

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 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: Robert B. Battista

Administrator: Richard Wm. Wesch

Clerks: Theresa Steelfox and Glenda Brown, Deputy Clerks

#3- **CONSENT AGENDA**

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

#3-A Approved the minutes of the regular meeting held on October 9, 2001, the Special Joint Meeting with the Citrus County School Board held on October 11, 2001, and the regular meeting held on October 23, 2001.

#3-B Approved the following warrants: Payroll registers dated 10/26/01 at \$451,287.46, and dated 11/01/01 at \$33,444.37. Accounts Payable registers dated 10/25/01 at \$2,271, dated 10/31/01 at \$153,317.68, dated 11/13/01 at \$199,248.01, dated 11/13/01 at \$12,600, and dated 11/13/01 at \$4,271,514.47.

#3C Approved the following budget transfers: ADM: \$1,000 from #001-247-731 to #2101-56300. RMD: \$500 from #102-4102-54603, \$400 from #-55100, and \$900 from #-55201 with \$400 to #-54700, and \$1,400 to #-55210. SWM: \$12,000 from #401-5212-247200 to #-54402, and \$17,250 from #-5216-55210 to #-55207. SSD: \$235 from #016-5754-52300 to #-52400. LSD: \$200 from #131-6212-54022 to #-54010. AVIATION: \$25,000 from 001-7201-53100 to #-2105-59100. DPW/LAND: \$17,000 from #8200-53442 with \$15,689 to #-51306, \$1,200 to #-52100, and \$111 to #-52400.

#3-D Approved transferring the salary and fringe benefit expenditures for the Assistant Teen Court Director position for the period of July 1, 2001 to September 29, 2001 to the Teen Court Fines Program at \$3,834.38.

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

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE DRUG COURT GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on September 30, 2001 the U.S. Department of Justice, Office of Justice Programs awarded a Drug Court Program Office Fiscal Year 2001 grant to the County; and

WHEREAS, these funds will be used to implement a four-phase program to assist juvenile offenders with substance abuse and dependency issues; 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 13th day of November 2001, as follows:

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.

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 |
| Revenues | 040B-331-490 | Federal Grant | 165,215 |
| | 040B-389-910 | In Kind | 96,600 |
| | | Total Revenues | \$261,815 |
| Expenditures | 040B-5750B-51200 | Regular Salaries and Wages | 48,620 |
| | 040B-5750B-52100 | FICA Taxes | 3,720 |
| | 040B-5750B-52200 | Retirement Contributions | 3,550 |
| | 040B-5750B-52300 | Life and Health Insurance | 3,254 |
| | 040B-5750B-52400 | Worker's Compensation | 346 |
| | 040B-5750B-53400 | Other Contractual Services | 55,470 |
| | 040B-5750B-54000 | Travel and Per Diem | 9,393 |
| | 040B-5750B-54160 | Postage | 1,800 |
| | 040B-5750B-54700 | Printing and Binding | 2,362 |
| | 040B-5750B-54800 | Promotional Activities | 1,800 |
| | 040B-5750B-55100 | Office Supplies | 2,400 |
| | 040B-5750B-55275 | Computer Software | 7,500 |
| | 040B-5750B-55417 | Training | 5,200 |
| | 040B-5750B-56400 | Machinery and Equipment | 19,800 |
| | 040B-5750B-59901 | In Kind Expense | 96,600 |
| | | Total Expenditures | \$261,815 |

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE LIBRARY LEARNING CENTER GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on March 13, 2001 through Resolution 2001-062 the Citrus County Board of County Commissioners approved a Library Services and Technology Act grant agreement with the Florida Department of State, Division of Library and Information Services; and

WHEREAS, on August 22, 2001 the Florida Department of State, Division of Library and Information Services executed the agreement providing funds for the library system to use in the development of a computer learning center; 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 13th day of November 2001, as follows:

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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> | 131A-334-711 | Library Grant | 51,579 |
| | | Cash Carry Forward | 17,193 |
| | | Total Revenues | \$68,772 |
| <u>Expenditures</u> | 131A-5720A-53400 | Other Contractual Services | 3,475 |
| | 131A-5720A-55100 | Office Supplies | 2,814 |
| | 131A-5720A-55120 | Office Equipment | 5,036 |
| | 131A-5720A-55270 | Computer Accessories | 2,535 |
| | 131A-5720A-55275 | Computer Software | 1,275 |
| | 131A-5720A-56200 | Buildings | 6,000 |
| | 131A-5720A-56400 | Machinery and Equipment | 47,637 |
| | | Total Expenditures | \$68,772 |

RESOLUTION NO. 2001-278

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE BOAT IMPROVEMENT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on September 25, 2001 the Citrus County Board of County Commissioners approved the annual operating budget for Fiscal Year 2001/2002; and

WHEREAS, the required water connection and landscaping for the Homosassa Boat Ramp improvement needs to be budgeted for completion of this 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 13th day of November 2001, as follows:

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.

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> | | Cash Carry Forward | 4,925 |
| | | Total Revenues | \$4,925 |
| <u>Expenditures</u> | 065-6115-54912 | Fees and Permits | 1,125 |
| | 065-6115-56300 | Improvements other than Bldg. | 3,800 |
| | | Total Expenditures | \$4,925 |

RESOLUTION NO. 2001-279

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

WHEREAS, the Animal Control Division has received a donation in the amount of \$1,000; and
WHEREAS, the Animal Control Division will use these funds to purchase animal and shelter supplies; 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 13th day of November 2001, as follows:

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.

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> | 001-366-900 | Other Contributions and Donations | 1,000 |
| <u>Expenditures</u> | 001-5106-55210 | Miscellaneous Supplies | 1,000 |

RESOLUTION NO. 2001-280

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

WHEREAS, on April 24, 2001 through Resolution 2001-106 the Citrus County Board of County Commissioners approved an application for financial assistance under the Medicaid Waiver Program and a contract to provide services with Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on October 9, 2001 the Citrus County Board of County Commissioners executed Amendment #2 to the contract; and

WHEREAS, on October 18, 2001 Mid-Florida Area Agency on Aging, Inc. executed Amendment #2 providing funds for services to elderly residents of the county; and

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

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 13th day of November 2001, as follows:

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.

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> | 117B-334-691 | Other State Grants | 37,908 |
| | | Total Revenues | \$37,908 |
| <u>Expenditures</u> | 117B-5311B-51200 | Regular Salaries and Wages | 23,331 |
| | 117B-5311B-52100 | FICA Taxes | 1,785 |
| | 117B-5311B-52200 | Retirement Contributions | 2,135 |
| | 117B-5311B-52300 | Life and Health Insurance | 2,929 |
| | 117B-5311B-52400 | Worker's Compensation | 371 |
| | 117B-5311B-53486 | Contract Services – Meals | 5,100 |
| | 117B-5311B-54004 | Travel – Administration | 750 |
| | 117B-5311B-54005 | Travel – Volunteer | 957 |
| | 117B-5311B-54100 | Communications Services | 150 |
| | 117B-5311B-54160 | Postage | 200 |
| | 117B-5311B-55100 | Office Supplies | 200 |
| | | Total Expenditures | \$37,908 |

RESOLUTION NO. 2001-281

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE INVERNESS AIRPORT ECONOMIC DEVELOPMENT MARKETING PLAN BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on June 12, 2001 the Citrus County Board of County Commissioners approved a Joint Participation Agreement with the State of Florida Department of Transportation; and

WHEREAS, on June 22, 2001 the State of Florida Department of Transportation executed the agreement providing funds for an economic development, marketing, and environmental assessment plan for the Inverness Airport; 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 13th day of November 2001, as follows:

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.

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> | 015-334-433 | State Grant | 100,000 |
| | 015-381-001 | Transfer from General Fund | 25,000 |
| | | Total Revenues | \$125,000 |
| <u>Expenditures</u> | 015-7238-53100 | Professional Services | 125,000 |
| | | Total Expenditures | \$125,000 |

RESOLUTION NO. 2001-282

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE CRYSTAL RIVER AIRPORT AVIATION EASEMENT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on September 25, 2001 the Citrus County Board of County Commissioners approved a Joint Participation Agreement with the State of Florida Department of Transportation; and

WHEREAS, on October 15, 2001 the State of Florida Department of Transportation executed the agreement providing funds for aviation easement, tree removal, and fence relocation requirements at the Crystal River Airport; 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 13th day of November 2001, as follows:

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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> | 014-334-434 | State Grant | 40,000 |
| | 014-381-001 | Transfer from General Fund | 10,000 |
| | | Total Revenues | \$50,000 |
| <u>Expenditures</u> | 014-7239-56100 | Land | 50,000 |
| | | Total Expenditures | \$50,000 |

RESOLUTION NO. 2001-283

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE COMMODITY FOODS DISTRIBUTION GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on September 25, 2001 through Resolution 2001-246 the Citrus County Board of County Commissioners approved an application for financial assistance from the State of Florida Department of Agriculture and Consumer Services and a contract to provide services under the Commodity Food Distribution Program; and

WHEREAS, on October 8, 2001 the State of Florida Department of Agriculture and Consumer Services executed the contract providing food to low income residents of the County; and

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

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 13th day of November 2001, as follows:

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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> | 195C-331-690 | Other Federal Grants | 5,995 |
| | | Total Revenues | \$5,995 |
| <u>Expenditures</u> | 195C-5336C-51200 | Regular Salaries and Wages | 2,791 |
| | 195C-5336C-52100 | FICA Taxes | 213 |
| | 195C-5336C-52200 | Retirement Contributions | 203 |
| | 195C-5336C-52300 | Life and Health Insurance | 392 |
| | 195C-5336C-52400 | Worker's Compensation | 20 |
| | 195C-5336C-54000 | Travel and Per Diem | 200 |
| | 195C-5336C-54062 | Recruiting Expenses | 100 |
| | 195C-5336C-54160 | Postage | 50 |
| | 195C-5336C-54400 | Rentals and Leases | 1,654 |
| | 195C-5336C-54605 | Equipment Maintenance | 50 |
| | 195C-5336C-54676 | Copier Maintenance | 172 |
| | 195C-5336C-55100 | Office Supplies | 150 |
| | | Total Expenditures | \$5,995 |

#3-F Authorized the Clerk to delete equipment #11130-1 from the fixed asset listing.

#3-G Approved and authorized the Chairman to sign the Customer Acceptance Agreement for Integrated Services Digital Network - Basic Rate Interface (ISDN BRI) Service with Sprint-Florida, Inc., which would provide internet service connections at the Lecanto Senior Center Computer Training Facility.

#3-H Waived the \$165.32 fee for the Charity Softball Tournament to be held on November 17, 2001 at the Bicentennial Park.

#3-I Approved and authorized the Chairman to sign the Standard Form 424 Application for Federal Assistance for the EPA Special Purpose Grant for the Homosassa Wastewater Collection System – Phase 3 (Halls River Road Infill Project) and directed staff to submit the application to the funding agency.

#3-J Approved and authorized the Chairman to sign the Standard Form 424 Application for Federal Assistance for the USDA Rural Development Grant/Loan for the Homosassa Wastewater Collection System – Phase 3 (Halls River Road Infill Project) and directed staff to submit the application to the funding agency.

#3-K Approved and authorized the Chairman to sign the necessary future reimbursement request forms for the following State funding contracts:

| | |
|------------|---|
| SP647050 - | Homosassa Wastewater Project – Phase 2 (\$750,000) |
| SP647040 - | Chassahowitzka Sewer Project (\$1,000,000) |
| LP0216 - | Homosassa Wastewater Project – Phase 3 (\$750,000) |
| LP0206 - | Homosassa Wastewater Phase 4 (Chassahowitzka) (\$1,000,000) |

#3-L Approved and authorized the Chairman to sign the Equipment Maintenance Agreement No. 166819 with Danko for a Minolta 1083 copier at the West Citrus Community Center at \$311.40 from October 1, 2001 through September 30, 2002.

#3-M.1⇒3 Approved and authorized the Chairman to sign the Volunteer Firefighter Accidental Death and Dismemberment Renewal Policy, and authorized the Clerk to issue a check for \$24,924 to Arthur J. Gallagher and Company.

#3-N Approved and authorized the Chairman to sign Contractor Designation Form for the Petroleum Preapproval Program through the Florida Department of Environmental Protection (FDEP), Division of Waste Management Bureau of Petroleum Storage Systems for the Lecanto Fuel Site cleanup.

#3-O Approved and authorized the Chairman to sign an Authorization and Approval Form with Withlacoochee River Electric Cooperative, Inc., for the installation of one street light fixture and one pole in the Sugarmill Woods Subdivision (Oak Village South) at an annual cost of \$105.36.

#3-P Approved and authorized the Chairman to sign the Cooperative Venture Agreement with the Key Center Foundation in order to provide landscape enhancement of public properties.

#3-Q Approved and authorized the Chairman to sign Amendment No. 1 to the existing Economic Development Transportation Fund (EDTF #00/0109A) Agreement with the State of

Florida, Office of Tourism, Trade, and Economic Development for the Pro-Line Boats, Holder Development.

#3-R Acknowledged receipt of the Citrus County School Board List of Facilities and the Five Year Work Program.

#3-S Approved the following wire transfers: **CIS:** \$9,947.45 dated 10/12/01 and \$10,404.78 dated 10/26/01. **PGCS:** \$11,929.18 dated 10/05/01, \$3,761.68 dated 10/12/01, \$7,305.93 dated 10/19/01, and \$1,988.05 dated 10/29/01. **USPS:** \$13,000 dated 10/11/01. **BANK OF AMERICA:** \$15,904.72 dated 10/18/01.

#3-T Approved the following items for deletion from the County's fixed asset list:

| Library Services | | |
|---|-----------------------------------|---|
| #9798 | Paperback Display Rack | Non-Repairable |
| #10147 | Xerox Telecopier 7007 Fax Machine | Non Repairable |
| Development Services | | |
| 10124 | Unisys Computer System | Obsolete / Replaced |
| 11323 | Laserjet Printer | Non-Repairable |
| 11601 | Standard 486/66 Computer System | Obsolete |
| Fire Services | | |
| 4170 | Motorola Mitrex Radio | Non-Repairable / Struck by Lightning |
| 7139 | Motorola Base Radio | Non-Repairable / Struck by Lightning |
| 11074 | 8000 lb. Winch | Non-Repairable / Damaged |
| Airports | | |
| 3447 | Lights and Underground Wire | Obsolete/Destroyed during runway construction project |
| Facilities Maintenance / Park & Recreation | | |
| 8226 | 8' Metal Slide | Unsafe Priority One Hazard – Possible head entrapment |
| Chassahowitzka Campground | | |
| 10735 | Row Boats | Return to SWFWMD for use in future environment project / No longer serviceable as rental units due to fiberglass paint chipping |

#3-U Approved and authorized the Clerk to issue a warrant of \$1,776.06 to be paid to Tarawood of Floral City, Inc., for reimbursement of commercial assessment fees paid for the period 1997 through 2001.

#3-V Approved and authorized the Chairman to sign a Utility Connection Strategy Agreement with Warren A. Watson for a utility connection completed through the State Housing Initiative Partnership (SHIP) Program at \$1,966.

#3-W Approved and authorized the Chairman to sign the Scope of Appraisal Services and Agreement "2001 CR-491 Project" with Albright & Associates of Ocala, Inc., at \$42,300.

#3-X Approved and authorized the Chairman to sign the Use of School Facilities Release and Waiver Form for the 4-H Public Speaking Demonstrations to be held at the Lecanto Middle School Cafeteria and ten classrooms on February 2, 2002.

#3-Y Adopted and authorized the Chairman to sign a Resolution revising the fee schedule adopted in 1998 that inadvertently left off four fees, specifically a Commercial and Industrial Site Plan Review Fee, a Plat Exception Fee, and two Development of Regional Impact (DRI) Review Fees. **RESOLUTION NO. 2001-284**

#3-Z Approved and authorized the Chairman to sign Citrus County Monitoring Project Grant Agreement FWCC-01090 with the Florida Fish and Wildlife Conservation Commission at \$10,000 for the purpose of reef monitoring at Citrus County Fish Haven #1.

#3-AA Acknowledged receipt of the Complaint filed in Vera Fariello and Salvatore Fariello vs. Citrus County and Crystal Hills Mini Farms Unit 1 and 2 Association, Inc.

#3-BB Approved and authorized the Chairman to sign registration forms for the Citrus County Library System to participate in the Crystal River Christmas Parade on December 1, 2001, and the Inverness Christmas Parade on December 8, 2001, sponsored by the Citrus County Chamber of Commerce.

#3-CC Waived the \$50 fee for a charity softball tournament/fund raising event to be held by the Boys & Girls Club on December 15, 2001 at the Bicentennial Park.

#3-DD Approved and authorized the Chairman to sign the Assurance of Compliance Department of Health and Human Services Section 504 of the Rehabilitation Act of 1973, as Amended, which was required to be submitted with the State of Florida Department of Health and Rehabilitative Services Civil Rights Compliance Checklist.

#3-EE Adopted and authorized the Chairman to sign a Resolution continuing Citrus County Transit as the Community Transportation Coordinator, and to sign a letter to the Commission on Transportation Disadvantaged recommending said continuance.

RESOLUTION NO. 2001-285

#3-FF Approved and authorized the Chairman to sign the Modification of Agreement with the Florida Department of Community Affairs for the 2001 – 2002 Low Income Home Energy Assistance Program with an amended total of \$142,485.

#3-GG Approved and authorized the Chairman to sign U.S. Department of Housing and Urban Development (HUD) Housing Assistance Payments Contracts with Pete Thomas for \$293 per month; Dennis Bell for \$277 per month; Russell D. Jones Jr., for \$266 per month; and Landmark Rentals for \$213 per month.

#3-HH Approved and authorized the Chairman to sign an Agreement with William B. Eppley to serve as Citrus County's Hearing Officer in appeals of land use and development decisions on an as-needed basis.

#3-II Approved and authorized the temporary appointment of Flossie Benton Rogers as representative to the Community Alliance meetings and Anne Westbrook to represent County interest at the Mid-Florida Area Agency meetings.

#3-JJ Approved and authorized the Chairman to sign a Joint Participation Agreement FPN #403047-19401, Contract # AL-014 with the Florida Department of Transportation, for the lighted wind cone at the Inverness Airport at \$10,000.

#3-KK Approved and authorized the Chairman to sign the MAC Products Order with Siemens Enterprise Networks, LLC, to upgrade existing configuration to allow space for additional analog ports to the telephone switch at the Lecanto Government Building at \$10,355.

#3-LL Approved and authorized the Chairman to sign Satisfactions of Judgment for Jonathan Moses Disanza, Case No. 00-216-CF; Tim Eugene Bender, Case No. 2001-1667-MM; and Robert E. Stansberry, Case No. 2001-2039-MM.

#3-MM⇒OO Acknowledged receipt of the following: the Florida Contraband Forfeiture Semi-Annual Report from the Citrus County Sheriff's Office, the Southwest Florida Water Management District's Fiscal Year 2001-2002 Annual Service Budget, and the Clerk of the Circuit Court's budget estimate for Fiscal Year 2001-2002.

#3-PP Authorized staff to install an edge stripe on the divided sections of Deltona Boulevard utilizing in-house labor.

#3-QQ.1 Approved and authorized the Chairman to sign a Solid Waste Disposal Agreement with Alternative Waste Systems, Inc., securing a \$30 per ton tipping fee for waste collected in the unincorporated area and a \$35 per ton tipping fee for municipal waste.

#3-QQ.2 Approved and authorized the Chairman to sign a Waste Disposal Account Agreement at \$1,000 with Alternative Waste Services, Inc., securing a weekly charge account.

#3-RR Approved and authorized the Chairman to sign Amendment No. 1 to Inmate Telephone Service Agreement with Sprint Payphone Services, Inc., through December 1, 2006. In consideration for the amended contract, Sprint would upgrade all inmate and law enforcement telephone equipment at no additional charge. (1-41/1:04 P.M.)

#2-A **EMPLOYEE SERVICE AWARDS**

The following staff were recognized for their years of service to the County: **15 YEARS:** Kimberely (Kim) Ryan, and Richard A. (Rich) Schwarer. **25 YEARS:** Cleo C. (Carol) Fort. Brooks G. Gosselin was not present. (I-99/1:06 P.M.)

#4- **BID COMMITTEE REPORT**

#4-A→C **CONSTRUCTION OF THREE NEW HOMES; TREE REMOVAL AND STUMP GRINDING; AND ALUMINUM SIGN BLANKS, POSTS AND HARDWARE**

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board awarded: A) Bid No. 038-02, HSD, construction of three new homes, Unit #31 to Thomas E. Gregory at \$40,054 as the lowest bidder, Unit #33 to Donle Enterprises, Inc., at \$45,325, and Unit #34 to Clyde Cosgrove at \$48,775 as the second lowest bidders; B) Bid No. 010-02, RMD, tree removal and stump grinding to Pospiech Contracting as the lowest bidder meeting specifications. The unit prices are listed in the back up material; and C) Bid No. 032-02, RMD, aluminum sign blanks, posts, and hardware on a split bid basis to the lowest bidders as follows:

| | |
|-----------------------|-------------------------|
| aluminum sign blanks | Vulcan Signs |
| galvanized sign posts | Municipal Sign & Supply |
| hardware | National Traffic Signs |

The unit prices are listed in the back up material.

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

#6-A **ADMINISTRATIVE REGULATION (AR) NO. 13.15**

Mr. Wesch stated that the AR would give the Administrator or his designee the authority to sign standard State Housing Initiative Partnership (SHIP) and Community Development Block Grant (CDBG) agreements, and Housing Assistance Plan (HAP) contracts and satisfactions. He added that these were standard forms, and would expedite the processes involved.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved AR No. 13.15 regarding standard SHIP and CDBG agreements, HAP contracts and satisfactions.

#6-B **DAVIS LAKE ESTATES AKA INVERNESS GOLF AND COUNTRY CLUB - POTABLE WATER QUALITY SPECIAL ASSESSMENT**

Mr. Saunders stated that on September 24, 2001 a letter had been sent to the affected Davis Lake Estates property owners to determine if the majority were in favor of the County and the City of Inverness installing potable water lines and appurtenances throughout their neighborhood. He added that the letter indicated that a no response would be counted as a no vote and that there were 67 yes votes, 19 no responses, 64 no votes, with a final vote indicating 44.7 percent of the affected property owners voting in favor of the project. He recommended disapproval of the project at this time, and suggested a representative of the property owners submit a petition with 50 plus 1% in favor. He advised that the cut off date for the petition would be July 30, 2002.

Mr. Saunders replied to Commissioner Fowler by stating that no responses being no votes, would not be an issue with a new petition.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board disapproved the Davis Lake Estates Potable Water Quality Special Assessment Project at this time. (I-247/1:11 P.M.)

#6-C **REQUEST FOR QUALIFICATIONS (RFQ), STATE LOBBYING SERVICES**

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board approved the ranking submitted by the selection group on the RFQ, State Lobbying Services and authorized the County Administrator to negotiate with the top three firms in the following order:

GMA, Inc.
Holland & Knight, LLP
Pennington, Moore, Wilkinson, Bell, Dunbar, P.A.

#6-D **FLORIDA GOVERNMENTAL UTILITY AUTHORITY (FGUA)**

Upon motion by Commissioner Batchelor, seconded by Commissioner Fowler, and carried unanimously, the Board approved granting the deadline extension request on the FGUA Interlocal Agreement and Scope of Services approved on August 14, 2001, from late November 2001 to January 2002.

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

#13-A **2002 PRIVATE ROAD MAINTENANCE PROGRAM (PRMP)**

Mr. Wesch stated that when a special assessment or road maintenance program was done in the past, the collection method was used according to Florida Statutes Chapter 197. He added that in order to use that method for the 2002 PRMP, certain public hearings would need to be set. He advised that setting those public hearings would not commit the Board to do the program, but merely was a procedural step needed.

Upon motion by Commissioner Wooten, seconded by Commissioner Fowler, and carried unanimously, the Board set a public hearing on December 18, 2001 at 1:30 P.M. in the Commission Room, Masonic Building, 3rd Floor, 111 West Main Street, Inverness, for the purpose of hearing public comment on the utilization of the uniform method for collecting the non-ad valorem assessment for the 2002 Private Road Maintenance Program.

#13-B **HISTORIC HERNANDO SCHOOL**

Upon motion by Commissioner Wooten, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized the Chairman to sign an agreement with Atelier AEC, Inc., for the planning, design, and contract administration for the Historic Hernando School. (I-403/1:16 P.M.)

#13-C CERTIFICATE OF APPRECIATION – FATHER JAMES HOGE

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized all Commissioners to sign a Certificate of Appreciation to Father James Hoge in celebration of his eighty-fifth birthday.

#7- COMMISSIONER ROGER BATCHELOR, CHAIRMAN

#7-A ECOTOURISM COMMITTEE

Upon motion by Commissioner Batchelor, seconded by Commissioner Phillips, and carried unanimously, the Board accepted with regret the resignation of Matthew A. Clemons from the Ecotourism Committee, and announced a vacancy.

#7-B CITRUS SPRINGS ADVISORY COUNCIL

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board accepted with regret the resignation of Frank DiMaio from the Citrus Springs Advisory Council and announced a vacancy for a Regular Member position that would expire on September 30, 2003.

#7-C CITRUS SPRINGS ADVISORY COUNCIL

Upon motion by Commissioner Batchelor, seconded by Commissioner Phillips, and carried unanimously, the Board accepted with regret the resignation of Hector Guillen from the Citrus Springs Advisory Council and announced a vacancy for a Regular Member position that would expire on September 30, 2002.

#7-D CODE ENFORCEMENT BOARD (CEB)

Commissioner Batchelor nominated Larry A. Riviere to fill a Regular Member position (District 1) on the CEB for a term that would expire on November 30, 2004.

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

Commissioner Bartell nominated Edgar L. Gehman to fill a Member-at-Large position on the CEB for a term that would expire on November 30, 2004.

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

The Chairman announced a vacancy for a Regular Member position for District 3 that would expire on November 30, 2004. (I-543/1:20 P.M.)

#7-E CODE REVIEW AND APPEALS BOARD

There were no nominations to fill an Alternate Member position on the Code Review and Appeals Board for a term that would expire on September 30, 2005.

#7-F PLANNING AND DEVELOPMENT REVIEW BOARD (PDRB)

Commissioner Fowler nominated Dwight Lowell Hooper to fill a Regular Member position (for District 4) on the PDRB for a term that would expire on November 30, 2004.

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

Commissioner Wooten nominated James J. Kellner and Commissioner Phillips nominated Raymond S. Hughes, Jr. to fill Member-at-Large positions on the PDRB for a term that would expire on November 30, 2004.

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

#7-G **CITRUS SPRINGS ADVISORY COUNCIL**

Commissioner Phillips nominated Ernest Gonsalves to the Citrus Springs Advisory Council for a term that would expire September 30, 2003.

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

#7-H **BILLBOARD TASK FORCE**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board accepted with regret the resignation of S. Wayne Mock from the Billboard Task Force and announced a vacancy for a Large Billboard Company Representative. (I-636/1:23 P.M.)

#13-D **TRAFFIC SAFETY GRANT**

Mr. Battista replied to the Commissioners' questions by stating that this grant was to purchase equipment only, however no one from the Sheriff's Office was present to respond to questions regarding this item becoming part of the Sheriff's base budget next year.

Upon motion by Commissioner Wooten, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized the Chairman to sign five signature pages for a Traffic Safety Grant from the Florida Department of Transportation at \$13,900 to be used for DUI checkpoint equipment, based upon this item not being part of the Sheriff's base budget next year. (I-91/1:24 P.M.)

#13-E **UTILITY EASEMENT**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized the Chairman to sign a Utility Easement from Dr. Ronald J. Fagan, Mazie M. Welch, and Citrus County to the City of Inverness. (I-720/1:25 P.M.)

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

#14-A **CAMP E NINI HASSE**

Commissioner Fowler made brief comments regarding the camp for troubled girls, Camp E Nini Hasse. He stated that he had taken a tour of the facility and was surprised and amazed that we had such a facility in this County. He was impressed with the rehabilitation

program and advised that Camp E Nini Hasse would like to establish some kind of relationship with the County and the School Board. He encouraged the other Commissioners to visit the facility when they had the opportunity.

#14-B **DAVIS LAKE ESTATES AKA INVERNESS GOLF AND COUNTRY CLUB - WATER ISSUES**

Kathy Cooper addressed the Davis Lake Estates water issue and stated that she was the unofficial Chairman for the property owners in pursuit of water and fire protection. She reviewed the events leading up to today's discussion and decision by the Board. She requested the Board to recalculate and reduce the cost to an acceptable level based on today's economy, offer and explain reasonable financing, reconsider the 4% or 5% unexplained administrative costs, and not wait for another petition to be taken.

Short discussion followed regarding the letter clearly stating that a no response was considered a no vote, the Board not being able to overturn their decision, the citizens being confused with the process, the next petition not having the option of no response being a no vote, etc.

Dr. James W. Fuller thanked the staff for their efforts in this matter.

#2-B **2001 SMALL SCALE AMENDMENTS-CYCLE FOUR**

Gary Maidhof, Director of Development Services, read the ordinance titles into the record.

#2-B.1 **CPA/AA-01-04 – MICHAEL ROOKS FOR MORTON, PISCOPIO & OTT**

Lou Phemister, Planner, CDD, presented the staff report which included the following:

| | |
|----------------------------|---|
| Applicant Name/Number: | CPA/AA-01-04 – Michael Rooks for Morton, Piscopio & Ott |
| Land Use: | Land Development Code (LDC) Atlas: LDR (Low Density Residential) with Planned Development Overlay (PDO) to GNC (General Commercial District) with PDO, and Generalized Future Land Use Map (GFLUM): LDR to GNC. |
| Property Data: | Parcel 32000 within Section 3, Township 19 South, Range 18 East; and Parcel 41100 within Section 10, Township 19 South, Range 18 East. 46.3 acres for the PDO, within which the CPA/AA (LDR to GNC) amendment area is 8.92 acres. |
| Staff/PDRB Recommendation: | Comprehensive Plan Amendment – Approval Atlas Amendment with PDO - Approval with 16 conditions (filed with the Clerk's agenda). |
| Proposed Project: | To create a business/commercial subdivision (provisionally named Lecanto Park) |

He stated that the conceptual master plan would direct the design of the subdivision and address incompatibilities in the LDC and policies of the Comprehensive Plan. He advised that condition 16 was modified at the workshop. He added that no public input had been received since the workshop.

He replied to Commissioner Phillips' question by reading the modified condition 16 into the record and explained to Commissioner Wooten that the property located directly behind the subject property was the Correctional Facility.

Mr. Rooks spoke in favor and thanked staff for their assistance.

The Chairman opened the public hearing and asked for anyone to speak in favor. Jim Neal, representing Jim Morton, stated that he concurred with staff's recommendation of approval.

The Chairman then asked for anyone in opposition. With no further comments, the Chairman closed the public hearing. (I-1780/1:58 P.M.)

#2-B.2 CPA/AA-01-09 – MICHAEL ROOKS FOR MARK BLOWERS, ET AL

Mr. Phemister gave the staff presentation as follows:

| | |
|----------------------------|--|
| Applicant Name/Number: | CPA/AA-01-09 – Michael Rooks for Mark Blowers, et al. |
| Land Use: | LDC Atlas and GFLUM: RUR, Rural Residential District to GNC. |
| Property Data: | Lots 0252, 0254, 0256, and 0258 of Citrus Acres, Section 23, and Township 18 East, Range 17 South. The property had access to West Pennsylvania Avenue, a local street that runs north from SR-44 around one-half mile east of the Crystal River city limits. 1.2 Acres ±. |
| Staff/PDRB Recommendation: | Approval |
| Proposed Project: | To develop a mini warehousing facility |

He stated that the amendment area consisted of four quarter-acre residential lots, that the property was in a predominately commercial area, that the proposed amendment was consistent with the Comprehensive Plan, the project was compatible with the surrounding areas, etc.

Mr. Rooks spoke in favor and requested approval.

The Chairman opened the public hearing for public comment, asked for anyone to speak in favor, and opposed. With no public comment, the Chairman closed the public hearing. (I-1972/1:58 P.M.)

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending Ordinance No. 89-04, 1) iaw CPA/AA-01-04, Michael Rooks for Morton, Piscopio & Ott, changing the CPA portion from LDR to GNC; and 2) iaw CPA/AA-01-09, Michael Rooks for Mark Blowers, et al, changing the CPA portion from RUR to GNC. **ORDINANCE** **NO.** **2001-A32**

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign an Ordinance amending Ordinance No. 90-14, by changing the land use designation from LDR to GNC; by designating a Planned Development Overlay; and by establishing a Master Development Plan with conditions of approval, iaw CPA/AA-01-04, Michael Rooks for Morton, Piscopio & Ott. **ORDINANCE NO. 2001-A33**

Upon motion by Commissioner Wooten, seconded by Commissioner Fowler, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending Ordinance No. 90-14, **1) iaw CPA/AA-01-04, Michael Rooks for Morton, Piscopio & Ott, changing the AA portion from LDR to GNC with a PD Overlay; and 2) iaw with CPA/AA-01-09, Michael Rooks for Mark Blowers, et al, changing from RUR to GNC.** **ORDINANCE NO. 2001-A34**

#2-C **AA-01-10, BERGMAN PERMITTING FOR RICHARD FERRELL**

Mr. Maidhof read the ordinance title into the record and Margaret Beake, CDD Planner, gave the staff presentation as follows:

| | |
|----------------------------|--|
| Applicant Name/Number: | AA-01-10-Bergman Permitting for Richard Ferrell |
| Land Use: | From MDR, Medium Density Residential District to GNC |
| Property Data: | Section 25, Township 18 South, Range 17 East, further described as the southwestern 104.28 feet of Block I, Lot 11, of Mayfield Garden Acres, located southwest of West Gulf-to-Lake Highway (SR-44), Crystal River area. .26± (entire property acreage is approximately 1.26± areas, inclusive) |
| Staff/PDRB Recommendation: | Approval |

She requested her staff report, including the findings of fact and comments from the workshop, be a part of the record.

Brenda Bergman, Bergman Permitting, spoke in favor and requested approval.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending Ordinance No. 90-14, providing revisions to the LDC Atlas, from MDR to GNC, iaw AA-01-10, Bergman Permitting for Richard Ferrell.

ORDINANCE NO. 2001-A35 (1-2066/1-2:00 P.M.)

#2-D **AA-01-11, PETER AND CAROL FOX**

Mr. Maidhof read the ordinance title into the record and Mr. Phemister gave the staff presentation as follows:

| | |
|----------------------------|---|
| Applicant Name/Number: | AA-01-11, Peter and Carol Fox |
| Land Use: | From Planned Residential Development (PDR), Multifamily to PDR, Single family as defined on the Master Plan for development of the Sugarmill Woods subdivision. |
| Property Data: | Section 17, Township 20 South, Range 18 East, further described as Lot 18, Block B, of Cypress Village a unit of the Sugarmill Woods Subdivision. |
| Staff/PDRB Recommendation: | Approval. |

Mr. Phemister noted that the articles that govern the Land Development Regulations of the Sugarmill Woods Master Plan Subdivision do not allow single family in multifamily designations, and that there had been a continuous process of redesignation of multifamily properties to single family residential within Sugarmill Woods.

Mr. Fox spoke in favor and requested approval of the application.

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 Phillips, 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 Atlas, iaw AA-01-11, Peter and Carol Fox, from PDR (Multifamily) to PDR (Single Family).

ORDINANCE NO. 2001-A36 (1-2219/2:04 P.M.)

#2-E **AA-01-09, DEPARTMENT OF DEVELOPMENT SERVICES (DDS)**

Mr. Maidhof read the ordinance title into the record and Mr. Phemister summarized the staff report as follows:

| | |
|----------------------------|--|
| Applicant Name/Number: | AA-01-09, DDS |
| Land Use: | LDR to RUR |
| Property Data: | Section 3, Township 18 South, Range 17 East; more specifically, part of Parcel 31000, which property is located on the east side of North Citrus Avenue and immediately north of the Florida Power Corporation power line; and Section 5, Township 18 South, Range 17 East; more specifically, Parcels 13000 and 31000, which properties are located on West Larue-Denise Lane, and Parcel 33000, which is located on both the northeast and southeast corners of US-19 and West Watergate Lane. |
| Staff/PDRB Recommendation: | Approval |
| Proposed Project: | The application was made in order to make the LDC |

| | |
|--|---|
| | consistent with the GFLUM, as a result of the Planned Service Area (PSA) line adjustment. |
|--|---|

He stated that the proposed amendment would correct inconsistencies between the LDC and GFLUM and the policies of the Comprehensive Plan which restricted residential densities outside of the Planned Service Area. He added that the properties in the amendment were originally part of a package of amendments put together by staff to address these inconsistencies. He advised that the property owners of the lands in this amendment had asked staff to withdraw these lands so that the property owners could pursue a Comprehensive Plan Amendment (CPA). He mentioned that due to the negative responses from the Department of Community Affairs, the property owners withdrew the CPA and staff was again addressing the inconsistencies between the LDC and the GFLUM.

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

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending Ordinance No. 90-14, providing revisions to the LDC Atlas, from LDR to RUR, iaw AA-01-09, DDS. **ORDINANCE NO. 2001-A37** (1-2337/ 2:07 P.M.)

#2-F PDO-01-01, CLARK STILLWELL FOR ASHEVILLE PARTNERS, INC.

Ian McDonald, AICP, Senior Planner, DDS, summarized the staff report as follows:

| | |
|----------------------------|---|
| Applicant Name/Number: | PDO-01-01, Clark Stillwell for Asheville Partners |
| Property Data: | Section 11, Township 18 South, Range 18 East, SW Quarter; more specifically, Parcel 33000, inclusive of sub-parcels B-1, B-2 (which includes out parcels 1, 2 and 3), and B-3, all located on the northwest side of North Lecanto Highway (CR-491), Beverly Hills. 27.95 + acres |
| Staff/PDRB Recommendation: | Approval with nine conditions: 1) The developer must commence construction of the project within one year of approval. At the time of any building permit approval, the Applicant must demonstrate that traffic concurrency will be met. 2) Development shall be limited to the following: a) The total square feet of the shopping center shall not exceed 135,443 square feet (including out parcels and pharmacy site; b) The number of mini warehouse storage units shall not exceed 497 units; and c) Professional and medical office space shall not exceed 29,400 square feet. 3) The stated uses in the out parcels on the master site plan shall be interchangeable between out parcels |

| | |
|-------------------|---|
| | <p>without a Section 2224 of the LDC. Major modifications per Section 2224, or changes of use per Section 2023, of the LDC, shall be required to submit a revised development plan for Level III, Board of County Commissioners, review.</p> <p>4) A minimum of 656 parking spaces shall be provided as shown on the Master Plan, and up to 700 should a building site or out parcel not be built upon.</p> <p>5) Handicapped parking spaces will be dispersed on final site plan to comply with 1997 Florida Accessibility Code, Section 4.6.2, so that they are located closest to the accessible entrances. There shall be handicapped spaces placed in the parking areas situated at both ends (north and south) of the main shopping center as well as in front of each individual freestanding building.</p> <p>6) Prior to the issuance of any development permits for the project, the Applicant shall provide a tree replacement and landscaping plan for Technical Review Team approval based upon the requirements of the original Planned Development (PD) approval which required all 12-inch diameter Live Oak trees (approximately 200) to be preserved. All trees were inventoried previously. Those that have been removed shall be replaced in a 2:1 basis. To the greatest extent feasible, landscaping shall use native plants and xeriscaping principles. The use of specimen oaks and other potential replacement trees in parking lot islands and border areas is strongly encourages.</p> <p>7) The Impervious Surface Ratio, including detention areas, shall not exceed 60 percent.</p> <p>8) All conditions imposed upon the previously approved PD, as adopted by Ordinance, are hereby referenced, and consolidated as listed below (see backup). This condition supercedes all prior requirements and effects the repeal of previous ordinance requirements and Board of County Commissioner's conditions. All conditions imposed upon the previously approved PD shall remain in force except: shall remain in force except:</p> <ul style="list-style-type: none"> a) As modified by the above conditions; b) As already completed; or c) As rendered inapplicable due to changes in the proposed development. <p>9) Subject to a separate agreement with the property owner, the 1.42 acre medical site located in the project's southwest corner can be utilized by Citrus County, Florida, for a temporary contractor's storage and staging area during the expansion of County Road 491.</p> |
| Proposed Project: | Establishing a PDO by amending a vested master plan |

| | |
|-----------------|---|
| | of development for a mixed use PD (Golden Gate Center). |
| Public Hearing: | November 27, 2001 |

He stated that the developer had presented a modified proposal to consolidate the existing language of several ordinances that were approved previously. He added that there was a synopsis in the packet with the history of the project. He reviewed the staff recommendations and the conditions. He recommended that condition 19 in Exhibit "A" of Ordinance Z-86-20 be deleted. He explained that condition 19 was a five-year completion date on the project or the applicant lost their development approval.

Mr. Stillwell stated that the applicant had taken the parcel which had two owners, Kash 'N' Karry Corporation and Asheville Partners, and tried to bring a 1986 PD approved under 1986 zoning ordinance and tried to resurrect into the 1990 Comprehensive Plan and LDC. He added that there had been seven revisions to the site plan since it was applied for in November 2000. He advised that the center parcel, Kash 'N' Karry, was not changing; however they had seen and approved of the proposed site plan of the surrounding land. He gave a brief history of the PD and showed a map of the proposed project and landscape plan.

Mr. Stillwell replied to Commissioner Phillips' questions in regard to condition 19 by stating that the project would start within one year, and requested that the Board allow the market to drive the time of completion. He added that commercial development dropped during the construction of major roadways.

Chuck Dixon, Community Development Director, explained that one of the staff's problems when reviewing the application was that it was vested previously, and that there was no cut off for the date of the vesting. He added that when they came back and staff reviewed the current project, they couldn't hold it to the current standards, such as the large retail ordinance recently passed. He advised that if you had a five year limitation on the development rights associated with the PD, any regulations that were adopted between now and that cut off date would come into effect when it was reevaluated, plus concurrency issues could change and it might be appropriate to reevaluate.

Mr. Stillwell replied to Mr. Dixon's comments by stating that the conditions state that each building permit had it's own individual concurrency review and would carry forward. He also advised that the parking lot would comply with the new large retail ordinance.

The Chairman opened the public workshop and asked for anyone in favor, then anyone opposed. With no public comment, the Chairman closed the public workshop.

(1-3513/2:27 P.M.)

The Chairman recessed the meeting and reconvened at 2:42 P.M.

Commissioner Fowler did not return until later in the meeting.

#2-G 2001 SECOND CYCLE COMPREHENSIVE PLAN AMENDMENTS

Mr. Maidhof read the ordinance titles into the record.

#2-G.1 CPA/AA-01-05, DDS

Mr. Phemister summarized the staff report as follows:

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|----------------------------|---|
| Applicant Name/Number: | CPA/AA-01-05 – DDS |
| Land Use: | To re-designate CL, Low Intensity Coastal and Lakes District to CON, Conservation District on both the GFLUM and the LDC. |
| Property Data: | Approximately 105 acres on certain parcels of land acquired by the State under the Wetland Mitigation Program to allow for construction of the Home Depot site in Crystal River. Located on the south side of Ozello Trail (CR-494) approximately two miles west of US-19, in Sections 4 and 9 of Township 19S, Range 17E |
| Staff/PDRB Recommendation: | Approval |

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

#2-G.2 CPA/AA-01-06, DDS

Mr. Phemister stated that the amendment was also staff initiated and summarized the staff report as follows:

| | |
|----------------------------|---|
| Applicant Name/Number: | CPA/AA-01-06 – DDS |
| Land Use: | Area "A": To re-designate from CL to CON on the GFLUM and from CL* (Low Intensity Coastal and Lakes-mobile homes allowed) to CON on the LDC. Area "B": To re-designate from CON to Extractive (EXT) on both the GFLUM and the LDC. |
| Property Data: | Area "A": Part of Parcel 13000, located in northwest Citrus County, north of the Cross Florida Barge Canal in Section 8, Township 17, Range 16 East, 77.8 acres. Area "B": Three areas within Parcel 22200, Sections 9 and 17, Township 17 South, Range 16 East, 28.8 acres. |
| Staff/PDRB Recommendation: | Approval. |

He stated that there were no concurrency issues evident and that it was consistent with the Comprehensive Plan. He read the findings of fact into the record.

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

#2-G.3 CPA-01-04 INFRASTRUCTURE ELEMENT UPDATE, DDS

Ian McDonald, AICP, Senior Planner, DDS, summarized the staff report as follows:

| | |
|----------------------------|--|
| Applicant Name/Number: | CPA-01-04, DDS |
| Proposed Project: | Update to the text of Chapter Five: Infrastructure Element of the Comprehensive Plan to incorporate the additional data and analysis from three studies prepared for Utilities by C & D Engineering, Inc.: the Water Master Plan; Wastewater Facilities Plan; and Reuse Master Plan for 2001-2020, which were approved by the Board on January 09, 2001. |
| Staff/PDRB Recommendation: | Approval |

He stated that re-use policies had been added at the end of the Sanitary Sewer Supplement, that the FDCA had stated no objections with the amendment in their ORC Report, and requested that the minutes and previous testimony be made a part of the public hearing.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign: 1) an ordinance amending Ordinance No. 90-14, providing revisions to the LDC Atlas from CL to CON, iaw CPA/AA-01-05, DDS; and from CL to CON and CON to EXT, iaw CPA/AA-01-06, DDS; and 2) an ordinance amending Ordinance No. 89-04, providing revisions to the GFLUM from CL to CON, iaw CPA/AA-01-05, DDS; from CL to CON and from CON to EXT, iaw CPA/AA-01-06, DDS; and updating the text of Chapter Five: Infrastructure Element, iaw CPA-01-04, DDS.

ORDINANCE NOS. 2001-A38 and 2001-A39, RESPECTIVELY

#2-H **PV-01-03, JOHN D. BARNHARDT**

Joanna L. Coutu, Planner, Community Development Division, reviewed a request by Mr. Barnhardt to vacate a 15-foot wide utility easement, in order to continue construction of a commercial office complex. She advised that there had been no concerns, that the staff and PDRB recommended approval, etc.

The Chairman opened the public hearing and asked for anyone in favor. With no public comment, the Chairman closed the public 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 15-foot wide utility easement iaw Petition No. PV-01-03.

RESOLUTION NO. 2001- 286 (II -261/ 2:51 P.M.)

Commissioner Fowler returned to the meeting during the following presentation.

#2-1.1→3 **ESCAMBIA COUNTY HOUSING FINANCE AUTHORITY SINGLE FAMILY MORTGAGE REVENUE BOND PROGRAM**

Joe Monroe, Housing Services Director, introduced Gordon Jernigan, Executive Director, Escambia County Housing Finance Authority (Authority). Mr. Jernigan stated the purpose for holding the public hearing was to receive public input regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) for the Multi-County, Single Family Mortgage Revenue Bond Program, to adopt a resolution authorizing Citrus County to enter into an Interlocal Agreement with the Authority, and to approve the Interlocal Agreement and Request for Allocation forms. He advised that \$2,931,885 in mortgages at 5.8% interest rate had been provided to citizens of Citrus County this year.

The Chairman opened the public hearing, asked for anyone in favor, and then opposed. With no public input, the Chairman closed the public hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution authorizing Citrus County to enter into an Interlocal Agreement with Escambia County Housing Finance Authority for the purpose of issuing single family mortgage revenue bonds for use within Citrus County; and approved and authorized the Chairman to sign the Interlocal Agreement and Request for Allocation forms for private activity allocation.

RESOLUTION NO. 2001-287 (II-346/2:54 P.M.)

#2-J **LANDFILL TIPPING FEES FOR CITIES**

Mr. Wesch stated that the purpose of the public hearing was to amend the landfill tipping fees paid by the Cities of Crystal River and Inverness and the certified waste collectors that operate within those cities. He added that if approved, a budget amendment would be required, and waste disposal agreements and interlocal agreements would be presented at a future meeting to reflect the change in rates.

The Chairman opened the public hearing and asked for anyone in favor, and then opposed. With no public input, the Chairman closed the public hearing.

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign: 1) a resolution amending the Fee Schedule for the Citrus County Landfill rates for Fiscal Year 2001/2002 and; 2) a resolution amending the Landfill budget.

RESOLUTION NOS. 2001-288 AND 2001-289, RESPECTIVELY (II-414/2:56 P.M.)

RESOLUTION NO. 2001-289

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

WHEREAS, on November 13, 2001 the Citrus County Board of County Commissioners held a public hearing to reduce landfill tipping fees for waste generated by the cities of Inverness and Crystal River from \$45 per ton to \$35 per ton; and

WHEREAS, this reduction in the tipping fee rate will decrease the landfill's revenue for the fiscal year; and

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

WHEREAS, Section 129.06(e), 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 13th day of November 2001, as follows:

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.

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 |
| <i>Revenues</i> | 401-343-400 | Landfill Fees | (93,300) |
| | 401-247-000 | 5% Reserve | 4,665 |
| | | Total Revenues | (\$88,635) |
| <i>Expenditures</i> | 401-5212-247200 | Reserve for Contingencies | (88,635) |
| | | Total Expenditures | (\$88,635) |

#2-L CPA/AA-01-07 - HERITAGE DEVELOPMENT CO.

Mr. Maidhof read the preamble of both ordinances into the record and Mr. Phemister summarized the staff report as follows:

| | |
|----------------------------|---|
| Applicant Name/Number: | CPA/AA-01-07, Heritage Development Co. |
| Land Use: | GFLUM: LDR to GNC on 9.14 acres, and LDC: GNC, LDR, and CL (Low Intensity Coastal and Lakes Districts to GNC, LDR, and CL with a PDO to establish a master development plan on 36.98 acres. |
| Property Data: | Section 34, Township 18 South, Range 17 East, further described as Parcel "2" of a Lot Reconfiguration (LR-93-01), being a part of parent Parcel 34000, together with Lots 11, 13, 14, 15, 16, 17, and 18 of Crystal Park Acres. 9.1 acres. |
| Staff/PDRB Recommendation: | Denial |
| Proposed Project: | Retail Commercial Use |

He stated that the application was a request to develop the site with 189,256 square feet of retail commercial use. He advised that the only outstanding issue in terms of meeting concurrency requirements was the provision of sanitary sewer lines to the project area. He stated that some of the main issues on the property related to the environmental limitations of the site. He also stated that an Environmental Resource Permit (ERP) had not yet been applied for on this property and the exact wetland impacts were unknown. He mentioned that the applicants had provided a proposal of the impacts based on their interpretation of the State guidelines for an ERP. He explained that their proposal involved filling 2 to 2 ½ acres of wetlands and the creation of new wetlands on

site. He added that the stormwater management system consisted of an unusual design due to a high water table and the proximity of the aquifer to the level of grade, which involved berm lagoon sites three to five feet tall. He further stated that the proposal was inconsistent with the Comprehensive Plan, specifically due to the property not being located within the County's Planned Service Area, the project was within the 100-year flood plain, and the project was within the coastal high hazard area. He concluded by stating that staff and the PDRB recommended denial due to environmental limitations, wetlands impacts, nature of stormwater management system, flooding, and monitoring of the drainage system when in place.

Mr. Stillwell made opening statements and introduced the speakers who represented Heritage Development Company.

Kevin Mineer, of Gager-Mineer Consulting, Inc., stated that the proposed plan was consistent with the Comprehensive Plan in many ways. He displayed a map of future land use zoning which depicted large commercial areas to the south and north, the airport directly across the street, and explained that the area was closer to shopping centers on US-19 than those shopping centers to the north and south. He described recent plan amendments that the Planning Department found consistent and compatible, and stressed that the proposal was not a radical change from zoning in the past, and that the developer had purchased commercial property on the busiest street in Crystal River. He noted that half the site would be set aside as a buffer, that there would be adequate sewer and water, adequate capacity to US-19, a 250-foot set back from the coastal lakes line, hurricane evacuation would not be required, the County would realize approximately \$70,000 in taxes, etc. He added that the proposal was compatible with its surroundings, and was an appropriate request.

Renee Thomas, President of Lotspeich & Associates, Inc., stated that her firm specialized in the ecological components of site issues, and identified and flagged all of the wetlands, provided threatened and endangered species surveys, and in-depth reports to the County, etc. She added that there were manmade and natural wetlands occurring on the site, and that the site had very limited or threatened and endangered species concerns. She stated that her company could provide an adequate mitigation plan and increase the wetland benefit on the site.

Sam Stebbins, Professional Engineer for Kimley-Horn & Associates, reviewed the stormwater system that was proposed. He stated that the proposed system had been permitted by the Southwest Florida Water Management District (SWFWMD) and had been used throughout Florida. He explained that the system would be a low-level berm in the rear of the building that would remain in its natural state 99% of the time. He added that there would be a small one-acre pond in the rear of the parking center that would be used as a first flush treatment for the stormwater. He advised that there would be a low amount of landfill, and by impounding the rear area, the water would be redirected, thereby alleviating potential damaging flood run-off.

Chris Herzner, AICP, Project Planner for Heritage Development Company, stated that the area was currently zoned for land use to allow for a strip mall, but that the proposed design would have green space in the parking lot, facades on the building, and would look better aesthetically.

Dr. William Zegel, Water and Air Research, and an affiliate of the University of Florida, gave a brief history of his professional engineering background, which included the environmental assessment business for over 30 years. He referred to his Analysis of Proposed Heritage Development Project Report (filed with the Clerk's agenda) which consisted of the concerns regarding the project, existing conditions on and around the site, the proposed characteristics of the project, and his response to the concerns. He concluded that the impacts of the proposed Heritage plans on the aquifer, the flood plain, wetlands, and drainage on or near the site, were expected to be minimal. He indicated that the impact on the environmental components evaluated would be positive on residents to the west and little or no impact to nearby land.

Mr. Stillwell pointed out that the County Engineer's letter indicated that he had reviewed Mr. Stebbin's plans for the stormwater system and found that it met the Land Development Code criteria, subject to future permitting. He addressed opposing comments concerning the project, and stated that the project would be better than strip zoning. He reiterated that there would be minimal wetland and environmental impacts, that there would be no impact on the aquifer system, that there would be adequate capacity for utilities, stormwater and drainage system tests had been met, etc. He added that he thought the project had a stigma that came with the Wal-Mart application, and stated that the client had worked very hard to make this a quality project versus a traditional strip commercial project. He thanked the Board for their time and consideration. (11-2506/5:55 P.M.)

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

Captain Billy Mitchell, Joyce Valentino, President of Heatherwood Homeowners Association; Jim Bitter; Helen L. Spivey, "Save the Manatee Club and Florida Chapter of Sierra Club; Ron Miller, Audubon Society; Jack Casselberry; Ethel Albert; Jim Taudte; Pat Casselberry; Andy Vukmir; Jim Bierly; Teddi Bierly; Rosemary Rendueles; and others spoke in opposition due to the following reasons: inconsistent with policies and objectives of the Comprehensive Plan, density, wetland and environmental issues, destruction of wildlife and nature, no identity of tenants, growth management, water quality and quantity, flooding, relocation of the project, etc.

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

Motion by Commissioner Fowler, seconded by Commissioner Bartell, to deny application CPA/AA-01-07, Heritage Development Co.

Commissioner Bartell commented that he seconded the motion due to the testimony of the applicant and the public at large, and that it was evident the Comprehensive Plan would be breached if the application were approved.

Commissioner Phillips added that the application was inconsistent with objective 3.2, and with policies 3.15.5 and 17.2.7 of the Comprehensive Plan

Commissioner Wooten stated that the project was too intense for the parcel and the Chairman agreed.

The Chairman called a question on the motion, and the motion carried unanimously. (III-768/6:40 P.M.)

The Chairman recessed the meeting and reconvened at 6:50 P.M.

#2-K **AA-00-12 (HALLS RIVER RETREAT), BURRELL ENGINEERING, INC., FOR ALLIED INTERNATIONAL HOLDING, INC.**

Mr. Maidhof read the title of the ordinance into the record and Mr. Phemister summarized the staff report as follows:

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|----------------------------|--|
| Applicant Name/Number: | AA-00-12 (Halls River Retreat) - Burrell Engineering for Allied International Holdings, Inc. |
| Land Use: | From MXU, Mixed Use District, to MXU (PDO) |
| Property Data: | Section 29, Township 19 South, Range 17 East; more specifically, a portion of Lots 3, 14, and 15, Block 3 of Homosassa Company's Subdivision |
| Staff/PDRB Recommendation: | Denial |
| Proposed Project: | 63-unit, multiple story time share condominium complex, with one manager's apartment, and associated recreational amenities. |

He stated that the subject property contained approximately five acres of wetlands on the eleven-acre site. He advised that the applicant had been approved for an Environmental Resource Permit (ERP), showing that the minimum State standards for stormwater management and mitigation had been met. He informed that in this instance, Planned Development would grant relief from the number of boat slips and wetland setbacks. He mentioned particular concerns were the intensity of the development and the encroachment into the non-isolated wetlands. He specified the following two inconsistencies with policies in the Comprehensive Plan: **1)** water related and water dependant uses to be built in upland areas; and **2)** multi-slip docking facilities to be located where there was deep open water access, boat traffic would be outside high manatee concentrations, and wetlands supporting manatee habitat would not be disturbed.

He advised that staff had prepared conditions (included in the backup material) that could be applied if the Board approved the application, that the conditions had been faxed to the applicant, but staff had received no reply, and that staff continued to recommend denial. He distributed 50 letters in opposition (field with the Clerk's agenda),

and Mr. Dixon stated that another 350 letters had recently arrived in opposition and would be available for inspection in the Community Development Department. He added that three phone calls had been received in favor of the project.

F. Blake Longacre stated that he wanted to be a part of Citrus County's future, and that he was also concerned with improving the community and environment. He displayed charts and diagrams of different areas of the Halls River, which showed preliminary scores from an ecological, energy, and land use standpoint, percentage of uplands, riverine wetlands, and isolated uplands on the current sight, post development with increase in both riverine and isolated wetlands, and reduction in uplands. He stated that in an effort to address the No. 1 concern of riverine wetlands that would be destroyed, he would revise the plan tonight to meet staff's option B, to relocate the development away from the non-isolated wetlands, and add an additional story to the building height. He pointed out that the project was aimed at the second homeowner, that it was a shared ownership program with people buying 1/6 of the ownership. He added that it was technically in compliance with the Army Corp of Engineers (Corp) and SWFWMD, would improve the ambient quality of the Halls River, and asked for the Board's consideration.

Troy Burrell, Burrell Engineering, reviewed the basics of the permitting processes, and stated that the project would be on a central sewer and water system. He advised that there would be condominium association restrictions to help promote the Comprehensive Plan and protect the wetlands, such as manatee awareness classes, restricted access to the wetlands, the creation of a conservation area easement to protect from any other development, restricted use of pesticides and fertilizers, etc. He further stated that he thought this was a good project, and that he would work with the County on the concerns of the riverine wetlands that would be disturbed.

Dr. Larry J. Doyle, Environmental Consultant for the project, advised that the project would be constructed completely on filled land, so the buildings would not directly impact the wetlands. He explained that the water quality going into the Halls River would greatly improve due to the mitigation process of removing the berm, reopening the wetlands for normal drainage into the Halls River, and the closing of the existing boat ramp. He stated that the permitting that was performed through the Corp and SWFWMD was the most extensive that he had ever experienced. He added that the project met the manatee protection criteria from the Fish and Wildlife Service, and that the Department of Environmental Protection (DEP) had accepted the project.

He responded to Commissioners' Batchelor and Wooten by stating that the man-made berm would be removed, and that approximately five acres of wetlands would be a conservation easement and would never be developed.

Mr. Neal, Attorney for the applicant, reviewed the uses allowed on this property with the mixed-use (MXU) designation, and indicated that the project would always remain a condominium project. He stated that the applicant had acquired all of the permits from the various regulatory agencies. He addressed Comprehensive Plan policies referred to in the staff report, and stated that he believed the application had complied with the

environmental, conservation, outstanding Florida Water criteria, coastal lakes element, innovative land use design, etc. He mentioned the benefits of the project; i.e., repair of the existing sea wall; conservation easement; reconfiguration of the canal for better water flow; improved hydrology; mitigation area would be maintained by the condo association; less intensive use on the site; compatibility with surrounding land uses; and fees that would be paid to the County. He further requested that the Board approve the concept plan because it was consistent with the Comprehensive Plan and Land Development Code regulations.

(III-3139/7:50 P.M.)

The Chairman opened the public portion of the public hearing and asked for those who did not wish to speak, but who were in favor of the project, to raise their hands, and then asked for a show of hands from those opposed. The numbers were documented by staff, and submitted to the Clerk following the meeting (13 in favor and 80 opposed).

The Chairman then asked for anyone to speak in favor.

Randy Caldwell, Pete Wambold, Bud Allen, Kevin Cunningham, Ernest Woods, Karen Cunningham, spoke in favor of the project due to increasing the tax base, creating jobs, environmental benefits, good for the County, etc.

The Chairman then asked for anyone to speak in opposition. Winston Perry, representing the Homosassa River Alliance displayed a booklet of over 2,500 petitioners' signatures opposing the project (copy filed in the Community Development Department). He voiced the following concerns; high-rise urban sprawl, incompatible and out of control growth, destroying of the environment, inconsistencies of several objectives and policies of the Comprehensive Plan, and degradation of an outstanding Florida water.

(IV-571/8:10 P.M.)

Representatives of other clubs and organizations also spoke in opposition, including Ron Miller, Citrus County Audubon Society; Richard Clay, Citrus 20/20; Helen L. Spivey, "Save the Manatee Club", and the Florida Chapter Sierra Club; and Mary Granata, Sierra Nature Coast Group.

Numerous individuals of the community (names filed with the Clerk's agenda), also spoke in opposition. The concerns expressed included water pollution, the aquifer, sewer problems, boat slips, traffic increase, irresponsible growth, incompatibility of surrounding homes and neighborhoods, fire services, increase in taxes, setting a dangerous precedent, wetland and other environmental destruction, manatee and wildlife protection, inconsistent with the Comprehensive Plan, etc.

(IV-2780/9:10 P.M.)

The Chairman recessed the meeting and reconvened at 9:15 P.M.

The public portion of the public hearing continued with individuals speaking in opposition of the project, and reiterating the above comments. Several persons also asked the Board to listen to the voice of the citizens they represented, and to deny the application.

With no further public comment, the Chairman closed the public portion of the public hearing. (V-853/10:05 P.M.)

Mr. Maidhof responded to Commissioner Bartell by stating that a major concern regarding the original proposed plan was that three units would be constructed in wetlands. He added that now the applicants were proposing an alternate plan to remove those three units, but to build an additional story on ten units, which would total 64 units, rather than 63 or below as staff had discussed. He further stated that staff was unsure how the applicant would address parking now, and that additional parking spaces created elsewhere would have an impact on drainage, etc. He advised that the Board and the applicant could consider three different approaches: 1) acknowledge the alternate proposal, and repeat the review process; 2) consider the original application as proposed; or; 3) discuss the alternate proposal with the applicant and address staff's concerns regarding the number of units and parking.

He also answered Commissioner Bartell's question regarding the MXU land category by stating that there were a number of properties and locations that could take advantage of the MXU designation. He gave examples of MXU designation, such as Mobile Home and Recreational Vehicle Parks, and most recently for the Home Depot.

He responded to Commissioner Fowler that if the applicant could demonstrate in the revised proposal that they were not constructing in wetlands, maintained a 15-foot buffer, and complied with the manatee density standards, staff would technically find the project consistent with the Comprehensive Plan.

Commissioner Fowler stated that the developer could easily comply with the Comprehensive Plan. He also stated that once a property owner met government standards, his constitutional right to use the property could not be denied.

Commissioner Phillips remarked that she thought the developer had done an outstanding job of trying to meet the requirements of the Comprehensive Plan, however, it was not compatible with the surrounding areas. She stated that time-share condominium owners were visitors to the community, and she felt that would make a difference in the care of the environment and natural resources. She added that the Board and staff were not supposed to evaluate the economic liability of a project or fees that would be collected, but should consider the objectives and policies of the Comprehensive Plan for consistency.

Motion by Commissioner Phillips, seconded by Commissioner Bartell, to deny application AA-00-12 (Halls River Retreat) - Burrell Engineering for Allied International Holdings, Inc.

Discussion ensued regarding other types of developments that could be built on the property, density, fire services, water pressure, property rights, boat slips, staff not having enough time to evaluate the modified proposal, developing standards for mixed use land designation, etc.

The Chairman and Commissioner Fowler agreed that staff should have an opportunity to review the revised proposal to determine whether it was consistent with the Comprehensive Plan, and would not support the motion that was on the floor.

Commissioner Wooten stated that he would not support the motion, and that he preferred staff's suggested option C, which was a reduction in density from 63 units to 54 units, and the relocation of development away from the non-isolated wetlands.

Commissioner Phillips commented that she thought it was inaccurate to say that the Board would be denying the property owner his constitutional rights if the Board did not approve this application, and that the applicant could submit another application if this one was denied.

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

Motion by Commissioner Batchelor, to request staff to review the amended proposal offered by the applicant (remove three buildings out of the wetlands, and add an additional story to ten units), to determine if the project meets the Comprehensive Plan, and determine the procedure for processing the application.

Mr. Maidhof asked for clarification on the motion regarding additional cost involved. The Chairman replied that the applicant would pay any additional cost.

Commissioner Fowler seconded the motion.

Discussion ensued regarding the issue of compatibility of the neighborhood, the applicant's property rights, etc.

Commissioner Wooten noted that he was not in favor of building additional stories, but was interested in some other type of compromise.

Further discussion was held regarding the intent of the motion, which was that staff would analyze the amended application proposed tonight, determine whether the amended application conformed to the Comprehensive Plan, and determine processing procedures.

Mr. Dixon explained that the proposed conditions to the application were mainly due to the wetland impacts, boat slips, etc., and had the applicant eliminated those impacts early in the process, staff would have supported the project. He added that the issue of compatibility of the taller buildings would still need to be considered and would require a decision by the Board.

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

There being no other business to come before the Board, the Chairman adjourned the meeting. (V-2577/10:40 P.M.)

ATTEST: _____, Clerk _____, Chairman