

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

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

Attorney: Carl E. Kern, Acting

Administrator: Richard Wm. Wesch, Interim

Clerk: Theresa Steelfox and Glenda Brown, Deputy Clerks

#3- **CONSENT AGENDA**

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

#3-A Approved the minutes of the special meeting on January 24, 2001 (Beverly Hills MSBU) and the special meetings held on February 6, 2001 (SWAP and County Attorney interviews and selection).

#3-B Approved the following warrants: Payroll registers dated 02/16/01 at \$436,144.64, and dated 02/22/01 at \$35,563.64. Emergency register dated 02/14/01 at \$93,263.30. Accounts Payable register dated 02/23/01 at \$1,640,494.55.

#3-C Approved the following budget transfers: **COMMUNITY EDUCATION GRANT:** \$6,000 from #026-247-400 to #-2131-53400. **MOD:** \$400 from #001-2670-56400 to #-55270. **HSD/SHIP:** \$7,149 from #133-5304-51200 to #-51210, \$40,000 from #-54926 to #-54928, and \$6,000 from #-52200 with \$220 to #-52400, \$300 to #-55201, and \$5,480 to #-55100. **WATER QUALITY:** \$33,000 from #062-247-260 to #-5415-53100. **SSD/TRANS.:** \$300 from #159B-7204B-54603 to #-55211.

#3-D.1 Reappointed Gerry G. Gaudette to fill an electrical contractor position on the Construction Licensing and Appeals Board (CLAB) for a term that would expire on February 1, 2004.

#3-D.2 Reappointed Dave Hutchins to fill a mechanical contractor position on the CLAB for a term that would expire on February 1, 2004.

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

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE WATER QUALITY BUDGET FOR FY 2000/2001

WHEREAS, on August 1, 2000 the Citrus County Board of County Commissioners executed a Project Grant Agreement with the Withlacoochee Regional Water Supply Authority for funding of the Citrus County Private Water System Valuation for Future Acquisition Project; and

WHEREAS, on August 1, 2000 the Withlacoochee Regional Water Supply Authority executed the agreement providing funds 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 2000/2001; 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 27th day of February 2001, 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/ Roger Batchelor

ROGER BATCHELOR, CHAIRMAN

EXHIBIT ‘A’			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	062-334-400	State Grant	67,000
<u>Expenditures</u>	062-5415-53100	Professional Services	67,000

RESOLUTION NO. 2001-045

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE ECONOMIC DEVELOPMENT TRANSPORTATION GRANT BUDGET FOR FISCAL YEAR 2000/2001

WHEREAS, on January 29, 2001 the Citrus County Board of County Commissioners executed a Economic Development Transportation Grant agreement with the State of Florida, Office of Tourism, Trade, and Economic Development for the construction of a road linking County Road 491 and Citrus Spring Boulevard; and

WHEREAS, on January 29, 2001 the State of Florida, Office of Tourism, Trade, and Economic Development executed the agreement providing funds 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 2000/2001; 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 27th day of February 2001, 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/ Roger Batchelor

BETTY STRIFLER, CLERK

ROGER BATCHELOR, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	355-334-410	State Grant	780,000
<u>Expenditures</u>	355-5751-53100	Professional Services	71,000
	355-5751-56300	Improvements other than Buildings	709,000

RESOLUTION NO. 2001-046

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BUDGET FOR FISCAL YEAR 2000/2001

WHEREAS, on November 21, 2000 the Citrus County Board of County Commissioners executed a Low Income Energy Assistance Program Contract No. 01EA-90-05-19-01-008 with the State of Florida, Department of Community Affairs; and

WHEREAS, on December 19, 2000 the State of Florida, Department of Community Affairs executed the contract making funds available for energy assistance payments for 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 2000/2001; 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 27th day of February 2001, 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.

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

ATTEST:

/s/ Betty Strifler

/s/ Roger Batchelor

BETTY STRIFLER, CLERK

ROGER BATCHELOR, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	167B 331 590	Federal Grant Pass-Through	43,956
		TOTAL REVENUES	\$43,956
<u>Expenditures</u>	167B 5373B 569 54922	Energy Assistance Payments	10,000
	167B 5373B 569 54923	Energy Assistance – Crisis	10,000
	167B 5373B 569 54924	Weather Related Emergency	23,956
		TOTAL EXPENDITURES	\$43,956

#3-F Adopted and authorized the Chairman to sign an application with AmeriCorp VISTA, and adopted and authorized the Chairman to sign a resolution authorizing the contract for funding of \$12,958 with the Corporation of National Service (AmeriCorp VISTA), beginning April 1, 2001 through March 31, 2002. **RESOLUTION NO. 2001- 047**

#3-G Approved establishment of a temporary clerical position for the Building Division for the remainder of this fiscal year, with the understanding that the department will re-evaluate the need on a permanent basis during the regular budget process.

#3-H Approved and authorized the Chairman to sign the Change Order submitted by Data Research Associates to remove the recently discontinued items from the Agreement for Software Support, Maintenance and Update Service, with Citrus County Library System and Data Research Associates (DRA) dated August 31, 1993.

#3-I Approved the following items for deletion/transfer on the County’s fixed asset list:

PROPERTY ID NUMBER	DESCRIPTION	CONDITION
DELETION FROM: JAIL INVENTORY		
11992	Apple Computer	Obsolete
11993	Apple Computer	Obsolete
11995	Apple Computer	Obsolete
11996	Apple Computer	Obsolete
12020	Portable Pan Rack	Non-Repairable
12023	Portable Pan Rack	Non-Repairable
TRANSFER TO: SHERIFF’S INVENTORY FROM THE JAIL INVENTORY		
11981	Restraint Chair	Obsolete
DELETION FROM: NATURE COAST EMS INVENTORY		
11309	Toshiba Copier	Non-Repairable

#3-J.1 Approved Administrative Regulation (AR) No. 12.01-7 providing for indigent burial for the indigent deceased; a program administered by the Social Service program.

#3-J.2 Approved AR No. 12.12 providing for medications for the needy and indigent individuals and families who meet eligibility requirements; a program administered by the Social Service Program.

#3-K Authorized staff to sell the following vehicles/equipment through Weeks Auction Co., Inc., and authorized the Clerk to release titles:

PROPERTY ID	DESCRIPTION
C85LUE14466 (#1289)	1969 Ford Truck
CCS339B160183, (#6043)	1979 Chevy CB Rescue Truck
23396 (military style) with 1/2-ton 6x6 winch (#6934)	1952 GMC Tanker Truck
SNM26903, (military style) (#6708)	1952 RIO Brush Truck
C759U665602 (#6958)	1965 Ford American Le France Corp. Pump Truck
(no property #)	1957 GMS Army Surplus Tanker Truck
CCE613V108788 (#9167)	1973 Chevy Pump Truck

#3-L Approved and authorized the Chairman to sign a Satisfaction of Rehabilitation Agreement at \$1,475 on behalf of John D. and Helen T. Broesler.

#3-M Approved and authorized the Chairman to sign a Satisfaction of Mortgage at \$3,127.78 on behalf of Tracy A. Cooper.

#3-N Approved and authorized the Chairman to sign an Indemnity Agreement with the Beverly Hills Civic Association for the construction of a community reference sign in the right-of-way of North Forest Ridge Boulevard.

#3-O Approved and authorized the Chairman to sign an Indemnity Agreement with the Central Florida Sugar Babes Doll Club for the installation of temporary signs in the County's right-of-way for their upcoming Doll Show.

#3-P Approved and authorized the Chairman to sign an amended agreement resulting from Bid 00-064 with Michael Burns Enterprises for cleanup of illegally dumped waste tires, reducing the unit rate for collecting tires from large quantity sites to \$150 per ton.

#3-Q Approved travel for the Board of County Commissioners and the County Administrator to attend the Florida Association of Counties 2001 Legislative Day, March 28, 2001, in Tallahassee.

#3-R Approved and authorized the Chairman to sign an Amendment to the Consultant Contract at \$15,272 with Architects Design Group, Inc., for the Long Term Space Needs Project to provide additional professional services.

#3-S Approved and authorized the Chairman to accept Security Bond Continuation Certificate for Bond Number 6057634, securing monthly disposal fees at the Citrus County Central Landfill for Republic Services of Florida, LP, Inc., doing business as Seaside Sanitation through March 20, 2002.

#3-T Approved and authorized the Chairman to sign a Waste Disposal Account Agreement with Greenscapes of Inverness, Inc., establishing a monthly charge for disposal fees at the Central Landfill.

#3-U Approved and authorized the Chairman to sign two Satisfactions of Mortgage at \$2,996.78 and \$8,249.70 on behalf of Charles Brian Vincent.

#3-V Approved and authorized the Chairman to sign an Amended Interlocal Agreement creating the Citrus, Levy, Marion Regional Workforce Consortium, for an additional two-year period, from July 1, 2001 until June 30, 2003.

#3-W Approved and authorized the Chairman to sign a letter of support on behalf of the Board of County Commissioners supporting Marion-Citrus Mental Health Center's efforts to obtain a Certificate of Need for forty psychiatric and substance abuse beds.

#3-X Approved and authorized the Chairman to sign an Intergovernmental Service Agreement with the United States Department of Justice, U.S. Marshals Service, for the housing of inmates at the Citrus County Detention Facility.

#3-Y Approved and authorized the Chairman to sign Rehabilitation Agreements with Jennifer L. Carter, Linda Welch, David M. Liik, Sr., Wilma C. Wiles, Dayton and Marguerite Varney, and Glinda Varner for home repairs which been completed through the State Housing Initiative Partnership Program (SHIP) in the grant funded amount of \$21,786.83.

#3-Z Adopted and authorized the Chairman to sign a resolution opposing the Governor's proposed budget shifts to Florida Counties during Fiscal Year 2001-02, regarding predisposition detention of juvenile suspects to counties, the payment of fees for juveniles who are in State custody and awaiting disposition, the reduction in probation and aftercare supervision services of juvenile offenders, and the loss of revenue from jail beds currently leased to the State Department of Corrections, and forwarded to the Florida Association of Counties for use in lobbying efforts. **RESOLUTION NO. 2001-048**

#3-AA Approved and authorized the Chairman to sign U.S. Department of Housing and Urban Development (HUD) Housing Assistance Payments Contracts with ERA American Realty at \$415 per month, and Craig Olson at \$350 per month.

#3-BB Approved and authorized the Chairman to sign an Indemnity Agreement with the Citrus County School Board for construction of a 700' 4" PVC force main in the right-of-way from Canterbury Lake Drive west to the Hernando Elementary School.

#3-CC Approved and authorized the Chairman to sign Satisfactions of Judgments for Edward Cooper, Case No. 2000-1287-MM-03; Naomi Maria Gordon, Case No. 2000-3545-MM; Israel McKenna, Case No. 2000-3076-TC; Geraldine Anne Edwards, Case No. 2000-3401-MM; Riley T. Bellon, Case No. 2000-3089-MM; Ringo Douglas Steen, Case No. 1995-3306-I 01 & 02; and Cleveland Tyrone Burns, Case No. 2000-3541-MM.

#3-DD Approved and authorized the Chairman to sign Connection Charge Installment Lien Agreements for Santo J. and Dorothy Arabia, and Pat R. and Josephine Perrone.

#3-EE Acknowledged receipt of the Public Officials Bond for Janice A. Warren, Citrus County Tax Collector.

#3-FF Accepted the completed Old Citrus County Courthouse Restoration, Phase VI Project and approved release of retainage to Concept Enterprises, Inc., at \$36,577.

#3-GG Approved and authorized the Chairman to sign a Satisfaction of Lien in CLAB Citation No. 0407, against Frank Bruno, d/b/a Bayberry Farms, at \$100 for installation of an irrigation system at Mr. Bruno's place of business prior to a permit being issued.

#3-HH Approved and authorized the Chairman to sign a Chapter 13 Bankruptcy claim for Byron's Auto Repair.

#3-II Approved and authorized the Chairman to sign the Youth Athletic Organization Agreement with Crystal River Little League for the use of Bicentennial Park and Homosassa Area Recreation Park for their 2001 season.

#3-JJ 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 14th Annual Strawberry Festival to be held on March 3 and 4, 2001.

#3-KK 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.

#3-LL Approved and authorized the Chairman to sign the Department of Juvenile Justice Delinquency Prevention Grant application for the benefit of the Citrus County Teen Court program at \$26,250.

#3-MM Approved Settlement Claim No. IDZ5630575 with ESIP Insurance Company at \$39,531.88 for vehicle #9430, and authorized the Clerk to release title. (I-37/1:02 P.M.)

#4- **BID COMMITTEE REPORT**

#4-A **BID NO. 051-01, ASD, WATER TRANSPORTATION AND REPLACEMENT OF ARTIFICIAL REEF MATERIALS**

Upon motion by Commissioner Batchelor, seconded by Commissioner Fowler, and carried unanimously, the Board awarded Bid No. 051-01, ASD, water transportation and replacement of artificial reef materials to Florida Dredge and Dock, Inc., at \$30,000 as the lowest bidder, and authorized the Chairman to sign the contract documents upon approval from the County Attorney's office.

#4-B **BID NO 060-01, MOD, MOWING OF CEMETERIES AND INVERNESS HEALTH DEPARTMENT**

Upon motion by Commissioner Batchelor, seconded by Commissioner Fowler, and carried unanimously, the Board awarded Bid No. 060-01, MOD, mowing of the cemeteries and Inverness Health Department to Gilmer Lawn Services as the lowest bidder at the following costs per mowing: Stage Stand Cemetery \$200, Stage Pond Cemetery \$75, Pine Hills Cemetery \$90, Hernando Cemetery \$30, and Inverness Health Department \$40.

#4-C **BID NO. 066-01, SWM, IRRIGATION SYSTEM PARTS**

Upon motion by Commissioner Batchelor, seconded by Commissioner Phillips, and carried unanimously, the Board awarded Bid No. 066-01, SWM, irrigation system parts to North South Supply at \$5,383.08 as the lowest bidder meeting the specifications.

#4-D **BID WAIVER REQUEST, MOD, HVAC UNITS**

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board approved waiving bid procedures and allowed the Division to purchase two HVAC units from Addison Products Company at \$12,520.60 per unit for a total cost of \$25,041.20. (I-121/1:05 P.M.)

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

#2-A **GROUNDWATER GUARDIAN PROGRAM**

Jaret Lubowiecki, Master Gardener, gave a brief explanation of the program and presented a plaque designating Citrus County as a Groundwater Guardian Community.

#4-E **BID WAIVER REQUEST, MOD, TRANSIT BUSES**

Mr. Wesch gave a brief explanation of the current status of the transit buses and stated that by approving a budget transfer from the contingency fund, a fifth bus could be purchased due to the low negotiated price. He added that if the fifth bus were approved, it would be used to either replace an older bus, or expand the existing service, etc.

Motion by Commissioner Phillips, seconded by Commissioner Fowler, to waive the bid procedure and allow the Division to purchase five buses from Freedom Vans, as the lowest bidder, at \$54,693 per van for a total of \$273,465, and approve the following budget transfer: General Fund: \$25,465 from #001-247-200 to #-9999-59119.

Discussion followed regarding the specifications of the buses, the current 97% capacity of the transit system, the purchasing of smaller buses in the future, etc.

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

(I-644/1:21 P.M.)

#2-B **PICTURE PRESENTATION OF ORIGINAL MASONIC BUILDING**

Kevin Warner, Secretary, Masonic Lodge No. 118, gave a brief history of the Masonic Building and presented two framed photographs of the original Masonic Building.

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

#6-A **FLEET MANAGEMENT COMPUTER PROGRAM**

Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board 1) approved and authorized Fleet Management to purchase and install Faster Client Server System as a replacement for the Hansen Plant Module System; 2) approved the following related budget transfers: MOD/FLEET MGMT.: \$12,708 from #550-4150-56400 with \$3,129 to #-53400, \$757 to #-55270, and \$8,822 to #-55257. SYSTEMS MGMT: \$12,000 from #001-2150-55275 to #-59100. FACILITIES MAINT.: \$1,000 from #001-2670-56400 to #-59100. RDM: \$1,000 from #102-4102-56400 to #-59100, and 3) adopted and authorized the Chairman to sign the following budget resolution:

RESOLUTION NO. 2001-049

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE FLEET MANAGEMENT BUDGET FOR FISCAL YEAR 2000/2001

WHEREAS, on February 27, 2001 the Citrus County Board of County Commissioners approved the transfer of six (6) Hansen software licenses from Fleet Maintenance to Road Maintenance; and

WHEREAS, the Board of County Commissioners also approved the transfer of Fleet Maintenance's portion of a shared server to Road Maintenance, Facilities Maintenance, and Water and Waste Water; and

WHEREAS, Fleet Maintenance will purchase new fleet management software with the funds provided from these transfers; 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 2000/2001; 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 27th day of February 2001, 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/ Roger Batchelor

ROGER BATCHELOR, CHAIRMAN

EXHIBIT “A”			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	550-381-000	Transfer from General Fund	\$15,000
<u>Expenditures</u>	550-4150-53400	Other Contractual Services	\$15,000

(I-811/1:27 P.M.)

#6-B **REVISION TO AR NO. 11.07**

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board approved the revised AR No. 11.07 entitled Policy and Procedures Establishing Municipal Service Benefit Units for Maintenance of Private Roads, to allow the program to become more equitable and efficient as the majority property owners would be aware of a request for an assessment district.

#6-C **HOME RULE OVER WATER/WASTEWATER UTILITIES**

Mr. Wesch advised that legislation might be introduced in Tallahassee for the purpose of rescinding County jurisdiction over local water and wastewater companies and consolidating that jurisdiction to the Florida Public Service Commission.

Commissioner Bartell requested that item No. 4 of the resolution include forwarding a certified copy to the Florida Association of Counties, and all other Counties that currently have local jurisdiction over local water and wastewater companies.

Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution opposing legislation to rescind County jurisdiction over local water and wastewater companies and consolidating that jurisdiction to the Florida Public Service Commission, with the above referenced request.

RESOLUTION NO. 2001-050

#6-D **EMPLOYMENT CONTRACT FOR COUNTY ATTORNEY**

Mr. Wesch summarized the proposed employment agreement with David La Croix for the position of County Attorney. He added that the highlighted terms of the agreement were a starting salary of \$90,000 increased by 1.5% per quarter for the first two years; four weeks vacation per year (not policy); car allowance, etc.

Commissioners Wooten, Batchelor, and Fowler expressed their concern with the four weeks vacation not being County policy for new employees and suggested renegotiating the vacation time.

Commissioner Phillips stated that new hires receive two weeks vacation, however this was a contractual agreement.

Commissioner Bartell stated that this was a negotiated contract, in which Mr. La Croix gave up a lot of his original requested perks in order to keep the vacation time. He added that looking at surrounding Counties and other applicants that applied, the starting salary was in excess of \$90,000. He advised that the 1.5% increases over the next two years were added to get his salary to where he wanted it to be, that Mr. La Croix had 24 years of experience, and that the vacation time was extremely important to him.

Consensus: Continue negotiations with Mr. La Croix regarding the vacation time and bring back at the next Board meeting, or later on in the meeting if possible. (I-1368/1:42 P.M.)

#2-C **2001 PRIVATE ROAD MAINTENANCE PROGRAM**

Mr. Wesch stated that an addendum was needed to add two roads, West Badger Lane and North Princess Avenue, to the 2001 Private Road Maintenance Program. He added that the purpose of the public hearing was to hear comment as to the addendum and the levying of special assessments against the properties benefited by the project.

The Chairman opened the public hearing and asked for anyone in favor. Staff replied to Virginia Boil's questions regarding the payment of the assessment and the maintenance of the road after the first year.

The Chairman then asked for those opposed. With no further public comment, the Chairman closed the public portion of the hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved the addendum to the 2001 Private Road Maintenance Program to include West Badger Lane and North Princess Avenue. (I-1623/1:48 P.M.)

#6-E **ARTIFICIAL REEF CONSTRUCTION AND MONITORING GRANT APPLICATIONS FOR FY 2001/2002**

Upon motion by Commissioner Batchelor, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized the Chairman to sign each of the following Artificial Reef Program grant applications: 1) Fiscal Year 2001/2002 Construction Grant Application at \$50,000, and 2) Fiscal Year 2001/2002 Monitoring Grant Application at \$10,000.

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

#13-A **BOCC MEETING – MARCH 27, 2001**

Mr. Wesch stated that the Board had agreed to hold their March 27, 2001, meeting at the Beverly Hills Recreation Center to facilitate public input regarding application AA-00-16. He advised that on February 22, 2001, staff received a request from the applicants' consultant for a continuance to allow time to address the concerns raised by the public. He questioned if the Board would like to keep the regular meeting in Beverly Hills or move it back to the Masonic Building.

Commissioner's Bartell and Phillips agreed with keeping the meeting in Beverly Hills, and discussed having Board meetings in different places throughout the year.

Commissioner Wooten agreed with having Board meetings in other places if there was a subject of interest for that area, and suggested moving the meeting back to the Masonic Building due to the cancellation of application AA-00-16, and due to the costs involved with off-site meetings. Commissioners Fowler and Batchelor agreed.

Motion by Commissioner Batchelor, seconded by Commissioner Wooten, to hold the regular meeting on March 27, 2001, at the Masonic Building, 3rd Floor, 111 West Main Street, Inverness. Motion carried. Voting Aye: Commissioners Batchelor, Fowler, and Wooten. Voting Nay: Commissioners Bartell and Phillips.

#13-B **MANAGED CARE ARRANGEMENT SERVICE AGREEMENT**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved the Managed Care Arrangement Service Agreement with CorVel Corporation and JLT Insurance Service Company (Third Party Administrator for Worker's Compensation Claims), effective January 1, 2001.

#13-C **CHILD DEPENDENCY PROGRAM PAYMENT**

Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board accepted payment of \$9,802.92 from the Justice Administrative Commission for the Child Dependency Program.

#7 **COMMISSIONER ROGER BATCHELOR, CHAIRMAN**

#7-A **LAKE TSALA APOPKA BASIN RECREATION AND WATER ADVISORY BOARD**

The Chairman announced a vacancy of an Alternate Member Position on the Lake Tsala Apopka Basin Recreation and Water Advisory Board.

Commissioner Wooten left the meeting.

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

#12-A **HYPOWER ENERGY COMPANY**

Mr. Kern advised that the Federal Energy Regulation Commission recently entered an Order Denying Rehearing on Citrus County, Withlacoochee Area Residents, and the Town of Yankeetown, and ordered that HyPower Energy Company's Inglis Lock Bypass Project should begin construction within one year and complete construction within three years of the date of their Order.

#12-B CAPITAL IMPROVEMENT BOND, SERIES 2001

Mr. Kern explained that the Capital Improvement Bond, Series 2001, in the amount of \$6,500,000, was for capital improvement projects such as the Courthouse Expansion Project and the reimbursement of the Eldorado Estates utility system purchase.

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution supplementing Resolution No. 93-85, as previously supplemented and amended; providing for the issuance by the County of its Capital Improvement Revenue Bond, Series 2001 in an original principal amount of \$6,500,000 to provide funds for the acquisition, installation, construction and equipping of certain capital improvement projects and to pay the cost of issuance of said Series 2001 Bond; etc. **RESOLUTION NO. 2001-051**

#12-C.1 BEVERLY HILLS MUNICIPAL SERVICE BENEFIT UNIT

Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution providing for the creation of the Beverly Hills Advisory Council; defining the duties of the Beverly Hills Advisory Council; providing for the appointment of members; providing for bylaws; and providing an effective date. **RESOLUTION NO. 2001-052**

Commissioner Wooten returned to the meeting.
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#12-B CAPITAL IMPROVEMENT BOND, SERIES 2001 CONTINUED

Mr. Kern advised that there would need to be a correction to the Resolution in regard to the interest dates. He added that the dates should be May and November rather than April and November as stated in the backup materials.

#12-C.2 BEVERLY HILLS ADVISORY COUNCIL VACANCIES

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board announced five vacancies on the Beverly Hills Advisory Council and authorized the County Attorney's Office to place an advertisement in the Beverly Hills Visitor soliciting residents of the Municipal Service Benefit Unit to submit resumes for appointment to the Advisory Council.

#12-B CAPITAL IMPROVEMENT BOND, SERIES 2001 CONTINUED

Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board amended the original motion to include the correction to the Resolution as stated by Mr. Kern. (I-2140)

#2-D SV-01-01, STILLWELL, VACATE PORTION OF WEST MISTY ROSE STREET

Mr. Kern, reviewed a request by Clark A. Stillwell, on behalf of Mark L. Hunter, to vacate a portion of West Misty Rose Street (f/k/a/ Myrtle Avenue) lying between Lot 4, Block 46, and the South 60 feet of Lot 9, Block 47, Town of Homosassa.

The Chairman opened the public hearing and asked for anyone to speak in favor. Clark Stillwell spoke in favor stating that the house had been built in a County right-of-way. The Chairman then asked for anyone to speak in opposition. With no other public comment, the Chairman closed the public portion of the hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Wooten, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution vacating a portion of West Misty Rose Street (f/k/a/ Myrtle Avenue) lying between Lot 4, Block 46, and the South 60 feet of Lot 9, Block 47, Town of Homosassa as shown in petition No. SV-01-01. **RESOLUTION NO. 2001-053**

At the meeting of the Board of County Commissioners of Citrus County, Florida, held in the County Commissioners' Room of the Masonic Building at Inverness, Florida at 2:00 o'clock P.M. on the 27th day of February, 2001. Commissioner Bartell introduced and moved for the adoption of the following:

RESOLUTION NO. 2001 - 053

WHEREAS, Petition was presented to this Board by Clark A. Stillwell, Esquire, on behalf of Mark L., Hunter, who purports to be the owner of lands abutting on a portion of the existing street or alleyway, described in Exhibit "A" which is attached hereto and made a part hereof, and

WHEREAS, said Petition requested this Board to close, vacate, abandon and discontinue said portion of the existing street or alleyway, and

WHEREAS, this Board adopted a Resolution calling a public hearing to determine the viability of closing, vacating, abandoning and discontinuing the same to be held in the County Commissioners' Room in the Masonic Building at Inverness, Florida, at 2:00 P.M. on the 27th day of February, 2001, and

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

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

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

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

1. That a portion of said street or alleyway described on the attached Exhibit "A", and which is hereby made a part hereof by reference, be and the same is hereby closed, vacated, abandoned and discontinued and any right of Citrus County or the public in and to the same, or in and to the land delineated on said recorded plat of the same, is hereby renounced and disclaimed.

2. That Citrus County does hereby reserve an easement across the lands described in Exhibit "A" for utility purposes, as may be necessary, in order to preserve the public health, safety and welfare.

3. This Resolution shall be spread upon the Board’s Minutes of this meeting.

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

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

6. The Clerk of the Board is hereby directed to forward a certified copy of this Resolution to all abutting property owners.

Motion seconded by Commissioner Wooten and carried.

BOARD OF COUNTY COMMISSIONERS

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

OF CITRUS COUNTY, FLORIDA

/s/ Roger Batchelor

ROGER BATCHELOR, CHAIRMAN

EXHIBIT “A”

THAT PORTION OF MYRTLE STREET LYING BETWEEN LOT 4, BLOCK 46, AND THE SOUTH 60 FEET OF LOT 9, BLOCK 47, OF TOWN OF HOMOSASSA, ACCORDING TO PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 6, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; AND ACCORDING TO THAT PRESCRIPTIVE ROAD PLAT BOOK 1, PAGES 35 THROUGH 43, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA. (I-2241/2:03 P.M.)

#6-D EMPLOYMENT CONTRACT FOR COUNTY ATTORNEY CONTINUED

Commissioner Bartell stated that Mr. La Croix would be in to possibly work out the negotiations today.

#13-D FIRE PREVENTION

Commissioner Fowler suggested taking an aerial look at the County from a fire prevention standpoint, in order to possibly prevent fires by removing the dry vegetation.

Mr. Wesch stated that there was going to be a presentation later regarding the extent of the drought on the lake chain and agreed that Commissioner Fowler’s suggestion may be valid to bring up as a fire safety/public safety aspect.

#14- PERSONS WISHING TO ADDRESS THE BOARD

#14-A HYPOWER ENERGY COMPANY ISSUE

Betty Berger presented information to the Board (filed with the Clerk’s agenda), spoke of the HyPower Energy Company, and asked the Board to continue in the opposition. She spoke of Attorney Scott Shirley, a member of the Defenders of the Environment, and asked if the County Attorney’s Office would contact him regarding the status of this issue. Mr. Kern stated that he would call Mr. Shirley and bring the information back to the Board.

Jim Bitter expressed his concern regarding the hydroelectric plant and stated that the Board needed to look into the matter.

#2-E **BEVERLY HILLS MUNICIPAL SERVICE BENEFIT UNIT**

Mr. Kern gave a brief review of the purpose of the hearing and the Chairman opened the public hearing and asked for anyone in favor. The Chairman then asked for anyone in opposition. With no public comment, the Chairman closed the public portion of the hearing.

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution determining use of a uniform method for the levy, collection and enforcement of non-ad valorem assessments as set forth in Section 197.3632, Florida Statutes, providing for the repeal of Resolution No. 2000-280; and providing an effective date.

RESOLUTION NO. 2001-054 (I-3104/2:20 P.M.)

The Chairman recessed the meeting and reconvened at 2:34 P.M.

#2-F **TSALA APOPKA CHAIN-OF-LAKES DROUGHT CONDITIONS**

Tom Dick, Director, Aquatic Services, gave a slide presentation of the current drought conditions on the Tsala Apopka Chain-of-Lakes (filed with the Clerk's agenda). He stated that staff photographed the areas with the help of the Sheriff's Office, starting in the Floral City area and followed the lake chain to the Hernando pool. He showed pictures of the Orange State Canal, Orange State Control Structure, Floral City pool, Inverness Pool, Hernando Pool, etc. He explained that during these drought conditions his crews were performing an early annual Adopt-a-Shore clean up.

Commissioner Fowler reiterated the possibility of removing the dry vegetation with heavy equipment and to look at the situation in a fire prevention way. Mr. Dick responded by stating that he wasn't sure heavy equipment could be supported by the muck, however he would look into the possibility. He added that the Florida Fish and Wildlife Conservation Commission had already approached the Forestry Department regarding prescribed burning when the time was conducive, to get rid of some vegetation and muck. (II-748/3:06 P.M.)

#14-B **CHAIN-OF-LAKES-MUCK REMOVAL**

Lois C. Reckenwald commented on the muck along the shoreline of the lake and suggested removing at least three feet of the muck. She added that the Board needed to think about reservoirs, storage areas for water, etc. She expressed concern with fire protection in the Point of Woods area. She stated that the State and Federal Government needed to do something for the restoration of the lakes.

#14-C **TOWN MEETINGS**

Dave Conant spoke in favor of town meetings and stated that there would be a larger turn out at the meetings. (II-1036/3:14 P.M.)

#2-G **US-19 CORRIDOR**

Bill Radder presented a survey concerning traffic safety problems with the US-19 corridor (filed with the Clerk's agenda). Mr. Radder's survey included the surveyed area, traffic counts and posted speed limits, paved median vehicle crossings and designated turn

lanes, intersecting roads and driveways, traffic lights, stop signs, other US-19 signs posted, background, observations, and possible solutions.

Mr. Wesch addressed Commissioner Wooten's question by stating that the Florida Department of Transportation (FDOT) was planning to work on US-19 soon, and suggested forwarding the survey to the FDOT for their review and possible action. Commissioners concurred.

Mr. Radder stated that the survey was not just about US-19, but also addressed the roads that lead up to US-19, which does fall within the Board's responsibility. He added that signage, speed rumbles, and other deterrents need to be put up on the roads leading to US-19 in order to ensure traffic safety.

Commissioner Bartell thanked Mr. Radder and stated that certain situations that he mentioned in the survey were being looked at; e.g., Suffolk Terrace and Village Lane, frontage roads, and access management. (II-1839/3:34 P.M.)

The Chairman recessed the meeting and reconvened at 4:42 P.M.

#2-H **PROCLAMATION-GABRIEL BRANSON**

Upon motion by Commissioner Batchelor, seconded by Commissioner Fowler and carried unanimously, the Board approved and authorized all Commissioners to sign a Proclamation recognizing Gabriel Branson for attaining the rank of Eagle Scout.

(II-1960/4:45 P.M.)

#6-D **EMPLOYMENT CONTRACT FOR COUNTY ATTORNEY CONTINUED**

Mr. Wesch stated that he and Commissioner Bartell had discussed the Board's previous comments with Mr. La Croix, and that Mr. La Croix would agree to reduce the vacation time from four to three weeks, if the Board would raise his salary to \$92,000.

Commissioner Bartell added that Mr. La Croix had originally asked for \$92,000, that vacation time was very important to him, and that he would not take any more than five vacation days at a time. He also stated that he would support his request.

Commissioner Fowler remarked that this would be a deal breaker, and expressed concern about his commitment to Citrus County, due to his employment history.

Commissioner Phillips said that she did not have a problem with the three weeks vacation, and would support the new contract. She also stated that she had respect and admiration for Mr. La Croix for asserting his priorities. She further added that Mr. Battista had also requested \$92,000, would need 60 to 90 days to close his private practice, and would not relocate to Citrus County.

Commissioner Wooten stated that \$92,000 would be fine, but stated that the 1.5% salary increase per quarter would amount to more than the original offer. He also expressed concern about Mr. La Croix's commitment to the County.

Commissioner Bartell advised that Mr. La Croix’s initial request had been for \$100,000, with merit increases, vehicle, mileage, cost of living, etc., and that he had given those up in lieu of the extra vacation time.

Commissioner Batchelor agreed with Commissioner Wooten by stating that the original negotiation of \$90,000 plus four weeks vacation would be better, and that the Board should consider the original offer.

Commissioner Bartell concurred, and stated that he felt personally responsible for the second offer, due to the Board’s concern for extra vacation time.

Motion by Commissioner Phillips, seconded by Commissioner Bartell, to offer Mr. La Croix the original negotiated contract of \$90,000, plus four non-consecutive weeks vacation time.

Commissioner Fowler stated that he thought the Board had come to an impasse, and should consider the second candidate, Mr. Battista. He further stated that Mr. Battista had done a lot of work for Citrus County, and that re-locating should not be an issue.

Commissioner Phillips commented that Mr. La Croix had experience in reducing expenses, and was very qualified in issues that the County was dealing with now, and would be involved with in the future.

The Chairman thanked Commissioner Bartell for his efforts in the negotiation process, and stated that if the motion failed, the Board would start negotiations with the second candidate.

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

(II-3309/5:15 P.M.)

#2-I 2001 FIRST CYCLE COMPREHENSIVE PLAN AMENDMENTS

#2-I.1 CPA-01-01, HUGE E. TOLLE

Kevin Smith, Development Services, summarized the staff report as follows:

Applicant Name/Number:	CPA-01-01 – Hugh E. Tolle
Land Use:	Rural Residential District (RUR) to Low Density Residential District (LDR) on the GFLUM
Property Data:	Area “A”: 03/18/17, part of Parcel 31000, approximately 183.7 acres and located on the east side of North Citrus Avenue and immediately north of the Florida Power Corporation power line easement. Area “B”: 05/18/17, Parcel 13000, approximately 40 acres and located on West Larue-Denise Lane. Area “C”: 05/18/17, Parcel 31000, approximately 80 acres and located on West Larue-Denise Lane. Area “D”: 05/18/17, part of Parcel 33000, approximately 8.5 acres and located on both the northeast and southeast corners of US-19 and West Watergate Lane.
Staff/PDRB Recommendation:	Denial

He stated that future land use would be primarily rural residential, that no concerns were expressed from other public agencies, that there were some environmental and maintenance concerns from residents of the Spring Run Development, that there were some concurrency issues, that central water and sewer were not available, and that there were no definite plans to expand lines into these areas.

He added that staff and the PDRB recommended denial due to the following findings: the subject properties were located outside of the adopted Planned Service Area (PSA); the request was found inconsistent with the intent of the Future Land Use Element of the Comprehensive Plan; no regional utility service was available; and the request was found inconsistent with the intent of the Capital Improvement Element, which stated that no expansion of publicly funded PSA would take place until 80 percent of the capacity was reached.

Mr. Smith answered Commissioner Bartell's question's by stating that studies conducted in 1996 revealed that the PSA was too large for the projected population, and that based on comments from the Florida Department of Community Affairs (FDCA), staff had recommended and the County had adopted an adjustment to the PSA, and that he was unaware of any changes made to the FDCA.

Commissioner Fowler commented that he felt this was a blatant taking of the owner's property, and that it was not right, because of the recent re-designation by government authorities. Commissioner Batchelor agreed.

Chuck Dixon responded to Commissioner Fowler by stating that other areas had been changed as well, and that the FDCA suggested areas be removed from the PSA that did not have infrastructure, and stated that if conditions changed; e.g. the Suncoast Parkway, it would be taken into consideration at the next evaluation in 2002.

Mr. Maidoff gave a brief history of the Comprehensive Plan and the PSA, and stated that staff was trying to make the LDC Atlas consistent with the GLUM, that the applicants had requested that the property be taken out of the Atlas Amendment in order to restore it back into the PSA. He added that the options available were to find the application inconsistent and not transmit to FDCA, or to approve and authorize transmittal to the FDCA.

Mr. Maidoff answered Commissioner Phillips questions by stating that a transition zone would require extensive detailed analysis, that under the Comprehensive Plan Amendment, the PSA would not expand beyond 80 percent, and that staff had not mailed out specific notices to the property owners, but had advertised through the media.

Mr. Dixon responded to Commissioner Wooten by stating that the density prior to 1996, was one unit per acre, and that currently it was one unit per ten acres.

Mr. Maidoff answered Commissioner Fowler's questions by stating that without the Board's approval the applicant could not communicate with the FDCA.

Mr. Maidoff answered Commissioner Batchelor's question regarding the time frame by stating that if the application were transmitted tonight, the FDCA would have 90 days to review and send their report back to staff for workshops and hearings, and that the transition zone request would take approximately two years.

The Chairman opened the public hearing, and asked for anyone to speak in favor. Wayne Walker, Crystal River Construction, representing Mr. Tolle and Edward Gerrits, stated that when the Comprehensive Plan was adopted in 1989, the properties were inside the PSA, and when the 80 percent policy was adopted, those properties were already part of base line conditions that would apply to the consideration of future expansions. He added that it was unfair and not clear how these particular properties were removed from the PSA, that data and analysis indicated that these properties should be in the PSA, and that the PSA contained land that meets a need for residential development. He further stated that the area was in the Crystal River service area, and that policy does not require that service be in the area; e.g., the Crystal River Methodist Church which was negotiating with the City of Crystal River. He also stated that since the PSA adoption, 5,234 acres of residential land near Sugarmill Woods was sold to the Department of Environmental Protection (FDEP), and over 1,800 acres was in contract to the Nature Conservatory, which represented a loss of 7,000 acres in residential lots no longer available to the County. He requested the Board's approval for the purpose of transmittal to the FDCA.

Discussion continued regarding other large acreage that remained in the PSA, the loss of 7,000 acres, changing land designation without notifying the property owners, etc.

Mr. Gerrits spoke in favor, and gave a brief review of the original property designation, and the changes that had occurred through the years. He stated that the negotiations with County staff had been pleasurable, but that he would appreciate the opportunity to transmit the application to Tallahassee.

The Chairman then asked for anyone in opposition.

David Matthews, Diana L. Berry, Anthony P. Matthews, and John Champlin spoke in opposition and expressed concerns regarding water, sewer, access roads, environmental issues, nuclear disaster, higher taxes, etc.

Mr. Maidoff responded to Commissioner Bartell's question regarding the road issues by stating that the concerns were with areas C and D, which would need to go through the platting process in order to accommodate traffic, or to create a new road.

Mr. Dixon stated that if approved, staff would look at changing the land use to the south also, and that it would probably be part of the 2002 cycle.

The Chairman closed the public hearing.

Motion by Commissioner Fowler, seconded by Commissioner Batchelor, to approve CPA-01-01, Hugh E. Tolle, for transmittal to the FDCA.

Mr. Maidoff read the revised findings of fact into the record (filed with the Clerk’s agenda).

Amended motion by Commissioner Fowler, seconded by Commissioner Batchelor, to approve CPA-01-01, Hugh E. Tolle, for transmittal to the FDCA, to include the revised findings of fact as follows: **1)** The request was to change the land use designation of the subject properties from RUR, Rural Residential District to LDR, Low Density Residential District on the GFLUM of the Comprehensive Plan, Future Land Use Element. **2)** Though the subject properties were located outside the adopted PSA for Citrus County now, it was historically contained within the PSA. **3)** The applicant was currently seeking a commitment for provision of regional utilities within the area of the subject properties. **4)** The applicant had provided through their evidence and testimony sufficient grounds to support transmittal of the amendment with the understanding that an adverse Objections, Recommendations, and Comments (ORC) Report would be given great weight during the adoption process.

Commissioner Bartell explained that he was supporting the motion based upon the following reasons: **1)** that it was not speculation by the land owner to make money by changing the land designation to commercial or higher use; **2)** that this may be the last opportunity to exercise the option of transmittal to the FDCA, if growth management was abolished by the State; and **3)** that the removal of 7,000 acres from developmental property deserved consideration of a minor replacement.

Commissioner Phillips concurred with Commissioner Bartell, and added that in the future, staff should better inform property owners of any occurring changes, and that she would support the application for transmittal only. (IV-2241/6:15 P.M.)

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

Commissioner Wooten left the meeting.

#2-1.2 CPA-01-02, DDS

Ian McDonald, Senior Planner, (CDD), summarized the staff report as follows:

Applicant Name/Number:	CPA-01-02, DDS
Staff/PDRB Recommendation:	Approval
Proposed Project:	Update the Capital Improvement Element from the 1997-2001 planning period to the current five-year planning period.

Mr. McDonald explained that the projects within the table of the Capital Improvement Program (filed with the Clerk’s agenda) were those projects required to

implement policies of the Comprehensive Plan, maintain concurrency, etc. He also stated that there were no changes to the policy.

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

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board approved amending Ordinance No. 89-04, Comprehensive Plan, in accordance with CPA-01-02, DDS, updating to Chapter Twelve: Capital Improvements Element, for transmittal to the FDCA. (IV-2350/6:20 P.M.)

#2-1.3 CPA-01-03, DDS

Mr. McDonald, summarized the staff report as follows:

Applicant Name/Number:	CPA-01-03, DDS
Staff/PDRB Recommendation:	Approval
Proposed Project:	Text revision to Roadway Classification for SR-200

Mr. McDonald stated that the proposed amendment would change language and figures in the Traffic Circulation Element (Element) to indicate that the future roadway configuration of SR-200 would be a four-lane divided facility instead of the currently listed two-lane facility, and should be completed by 2005 or 2006. He added that the purpose of the proposed amendment was to maintain consistency between the Element and the FDOT District Seven’s Five Year Adopted Work Program, etc.

Commissioner Fowler left the meeting.

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

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board approved amending Ordinance No. 89-04, Comprehensive Plan, in accordance with CPA-01-03, DDS, updating to Chapter Six: Traffic Circulation Element, for transmittal to the FDCA. (IV-2438/6:23 P.M.)

#2-1.4 CPA/AA-01-01, DDS

Mr. McDonald, summarized the staff report as follows:

Applicant Name/Number:	CPA/AA-01-01, DDS
Land Use:	Low Intensity Coastal and Lakes Residential (CLR*) to Conservation (CON) on the GFLUM and the Land Development Code (LDC) Atlas.
Property Data:	Approximately 10.6 acres total. #1: 30/17/20, 5777 E. River Rd. Hernando #2: 30/17/20, 5805 E. River Rd. Hernando #3: 30/17/20, 7908 N. Brush Ter., Hernando #4: 32/17/20, 6525 E. Turkey Trail, Hernando #5: 32/17/20, 6281 Gina Lynn Path, Hernando

	#6: 06/18/20, 6510 N. Morton Pt., Hernando #7: 08/19/21, 11293 E. Ash Ct., Inverness
Staff/PDRB Recommendation:	Approval.
Proposed Project:	Properties were purchased through the Federal Emergency Management Administration (FEMA) Hazard Mitigation Grant Program.

He explained that in order to qualify for the buy-out program through FEMA, the properties would need to be re-designated conservation or recreation and that staff had designated these properties for conservation use. He added that the owner of one parcel off SR-44 would be interested in selling the property next to it in the next funding cycle, and that it could possibly be used for a small park in the future. He also stated that there could be other properties still eligible due to the El Nino floods.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved amending Ordinance No. 89-04, providing revisions to the GFLUM and the LDC, in accordance with CPA/AA-01-01, DDS, changing the CPA portion from Low Intensity Coastal and Lakes Residential (CLR*) to Conservation (CON) for transmittal to the FDCA. (IV-2640/6:25 P.M.)

#2-J AA-00-15, DDS

Mr. Kern read the ordinance title into the record, and Kevin Smith gave the following staff presentation.

Applicant Name/Number:	AA-00-15, DDS
Land Use:	Area 1: 30/20/18, part of Parcel 40000, located at the northeast corner of junction CR-480 at US-98, approximately 10 acres, from General Commercial (GNC) to Medium Density Residential (MDR). Area 2: 30/20/18, part of Parcel 40000, located approximately ¼ mile east of the junction of CR-480 at US-98, approximately 35 acres, from MDR to GNC. Area 3: 25/20/17, Parcel 11200, located on the east side of US-19, approximately 400 feet south of US-98 and US-19, approximately 5 acres, from Low Density Residential (LDR) to GNC. Area 4: 25/20/17, north 400 feet of Parcel 12100, located on the east side of US-19, approximately 800 feet south of the intersection of US-98 and US-19, from GNC to MDR. Area 5: 25/20/17, Chassahowitzka Retreats Unit 2 and parcels 12310, 12320, 12330, and 21400, located on the west side of US-19, approximately 800 feet south of the intersection of West Miss Maggie Drive and US-19, approximately 25 acres, from GNC and Rural Residential District (RUR) to MDR.
Property Data:	80.5 acres cumulative
Staff/PDRB Recommendation:	Approval

Proposed Project:

Amend the LCD Atlas to make it consistent with the GFLUM.

Commissioner Fowler returned to the meeting.

The Chairman opened the public hearing, and asked for anyone to speak in favor. Jim Sanders, representing the property owner, spoke in favor and expressed appreciation to the staff for their hard work.

The Chairman then asked for anyone opposed. With no one in opposition, the Chairman closed the public 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 Ordinance No. 90-14, providing revisions to the LDC in accordance with AA-00-15, DDS, changing Area 1 from GNC to MDR, Area 2 from MDR to GNC, Area 3 from LDR to GNC, Area 4 from GNC to MDR, and Area 5 from GNC and RUR to MDR.

ORDINANCE NO. 2001-A08

(IV-2769/6:30 P.M.)

There being no other business to come before the Board, the Chairman adjourned the meeting.

ATTEST: _____, Clerk _____, Chairman