

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

Commissioners: Roger O. Batchelor, District I; Gary Bartell, District II; Vicki Phillips, District III; Jim Fowler, District IV; and Josh Wooten, District V
Attorney: Robert B. Battista
Administrator: Richard Wm. Wesch
Clerks: Betty Strifler, Clerk; Theresa Steelfox and Glenda Brown, Deputy Clerks

#1- **REORGANIZATION**

#1-B **SELECTION OF CHAIRMAN**

The Clerk called for nominations for Chairman of the Board. Commissioner Batchelor nominated Commissioner Fowler.

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

Commissioner Fowler, by unanimous acclamation, was elected Chairman.

#1-C **SELECTION OF FIRST VICE-CHAIRMAN**

The Chairman called for nominations for First Vice-Chairman. Commissioner Phillips nominated Commissioner Bartell.

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

Commissioner Bartell was elected First Vice-Chairman by unanimous acclamation.

#1-D **SELECTION OF SECOND VICE-CHAIRMAN**

The Chairman called for nominations for Second Vice-Chairman. Commissioner Bartell nominated Commissioner Phillips.

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

Commissioner Phillips, by unanimous acclamation, was chosen as Second Vice-Chairman.

#1-E **MEETING DAYS & TIMES; BOARD SEAL**

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board approved setting regular meeting days as the second and fourth Tuesday of each month, at 1:00 P.M., in the Commission Room, Third Floor, Masonic Building, 111 West Main St., Inverness; and adopted the Board Seal used during the previous year as the official Board of County Commissioners of Citrus County seal.

(I-140/1:05 P.M.)

#1-F **SALARIES, MILEAGE, TRAVEL**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board set Board salaries as provided by Florida Statutes; set out-of-county mileage at 29 cents per mile; set in-county travel at \$100 per month per Commissioner, with the Chairman to receive an additional \$50 per month.

#1-G **SIGNATURE CARDS AND COUNTY WARRANTS**

Upon motion by Commissioner Batchelor, seconded by Commissioner Phillips, and carried unanimously, the Board authorized the Chairman, Vice Chairmen, and the County Clerk to sign bank signature cards and county warrants for all Board accounts.

#1-H **NEWSPAPER OF RECORD**

Motion by Commissioner Fowler, seconded by Commissioner Batchelor, to select the Citrus County Chronicle as the official newspaper for publication of Board notices, and to be designated to publish delinquent tax sale notices and other legal advertising of the Board.

Mr. Wesch responded to Commissioner Bartell by stating that the current rate paid to the Chronicle was \$1.80 per column inch, but that the Chronicle had requested a rate of \$2.00 per column inch.

Commissioner Bartell stated that based on the circulation information from the St. Petersburg Times and the Chronicle (filed with the Clerk's agenda); he would support the motion.

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

#3- **CONSENT AGENDA**

Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board pulled item #3-S (Risk Manager and Insurance Specialist) and item #3-BB (Crystal River Airport Fees), and approved the balance of the Consent Agenda, as follows:

#3-A Approved and authorized the Chairman to sign Satisfactions of Judgment for Janet Lee Tilley, Case No. 2001-1293-MM; and Tammy M. Boulerice, Case No. 1992-12346-I 01 & 02.

#3-B Approved the following warrants: Payroll registers dated 11/09/01 at \$459,328.91, and dated 11/15/01 at \$34,883.70. Accounts Payable register dated 11/26/01 at \$1,262,157.58. Emergency check register dated 11/26/01 at \$24,720.

#3-C Approved the following budget transfers: **SSD/LECANTO SENIOR CTR:** \$484 from #194-2501-54300 to #55120. **HSD/SHIP:** \$1,316 from #133-5304-58201, with \$138 to #54630, and \$1,178 to #54928.

#3-D.1 Appointed Larry A. Riviere to a Regular Member position for District 1 on the Code Enforcement Board for a term that would expire on November 30, 2004.

#3-D.2 Appointed Edgar Gehman to a Member-at-Large position on the Code Enforcement Board for a term that would expire November 30, 2004.

#3-D.3 Re-appointed Dwight L. Hooper to fill a Regular Member position (District 4), and James J. Kellner and Raymond S. Hughes, Jr. to fill Member-at-Large positions on the Planning and Development Review Board (PDRB) for terms that would expire November 30, 2004.

#3-D.4 Appointed Ernest Gonsalves to the Citrus Springs Advisory Council for a term that would expire September 30, 2003.

#3-E Confirmed appointment of Crystal River City Councilman John Kendall to the Citrus County Tourist Development Council for a term that would expire on January 26, 2003.

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

RESOLUTION NO. 2001-290

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE WEST SIDE COMMUNITY CENTER BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, the West Side Community Center receives donations throughout the fiscal year; and

WHEREAS, these funds will be used to purchase supplies for activities at the 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 27th day of November 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>	022-369-945	Donations - Activities	750
<u>Expenditures</u>	022-5423-55107	Program Supplies	750

RESOLUTION NO. 2001-291

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

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

WHEREAS, the Florida Housing Finance Corporation has notified Citrus County of its allocation of excess collections from the 1999-2000 fiscal year; and

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

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

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ATTEST:
/s/ Betty Strifler
 BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
 OF CITRUS COUNTY, FLORIDA
/s/ Roger Batchelor
 ROGER BATCHELOR, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	133A-334-394	State Housing Initiative Partnership	2,585
<u>Expenditures</u>	133A-5304A-54630	Emergency Repairs	2,585

RESOLUTION NO. 2001-292

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

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

WHEREAS, the Florida Housing Finance Corporation has notified Citrus County of its final allocation for the 2001-2002 fiscal year; and

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

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Roger Batchelor

ROGER BATCHELOR, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	133B-334-394	State Housing Initiative Partnership	66,844
	133B-337-350	Recycle Closing Assistance	46,483
	133B-361-200	SBA Interest	13,830
		Total Revenues	\$127,157
<u>Expenditures</u>	133B-5304B-53400	Home Repair Assistance	15,802
	133B-5304B-54330	Utility Connection	4,852
	133B-5304B-54615	Software Maintenance	200
	133B-5304B-54630	Emergency Repairs	61,220
	133B-5304B-54921	Advertising	250
	133B-5304B-54926	Closing Assistance, Existing	11,719
	133B-5304B-54928	Closing Assistance w/Construction	26,189
	133B-5304B-55100	Office Supplies	6,925
		Total Expenditures	\$127,157

RESOLUTION NO. 2001-293

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

WHEREAS, the Citrus County Board of County Commissioners Fiscal Year ends on September 30, 2001; and

WHEREAS, the Citrus County Board of County Commissioners was awarded a Teen Court Program Grant whose contract fiscal year ends after September 30, 2001; and

WHEREAS, proper budgeting procedures require that these grants be reappropriated for Fiscal Year 2001/2002; and

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

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

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Roger Batchelor

ROGER BATCHELOR, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	079C-334-430	Teen Court Grant	27,854
	079C-389-910	Inkind	5,571
		TOTAL REVENUES	\$33,425
<u>Expenditures</u>	079C-2160C-51200	Regular Salaries & Wages	18,222
	079C-2160C-52100	FICA Taxes	1,395
	079C-2160C-52200	Retirement Contributions	1,415
	079C-2160C-52300	Life & Health Insurance	3,198
	079C-2160C-52400	Workers' Compensation	124
	079C-2160C-54160	Postage	200
	079C-2160C-54700	Printing & Binding	300
	079C-2160C-55200	Operating Supplies	500
	079C-2160C-56400	Machinery & Equipment	2,500
	079C-2160C-59901	Inkind Expense	5,571
		TOTAL EXPENDITURES	\$33,425

RESOLUTION NO. 2001-294

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE HOMOSASSA SOUTH FORK PHASE III BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on June 6, 2000 the Citrus County Board of County Commissioners executed a Cooperative Funding Agreement with the Southwest Florida Water Management District for continued water quality improvements; and

WHEREAS, on June 19, 2000 the Southwest Florida Water Management District executed the agreement providing funds for the project; and

WHEREAS, the entire agreement was not previously budgeted and needs to be appropriated in the current fiscal year; and

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

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 27th day of November 2001, as follows:

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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>	035A-334-420	SWFWMD/Homosassa South Fork	50,000
	035A-381-001	Transfer from General Fund	50,000
		Total Revenues	\$100,000
<u>Expenditures</u>	035A-5740A-53100	Professional Services	100,000
		Total Expenditures	\$100,000

RESOLUTION NO. 2001-295

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE FLORIDA YARDS AND NEIGHBORHOODS GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on August 14, 2001 the Citrus County Board of County Commissioners executed a Cooperative Agreement with the Southwest Florida Water Management District for the Florida Yards and Neighborhoods Public Education Program; and

WHEREAS, on October 1, 2001 the Southwest Florida Water Management District 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 2001/2002; and

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

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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>	013-334-400	State Grant	34,396
	013-381-062	Transfer from Water Quality	37,267
		Total Revenues	\$71,663
<u>Expenditures</u>	013-5756-51200	Regular Salaries and Wages	33,500
	013-5756-52100	FICA Taxes	2,563
	013-5756-52200	Retirement Contributions	2,446
	013-5756-52300	Life and Health Insurance	3,328
	013-5756-52400	Worker's Compensation	363
	013-5756-53400	Other Contractual Services	8,800
	013-5756-54000	Travel and Per Diem	2,063
	013-5756-54100	Communications Services	1,600
	013-5756-54160	Postage	1,800
	013-5756-54700	Printing and Binding	500
	013-5756-55100	Office Supplies	2,100
	013-5756-55120	Office Equipment	1,000
	013-5756-55210	Miscellaneous Supplies	1,000
	013-5756-55270	Computer Accessories	1,000
	013-5756-55275	Computer Software	400
	013-5756-55400	Dues, Books, Subscriptions	400
	013-5756-55417	Training	400
	013-5756-56400	Machinery and Equipment	8,400
		Total Expenditures	\$71,663

#3-G Adopted and authorized the Chairman to sign a Resolution regarding Reclamation of the Radar Hill Mine site. **RESOLUTION NO. 2001-296**

#3-H Approved and authorized the Chairman to sign a Rehabilitation Agreement with Olivene B. McClure for home repairs that had been completed through the State Housing Initiative Partnership (SHIP) Program in the grant-funded amount of \$960.

#3-I Approved and authorized the Chairman to sign the 2001 Section 8 Management Assessment Program (SEMAP) Certification.

#3-J Approved and authorized the Chairman to sign the Floral City Water Association Inc., Rules and Regulations, for the water connection at the Floral Park in Floral City.

#3-K Waived the Citrus County Auditorium rental fees at \$61.44 for the ComeUnity Vision, Inc., who would be holding a Peace Musicale/Fund Raiser for the American Red Cross and UNICEF on December 2, 2001.

#3-L Waived the Beverly Hills Community Building rental fees at \$116.60 for the Central Citrus Little League who would be holding their monthly planning meetings from December 2001 through September 2002.

#3-M Approved and authorized the Chairman to sign the Records Disposition Compliance Statement for Citrus County Division of Library Services, acknowledging the compliance of Florida Statutes regarding records disposal.

#3-N Approved and authorized Jones, Edmunds & Associates, Inc., to proceed with the remainder of Task III and Task IV of the Task Authorization No. 01, for the Homosassa Southfork Water Quality Improvement Project – Phase 3, not-to-exceed \$121,011.

#3-O Accepted a Corporate Warranty Deed from Florida Regional Cancer Care, Inc., for Parcel 116 and a Corporate Warranty Deed from Bhuktavan, Inc., for Parcel 208, for the CR-491 Road Improvement Project and authorized the Clerk to place the acceptance stamp upon same and record in the Public Records.

#3-P Approved a Permanent Drainage Easement signed by Robert and Patricia Binney, to correct a perpetual drainage problem on N. Paul Drive, Inverness, and authorized the Clerk to place the acceptance stamp upon same and record in the Public Records.

#3-Q Adopted a Resolution for Laguna Palms: **(1)** approving territorial expansions of the Florida Water Services Point O' Woods service territory for water and wastewater to include the Laguna Palms development; **(2)** that such approval for expansion would be concurrent with the County consummating a transfer agreement with Florida Water Services to deed the water and wastewater systems in Laguna Palms to Florida Water Services; and **(3)** that the Water and Wastewater Authority Board would still require that Florida Water Services comply with the filing and documentation requirements under County Ordinance 99-7, but that such actions would be administrative in function and would not delay services by Florida Water Services provided that item (2) above in this order had been satisfied.

RESOLUTION NO. 2001-297

#3-R Approved and authorized the Chairman to sign a Federally Funded Subgrant Agreement with the State of Florida, Department of Community Affairs, Florida Coastal Management Program for visual and economic revitalization.

#3-T Awarded the proposal for print advertising to Crowley & Company Advertising, Inc., for development and placement of tourism advertising for FY 2001-02 at 82,500.

#3-U Awarded the proposal for public relations to Geiger & Associates for development and implementation of tourism marketing press research trips for FY 2001-02 at \$72,500.

#3-V Approved and authorized the Chairman to sign a Settlement Agreement with Ann Sasso, Case No. 66-1524 CA, at \$1,500.

#3-W Approved and authorized the Chairman to sign the Host Agency Agreement with the Green Thumb Program, to continue the assignment of a participant through Green Thumb to Citrus County Library Services, effective immediately, and to continue until otherwise amended or terminated by either party.

#3-X Approved travel for Commissioners and/or County Administrator to attend the Special Session and Emergency Budget Hearings in Tallahassee, November 26-30, 2001.

#3-Y Approved and authorized the Chairman to sign an Addendum to Agreement with Citrus County Fair Association for two educational booths during the week of the Fair, March 18-23, 2002.

#3-Z Approved and authorized the Chairman to sign a Satisfaction of Lien for Citation No. 0443 for Scott Green at \$500, and directed the Clerk to strike the lien from the Public Records.

#3-AA Adopted and authorized the Chairman to sign a Resolution authorizing and approving the borrowing of \$100,000 from Regions Bank to finance the 2001 Limerock Road Paving Program; the pledging of non-ad valorem revenues to be budgeted annually for the payment of the Certificate of Obligation; determining that a negotiated sale of the Certificate of Obligation was in the best interest of the taxpayers of Citrus County; authorizing the proper officers of the County to sign the necessary certificate of obligation and other closing documents on behalf of the Board; and providing an effective date.

RESOLUTION NO. 2001-298

#3-S **RISK MANAGER AND INSURANCE SPECIALIST**

Commissioner Phillips stated that this item was to transfer the position of the Risk Manager and Insurance Specialist to the Office of Management and Budget, that she felt the position would be better served under the Human Resources Office, and that she would not support the transition. She added that we were in a new budget year, and as she had stated to the Administrator before, these types of reorganizations and relocations should occur during the budget process.

Motion by Commissioner Wooten, seconded by Commissioner Bartell, to approve the transfer of the Risk Manager and Insurance Specialist to the Office of Management and Budget, effective November 28, 2001, and to approve the following related budget transfer: HR/MGNT & BUDGET: \$51,455 from #001-2107-51200 to #2125-51200, \$3,936 from #2107-52100 to #2125-52100, \$3,756 from #2107-52200 to #2125-52200, \$5,422 from #2107-52300 to #2125-52300, \$365 from #2107-52400 to #2125-52400, \$80 from #2107-54000 to #2125-54000, \$500 from #2107-54160 and \$200

from #-2107-54700 to #-2125-54100, \$155 from #-2107-55100 to #-2125-55100, \$1,000 from #-2107-55110 to #-2125-55110, \$325 from #-2107-55400 to #-2125-55400, and \$50 from #-2107-55417 to #-2125-55417.

Motion carried. Voting Aye: Commissioners Bartell, Batchelor, Fowler, and Wooten. Voting Nay: Commissioner Phillips

#3-BB ***CRYSTAL RIVER AIRPORT FEES***

Commissioner Phillips advised that she had received some phone calls regarding this issue, and thought it needed to be discussed since it involved a contract and the waiving or postponing of fees. She stated that it was unfortunate that the FAA had to close the airport, but that other industries had been impacted by the events of September 11th also, and she did not believe it was the County's responsibility to incur those types of costs. She added that the County was partially responsible for the construction costs, however, there could be other circumstances in which the County might be asked to supplement or waive losses for other businesses.

Commissioner Bartell stated that he understood Commissioner Phillips concerns, but pointed out that the Crystal River Airport was a County owned property, and that the County entered into a partnership with the Fixed Base Operator (FBO). He also stated that due to the miniscule amount of dollars involved he thought it was a fair request, that he would support it, and felt the Board should also support the request.

Commissioner Wooten agreed with Commissioner Bartell, and commented that he hoped the County could recoup the investment with funds from the State and the Federal Government, and that he would also support the request.

Commissioner Batchelor suggested that the Board consider a partial reimbursement since the airport was not closed for the entire two months.

The Chairman stated that he understood both positions, but felt that Mr. Davis had done a great job as the FBO of the Crystal River Airport and that he would support the request.

Motion by Commissioner Fowler, seconded by Commissioner Bartell, to waive the Crystal River Airport fees at \$6,400 for September and October 2001, due to the construction and the on-going FAA closures of airports to air traffic.

Commissioner Phillips stated that she appreciated the Board's discussion, and that she would support the motion, but added that she did not think the Board should request reimbursement from the Federal Government, because the money would come from the taxpayers regardless.

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

#4- ***BID COMMITTEE REPORT***

#4-A→G ADVERTISEMENT WRAP FOR TRANSIT BUSES, JANITORIAL SERVICES FOR THE SENIOR CENTERS, HOME REPAIRS, METAL/FABRIC STORAGE BUILDING TRANSPORTATION OPERATORS, FORT ISLAND FOOD CONCESSION, PLAYGROUND EQUIPMENT

Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board pulled item 4-D (Bid No. 031-02, SWM, Design/Bid for metal/fabric storage building, due to withdrawal from the lowest bidder), and approved the balance of the Bid Committee Report as follows: **A)** awarded Bid No. 019-02, Community Services, advertisement wrap for transit buses to Media Graphics/Multi Benefits, Inc., as the only bidder, and authorized the Chairman to sign the contract documents; **B)** awarded Bid No. 037-02, Support Services, janitorial services for the senior centers to Clean Sweep at a total cost per month of \$1,985.85 as the lowest bidder; **C)** awarded Bid No. 046-02, Housing, home repairs to RHB 2001-005 at the base bid plus alternates total of \$12,889, RHB 2001-006 base bid plus alternates total of \$10,575, and RHB 2001-007 at the base bid total of \$13,900 to John W. Clark as the lowest bidder; **E)** waived bid procedures and allowed Support Services to extend the current contract, which would expire December 2001, until December 2005, with Medical Transport Services for Medicaid transportation services, and authorized the Chairman to sign the contract documents upon approval from the County Attorney's office; **F)** waived bid procedures and allowed Parks & Recreation to extend the current contract which would expire March 2002, for an additional two-year period with the option to renew for an additional two-year period with Dennis M. Darrah, D/B/A New York Snack Shack for the Fort Island food concession; **G)** waived bid procedures and allowed Maintenance Operations to piggyback the Volusia County bid for playground equipment, effective until December 31, 2001. (I-545 /1:17 P.M.)

The Chairman recessed the meeting and reconvened at 1:20 P.M.

#2-A PROCLAMATION - "FLOSSIE BASSETT DAY IN FLORAL CITY"

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation recognizing December 1, 2001, as "Flossie Bassett Day in Floral City."

Mr. Wesch read the proclamation, and the Chairman presented the Proclamation to Ms. Bassett who would be 98 years old on that date. H. D. Bassett, son of Ms. Bassett spoke on her behalf, and thanked the Board for the recognition of his mother's activities as well as her longevity, and mentioned other organizations in which she had been a member. He also thanked the Board for their continued support of the historical society and encouraged everyone to continue working to preserve the resources and natural beauties that the ancestors found in Citrus County. (I-676/1:25 P.M.)

#2-B PRESENTATION OF THE CITRUS COUNTY TRANSIT (CCT) AUDIT

Betty Strifler, Clerk of the Circuit Court, presented the CCT Audit for the Board's acknowledgement and review, and stated that a copy of the audit had been included in the agenda. (I-718/1:26 P.M.)

#6- **COUNTY ADMINISTRATOR'S REPORT**#6-A **PROPOSED NEW ELECTION DISTRICTS**

Mr. Wesch reported that the National Decennial Census required all jurisdictions to re-evaluate election districts to restore equitability and balance, that staff had restructured the Five-Commission District, that the School Board concurred with the boundaries as drawn, and that the new districts met the re-districting guidelines as follows:

Preserve neighborhoods
 Avoid splitting cities
 Recognize significant natural and man-made boundaries
 Recognize incumbent Commissioners (both BOCC and School Board)
 Unify the BOCC and School Board into identical districts

Motion by Commissioner Bartell, seconded by Commissioner Phillips, to adopt and authorize the Chairman to sign a resolution accepting the proposed new election Districts and direct staff to develop metes and bounds.

Mr. Wesch responded to Commissioner Bartell by stating that the Supervisor of Elections had reviewed and approved the re-districting.

The Chairman called a question on the motion, and the motion carried unanimously. RESOLUTION NO. 2001-299¹

#6-B **2003 COOPERATIVE FUNDING GRANT APPLICATIONS**

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board approved staff ranking of FY 2003 Cooperative Funding Grant Applications, as follows:

1) Homosassa Regional Wastewater Project, Phase 4	2) Citrus County Yards & Neighborhood Program
3) Water Quality Monitoring Coastal Region	4) Davis Lake Restoration
5) Sediment Removal-Tsala Apopka Lake Chain	6) Morrison Pool Sinkhole Analysis
7) Feasibility Study - Dredging Water Conveyance Canals through Tsala Apopka Chain at Elevation of Leslie Hefner Canal	(1-829 / 1:30 P.M.)

#6-C **WATER USE RESTRICTIONS**

Mr. Wesch stated that Southwest Florida Water Management District (SWFWMD) had rescinded water use restrictions that had been in place for the region, which included Citrus County, and that pursuant to SWFWMD's reversal, staff had prepared a report of local conditions. He referred to a memo from Tom Dick, Assistant Director of Public Works (filed with the Clerk's agenda) which indicated many of the factors that were present at the time the Board adopted the water restrictions remained unchanged for the County. He specifically noted that although a three-foot recovery had been realized since February 2001, the current aquifer levels measured at the Charles A. Black well field, on October 2001, was still 2.79 feet

¹ 01/08/02 Item 3-G: Motion should read: to accept the proposed new election districts and direct staff to develop metes and bounds.

below the pre-drought conditions in 1998. He added that it was staff's recommendation to continue the water use restrictions limiting watering to one time per week.

Motion by Commissioner Bartell, seconded by Commissioner Batchelor, to follow the recommendation of staff to continue the one-day per week water use restrictions.

Jimmy Brooks, representative of SWFWMD, responded to Commissioner Wooten by stating that the emergency water shortage use was rescinded November 12th as a result of a review of the hydrologic conditions throughout the water management district, which would allow local governments to relax restrictions to two days per week. He also stated that by reverting back to two days per week, the district would still be under the most stringent water shortage restrictions in the State.

Commissioner Bartell stated that the lake levels were still very low, that he believed water conservation was needed and was here to stay, and that he had discussed the issue with master gardeners and others who seemed to think that watering one day a week was sufficient.

Mr. Brooks agreed that water conservation was here to stay, and that SWFWMD was well aware that conservation education should be heightened. He added that SWFWMD had a cooperative program with Florida Yards and Neighborhoods to help with the Master Gardener's Programs in protecting water supplies and promoting education.

The Chairman remarked that it was hard to justify watering one day a week when SWFWMD approved district wide watering twice a week, and the cities were watering twice a week. He commented that he did not think there was that much water lost in watering plants and grass, that most water perks into the ground, and the water that evaporated, comes back down in the form of rainfall, therefore he would not support the motion.

Commissioner Phillips stated that she was in favor of water conservation, but expressed concern with uniformity in water regulations between SWFWMD, the cities, and the County, and referred to the confusion in the different watering days when SWFWMD issued their emergency order. She proposed that the County follow the same guidelines as SWFWMD and the cities and therefore, would not support the motion.

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

The Board postponed the decision to rescind its declaration of a Water Shortage Emergency by subsequent ordinance until later in the meeting.

#2-C.1 ***CPA/AA-01-11, FORSITE, INC. (MARC RAZZANO) FOR BLIND AMERICANS, INC.***

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

Applicant Name/Number:	CPA/AA-01-11, Forsite Inc. (Marc Razzano) for Blind Americans, Inc.
Land Use:	Generalized Future Land Use Map (GFLUM): From General Commercial District (GNC) to Transportation Communication & Utilities District (TCU) Land Development Code Atlas (LDC): From GNC to TCU
Property Data:	2.2 acre portion of a 4.2 acre Parcel 24216 located in Section 2, Township 18 South, Range 19 East.
Staff/PDRB Recommendation:	Denial
Proposed Project:	Wireless Telecommunications Tower
Public Hearing:	December 11, 2001

He stated that the subject property was located off SR-200, approximately 3-1/2 miles north of Hernando, that buildings owned by the Blind Americans were on the front portion, and that the proposed amendment was for the rear of the property. He added that staff analysis showed no concurrency issues, that it would be equivalent to dam zoning, and that uses allowed were usually less intense than GNC. He further stated that the proposal was inconsistent with the Comprehensive Plan, particularly with policy 17.2.8, (The County shall utilize land use techniques and development standards to achieve a functional and compatible land use frame work which reduces in compatible land uses). He specified that one of the main goals of the Ordinance was to protect the impacts of communication towers from residential areas, that the property was surrounded by dense residential areas to the south along Olive Lane, and to the east and north were large lot residences. He advised that the proposed tower would not be able to meet the minimum separation distance, a setback of 325-feet was required, and the proposed location showed a setback of 113 feet. He read the findings of fact into the record, and stated that the PDRB and Staff recommended denial. He concluded by stating that considerable public input had been received regarding the proposal, and referred to a petition signed by 22 people opposed to the amendment (filed with the Clerk's agenda).

He responded to Commissioner Wooten by stating that he was not aware of anything zoned TCU in that particular area.

Mr. Maidhof answered Commissioner Wooten's question by replying that a study had been conducted regarding land available for cell phone tower use, which would be presented to the PDRB in December, along with an LDC amendment to further restrict uses within the TCU land use district.

Chuck Dixon, CDD Director, pointed out that TCU was not a necessary land use district for telecommunication towers, and that other options were available to the applicant; i.e., build a smaller tower or provide two towers along that corridor, which would be less expensive. He cautioned the Board in approving a land use change to allow for a tower in TCU, and stated that it would encourage more applications of this type.

Mr. Phemister also advised that if the amendment were approved, the applicant would need to come back before the PDRB for a variance from the LDC standards.

The Chairman opened the public workshop and asked for anyone to speak in favor. Todd Pressman, representing Blind Americans Inc., and Forsite, Inc., stated that alternatives available under GNC zoning code for towers was only permissible with conditional use. He emphasized that the applicant had pursued co-location, had tried to reduce the number of towers, and reduce the impact on residents and the County, but had been told over and over to build somewhere else or in a different zone. He displayed a site plan-zoning map, which showed the location of the proposed tower about 200 feet from the nearest property, and stated that it was difficult to find an acceptable site that would work, and that this GNC parcel was the best option in the area. He advised that the tower would be high enough to accommodate several users, and that Verizon and Voice Stream had indicated a desire to co-locate, which would give substantial coverage along that roadway. He further stated that currently the only existing towers were in Marion County, and a couple in Hernando County, but nothing in between for co-location. He submitted a petition with 120 signatures and several letters in favor of the proposed project (filed with the Clerk's agenda). He concluded by stating that with the support of the people, he felt it was a qualified request.

Mr. Razzano responded to Commissioner Wooten's questions by stating that he made the initial contact to Blind Americans, Inc., and that Verizon had chosen the site because it provided connectivity between towers on SR-44 and SR-41. He added that the ideal location would have been Mr. Tamposi's property on the west side of the road.

He answered Commissioner Phillip's questions regarding co-location on other power poles in the corridor by stating that those power poles were too far to the northeast and close to another tower in Holder. He explained that higher towers were better for coverage, but had less capacity for the number of calls, and that SR-200 was looking for coverage.

James Meek, Vice President of Blind Americans, Inc., spoke in favor for the following reasons: better communication, safety, income for the Blind Americans, Inc.

Robert Krueger, President of Blind Americans, Inc., stated that the Blind Americans Board investigated the project prior to signing the contracts, and found that there were no concerns regarding health issues, the tower falling, etc. He added that the Blind Americans needed financial help, the County and State did not have the funds, and that this project would result in an income increase of 33%.

Kathryn Schaller, volunteer for Blind Americans, Inc., spoke in favor of the tower.

The Chairman then asked for those opposed.

Joyce Valentino stated that she was not speaking for or against the tower, but remarked that there were citizens who were very concerned about the tower being

constructed close to their homes, and requested that the Board review the Ordinances to make certain that the residential areas were protected.

S.J. (Jack) Roberts, Carol Rice, Sumner Waite, Neal Terrano, and Toni Martinazzi, spoke in opposition and expressed concerns regarding signatures on the petition in favor of the tower not being from the neighborhood; health issues; property values; setting a precedent; few benefits; preserving the LDC and integrity of the ordinance; visibility of the tower; other alternatives, etc.

Commissioner Wooten commented that although he had a lot of respect for the Blind Americans, any decision made could not be based on the revenue received by the Blind Americans, Inc.

Mr. Pressman responded to the comments made in opposition and stated that the current zoning for that residential area would allow for truck stops or gas sales and services, which would be far more damaging than the tower would be to health and the peace and quiet of the neighborhood. He thanked the Board for their time and consideration.

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

(I-3089/2:30 P.M.)

#2-C.2 CPA/AA-01-12, STILLWELL FOR DEAN

The Chairman announced that the applicant had withdrawn CPA/AA-01-12 on November 13, 2001.

The Chairman recessed the meeting and reconvened at 2:35 P.M.

#2-D STOVALL BUILDING

Tom Williford, County Architect, introduced the following individuals of the Design/Build Firm who had been working on the design concept for the Stovall Building: Ron Lay, Vice President; Doug Phillips, Senior Project Manager; and Charles Rose, Senior Estimator with Dooley & Mack, Inc.; and Rod Collman, President; and Christine Haworth, Vice President of Collman & Karsky Architects.

Ms. Haworth stated that the Design/Build Team had conducted an extensive programming exercise, and that numerous questions had been asked regarding the utilization of the facility in working internally and with the public. She presented a chart of the interior design and illustrated the reception area, which would direct people to open bays to alleviate long lines of people, the support and operations areas, records, training, and respective offices and other spaces.

Mr. Collman described the exterior of the building as a two-story facility with hip roofs, white aluminum trim, and stucco to compliment the brick planters and accent points around the entry. He stated that the site was accessible from Martin Luther King Avenue and North Apopka Avenue, and met landscape and storm water retention area code

requirements. He further stated that the building was energy efficient, had room for future expansion, had a drive up facility with a by-pass lane, and 84 total parking spaces.

Mr. Williford stated that staff was requesting approval of part one, which was the design portion of a two-part agreement, part two being the construction section. He advised that upon approval and completion of part one of the agreement at \$121,463, Dooley & Mack would begin the design process in total to finalize with the construction portion (part two) of the agreement.

He responded to Commissioner Phillips by stating that staff was asking for approval of Option No. 2 at \$2,302,117, and that \$121,463 was included in that amount

Mr. Wesch clarified that the total amount was \$2,425,000, which reflected an additional 2,500 square feet, but did not include permit fees.

Commissioner Phillips pointed out that the original negotiation was \$2,200,000, and that the increase was due to the additional square footage, telephone costs, building and impact fees, and the SWFWMD permit.

Mr. Wesch also explained that the second part of the request was to approve the financing of the project with SunTrust Bank at an interest rate of 3.8%. He advised that originally staff had budgeted for a rate of 4.25%, that the difference in the cost of the building would be offset by the reduction in the rate, and with rates rising, it was imperative to lock in the interest rate in order to close December 12th.

Commissioner Batchelor stated that he assumed both the Tax Collector and the Property Appraiser's space problems had been resolved, and Commissioner Wooten suggested that the two Constitutional Officers express their opinions regarding the design of the Stovall Building.

Melanie Hensley, Chief Deputy, Property Appraiser's Office, stated that the Tax Collector and the Property Appraiser had worked diligently to move into the Stovall Building, that the space was suitable for their needs, and that they would be in compliance with the constitution.

Janice Warren, Tax Collector commended the staff and thanked the Board for allowing adequate time to design a facility that would serve the public in an efficient manner. She added that the building was cost effective, and that the interest rate was good.

Motion by Commissioner Bartell, seconded by Commissioner Phillips, to: 1) select and approve Building Design Option No. 2 for the Stovall Building and authorize the Chairman to sign the Part 1 Agreement of the Standard Form of Agreements with the Design/Builder for the Stovall Building at \$121,463 for basic services with Dooley & Mack Constructors, Inc., and 2) accept the proposal submitted by SunTrust Bank to provide \$2,425,000 in financing for the construction of the Stovall Building at an interest rate of 3.8% and closing costs at \$2,000.

Mr. Wesch advised that the budget did not include furniture, interior wall design or office equipment.

Commissioner Wooten stated that he had originally voted against the Stovall Building, for reasons that the Board had not made a decision regarding their future meeting place, and not knowing what would be done with the vacated space in the Courthouse if the Property Appraiser and Tax Collector moved out. However, those were not problems of the Tax Collector or the Property Appraiser, therefore, he would support the motion.

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

(II-601/3:00 P.M.)

#2-E ***1985 LIMEROCK ROAD PAVING ASSESSMENT***

Frank Meyer addressed the Board regarding a lien on his property on Pin Point Road for the 1985 Limerock Road Paving Assessment of South King's Avenue. He did not feel it was fair that he should have to pay for a blacktop road that he did not have direct access to, and that it would cost over \$2,000 to build a driveway through the woods to South King's Avenue.

Mr. Wesch responded to Commissioner Phillips that the other property owners had been required to pay the same assessment and that the existing tax lien was made known to potential purchasers and disclosed by the Tax Collector's title search.

Ken Frink responded to Commissioner Wooten that Pin Point Road was a County road, that the County owned the woods between the two roads, and that the total amount of the lien was \$3,938, which included the principal balance of \$975, interest at \$1,139, and penalty at \$1,824.

Mr. Meyer declared that he was not aware of the 1985 Limerock Road Paving lien, but that he had paid another blacktop lien and an \$800 demolition lien. He also stated that if other property owners paid the assessment, it was wrong and they should be refunded.

Motions by Commissioner Wooten, seconded by Commissioner Fowler, to charge Mr. Meyers the principal and interest of the assessment, and waive the penalty.

Commissioner Phillips stated that she had difficulty in waiving a penalty that was disclosed to the buyer prior to purchasing the property. She also surmised that if the penalty was waived for Mr. Meyer, buyers of other tax deed sales would also ask to have liens waived, that the assessment had been in place since 1985, and that other property owners had been assessed the same amount.

Mr. Frink clarified that prior to a tax deed sale, the Tax Collector ordered a list of all liens against the property, which was on record for potential buyers to review at least 30 days

before the sale. He added that according to an ordinance, penalties could be relieved within 90 days of a sale, but that this purchase was almost two years ago.

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

(II-1064/3:10 P.M.)

#2-F ***PRESENTATION - "STORM READY PROGRAM"***

Sheriff Jeff Dawsy introduced staff members of the Emergency Management Operations (EMO) Center and commented that the award that was being received today was a direct reflection of the EMO in preparing the County ready for storms.

Walter Zaleski, representative of the National Weather Service, gave a brief description of the National Weather Service, and stated that its tasks were to collect, forecast, and provide weather warnings to the community. He added that the National Weather Services used satellites, Doppler radar, hundreds of data points and ground sensors, sophisticated computer models of atmosphere, and high-speed communication systems. He stated that the communications element was very important in the goal to issue timely and accurate weather to the public. He informed that the National Weather started the "Storm Ready Program" to assist cities and counties to be storm ready recognized by meeting certain objectives. He described those objectives as having a 24-hour emergency operation center, the ability to monitor weather conditions, receive and pass on severe weather warnings to the public, keep the public informed and educated about severe weather, have a plan of action, train severe weather spotters, conduct emergency drills, etc. He advised that after review by the National Weather Service and the State Division of Emergency Management, he was proud to honor and recognize Citrus County as a "Storm Ready Program" of the United States. He presented a "Storm Ready" sign to Sheriff Dawsy, and congratulated the County for being the third County on the West Coast to receive the status and the first in the area of state emergency management.

Sheriff Dawsy gave closing statements and emphasized that the County's EMO was a good team, and he appreciated the Board and the EMO for their support.

(II-2226/3:15 P.M.)

#6-C ***WATER USE RESTRICTIONS CONTINUED***

Mr. Battista stated that the current once a week water restriction was set by ordinance, and that if the Board desired to change the water restrictions to two days per week, a new ordinance must be drafted, advertised, and reviewed by the Board.

Motion by Commissioner Phillips, seconded by Commissioner Wooten, to direct staff to draft an ordinance rescinding the Board's declaration of a water shortage emergency. Motion carried. Voting Aye: Commissioners Phillips, Fowler, and Wooten. Voting Nay: Commissioners Bartell and Batchelor.

#6-D ***AA-00-12, HALLS RIVER RETREAT***

Mr. Wesch stated that at the November 13th public hearing, the Board directed staff to evaluate the revised site plan and determine the level of review on the Halls River Retreat

Project. He added that following that meeting, further discussions were held with the applicant, and that staff required Board direction on how and where to proceed.

Mr. Maidhof gave an update by stating that Burrell Engineering, Inc. had submitted a revised site plan of 54 total units, and that staff had requested additional information pertaining to the site plan. He added that the applicant also requested a meeting with staff to work through any remaining compliance issues, and that the applicant was willing to go back through the PDRB with the revised project. He further stated that the PDRB would review the finalized project, issue a formal determination and present the proposed project back to the Board for final review.

Upon motion by Commissioner Wooten, seconded by Commissioner Batchelor, and carried unanimously, the Board directed staff to forward the revised proposed project back to the PDRB for review and determination.

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

#13-A **USE OF NEW COURTHOUSE LOBBY**

Upon motion by Commissioner Batchelor, seconded by Commissioner Wooten, and carried unanimously, the Board authorized and approved the Hernando Elementary School first grader's request to use the new Courthouse lobby on December 18, 2001 from approximately 9:15 – 9:30 A.M. to sing holiday songs.

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

#7-A.1 **CITRUS SPRINGS ADVISORY COUNCIL**

Commissioner Phillips nominated Clyde N. MacKenzie to fill a Regular Member position on the Citrus Springs Advisory Council that would expire September 30, 2003.

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

#7-A.2 **CITRUS SPRINGS ADVISORY COUNCIL**

There were no nominations for a Regular Member position on the Citrus Springs Advisory Council for a term that would expire September 30, 2002.

#13-B **COUNTY COURT CONFLICT CONTRACT**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved extending the County Court Conflict Contract with Carney & Associates, P.A., which would expire November 30, 2001 for an additional term of up to one month at the rate of \$1,166.67 per month.

#13-C **AMENDMENT TO THE BUILDING CODE**

Upon motion by Commissioner Phillips, seconded by Commissioner Wooten, and carried unanimously, the Board set a public hearing on December 18th at 1:40 P.M. in the Commission Room, Masonic Building, 3rd Floor, 111 West Main Street, Inverness, on an Ordinance amending Chapter 18 of the Citrus County Code entitled Buildings and Building Regulation,
(II-1635/3:25 P.M.)

#14-A **HALLS RIVER RETREAT**

Cynthia Cino spoke regarding fairness to the owner of the proposed Halls River Retreat by stating that the developer's property rights should not be denied if the project met the guidelines and regulations of the Comprehensive Plan.

#14-B **HOLIDAY LIGHTING**

Robert Brostek, Director of the Citrus Springs Civic Association, requested permission for traditional holiday lighting at the Citrus Springs entrance intersection on US-41 and Citrus Springs Boulevard. He stated that the Citrus Springs Municipal Service Benefit Unit (MSBU) unanimously supported the request, that it would not interfere with traffic, that it would be funded by the MSBU, and he respectfully asked for the Board's approval as an annual recurring project.

Commissioner Phillips stated that historically, the Board had denied requests for the utilization of County right of way and that this issue today would be a policy decision for the public to utilize the County's right of way in whatever manner they chose. She pointed out that other communities had requested holiday decorations and lighting, which had been denied by the Board. She further stated that her first inclination was to grant the request, but that the Board must consider all the communities, and the concerns and problems that might occur.

Commissioner Batchelor stated that he did not have a problem in reviewing such requests on a case by case basis, did not understand why we would deny the opportunity to decorate during the holiday season, and stated that he would support the request.

Mr. Brostek responded to Commissioner Wooten by stating that lights would also be placed on a fence on a berm on the opposite side of US-41, and that there would be no visibility problems. Commissioner Wooten replied that if the project was funded by the MSBU, and there were no safety issues, he would support the request.

Mr. Wesch stated that the berm would not present a safety issue, but that staff was concerned about consistency in previous Board policy and with legal ramifications regarding the regulation of free speech. He added that the only setting in which public right of way was decorated for the Christmas holiday was the Historic Courthouse.

Commissioner Bartell questioned if the Board predicated approval to the MSBU for this specific case, rather than the general public, would it satisfy staff's concerns?

Mr. Battista cautioned that from a legal and policy perspective it would become more difficult to defend a denial that was not as acceptable as holiday lighting, and that it probably would not make any difference if approval was granted to either the civic association or the MSBU.

Motion by Commissioner Phillips, seconded by Commissioner Fowler, to grant permission to the Citrus Springs Civic Association for the display of holiday lights at

the entrance to Citrus Springs during the holiday season, and that the Citrus Springs Civic Association would be responsible for the cost and the application for right of way utilization.

Discussion continued regarding granting the right of way utilization on an annual basis, including a date to take down the lights, decorating and beautifying the County, etc.

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

Mr. Wesch responded to Mr. Brostek that the process would be expedited in order that the lighting could take place December 1. (II-2659/3:50 P.M.)

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

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

Mr. Maidhof read the ordinance title into the record, and Ian McDonald, AICP, Senior Planner, DDS, summarized the staff report as follows:

Applicant Name/Number:	PDO-01-01, Clark Stillwell for Asheville Partners, Inc.
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 Developer 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 without a major modification of the Planned Development (PD). Minor modifications to the master site plan shall be allowed per Section 2224 of the Land Development Code (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.

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.

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.

6) Prior to the issuance of any development permits for the project, the Developer 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. At least 75 percent of the trees used for tree replacement, in lieu of Live Oaks, shall include native species suitable to the predominant site soil conditions and should typify the composition and variety found in the general Longleaf Pine-Turkey Oak vegetation association. A list of the trees and shrubs to be used for replacement shall be submitted to the County Environmental Planner for approval. 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 encouraged.

7) The Impervious Surface Ratio, including detention areas, shall not exceed 60 percent.

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:

- a) As modified by the above conditions;
- b) As already completed; or
- c) As rendered inapplicable due to changes in the proposed development.

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 CR-491.

Proposed Project:	Amending a vested master plan of development for a mixed use PD (Golden Gate Center).
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He gave a brief history of the project and reviewed the conditions.

Clark Stillwell, representing Asheville Partners, Inc., stated that there were no concurrency issues involved in this project, that the staff report was acceptable to the applicant, and he displayed a landscape and site plan. He referred to an issue with the five-year build out standard in the current PD and requested approval of the staff conditions without the build out standard. He requested that the market be allowed to drive the completion of the project due to the construction of a major roadway in front of the project.

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.

Motion by Commissioner Bartell, seconded by Commissioner Batchelor, to adopt and authorize the Chairman to sign an ordinance, amending the Atlas of the Citrus County Land Development Code, Ordinance No. 90-14, by creating a Planned Development Overlay for the Master Plan for the Golden Gate Center, iaw application PDO-01-01, Clark Stillwell for Asheville Partners, Inc., with staff conditions.

Mr. Maidhof replied to Commissioner Wooten's question by explaining that the five-year build out standard was condition 19 of the original zoning ordinance and if approved as stated the project would be completed within five years or go back through the process and a new concurrency analysis would be completed.

Discussion ensued regarding the build out staying in tact, the ability for standards to be changed on the application in order to keep everything current, current LDC stating the project must start within one year, inserting a condition with an automatic extension after five years, etc.

Mr. Maidhof suggested the following revisions: **1)** Condition 8 which incorporates the previously approved conditions for Z 86-20 should be amended so Condition 19 now reads "**DELETE**" instead of "**REMAINS IN FORCE**"; and **2)** Condition 10 be added to the new ordinance and should read as follows: At the conclusion of five years from the date of approval, the applicant shall provide a written status report and an automatic five year renewal shall occur at the staff level provided the project is in compliance with the development conditions of this development order / permit.

Amended motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending the Atlas of the Citrus County Land Development Code, Ordinance No. 90-14, by creating a Planned Development Overlay for the Master Plan for

the Golden Gate Center, iaw application PDO-01-01, Clark Stillwell for Asheville Partners Inc., with revised conditions as stated above. **ORDINANCE NO. 2001-A40** (III-252/5:28 P.M.)

#2-H **OA-01-06, DDS**

Mr. Maidhof read the ordinance title into the record, and Joanna Coutu, CDD Planner, summarized the staff report as follows:

Applicant Name/Number:	OA-01-06, DDS
Proposed Project:	Amend Ordinance No. 90-14, by providing for revisions to standards for lot reconfiguration and lot line adjustment; by providing for revision to standards for minor subdivision; by providing for revisions to standards for large lot rural subdivision; by providing for protection of airspace to accommodate existing and future facilities at the airports; and by providing for codification, severability, and an effective date.
Staff/PDRB Recommendation:	Approval

She stated the amendment addressed legibility concerns for plat exception applications by requiring a minimum dimensional scale on submitted surveys, and provided language to avoid "flag" lots created through the Minor Subdivision Process. She advised that the remainder of the amendment was drafted by the Aviation Consultant, The LPA Group, Inc., to protect the airspace around the Crystal River and Inverness Airports, as well as the airports and heliports that are licensed by the Department of Transportation, which would greatly assist staff in permitting new tall structures in proximity to aviation facilities.

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

Upon motion by Commissioner Batchelor, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending Ordinance No. 90-14, iaw OA-01-06, by providing for revisions to standards for lot reconfiguration and lot line adjustment; by providing for revision to standards for minor subdivision; by providing for revisions to standards for large lot rural subdivision; by providing for protection of airspace to accommodate existing and future facilities at the airports; and by providing for codification, severability, and an effective date.

ORDINANCE NO. 2001-A41 (III-339/5:31 P.M.)

#2-I **AA-01-14, DDS FOR BRENDA MISHLER**

Mr. Phemister reviewed the staff report as follows:

Applicant Name/Number:	AA-01-14, DDS for Brenda Mishler
Land Use:	From CLR, Coastal and Lakes Residential District to CLC, Coastal and Lakes Commercial District

Property Data:	1.5 ± acres within Section 15, Township 19 South, Range 16 East, more specifically, Lots 107, 108, and 109 of Rocky Ripple Unrecorded Subdivision. Property was located one lot west of 14131 West Ozello Trail, Crystal River area.
Staff/PDRB Recommendation:	Approval
Proposed Project:	Investment

He stated that the LDC Atlas should have designated the land as CLR but appeared as CLC and was purchased by the present property owner under the impression that the property was CLC. He added that per staff's initial review of the land, the property would be suitable with a CLC designation. He advised that the Department of Environmental Protection had confirmed that the parcel was primarily uplands. He added that the amendment was not in conflict with the Comprehensive Plan, that the amendment would provide appropriate commercial uses for the immediate residential areas, and that the amendment was compatible with the adjacent land uses.

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

Wanda Wells stated that she was the local realtor who sold the property. She stated that prior to the sale of the property, she had researched the zoning and found it to be commercial, and that it was advertised and sold as commercial property.

Byron Clark spoke in favor of the amendment and stated that he wanted to purchase the property to move his marine repair service shop there.

The Chairman then asked for anyone to speak in opposition.

John Hackney spoke in opposition and stated that his concern was with the amount of land fill needed, and flooding on either side of the property onto his property when the high tide comes in.

Commissioner Bartell responded to Mr. Hackney's concerns by stating that the application was in regard to the zoning only, that there were other criteria and codes that would have to be adhered to in regard to the flooding, etc.

Mr. Maidhof stated that the application would change the property to Commercial use that allowed impervious surface up to 35% which was the same as a residence, and was not going to General Commercial which allowed impervious surface up to 70%. He added that a commercial project on this property would not result in additional flooding to adjacent properties and would require the property owner to retain the 1" of runoff that was created by their project on their property. He also advised that the project would be reviewed by the Water Management District.

The Chairman closed the public portion of the public workshop.

#2-J OA-01-01, AVIS CRAIG FOR THE VILLAGES OF CITRUS HILLS

Mr. Dixon summarized the staff report as follows:

Applicant Name/Number:	OA-01-01, Avis Craig for the Villages of Citrus Hills
Request:	To amend Ordinance No. 90-14 by providing standards for community directional signs in master planned developments, including definitions, limitations, number and size, appearance, height, setbacks, master signage plan, notice of sign-off, insurance and indemnification, maintenance, preexisting locational signs, materials and construction standards, and technical specifications, providing for codification, severability, and an effective date.
Staff/PDRB Recommendation:	None

He stated that the proposed ordinance amendment would establish a mechanism to allow for community directional signs in planned developments. He added that those signs could be located in private roadways, public roadways, or on private property and would be minimized to the extent that they would be the minimum number necessary to show the public direction to the given facility. He advised that the amendment would limit the number of Master Signage Plans to one per community and the applicant must be the primary developer of a planned development. He explained that the applicant would be specifically required to provide written evidence of concurrence with the Property Owners Association (POA) and any Municipal Service Benefit Unit (MSBU) Board where applicable, and would also have to be signed off by the adjoining property owner if placed in front of someone's home. He reviewed other issues, such as, provisions for insurance and indemnification for the County, the removal of language on pages 2 and 3 under "Business Directory Signs" due to the changes not being relevant to the community directional signage issue, etc.

Ms. Craig gave a history of the amendment request and stated that they had no objections to the draft amendment dated October 30, 2001. She explained that the amendment would only apply to large master plan developments. She advised that there would only be one Master Signage Plan per development, that the Board would be the primary approval entity of the Master Signage Plan, and she passed out a map indicating where the signs would be located in Citrus Hills (filed with the Clerk's agenda). She also submitted copies of letters from Sheriff Dawsy and the Citrus Hills Civic Association (part of the backup) and a copy of a letter from the Citrus Hills Property Owners Association (filed with the Clerk's agenda). She stated that everyone's concerns had been taken into consideration during the process, that this was a public safety issue, that the signage was a need within the Citrus Hills community and other communities, and requested approval.

The Chairman opened the public workshop for public comment and asked for anyone to speak in favor. Tom Peterson, President of the Citrus Hills Property Owners Association stated that they represented approximately 1,807 properties in the original section of Citrus Hills and spoke in favor due to the need for the signage.

The Chairman then asked for anyone to speak in opposition. Anthony Gervasi spoke in opposition due to the signs only directing people to businesses and also referenced page 4 of the amendment and requested clarity in the meaning of adjacent property and if the approval was for life.

Mr. Maidhof stated that currently the intent of adjacent property would be only the property on that side of the roadway. He also stated that the approval would be made at the time the sign was placed and a future property owner could not cause removal unless the owners of the sign removed it voluntarily.

Robert Roy gave a brief history of his original complaint of these signs. He stated that no other county approved signs in public right of ways for private businesses. He added that he had performed a small survey of 125 people and asked directions to Andres' Restaurant and the Citrus Hills Golf Course, and stated that none of those people surveyed had a problem finding those businesses. He suggested that signs for the streets were needed more than for the businesses.

With no further public comment, the Chairman closed the public portion of the public workshop. (III-1749/6:10 P.M.)

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

ATTEST: _____, Clerk _____, Chairman