

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
Attorney: Robert B. Battista
Administrator: Richard Wm. Wesch
Clerk: Glenda Brown, Deputy Clerk

#3- **CONSENT AGENDA**
Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board approved the Consent Agenda, as follows:

#3-A Approved the following warrants: Payroll registers dated 02/21/02 at \$32,436.72, dated 02/19/02 at \$410,434.18, and dated 01/31/02 at \$660.29. Accounts Payable register dated 02/25/02 at \$2,622,476.84.

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

RESOLUTION NO. 2002-038

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE WILDLIFE MITIGATION FUND BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, the Florida Fish and Wildlife Commission has established a statewide bird trail program called the Great Florida Birding Trail; and

WHEREAS, Citrus County has twenty-two (22) local trails nominated for the program; and

WHEREAS, funds are available from a mandated mitigation funding source that no longer exists and may be used for signage on the trails; 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 26th 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

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

BETTY STRIFLER, CLERK

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>		Cash Carry Forward	1,810
<u>Expenditures</u>	106-2784-55210	Miscellaneous Supplies	1,810

RESOLUTION NO. 2002-039

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

WHEREAS, the State of Florida has established a SHIP; and

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

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

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

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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>	133B-337-350	Recycle Closing Assistance	43,718
	133B-361-200	SBA Interest	5,998
		Total Revenues	\$49,716
<u>Expenditures</u>	133B-5304B-53400	Other Contractual Services	25,973
	133B-5304B-54603	Vehicle Maintenance	300
	133B-5304B-54926	Closing Assistance, Existing	16,426
	133B-5304B-54928	Closing Assistance w/Construction	7,017
		Total Expenditures	\$49,716

RESOLUTION NO. 2002-040

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

WHEREAS, on February 12, 2002 the Citrus County Board of County Commissioners approved Change Order No. 1 to the contract with Pave-Rite, Inc. for the Crystal River Airport Runway Widening and Overlay Project; and

WHEREAS, the Florida Department of Transportation will pay for 80% of the increase in cost and the County's portion will be funded by the consultants and the contractor for the project; 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 26th 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>	044-389-910	In Kind	7,349
<u>Expenditures</u>	044-5117-59901	In Kind	7,349

#3-C Approved the following budget transfers: **GENERAL FUND:** \$4,156 from #001-2150-56400 to #55270; and \$69,372 from #-247-200, \$18,900 from #-2441-54160, \$10,000 from #-2440-54700, \$4,000 from #-2441-54700, \$12,500 from #-2440-55270, and \$4,100 from #-53400 with \$92,372 to #-55275 and \$26,500 to #-56400. **FIRE SERVICES:** \$132,300 from #154-271-154 to #-3200-56400. **MSTU/ADMIN.:** \$635 from #107-3441-55100 to #-55120. **CDD/CODE ENFORCEMENT:** \$25 from #107-54700 to #-55275. **ROAD MAINTENANCE:** \$365 from #102-4102-53400 to #-55275. **HSD:** \$1,500 from #167B-5373B-51205 and \$120 from #-55100 with \$250 to #-52200, \$130 to #-55270 and \$1,240 to #-56400; and \$150 from #-55100 to #-54000. **SSD:** \$174 from #001-5220-55100 to #-2150-55270; and \$348 from #159C-7204C-56400 to #-55270.

#3-D Approved and authorized the Chairman to sign Satisfactions of Judgment for Robert John Shelko, Case No. 98-507-TC; and Wayne Thomas Williams, Case No. 2000-3011-TC.

#3-E Approved and authorized the Chairman to sign Connection Charge Installment Lien Agreements for James D. Hill, and George E. Altman and James M. Martin.

#3-F Approved and authorized the Chairman to sign a Water and Wastewater Utility Service Satisfaction of Lien for Barbara B. Joseph, Trustee of the Joseph Family Trust.

3-G Authorized the Chairman to sign the SunTrust “Exhibit A to ACH Service Schedule” and the “Schedule A to Funds Transfer Agreement” to update their list of authorized representatives for banking services.

#3-H Authorized the Clerk to destroy Accounts Payable checks, series 190195 – 195599, and Payroll checks, series 73918 – 76699. These checks were obsolete due to the upgrading of the financial accounting system.

#3-I Approved and authorized the Floral City Garden Club to proceed with a project to do a ground level visual inspection and report of health and structural integrity for all the trees noted as historic on Orange Avenue and Aroostook Way in Floral City.

#3-J Approved and authorized the Chairman to sign a Maintenance Agreement with Sprint Florida, Inc., on the Centurion Telephone/Voice System at the Extension Office at \$1,272.

#3-K Approved staff recommendation to proceed with the preliminary engineering and administrative work in preparation for a future Special Assessment Hearing to provide potable drinking water to Moonbeam Way, West Lake Place, Cove Walk, Mooring Drive, and Mooring Point, within Lake Tsala Gardens.

#3-L Approved and authorized the Chairman to sign an Indemnity Agreement with the Sugar Babes Doll Club for the installation of temporary signs in the County’s rights-of-way for their upcoming Doll Show.

#3-M Approved and authorized the Chairman to sign the Cooperative Funding Agreement No. 02C0N000067, with the Southwest Florida Water Management District (SWFWMD) for the Design and Construction of the Citrus County Reclaimed Water System – Phase 1 (K748), which would provide SWFWMD funding at \$600,000.

#3-N Approved revisions to the 2001-2002 Citrus County Health Department’s Annual Contract to reflect an award in State funds for the food hygiene program at \$232.

#3-O Set the following public hearings at the Commission Room, Masonic Building, 3rd Floor, 111 West Main Street, Inverness, to consider amendments to the Citrus County Comprehensive Plan (Comp) and the Land Development Code (LDC) Atlas:

Date 2002	Time	Subject
May 14-Workshop	2:00 P.M.	CPA-02-01 (DDS) Adjustment to the text of the Future Land Use Element pertaining to communication towers as a permitted use in certain districts.
June 11- Hearing		CPA/AA-02-18 (DDS) Re-designation from Low Density Residential (LDR) to Central Ridge Residential (CRR) on a portion of Citrus Hills First Addition as per Plat Book 9, Page 76-83 and all of Citrus Hills Second Addition as per Plat Book 12, Pages 18-19. Applicant is the Department of Development Services for the Citrus Hills Property

		Owners Association, represented by Clark Stillwell, of Brannen, Stillwell, & Perrin, PA.
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#3-P Approved and authorized the Chairman to sign a Release of Code Enforcement Lien in Case No. 01-165 filed against Linda and S. I. Rogers at \$50.

#3-Q Approved and authorized the Chairman to sign the Floral Park Use Agreement with the Citrus County Chamber of Commerce for the utilization of Floral Park for the 15th Annual Strawberry Festival to be held on March 2 and 3, 2002.

#3-R Approved and authorized the Chairman to sign a final closeout package for the fulfilled Department of Community Affairs (DCA) Florida Small Cities Community Development Block Grant Agreement (CDBG) Contract for Drought Relief during the year 2000, in which well pump repair and/or replacement, and well drilling was provided for Citrus County low-income citizens at \$9,891.47.

#3-S Approved and authorized the Chairman to sign the Youth Athletic Organization Agreement with the Citrus County Devil Rays for the use of Bicentennial Park, Homosassa Springs Area Recreation Park, and Dazzy Vance Field in conjunction with other leagues as necessary for their 2002 season.

#3-T Approved and authorized the Chairman to sign the Wesley Jones Park Use Agreement with the North Oak Baptist Church for the utilization of Wesley Jones Park for their annual Block Party to be held on March 9, 2002, from 7:00 A.M. to 4:00 P.M.

#3-U Approved and authorized the Chairman to sign the Software License Agreement No. 02110201 with APPX Software for the software license and maintenance on two designated computers located in the Support Services Administration Offices for 12 months.

#3-V Adopted and authorized the Chairman to sign a Resolution setting a public hearing on March 26, 2002, at 2:55 P.M. in the Commission Room, Masonic Building, 3rd Floor, 111 West Main Street, Inverness, for Plat Vacation PV-01-02, as petitioned by Clark A. Stillwell, Esquire, on behalf of Marglen Tanner, subject to conditions of approval.

RESOLUTION NO. 2002-041

#3-W Approved and authorized the Chairman to sign the Interlocal Agreement for the Provision of Wastewater Service with the Citrus County School Board to allow the School Board to decommission the existing package wastewater treatment plant located at the Homosassa Elementary School and connect to the County's proposed Homosassa Regional Wastewater Collection System Phase 2.

#3-X Approved settlement of claim against the County as a result of an automobile accident involving a County vehicle causing personal injury and authorized payment at \$19,000.

#3-Y Approved settlement regarding a work-related impairment diagnosed as Carpal Tunnel Syndrome of the left arm as a result of repetitive motion in claimant's position as Utility Operator at the Citrus County Landfill and authorized payment at \$12,600.

#3-Z Approved and authorized the Chairman to sign the Youth Athletic Organization Agreement with the Crystal River Little League for the use of Bicentennial Park, Homosassa Area Recreational Park, and Dazzy Vance Field in conjunction with other leagues as necessary for their 2002 Little League Season.

#3-AA Approved the following items for deletion from the County's fixed asset list, that are either obsolete or non-repairable.

Fire Services			
Property Number	Description	Property Number	Description
1998	Genave Base Radio	2302	Genave Base Radio
2306	Genave Base Radio	2104	Motorola Base Radio
3494	Motorola Mobile Radio	3602	Mitrex Base Radio
3982	Motorola Portable Radio	6910	Motorola Portable Radio
6910A	Motorola Portable Radio	6965	Plectron Radio
6965A	Plectron Radio		

#3-BB Approved extending the Indemnity Agreement with the Citrus County Builders Association for the placement of temporary signs in the County's right-of-way known as the intersection of Venable and US-19 for their upcoming Home & Outdoor Show due to the show being rescheduled for March 8 and 9.

#3-CC Approved and authorized the Chairman to sign a statement acknowledging that the sum of \$397.50 received in State of Florida vs. Thomas Lybeck (Case No. 2000-03553-TC01) was payment in full for restitution ordered by the Court.

#3-DD Approved and authorized the Chairman to sign Amendment No. 3 to the 2001-2002 Community Care for the Elderly Program, No. CCE-01-CIT, with Mid-Florida Area Agency on Aging with the contract language change and the reduction of funding at \$15,061.99.

#3-EE Approved the following Bid Committee Report: **1)** Bid No. 060-01, MOD, mowing of the cemeteries and Inverness Health Department, renewed the current bid with Gilmer Lawn Services under the same terms and conditions stated in the bid documents; **2)** Bid No. 00-066, UD, sludge hauling, approved renewing the bid with A-Able Septic & Sewer, Inc., under the same terms and conditions stated in the bid documents; and **3)** Bid No. 056-01, MOD, fencing, approved renewing the bid with Pro-Tecto Fence with a 3% increase in cost.

#3-FF Approved and authorized the Chairman to sign a letter of support for the Key Training Center with regard to the construction of a new and larger thrift store in Lecanto.

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

#6-A **TOURIST DEVELOPMENT OFFICE**

Mr. Wesch requested a change to the County organizational chart, to transfer Mary Craven's office of Tourism Development, previously under the Assistant County Administrator, to the Department of Community Services. He advised that the restructuring would provide improved communications, greater efficiency, and track and ensure appropriate activities in the community.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved the restructuring of the Department of Community Services to include the Office of Tourism, with an effective date of March 4, 2002.

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

Bruce Burrows thanked the Board for their consideration of the proposed water system in Lake Tsala Gardens. The Chairman stated that the preliminary engineering and administrative work was approved today on the consent agenda.

Jackie Gay complained about the continued noise problems caused by her neighbors, the Foti's. She stated that she made her initial complaint on March 19, 2001 to the Code Enforcement Board (CEB), and was instructed by the CEB to log, take pictures and videos, which she had done. She added that the code inspection reports were incomplete, that her family got very little sleep, and that the neighbor's activities were happening after CEB working hours.

Mr. Wesch informed the Board that there had been a longstanding dispute between the Gay's and the Foti's, and that the CEB found the Foti's guilty of two violations of the LDC. He added that staff would continue to investigate and monitor the situation, and that the CEB would extend hours if necessary to observe violations. He advised that he and Mr. Battista would be meeting with the attorneys representing both parties next Monday to attempt to mediate the ongoing disputes.

Ms. Gay remarked that although the Foti's did adhere to the CEB's compliance date, a few days later they were out of compliance again. She requested some kind of relief now.

Mr. Battista reported that there was a repeat offender provision within the CEB, whereby a daily fine or a lien could be brought against the property, and Mr. Wesch advised that the lien would also attach to personal property.

Mr. Wesch responded to the Chairman by stating that Ms. Gay's next step would be to seek private, civil injunctive relief. He added that the County had already gone to Court on the issue of truck parking, but that the Foti's had convinced the judge the truck was equipment used for their bee keeping operation. He stated that the CEB could direct staff to present the case directly to the State Attorney's office for violation enforcement. He suggested that Ms. Gay meet with him to further discuss the problem.

Commissioner Bartell stated that Ms. Gay had contacted him, and that he had mentioned the case at the Goal Setting Session as an extremely volatile situation. He suggested reviewing the CEB process for a more expedient procedure and still allow due

process for citizens to come into compliance for repetitious violations; i.e, add language to the home occupational license that there would be an automatic revocation of their initial permit for second time violations. (I-630/1:23 P.M.)

#6-B **NATURE COAST EMERGENCY MEDICAL SERVICE (NCEMS)**

Mr. Wesch gave an overview of the purpose of the request for a revised contract with NCEMS. He stated that currently NCEMS was deemed a component unit of Citrus County government, that any debt incurred by NCEMS was debt incurred by the County. He referred to a component unit test utilized by him and the County's external auditor (filed with the Clerk's agenda). He further stated that the revised contract would provide for the transfer of vehicles and capital equipment to NCEMS and allow NCEMS to incur up to \$300,000 of debt per year. He assured the Board that possession and ownership of the equipment would automatically revert to the County, if the agreement were dissolved.

Commissioner Phillips suggested including a revert clause in the agreement that stated assets, liabilities, and operations would revert to the County on cessation of business.

James Neal, representing NCEMS, advised that the agreement specifically stated that all assets of the NCEMS Foundation, including accounts receivable would become the property of the County at termination for whatever reason. He explained that the changes addressed liability concerns, that the contract was on an annual agreement basis, and the Board would decide each year whether to fund the NCEMS. He answered Commissioner Wooten's question by stating that there would not be any "blanket" liens, but that there would be liens on the titles to financed ambulances.

Teresa Gorentz, Executive Director, NCEMS responded to the Chairman by stating that the vehicles were taken to Nick Nickolas Ford in Inverness for fleet inspections and maintenance.

The Chairman suggested that Ernie Hutman, Maintenance Operations Director, review NCEMS maintenance records, and vehicles. Mr. Wesch stated that he would have Charles Polisenno consult with Mr. Hutman on the maintenance issues.

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board 1) approved and authorized the Chairman to sign the revised Nature Coast Emergency Medical Foundation contract, which provided for the transfer of vehicles and capital equipment to Nature Coast Emergency Medical Foundation, Inc., and 2) adopted and authorized the Chairman to sign the resolution for transfer of ownership of capital equipment and authorized the Clerk to transfer titles of the capital equipment to Nature Coast Emergency Medical Foundation, Inc.

RESOLUTION NO. 2002-042 (I-1130/1:37 P.M.)

#2-B **PRESENTATION – "ROOTS AND SHOOTS PROGRAM"**

Susan Davis, Certified Eco-Heritage Guide, stated that in March of 2002, representatives of the Jane Goodall Institute would hold their first Southeastern Regional

Roots and Shoots Summit in Citrus County, involving children who had completed environmental and community projects. She reported that Citrus County had been chosen to host the event because of the unique and pristine ecosystems and wide diversity of bird and animal life, and that the event would draw international attention to the County as an ecotourism destination. She added that any type of support would be greatly appreciated, and that it would be wonderful if a few of the Commissioners could be present at the final ceremony March 9, 2002 at the Florida Sheriff's Caruth Camp.

Carol Lee Wallis, Team Spirit Marketing, distributed packets of information regarding the Summit (filed with the Clerk's agenda), and stated that she was working with many tourism providers in bringing discounts for the group from local hotels, restaurants, snorkeling trips, etc. She thanked the Board for their time, and stated that she wanted the Board to know that many people were working to bring these types of events to the County.

The Chairman stated that it was a great honor to have Ms. Goodall come to the County, and he thanked Ms. Davis and Ms. Wallis for the presentation. (I-1315/1:40 P.M.)

#2-C PRESENTATION – "BIG SUN COMMUNITY SERVICE PROGRAM"

Linda Darley, Director of Court Ordered Community Service Program, passed out brochures (filed with the Clerk's agenda), and gave a brief history and presentation of the Big Sun's Court-Ordered Community Service Program initiated in Marion County in 1981. She stated that the program was in response to a growing need for assistance to the judicial system and clients in the placement and tracking of hours completed, and was a support service for individuals required by the courts to complete community service hours.

She advised that the program could only use government or non-profit work sites, and that it would be free labor for the County. She requested permission to meet with Mr. Wesch and his staff to gather information on work sites, visit those work sites, and determine the needs and work available at different work sites, such as Parks and Recreation, Animal Control, and Solid Waste.

Commissioner Bartell stated that it was great program, and Mr. Wesch pointed out that the County had a similar program in the past, but for some reason the program ceased, and that he had urged Ms. Darley to come before the Board to reinstate the program.

#7- COMMISSIONER JIM FOWLER, CHAIRMAN

#7-A CODE ENFORCEMENT BOARD

The Chairman announced a vacancy on the Code Enforcement Board for an Alternate Member position to serve a term that would expire on November 30, 2003.

#7-B INDUSTRIAL DEVELOPMENT AUTHORITY BOARD

The Chairman announced three vacancies on the Industrial Development Authority Board for terms that would expire March 31, 2002.

#7-C CONSTRUCTION LICENSING AND APPEALS BOARD

The Chairman announced two vacancies on the Construction Licensing and Appeals Board that expired on February 1, 2002.

#7-D **CONSTRUCTION LICENSING AND APPEALS BOARD**

Commissioner Bartell nominated Synthia D. Rainess to fill a Consumer Member position on the Construction Licensing and Appeal Board for a term that would expire on February 1, 2003.

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board ceased nominations. (I-1526/1:47 P.M.)

#10- **COMMISSIONER JOSH WOOTEN**

#10-A **DISSOLUTION OF THE ECOTOURISM COMMITTEE**

Commissioner Wooten stated that the Board had discussed this issue on August 28, 2001, and that action today was pursuant to consensus by the Ecotourism Committee (Committee), whose members cited benefits and opportunities of operating in the private sector, and even discussed working under a 501(c)(3) Corporation. He advised that Gary Maidhof, Director of Development Services, would be the Committee liaison to the Economic Development Council. He added that the Committee had been assured that he and Ms. Craven would always be there to assist if needed.

Upon motion by Commissioner Wooten, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution which provided for the dissolution of the Ecotourism Committee, thanked all members thereof for their services, and provided an effective date.

RESOLUTION NO. 2002-043

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

#13-A **BEAR REAL ESTATE INVESTMENTS, INC. VS. CITRUS COUNTY**

Mr. Battista stated that a lawsuit had been filed by Bear Real Estate Investments, Inc., for an alleged encroachment on neighboring private property against the County in conjunction with the construction of the Judicial Facility by Dooley & Mack Constructors, Inc. He advised that the County Attorney's office would be defending the County in the matter.

(I-1615/1:50 P.M.)

#2-D **PROCLAMATION – "MARCH FOR MEALS DAY"**

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized all Commissioners to sign a Proclamation proclaiming March 20, 2002 to be designated as "March for Meals Day" in recognition of the 30th anniversary of the reauthorization of the Older Americans Act.

Mr. Wesch read the proclamation and the Chairman presented the proclamation to Anne Westbrook, Director, Division of Support Services. She thanked the Board, and extended an invitation to County Office Directors, Division Directors, Department Directors, Administration, Elected Officials, and Commissioners to participate in helping volunteers deliver meals to the homebound. She added that the project would continue annually to help increase awareness for good nutrition for homebound seniors.

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

#14-A **QUASI-JUDICIAL PROCEDURES**

Mr. Battista informed the Board that Mr. Wesch, Mr. Maidhof, the Assistant County Attorney, and he had been working on the quasi-judicial procedures and would be scheduling a workshop in the near future. He also introduced Michele Slingerland, the new Assistant County Attorney.

#2-E **PROCLAMATION – “GOVERNOR’S POINTS OF LIGHT AWARD”**

Upon motion by Commissioner Phillips, seconded by Commissioner Wooten, and carried unanimously, the Board approved and authorized all Commissioners to sign a Proclamation honoring Irene DeLaby for her service to the County and the State.

Mr. Wesch read the proclamation and the Chairman presented the proclamation to Ms. DeLaby.

Ms. DeLaby thanked the Board and accepted the proclamation on behalf of the Florida Parks Services and the 5,000 volunteers in the Florida State Parks. She stated that Citrus County was fortunate to have five unique parks. She advised that her position as Ambassador for the Division of Recreation of Parks was statewide, that she educated, motivated, and informed people in all of the 155 State Parks in Florida. She introduced one of the volunteers and the park managers from the Crystal River Archeological State Park, Yulee Sugarmill Ruins State Park, Fort Cooper State Park, Withlacoochee Trails State Park, Homosassa State Wildlife Park, and Rainbow Springs State Park.

The Chairman recessed the meeting and reconvened at 2:10 P.M.

#2-F **2002 FIRST CYCLE COMPREHENSIVE PLAN AMENDMENTS**

#2-F.1 **CPA/AA-02-06, (LECANTO SANDHILLS)**

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

Applicant Name/Number:	CPA/AA-02-06, DDS (Lecanto Sandhills)
Proposed Project:	Redesignation from Low Density Residential (LDR) and Professional Services/Office (PSO) to Conservation (CON) on certain parcels of land acquired by the State of Florida. This purchase was part of the Annutteliga Hammock CARL project and was referred to as the Lecanto Sandhills. Subject property was located on CR-490 approximately one mile north of Rock Crusher Road, in Sections 7, 8, 17, 20, and 21 of Township 19S, Range 18E, Citrus County. Total acreage under this application: approximately 1,857 acres.
Staff/PDRB Recommendation:	Approval
Public Hearing:	March 26, 2002

He stated that the subject property would become part of the Withlacoochee State Forest, and would be managed by the Division of Forestry. He advised that no agency comments or public comments had been received, that there were no concurrency issues,

that the project was consistent with the Comprehensive Plan, and that the amendment would further the conservation efforts of the State.

Commissioner Batchelor commented that before the property was purchased by the State, the Board asked for a stipulation on that parcel of land that it would not interfere with the construction and path of the Suncoast Parkway through Citrus County. He added that he did not want any problems with the parkway extension in the future.

Mr. Maidhof noted that he was fully aware of the Board's position on the Suncoast Parkway, and suggested incorporating those concerns into the backup material that staff would send to the DCA.

Discussion ensued regarding the following: funds used for the Suncoast Parkway; what approach the State would take in resolving the issues between the Florida Department of Transportation (FDOT) and the Florida Department of Environmental Protection (FDEP); there being no language in the Comp prohibiting construction of a roadway in a conservation area; putting a condition on the approval that it would not prohibit infrastructure; developing a policy that would support roadways involving conservation lands; the land and road being under the State's control, etc.

In response to the Commissioners' comments and concerns, Mr. Maidhof stated that he would prepare a letter restating the Board's position in support of the Suncoast Parkway through the land to the appropriate State officials and submit the letter as a consent agenda item at the next Board meeting. He further stated that he would also communicate to the Division of Forestry the Board's position regarding the toll road.

The Chairman opened the public workshop and asked for anyone to speak in favor. Joyce Valentino, representing Heatherwood Homeowners Association and the Citrus County Council's Growth Management Committee requested that the Board approve the zone change without conditions, that it made no sense to purchase conservation properties with conservation funds, then disturb the land anyway because extra roads were needed. Mr. Maidhof responded to Ms. Valentino's question by stating that the property owners indicated interest in listing the property for the CARL Program in 1995 or 1996.

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

(1-2780/2:25 P.M.)

#2-F.2 CPA/AA-02-08 (LAFARGE NORTH AMERICA)

Joanna L. Coutu, Senior Planner, CDD, reviewed the staff report as follows:

Applicant Name/Number:	CPA/AA-02-08, DDS (LaFarge North America)
Proposed Project:	Redesignation from Extractive (EXT) to Rural Residential (RUR) on certain parcels of land located on CR-581 about ½ mile north of the County line, in Section 12 of Township 21S, Range 19E, and Section 7 of Township 21S, Range 20E. Total acreage under this application was approximately 440 acres.

Staff/PDRB Recommendation:	Approval
Public Hearing:	March 26, 2002

She stated that the surrounding land uses were generally single-family residences and pasture land, that access to the property would be from CR-581, that the proposed development would eliminate a designated mining area that was never utilized, and would avoid adverse impacts to adjacent residential properties. She also stated that the density requirement was consistent with that of the surrounding area, and that the development would be subject to State requirements for septic tank and well placement, as well as LDC platting requirements for transportation, drainage, and open space/recreation. She added that the proposed amendment was consistent with the goals, objectives, and polices of the Comp.

The Chairman opened the public workshop and asked for anyone to speak in favor. Buddy Selph, introduced himself as the representative for the applicant, and stated that he would be happy to address any questions. Ms. Valentino spoke on behalf of several residential areas, speaking in favor of eliminating mining on properties by LaFarge North America. She gave a brief review and history of the property and the surrounding areas, and stated that only a few residents expressed concerns with traffic and water problems.

The Chairman then asked for anyone opposed. With no one in opposition, the Chairman closed the public portion of the public workshop. (I-3112/2:30 P.M.)

#2-F.3 CPA/AA-02-11 (WALDEN WOODS)

Mr. Maidhof announced that application CPA/AA-02-11 was continued to a later date.

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

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

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.

He explained that staff reviewed the criteria of a substantial deviation according to Florida Statutes, and determined that the addition fell well below the thresholds for substantial deviation. He referred to exhibits showing the location map, the approved development, and changes to date (included in the backup material).

Mr. Maidhof read the preamble to the resolution into the record, and the Chairman opened the public portion of the public hearing for public comment.

Mr. Luce, representing the applicant, advised that the application had been transmitted to the DCA and Withlacoochee Regional Planning Council, and that neither agency had objections to the proposed change.

The Chairman 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 Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution determining that the proposed changes to The Villages of Citrus Hills (F/K/A Citrus Hills II) Development of Regional Impact does not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes, from prior Resolutions or approvals by the Board, Nos. 98-19, 2000-016, 2000-063, 2000-159, and 2001-151.

RESOLUTION NO. 2002-044 (I-3338/2:35 P.M.)

#2-H **AMEND DCA GRANT NO. 99DB-4Z-05-19-01-E78 FOR THE HOMOSASSA AREA WASTEWATER COLLECTION SYSTEM PROJECT – PHASE 1**

Lisa Oakes, Summit Professional Services, Inc., explained the purpose of the public hearing was to receive citizens' comments concerning the County's intent to extend the time extension for a 1998 Small Cities CDBG Economic Development category. She added that the proposed time extension was a procedural requirement for completion of construction of the Homosassa Area Wastewater Collection System Project – Phase 1 C/D, currently underway.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board approved the proposed time extension to DCA Grant No. 99DB-4Z-05-19-01-E78 for the Homosassa Area Wastewater Collection System Project – Phase 1, and authorized the Chairman to sign two letters to the DCA requesting same.

#13-B **REFERENDUM TO MOVE THE BOARD'S MEETING PLACE**

Commissioner Batchelor stated that the Board voted several months ago to put forth a non-binding referendum regarding the Board's meeting place, and that during the Goal Setting Session, it was decided that language should be determined for that referendum to go on the ballot in November. He further stated that since then, he questioned whether the Board needed to go forward with the referendum, after considering the events of September 11, conversations with the Sheriff regarding security, and the available space in the Courthouse after the Tax Collector and Property Appraiser relocate to the Stovall property.

Motion by Commissioner Batchelor, seconded by Commissioner Fowler, to 1) rescind the motion of June 12, 2001 (to hold a referendum to determine where the Board should locate their offices, and that the referendum should be held this fall when the largest voting population would be available); and 2) consider moving the Board's facilities and meeting place to the Courthouse.

(Clerk's note: failure of audio recording equipment during the following discussion)

The Chairman clarified the motion and asked for any discussion. Commissioner Phillips stated that the Board needed to have this discussion in respect to the referendum, but that her position had not changed. She disagreed with Commissioner Batchelor's reasons for bringing the issue forward, and stated that government could not continue to make decisions based on the reactions of September 11, that security concerns should be for everyone who works for any government agency, and that the Board should not make a decision on a meeting place based on facilities in the Courthouse, but rather on the cost to the taxpayers. She added that this issue should go to the people to decide, and that she believed the citizens wanted the referendum.

Commissioner Wooten commended Commissioner Batchelor for taking leadership in discussing the issue, and supported the motion on the floor.

Commissioner Bartell stated that it was good to have a debate, but that the Board made a commitment to the people and that they should be able to vote on this issue. He mentioned cost comparisons of renovations that would be necessary in the Courthouse, further expansion needed in the future for the judicial system, etc.

(Clerk's Note: audio recording resumed.)

The Chairman stated that the efforts of a few people to move the Board to Lecanto were unfortunate and divided the community. He added that he was glad Commissioner Batchelor brought the issue forward, and felt the Board belonged in the Courthouse for the following reasons: the legal challenge by the City of Inverness if the Board moved to Lecanto, economically feasible, security available, no duplication of services, etc.

Dave Conant stated that Commissioners' Fowler and Wooten had caused the division in the County, questioned why the Board would fear a legal challenge by the City of Inverness, and questioned the Board's need for a secured facility. He also stated that he was sorry Commissioner Batchelor had changed his mind on the referendum issue, and remarked that the Board should at least give the people the opportunity to vote on the referendum.

Commissioner Phillips stated that it would have been more appropriate to schedule the rescinding of the motion for a referendum as an agenda item, so the public would have been made aware and would have had a chance to speak. She added that she did not believe she deserved any more security than any other citizen of the County, that requiring security was a feeble reason for not having a referendum, and that within a few years the judiciary would be asking for more space in the Courthouse.

Ernest Gonsalves stated that no matter where the Board held their meetings, he did not think anyone would attack the Board, and stated that security should not be a reason for not allowing the people to vote on the issue.

Sumner Waite stated that this item should have been on the agenda for public input and discussion, that the Board had voted for and had given their word to the people, and requested that the Board not rescind the motion for a referendum.

The Chairman mentioned that the Board often received threats that were unknown to the public, and that it had been necessary to have Sheriff's deputies at the public meetings. He reminded the audience that when the issue was first brought up to the Board it was not an agenda item.

Ms. Valentino agreed with the Commissioner's comments, but stated that it was too late for leadership now, that cost comparison should be considered, that a promise had been made to the citizens, and that she thought the Board should retract the motion and proceed with the referendum.

Jim Bitter stated that he did not have strong feelings on the issue one way or another, however, he thought due process had not been served, and that there should have been opportunity for public input and discussion.

Edward Fitzpatrick urged the Board to calculate costs and make a decision one way or another.

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

There being no other business to come before the Board, the Chairman adjourned the meeting. (II-753/3:15 P.M.)

ATTEST: _____, Clerk _____, Chairman