02 - DOUCETTE

Mr. Maidhof stated that application CPA/AA-02-02 had been postponed to a later date at the request of the applicant.

#2-1.3 CPA/AA-02-03 - MCKEAN FOR OAK SPRING, INC.

Lou Phemister, Planner, Community Development Division (CDD), summarized the staff report as follows:

Applicant Name/Number:	CPA/AA-02-03 – McKean and Associates, Inc. for Oak Spring, Inc.
Land Use:	Change of land use on the GFLUM and LDC Atlas from Medium Density Residential (MDR) to GNC.
Property Data:	Approximately two acres on the rear portion of Lot 7, Block F, New Mayfield Acres, located on the north side of SR-44 just west of Kensington Ave. next to Hughes Supply in Lecanto

Staff/PDRB Recommendation:	Approval
Proposed Project:	Construction of an 80 room motel project

He stated that concurrency could be met for general commercial uses, the proposal was consistent with the Comprehensive Plan, that the land was within the planned service area, and he read the findings of fact into the record.

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

Paul Furman, McKean, and Associates, Inc., representing Oak Spring Inc., spoke in favor and made brief comments.

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 Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved application CPA/AA-02-03, McKean, and Associates, Inc., for Oak Spring, Inc. (IB-219/2:13 P.M.)

#2-1.4 CPA/AA-02-04 - JOUBERT

Mr. Phemister summarized the staff report as follows:

Applicant Name/Number:	CPA/AA-02-04 – Ian Joubert
Land Use:	Change of land use on the GFLUM and LDC Atlas from Low Density Residential (LDR) to MDR
Property Data:	9.8 acres on a portion of Parcel 43100 on W. Longfellow St., Homosassa, located in Section 14, Township 19S, Range 17E.
Staff/PDRB Recommendation:	Denial
Proposed Project:	Construction of multifamily housing

He stated that the applicant was proposing a 24-unit “duplex community” with the intent of creating affordable rental housing units. He added that the property was surrounded on three sides by developed single family residents, that there were no concurrency issues, but that it was inconsistent with the Comprehensive Plan. He added that the area was isolated from other higher intensity land uses. He added that Longfellow had been paved since the workshop and that a lot of public input had been received. He read the findings of fact into the record.

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

Mr. Joubert displayed a map of the property in question, and gave a summary of the events since owning the property. He stated that this project would be a benefit to the community, would add jobs, and the duplexes would be the best option.

The Chairman recessed the meeting due to technical difficulties and reconvened at 2:37 P.M.

The Chairman then asked for anyone to speak in opposition.

Ansel Briggs requested the Board look into Mr. Joubert's threats to the neighbors about placing old mobile homes on the property if the application did not pass. He also expressed concern with the project being inconsistent with the neighborhood, there being no sidewalks, no drainage ditches, no playgrounds, no central water or sewer, etc.

Arthur George, Jr. stated that he lived directly across from the proposed project and that the project was inconsistent with the neighborhood. He also provided letters from four neighbors that were also in opposition (filed with the Clerk's agenda).

Connie Arnold stated that she was opposed to the project because of the rural area, no sewer or water, too many people for a small parcel of land, etc.

Dorothy Hahn also spoke in opposition stating that the area was rural, low density, primarily residential, and not the place for a multi unit project.

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

Mr. Maidhof replied to Commissioner Bartell's questions by stating that there were regulations that control the type of mobile homes that could be placed on property and other regulations that would require certain improvements, such as paved roadway, drainage, etc. He added that the LDC limited lots to be served by well and septic tanks to one acre or larger.

Motion by Commissioner Bartell, seconded by Commissioner Phillips, to deny CPA/AA-02-04, Ian Joubert, due to the inconsistency with the Comprehensive Plan; not being compatible with surrounding properties; and altering the character of the community.

Short discussion followed.

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

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

sign an ordinance amending Ordinance No. 90-14, providing revisions to the LDC Atlas from 1) GNC to IND, iaw CPA/AA-02-01; and 2) from MDR to GNC, iaw CPA/AA-02-03.

ORDINANCE NO. 2002-A03

and

an ordinance amending Ordinance No. 89-04, providing revisions to the GFLUM from 1) GNC to IND, iaw CPA/AA-02-01; and 2) from MDR to GNC, iaw CPA/AA-02-03.

ORDINANCE NO. 2002-A04 (IIA-1372/2:55 P.M.)

The Chairman recessed the meeting again due to technical difficulties and reconvened at 3:17 P.M.

#2-J **SV-01-06, EMORY F. JOHNSON**

Mr. Battista made brief comments and Joanna L. Coutu, Senior Planner, CDD, reviewed the request by Emory F. Johnson to vacate a portion of East Marengo Court. She stated that no objections had been received from utility companies, Mosquito Control Board, Department of Public Safety, Land Section, and Emergency Operations. She advised that since the PDRB hearing, staff had received a letter of objection from a neighbor to the south. She added that the vacate as proposed would not eliminate access to this neighbor's parcel, which would still have the full 30' of Marengo Court leading into the property and an undeveloped 15' County easement running along the north and south property line.

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

Emory Johnson spoke in favor and made comments regarding his proposed uses of the existing concrete slab.

The Chairman then asked for anyone to speak in opposition.

Victoria Ferrell stated that she lived across from the proposed vacation. She provided a survey indicating that her parcel had been split in half and if the vacation was approved, it would restrict access to the back parcel.

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

Discussion followed regarding reducing access for other property owners, staff reviewing Mrs. Ferrell's concerns and not changing their recommendation, the existing concrete slab being in the right-of-way, rectifying staff's map to show two lots, the Boards options on this application, etc.

Mr. Wesch referred to the Comprehensive Plan Policy 10.4.2, which stated “the vacation of rights-of-way, alleys, roads or access easements shall only be allowed when principal or secondary access to a parcel of land is not diminished...”

Motion by Commissioner Phillips, seconded by Commissioner Fowler, to deny the application vacating a portion of East Marengo Court, iaw Application No. SV-01-06.

Commissioner Bartell stated that he did not want to pass the burden onto another property owner, and that there was no other option but to deny the application based on the Comprehensive Plan Policy 10.4.2.

The Chairman called a question on the motion, and the motion carried unanimously. (IIA-3188/3:32)

#2-K ***SUNCOAST PARKWAY 2 PROJECT DEVELOPMENT***

Kevin J. Thibault, Director of Planning and Engineering for Florida’s Turnpike, gave a kickoff presentation of the Project Development and Environment (PD&E) study for the Suncoast Parkway in Citrus County.

(Clerk’s note: audio tape was turned off during the film presentation)

Discussion followed regarding the new study requiring approximately thirty-six months to complete, expediting the project, land preservation in the Sugarmill Woods area, etc. (IIA-3727/3:49 P.M.)

#2-L ***TOURIST TAX BUDGET***

Mary Craven, Tourism Program Manager, stated that the Tourist Development Council had recommended an amendment to the Tourist Tax Budget in order to execute a targeted marketing program to develop the Group Tour industry segment. She added that the amendment was required following the approval of the Visit Florida Advertising Matching Grant and the Florida State Fair County Exhibit Showcase.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign 1) an ordinance amending Chapter 94, Citrus County Code, amending Article III, Section 94-141, thereof to provide for the County Tourist Development Plan; by amending the FY 2001-2002 Tourist Tax Fund; by providing for severability, by providing for inclusion in the Code; and by providing for an effective date. ORDINANCE NO. 2002-A05;

and

2) the following budget resolution:

RESOLUTION NO. 2002-036

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE TOURIST TAX BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on January 22, 2002, the Citrus County Board of County Commissioners approved a 2001-2002 VISIT FLORIDA Cooperative Advertising Agreement; and

WHEREAS, the Florida State Fair Authority has awarded Citrus County Tourist Tax funding to showcase Florida through County Exhibits at the Florida State Fair; 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 12th day of February 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

	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	160-366-900	Other Contributions & Donations	16,000
		Total Revenues	\$16,000
Expenditures	160-2122-54100	Communications Services	1,000
	160-2122-54160	Postage	3,200
	160-2122-54700	Printing & Binding	(300)
	160-2122-54807	Print Advertising/Marketing	15,500
	160-2122-54809	Trade Show / Promotion	6,500
	160-2122-54921	Advertising	300
	160-2122-55400	Dues, Books, Memberships	2,500
	160-247-200	Reserve for Contingency	(12,700)
		Total Expenditures	\$16,000
	160A-334-900	Visit Florida Advertising Grant	7,347
	160A-366-900	Florida State Fair Grant	1,450
		Total Revenues	\$8,797
	160A-2122A-54807	Print Advertising/Marketing	7,347
	160A-2122A-54809	Trade Show / Promotion	1,450
		Total Expenditures	\$8,797

#2-M **D-02-01, STEVEN K. LUCE, AICP, OF URS CORPORATION FOR KIP MARSHALL, US RETAIL INCOME FUND I**

Mr. Maidhof stated that this was a determination of non-substantial deviation and Mr. McDonald summarized the staff report as follows:

Applicant Name/Number:	D-02-01, Steven K. Luce, AICP, Of URS Corporation For Kip Marshall, US Retail Income Fund I
Property Data:	Section 24, Township 18 South, Range 18 East, Parcel 40000-0023, located in the northeast quadrant of the intersection of North Forest Ridge Boulevard and CR-486. Part of Parcel A of Map "H" of the April 25, 2000, Revised Master Development Plan for "The Villages of Citrus Hills Development of Regional Impact (DRI). 8.67+ acres.
Staff/PDRB Recommendation:	Approval.
Proposed Project:	2,500-square foot addition to the west end of the existing shopping center.
Public Hearing:	February 26, 2002

Mr. McDonald replied to Commissioner Wooten by stating there was no change in parking, and that there was adequate parking according to the code.

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

Steven Luce spoke in favor and made brief comments of the project.

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

Mr. McDonald stated that staff understood that the parking lot was problematic, and had asked the developer to look into additional signage. (IIA-4526/3:58 P.M.)

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

#12-A **FINAL PLAT – APPLICATION NO. PLT-00-09 STAGECOACH RANCH ESTATES PHASE ONE**

Upon motion by Commissioner Phillips, seconded by Commissioner Wooten, and carried unanimously, the Board approved and authorized the Chairman to sign the plat of Stagecoach Ranch Estates Phase One, and directed the Clerk to record the plat in the public records. (3:00 P.M.)

#12-B **FINANCING PROPOSAL – COUNTYWIDE RADIO SYSTEM**

#12-B **Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board 1) accepted the proposal submitted by SunTrust Bank to provide \$3,750,000 in financing for the purchase of the countywide radio system at an interest rate of 3.56% and closing costs not to exceed \$5,000; and 2) adopted and authorized the Chairman to sign a resolution authorizing and approving the borrowing of \$3,750,000 from SunTrust Bank to finance the purchase of a countywide**

radio system; the pledging of the Local Government Half-Cent Sales Tax to be budgeted annually for the payment of the Certificate of Obligation; determining that a negotiated sale of the Certificate of Obligation was in the best interest of the taxpayers of Citrus County; authorizing the proper officers of the County to sign the necessary Certificate of Obligation and other closing documents on behalf of the Board; and providing an effective date.

RESOLUTION NO. 2002-037

#13- **EMERGENCY MATTERS NOT ON THE BOARD'S AGENDA**

#13-A **CITRUS COUNTY BUILDERS ASSOCIATION**

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board approved and authorized the Chairman to sign an Indemnity Agreement with the Citrus County Builders Association for the installation of temporary signs for their upcoming Parade of Homes.

#10- **COMMISSIONER JOSH WOOTEN**

#10-A **PROCLAMATION - TED WILLIAMS DAY**

Upon motion by Commissioner Wooten, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized all Commissioners to sign a Proclamation declaring February 17, 2002, as Ted Williams Day.

#10-B **TED WILLIAMS PARKWAY**

Upon motion by Commissioner Wooten, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized the dedication of .9 mile on Norvell Bryant Highway between Essex and Annapolis as Ted Williams Parkway, and to install a sign designating such. (IIA-4995/3:04 P.M.)

#13-B **LEGISLATIVE REAPPORTIONMENT AND REDISTRICTING**

Commissioner Bartell reviewed information about the senatorial redistricting and stated that when he looked in the Subcommittee's book there were four proposals, three that divided Citrus County into undesirable ways. He added that Mr. Wesch had drafted a letter asking Senator John F. Laurent, Chairman of the Reappointment Subcommittee, to consider the Board's request and leave Citrus County whole. He advised that many of the other Senators indicated that if the Board sent a letter, they would consider it.

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized all Commissioners to sign a letter to the Honorable Senator John F. Laurent, Chairman of the Reappointment Subcommittee, asking him to consider keeping Citrus County whole when working on the redistricting plan. (IIB-4853/4:07 P.M.)

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

#2-N **AA-00-12 (HALLS RIVER RETREAT), BURRELL ENGINEERING, INC., FOR F. BLAKE LONGACRE OF HALLS RIVER RETREAT DEVELOPMENT, INC.**

Mr. Battista advised that the process for this public hearing had been changed, that public input would be heard after the applicant's presentation and after the two parties

in opposition spoke and asked questions of those who had provided evidence. He stated that one of the parties in opposition had requested that there be sworn testimony for anyone making statements. He then asked that anyone in the room who would give testimony or comment on this issue to stand, and he administered the oath.

Motion by Commissioner Wooten, to continue the application until the issue of the Environmental Resources Permit (ERP) with Southwest Florida Water Management District (SWFWMD), which had been challenged by the Homosassa River Alliance, was resolved. Motion failed for lack of a second.

The attorneys introduced themselves as Jim Neal, representing F. Blake Longacre of Halls River Development, Denise Lynn, representing "Save The Homosassa River Alliance", and Carl Bertoch, representing the Protect our Waterways Committee.

Mr. Phemister, Planner, described the application as follows:

Applicant Name/Number:	AA-00-12 (Halls River Retreat) – Burrell Engineering for F. Blake Longacre of Halls River Development, Inc.
Land Use:	From MXU, Mixed Use District, to MXU (PDO)
Property Data:	Section 29, Township 19 South, Range 17 East; more specifically, a portion of Lots 3, 14, and 15, Block 3 of Homosassa Company's Subdivision
PDRB Recommendation:	Denial
Staff Recommendation:	Approval with 17 conditions.
Proposed Project:	Multiple story time share condominium complex, with one manager's apartment, and associated recreational amenities.

He presented the staff report, which updated and modified previous staff reports and their revisions and supplements, and included the more important changes to the Master Plan redesign of the proposed development as follows:

- reduction from 63 units to 54 units
- repositioning 12 units to avoid impacts to wetlands
- reducing the number of boat slips from 20 to 18
- repositioning of all recreational structures to maintain a minimum setback of 15 feet from both wetlands and water bodies; and
- reduction in the area proposed for wetland mitigation.

He stated that staff found these changes addressed previous inconsistencies contained within the coastal, lakes, and river management, conservation, and manatee protection. He advised that there had been considerable public input concerning the application since the PDRB meeting January 27, 2002. He further stated that minor modifications had been made to conditions 14 and 15 that would remove the concern of the applicant, that any appeals made to decisions taken on the application would compromise the time limits during which development of the project should be completed. He also mentioned that SWFWMD would hold the modified ERP application in abeyance

until a determination was made regarding the initial ERP approval, which could be delayed three to five months. He commented on the eight findings of fact, and requested that a written copy of the staff report be made part of the public record.

Mr. Maidhof read the ordinance preamble into the record as follows:

An Ordinance of Citrus County, Florida, amending the Atlas of the Citrus County Land Development Code, Ordinance No. 90-14; by changing the land use designation of certain property located in Section 29, Township 19 South, Range 17 East; from MXU, Mixed Use District, to MXU (PDO), Mixed Use District with a Planned Development Overlay; by establishing a master plan for development with conditions for approval; providing for repeal of conflicting ordinances; and providing for an effective date.

Mr. Phemister read the modifications to conditions 14 and 15 at the request of Commissioner Phillips regarding time limits for construction and appeals.

Ms. Lynn asked what modifications had been made which caused staff to no longer regard the proposed 50-foot buildings as out of character with the surrounding residential uses, and why the subject properties physical constraints and higher densities were no longer a concern of staff. Mr. Phemister stated that by reducing the number of buildings, removing a number of units from the wetlands, and modifying other units, the applicant had reduced density and that the proposed development would fit in the upland areas.

She questioned how the applicant had satisfied the Manatee Protection Plan element concerning the shallowness of the Halls River at the entrance of the man-made canal. Mr. Phemister replied that the Manatee Protection Plan element consisted of density of one boat slip per 100 feet of owned shoreline, and that by reducing the number of boat slips, the applicant met the requirements. As to her inquiry regarding the policy of boat ramps in high manatee concentration, he replied that staff felt the applicant had complied and that the manatees would have quick access to deep open water.

She questioned how staff was satisfied that there were proper setbacks with the LDC requirements of 50-foot setbacks from the water and wetlands, and 35-foot berm setbacks. He explained that the Comprehensive Plan requirement was a 15-foot setback, that the applicant was allowed to ask for relief within the planned development standards, and that the conditions attached to the application ensured all structures would be 15 feet from any wetland or water body.

She asked how staff had been convinced that the applicant had complied with the Comprehensive Plan in mitigating for the loss of isolated wetlands and with the Policy 4.6.1 that prohibits dredging and filling of wetlands or open water to accommodate water dependant or non-water related uses. He reiterated that the applicant would be removing the buildings that would affect the wetlands. He stated that he could not answer if the applicant would be dredging the man-made canal or filling in the boat basin at the end of the canal, that those were issues that needed to be addressed by the ERP. He advised

that staff's recommendations were based on the general analysis of the Comprehensive Plan, and that staff could verify that the applicant was in compliance.

Mr. Bertoch presented and referred to a booklet entitled "Protect Our Waterways" (filed with the Clerk's agenda), which included the following topics and related documents: compatibility, consistency, coastal high hazard area, and vesting.

Mr. Maidhof answered Mr. Bertoch's questions by stating that there had been no claim by the applicant for a vested right status, that the property was presently vacant with a MXU designation on the LDC. He explained that through an evaluation and appraisal report in 1996, MXU was eliminated from the GFLUM, with no opposition from the DCA. He also replied that the land was vacant in 1995, that a development order existed for the original Nature's Campground, and at the time it was issued, it would have encompassed the entire 11-acre tract.

Mr. Bertoch referred to an original land auction sales brochure dated November 24, 1980, which included the boundaries of Nature's Campground, and requested that a copy of the brochure be entered into the record (filed with the Clerk's agenda). He concluded from the information on the sales brochure that the 11-acre tract described as lot 14 was outside the boundaries of Nature's Campground, therefore the 11-acre tract was not part of Natures Campground as it existed at that time.

Mr. Maidhof replied that based on the sales brochure, that appeared to be correct. He agreed that an amendment would be needed if there was an attempt to designate MXU back into the Comprehensive Plan, but disagreed that there was an inconsistency between MXU designation of property today, and with the GFLUM map as it existed in 1998. He stated that coastal high hazard areas were designated by a line contained in a map of the Comprehensive Plan, and varied to west of US-19 and some sections east of US-19. He explained that the situation in this case was a mixed land use, which would allow developments of this nature through the PDO process at the Atlas level, not the Comprehensive Plan level. He further stated that it was clearly a new development, but not a new "planned" development as recognized under the Comprehensive Plan.

Mr. Bertoch remarked, that was debatable, and that he believed evidence would be provided which would reveal that planned developments were not permitted in coastal high hazard areas.

Mr. Maidhof responded to Mr. Neal's questions as follows: that it was not necessary for an owner of property designated MXU to apply for vested rights; that he was a professional planner who had worked for the County 11 years; that it was his responsibility to interpret the various codes of the County; that the project had been in process for over a year; that staff had scrutinized the development and performed a professional analysis on the project; that the property was vacant in 1995; that he was aware Mr. Longacre had torn down the buildings on the property; and that the project was in compliance with the Comprehensive Plan and the LDC.

Mr. Phemister responded to Mr. Neal's questions by stating that he had worked for the County for approximately three years, that Larry Frey (no longer with the County) wrote the initial staff report, and that he had written the most recent staff report. He advised that the height restriction was complex, but would allow development of this size to be higher than 50 feet, and that the surveyor measured the tree canopy height at 60 feet. He further stated that the maximum density allowed for a planned development on the Comprehensive Plan was 20 units per acre, 12 units per acre for MXU District, and that this project was 4.9 units per acre. He stated that he had reviewed copies of the U.S. Fish and Wildlife report, which found no adverse effects on manatees, but that the information had been requested by the State as part of their review for the ERP.

Ms. Lynn called for a point of order to redirect questions to Mr. Phemister. Mr. Battista advised that agreements had been reached as to the extent of questioning in this proceeding, that questioning had far exceeded the time frame and scope of the inquiry that was to be directed to staff, and that staff evidence was available in numerous reports.

The Chairman informed that under the rules of this proceeding, Ms. Lynn was given an opportunity to question staff, and he proceeded to the applicant's presentation.

Ms. Lynn stated for the record, that she objected that Mr. Phemister would not discuss specific items with her due to the ERP petition, but that he specifically discussed some of the regulatory letters and his opinion of those issues with Mr. Neal.

Mr. Longacre stated that he hoped the changes he had made would bring the project in compliance with the rules and regulations of the County, and that the Board would approve the project.

Mr. Neal stated that the function of the Board was to apply policy that had already been adopted in deciding whether this PDO should be adopted for this particular piece of property, and that the Board must show cause as to why they would not approve the project. He further stated that based on the evidence of the staff report, the proposal was consistent and complied with zoning ordinances. He remarked that if this case was litigated, the courts would defer to the County's professional staff, would only reverse staff's recommendation if it was entirely erroneous, and that he was confident a court would find that the staff's interpretation of the Comprehensive Plan to be correct. He submitted copies of Ordinance No. 97-A29 (Evaluation and Appraisal Report amendments), submitted various parts of the LDC, including planned development standards, surrounding uses, compatibility, required findings, MXU definitions, etc. He also referred to and submitted plat maps, assessment maps, and various other area maps that showed surrounding densities exceeded the proposed project, as well as a traffic study that showed no effect on Halls River Road, letters, drawings, photographs, etc. (filed with the Clerk's agenda). He addressed Commissioner Wooten's concern by stating that an ERP was required, would be a condition of the project, and submitted the initial ERP (filed with the Clerk's agenda). He requested that all staff reports, files, and submittals of anyone involved in this project be included for the record. He thanked the Board for their consideration and asked the Board's approval.

The Chairman recessed the meeting and reconvened at 6:38 P.M.

Mr. Bertoch stated that he believed the project posed the following legal issues: compatibility, consistency, coastal high hazard areas, and vested rights. He gave a history of the property, and stated that the property had been predominately residential until ownership was acquired by Halls River Development in 2001. He stressed that this area should never have been included on a map with mixed use. He stated that according to State Statutes, all land development regulations enacted by a local government should be consistent with the Comprehensive Plan, not necessarily the LDC. He added that if land development regulations were inconsistent, the adopted plan should control and govern any actions taken. He read a recent court decision (Pinecrest Lakes vs. Shidel), which required that all development conform to the approved Comprehensive Plan, that development must be consistent with the Comprehensive Plan, and that consistency with the Comprehensive Plan was not a discretionary matter (filed with the Clerk's agenda).

Ms. Lynn addressed provisions within the LDC, stated that the Board should consider the purposes and intent of the LDC, and make decisions based on the Comprehensive Plan policies. She agreed with Mr. Neal that the County's staff was very competent, however, without all the information and answers, of which some answers would be forthcoming from SWFWMD, staff could only make decisions based on the information provided. She noted that Mr. Neal or the applicant did not address impacts to existing wetlands that would be permanently destroyed, until after modifications were made to the application. She expressed concerns regarding the aquifer, wet detention areas constructed with a plastic or clay liner, dredging or filling the man-made canal, the existing sea wall and boat slips. She distributed copies of essential elements of the Comprehensive Plan (filed with the Clerk's agenda). She pointed out that the project was not a water dependant or water related use, and that while SWFMWD might approve an ERP because of the size of the wetlands, the County's Comprehensive Plan did not allow destruction of wetlands without mitigation.

Winston Perry, representing the Homosassa River Alliance, showed a slide presentation depicting pictures of the existing boat ramp that would be exchanged for the proposed 18 boat slips on the canal. He added that he had taken measurements of the master site plan for the project, that numerous dimensional discrepancies existed, and requested that the project be rejected as incompatible with the neighborhood and with the truth.

Ms. Lynn asked the Board to follow the PDRB's recommendation and deny the request.

The Chairman opened the public portion of the public hearing, and stated that the Board was compelled to consider substantial competent evidence, not personal opinion. He then asked for anyone to speak in favor.

Troy Burrell, Burrell Engineering, stated that the site planning work was prepared by a State licensed surveyor and State registered engineer, that the drainage design was

in accordance with SWFWMD's regulations and County Code, and that there were no problems with sewer and water service. He responded to Ms. Lynn's comments by stating that the small isolated wetlands on the site were mitigated, and the only dredging that was done was for the removal of sediment.

Ms. Lynn stated for the record that because Mr. Burrell appeared as part of the public input, she objected that she was not able to properly cross-examine him, and requested the opportunity to cross-examine him on some of the items he mentioned.

The following persons spoke in favor of the project: Mike Houseworth, Deborah Stites, Randy Caldwell, Jay Wilson, Larry J. Doyle, Pete Wambold, William Schumacher, Horace Allen, and Ernest Woods.

The Chairman noted Ms. Lynn's continuing objections to those speaking in favor of project.

The Chairman then asked for anyone to speak in opposition. (7:30 P.M.)

Ron Miller, President of the Audubon Society, spoke in opposition, and showed a slide presentation (filed with the Clerk's agenda), which included charts of the aquifer, fractured coastline, coastal hazard area, etc., and stressed that the request was incompatible with the coastal environment.

The Chairman recessed the meeting and reconvened at 7:47 P.M.

The following persons also spoke in opposition citing incompatibility as the main issue, among various other reasons. Several read and/or presented documentation (filed with the Clerk's agenda): Walter Brown, Richard Clay, Robert Edward Lee Phelps, Sr., Rick Omelian, Dr. David Miller, Clyde Hindman, Debbie Kenney, Jose Masaoy, Robert J. Jeeves, Mary Kathleen Stonerock, Marion Knudsen, Billy Mitchell, Daniel Hillen, Joyce Valentino, Ellen Beyerlein, Pete Wentworth, Charles Stonerock, Isabell Spindler, Ethel Albert, Dorothy Hahn, Jim Bierly, Pat Cassleberry, Jack Casselberry, Rolf Aucrmann, James Nicoll, Mike Locklear, Chris Lloyd, Jim Bitter, and Ansel Briggs.

With no further public comment, the Chairman closed the public portion of the public hearing. (V-820)

The Chairman recessed the meeting and reconvened at 9:25 P.M.

In closing statements, Ms. Lynn proposed that the applicant had not met the requirements of the Comprehensive Plan and the Land Development Code, and challenged the Board to find compatibility uses. She reiterated that wetlands would be destroyed with mitigation, to keep in mind that SWFWMD regulations had not been complied with because there was no permit, and that it was the Board's position to consider all the environmental requirements of the code. She added that the Board had

heard the voice and will of all the people, and respectfully requested that the application be denied.

Mr. Bertoch concluded by stating that in situations such as this, the applicant had the burden of proof to establish substantial evidence, and suggested that he failed to establish that proof, that the project was inconsistent and incompatible with the Comprehensive Plan, and therefore, should be denied.

Mr. Neal gave closing statements and emphasized that the applicant was entitled to due process, that the project was a permitted use in a MXU District, and that the Board should rely on its professional staff's expertise in terms of the consistency and compatibility issues. He reiterated that it was a matter of record that an environmental permit was issued for this project, that the professionals all agreed that this particular proposal would not violate regulations, and that the project would not be built until the permit was issued. He added that there had been many opinions, but little facts, other than those brought forth by the applicant and verified by staff. He finished by stating that the project was a good, sustainable, tourist friendly development, which complied with the Comprehensive Plan, and that it was the Board's duty to approve the project.

The Chairman thanked the audience for their decorum during the hearing.

Commissioner Bartell expressed his appreciation to the applicant, attorneys, and the public for their professionalism. He stated that it was a great project, but that it was not compatible with the environmentally sensitive area, that this type of intense growth was consistently discouraged in the high hazard coastal areas, and that no planned development was to take place in the coastal high hazard area. He also mentioned that this Board, staff, State agencies, and others, had convinced the public to support a sanitary sewer system, providing relief for the Homosassa and Halls Rivers, based on the fact that it would not drive development but would correct mistakes of the past and remove septic tanks. He added that the Board would not be performing their job if they allowed this project to go forward.

Motion by Commissioner Bartell, seconded by Commissioner Phillips, to deny application AA-00-12, Burrell Engineering, Inc., for F. Blake Longacre of Halls River Development, based on information and material evidence provided in testimony.

Commissioner Phillips explained the purpose of a PDO was to put constraints or requirements on development, offer flexibility, and allow for variances, but that the Board had the ability to consider those issues. She quoted the Comprehensive Plan's incompatible uses in coastal areas, and shared her reasons for denial as being incompatible use, too intense, detrimental to the surrounding area, no beneficial value to the adjacent property, and not a suitable use for the environmentally sensitive area.

Commissioner Batchelor stated that this topic was one of the most emotional issues to come before the Board. He commented that compatibility was not something that could be defined easily, that it became a matter of opinion, and that in his opinion, this

project would be an improvement over recreational vehicle parks, mobile home parks, and commercial buildings in the area. He recalled that some of the Commissioners commented that they would reconsider the project if it were brought in compliance with the Comprehensive Plan, if the number of units were reduced, and if buildings were eliminated out of the wetlands, but that he did not think the Commissioners had reconsidered. He added that he thought the applicant had bent over backward to comply with the Comprehensive Plan, and that in his opinion the project was compatible, and that he could not support the motion.

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

Commissioner Wooten stated he did not support the motion and that he did not think the condominium was incompatible, that his concern was and always had been the environmental issues. He stated that he thought the developer had done a tremendous job, but that he felt the project should be denied until an ERP was issued.

Motion by Commissioner Wooten, seconded by Commissioner Batchelor, to deny the application due to not obtaining an ERP with SWFWMD.

Commissioner Bartell stated that he made a motion to deny the application and gave a reason for the denial, but that it would be an injustice to the applicant to delay a decision tonight, because Mr. Longacre would have to go back through entire process again after he received the ERP.

Discussion ensued regarding clarification of the motion, continuing the application, challenging the ERP, environmental concerns not answered, degrading a pristine area, impacts on the wetlands, applicant deserving a decision, difference of opinions, etc.

The Chairman referred to a section of a letter written by Helen Spivey (filed with the Clerk's agenda), regarding the evils of water and sewer, and he stated that water and sewer allowed development and required property owners to meet government standards. He complimented the staff for performing under extraordinary pressure, and stated that the Board must consider substantial, competent evidence regarding the issue. He mentioned that the mixed-use designation brought up by Mr. Bertoch was approved years ago and was not relevant, that Ms. Lynn did not offer any evidence or witnesses to speak as an expert on the issues that she raised. He added that this country was founded on individual rights, not group rights, and that property rights separated us from 90 percent of the world. He further stated that based on everything he had learned, it seemed the applicant had met the standards placed on his property, that staff agreed that the project was now consistent with the Comprehensive Plan, and that he would not vote to deny the application due to the ERP not being issued.

Commissioner Bartell suggested adding a condition that the ERP had to be obtained to approve the project. Commissioner Phillips stated that she could support the motion if it were amended to deny based on the lack of an ERP, as well as the adverse environmental impacts that result from the development in wetland and coastal areas. Discussion continued.

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

Motion by Commissioner Batchelor, seconded by Commissioner Fowler, to adopt and authorize the Chairman to sign an ordinance amending the Atlas of the Citrus County Land Development Code, Ordinance 90-14; from MXU to MXU (PDO), iaw AA-00-12, Burrell Engineering, Inc., for F. Blake Longacre of Halls River Development, Inc. as recommended by staff.

Mr. Battista responded to Commissioner Phillips by stating that lay witnesses who lived in the area for many years could bring forth substantial credible evidence as to personal knowledge and direct observation, however it would not be scientific evidence.

Commissioner Wooten stated that he had voiced his concerns, but that there was a written condition that the applicant could not proceed without an ERP. He added that he thought the issue would end up in court regardless, and that he would support the motion.

Commissioner Bartell reaffirmed his position by stating that he did not believe the application was consistent with the Comprehensive Plan, according to all the correspondence and information provided, the project was not compatible with the Homosassa community, and that he would vote to deny the project.

The Chairman called a question on the motion. Motion carried. Voting Aye: Commissioners' Batchelor, Fowler, and Wooten. Voting Nay: Commissioners' Bartell and Phillips. ORDINANCE NO. 2002-A06

There being no other business to come before the Board, the Chairman adjourned the meeting. (VI-4895/10:30 P.M.)

ATTEST: _____, Clerk _____, Chairman