

The Board of County Commissioners of Citrus County, Florida, met in regular session on the above date at the Citrus County Courthouse in Inverness.

Present: Gary Bartell, Chairman; Jim Fowler, First Vice-Chairman; Dennis Damato, Second Vice-Chairman; Vicki Phillips and Joyce Valentino

Attorney: Robert B. Battista

Administrator: Richard Wm. Wesch

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

The Chairman called the meeting to order, Commissioner Damato gave the invocation, and Commissioner Valentino led the Pledge of Allegiance to the Flag.

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

2-A **OPEN TO THE PUBLIC**

2-A.1 Dave Conant voiced displeasure with two attorneys and an entourage of press and television crews who spoke at the last Board meeting (regarding treatment of inmates at the Citrus County Detention Facility) for what he assumed was an attempt to obtain additional clients.

2-A.2 Marco Wilson requested that the Board draft a letter to the water management district expressing the imperative need to separate Citrus from other counties that were slowing down the process of setting minimum water flows and levels in the area, and to develop a modeling system for determining where damage would occur from high waters during storms. The Chairman stated that the Board had written letters regarding the minimum flows and levels, but an additional letter could be sent.

2-A.3 Ruth Locklear objected to a petition for closing a portion of Bay Street in Homosassa because she said the County never accepted or owned any part of Bay Street.

2-A.4 A.D. Priest, representing Priest Property Maintenance, protested the award of Bid No. 050-06 to another company for the mowing County rights of way and liter pickup. He said he was the lowest bidder and was not treated fairly. He admitted that he had problems with his insurance; however, the matter had been resolved.

Mr. Wesch explained that Mr. Priest's issues were addressed in a March 10, 2006, correspondence from Cathy Taylor (Office of Management and Budget Director) to Priest Property Management, Inc., which stated that the required workers compensation insurance was not included at the time the bid was submitted. He further explained that Mr. Priest was awarded Bid No. 024-06 (Mowing of the Crystal River and Inverness Airports) because he met the insurance requirements at the time of that bid. He added

that there could be an issue with the successful bidder for Bid No. 050-06 if the County accepted Mr. Priest's insurance retroactive.

Mr. Battista concurred with Mr. Wesch. He told the Chairman that the same rules applied to both bid awards, that Mr. Priest did not have the required insurance for Bid No. 050-06, but had insurance in place for the second bid (No. 024-06).

Mr. Wesch replied to Commissioner Bartell's question regarding a process for bid protests by stating that they were usually resolved at staff level.

2-A.5 Hilbert Staton thanked the Board for their endeavors in trying to resolve problems about construction of the new Gospel Island Bridge. He advised that he had received a letter from the FDOT (Florida Department of Transportation) District 7 Administrative Office; however, a temporary bridge was not a component of the project. He discussed the diminishing health, safety, and welfare; the long detour (to Inverness), and other problems to the residents of Gospel Island due to not having a temporary bridge.

3- **CONSENT AGENDA**

A motion was made by Commissioner Phillips and seconded by Commissioner Damato to pull item 3-L (Nature Walk Affordable Housing Project) and item 3-LL.3 (Bid No. 050-06, Mowing of the County's Rights-of-Way and Litter Pick-up), approve the balance of the consent agenda items, and authorize the Chairman to execute all related documents:

The Chairman recognized Dave Conant who addressed the Board concerning item 3-LL.7, Bid No. 063-06, Sale of a Play Structure to the Boys and Girls Club of Citrus County. He requested that the Board waive the \$25 bid because the Boys and Girls Club was a nonprofit organization.

Mr. Wesch stated that the Board could declare this structure as surplus and award the property to the Boys and Girls Club. Commissioner Fowler offered to donate \$25 to the Boys and Girls Club for the play structure; therefore, Mr. Wesch advised that the Board could approve the consent agenda with this item included and the County would accept Commissioner Fowler's donation.

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

3-A Minutes of the regular meeting held on February 14, 2006, and the special meeting (Florida Governmental Utility Authority - Citrus County Utilities) held on February 28, 2006.

3-B County warrants for payroll and accounts payable.

3-C Budget Resolution:

RESOLUTION NO. 2006-063

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE EMERGENCY HOME ENERGY ASSISTANCE FOR THE ELDERLY PROGRAM BUDGET FOR FY 2005-06

WHEREAS, on March 8, 2005, through Resolution 2005-053 the Citrus County Board of County Commissioners approved an application for financial assistance under the Emergency Home Energy Assistance for the Elderly Program and a contract to provide services with Mid-Florida Area Agency on Aging, Inc.; and

WHEREAS, on February 21, 2006, the Citrus County Board of County Commissioners executed Amendment #1 to the contract; and

WHEREAS, on February 28, 2006, Mid-Florida Area Agency on Aging, Inc. executed the amendment providing additional funds under the contract; 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 2005-06; 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 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.

ADOPTED, in regular session this 28th day of March 2006, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Gary Bartell

GARY BARTELL, CHAIRMAN

EXHIBIT A			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	188F-331-590	Federal Grant	\$1,000
Expenditures	188F-5331F-54300	Utility Services	\$1,000

3-D Budget Transfers: **Library Services:** \$259 from #131-6212-56100 to #-54625; **Low Income Home Energy Assistance Program:** \$106 from #167F-5373F-51200 and \$107 from #-55100 to #-52300; **Road Impact Fees/District A:** \$193,121 from #662-2831-61000 to #-56351; **Road Impact Fees/District C:** \$193,121 from #664-2833-61000 to #-56351; **Article V Technology:** \$15,241 from #093-5703-60050 with \$11,201 to #-603-51200, \$857 to #-52100, \$877 to #-52200, \$2,215 to #-52300, and \$91 to #-52400; **Building Inspection:** \$30,000 from #066-3445-61000 with \$10,000 to #-51306 and \$20,000 to #-55208.

3-E Releases of Liens for special assessments that had been paid in full for Janet C. McDonald and Entrust Administration Service Unit, Inc., as recorded in Resolution No. 86-29 reconfirmed by Resolution No. 93-216; John A. Bishop as recorded in Resolution No.

87-92 reconfirmed by Resolution No. 93-185; and Sandra B. Chiamis and Jacqueline A. Horton as recorded in Resolution No. 2001-202.

3-F Deletion of the following items from the County's capital asset list:

Systems Management		
14115	IQ Computer System	obsolete
11196	Magitronic Computer System	obsolete
14868	Dell Computer	obsolete
15749	Dell Computer	obsolete
14873	Dell Computer	obsolete
15713	Dell Computer	obsolete
15258	Dell Computer	obsolete
15546	Dell Computer	obsolete
15568	Dell Computer	obsolete
15713	Dell Computer	obsolete
15829	Dell Computer	obsolete
13961	Sony 19" Monitor	obsolete
14068	Sony 400GS Monitor	obsolete
15559	Dell Computer	obsolete
13643	Pipeline Router	obsolete
14822	Dell Computer	obsolete
14503	Winbook Laptop Computer	obsolete
Teen Court		
14303	Dell Computer System	obsolete
Solid Waste Management		
15945	Dell Computer	obsolete
15569	Dell Computer	obsolete
14736	Pipeline Router	obsolete
15568	Dell Computer	obsolete
15570	Dell Computer	obsolete
15769	Dell Computer	obsolete
Department of Development Services		
12243	IBM Wheelwriter 3000 Typewriter	irreparable
11212	McIntosh Computer W monitor	irreparable
Public Utilities		
15046	Tech Workstation	obsolete
Health Department		
12733	Fetal Monitor	
15659	Air-Tech Film Developer	
Fleet Management		
14428	Dell Poweredge 2300 Server	obsolete

Library Services		
14174	Suncoast Computer System	obsolete
14170	Suncoast Computer System	obsolete
14180	Suncoast Computer System	obsolete
14172	Suncoast Computer System	obsolete
14185	Suncoast Computer System	obsolete
14181	Suncoast Computer System	obsolete
14182	Suncoast Computer System	obsolete
14183	Suncoast Computer System	obsolete
14175	Suncoast Computer System	obsolete
14176	Suncoast Computer System	obsolete
14177	Suncoast Computer System	obsolete
14178	Suncoast Computer System	obsolete
14340-T/75	Printer Stand	irreparable

3-G Satisfaction of Judgment for Ricky Dale Rogers, Case No.1984 MM 001026.

3-H Receipt of the Southwest Florida Water Management District Consolidated Annual Report dated March 2006.

3-I Compliance Certificate Form for the annual Refuge Revenue Sharing Payment for \$33,581 from the United States Department of the Interior Fish and Wildlife Service received on March 14, 2006, for fiscal year 2004 (October 1, 2003, through September 30, 2004).

3-J Receipt of Citrus County's Comprehensive Annual Financial Report for fiscal year ended September 30, 2005.

3-K State of Florida Annual Local Government Financial Report Fiscal Year 2004 - 2005.

3-M Settlement and payments totaling \$77,434 to Progress Energy for Parcels 110 and 817 of the County Road (CR) 486 Capital Road Improvement Project.

3-N Establishing an additional cash drawer change fund at the Central Landfill Scalehouse for \$150 assigned to Judy Laubert as the custodian.

3-O Public hearing set for April 11, 2006, at 2:00 P.M. at the Citrus County Courthouse, 110 North Apopka Avenue in Inverness to consider an amendment to the Adult Entertainment Ordinance (Chapter 10 of the Citrus County Code) to remove all fee references and to adopt a resolution establishing fees for that section of the code.

3-P **(1)** Purchase/Sale Agreement with AA Jack, Inc., for \$28,000 to purchase Lots 64, 65, 66, and 67, Block 14 of Inverness Highlands Unit No. 1 for a stormwater retention area; **(2)** staff to close the transaction subject to review and approval by the County

Attorney, and **(3)** the Clerk to place the acceptance stamp upon the deed and record in the public records.

3-Q **(1)** Purchase/Sale Agreement with Lillian Bellina for \$26,000 to purchase Lots 60, 61, 62, and 63, Block 14 of Inverness Highlands Unit No. 1 for a stormwater retention area; **(2)** staff to close the transaction subject to review and approval by the County Attorney; and **(3)** the Clerk to place the acceptance stamp upon the deed and record in the public records.

3-R The Clerk's Finance Department to wire transfer funds to title companies for real estate closings approved by the Board.

3-S Material Events Notice for the Citrus County Capital Improvement Revenue Bonds dated February 15, 1996.

3-T Public hearings set as follows at the Citrus County Courthouse, 110 North Apopka Avenue in Inverness to consider amendments to the Comprehensive Plan (COMP) Ordinance No. 89-04 as amended and the Land Development Code (LDC) Atlas Ordinance No. 90-14

Date and Time	Amendment/Applicant
<u>Transmittal Workshop:</u> May 23, 2006, at 2:00 P.M.	*CPA/AA/PDO-06-14 Kimley-Horn and Associates, Inc. for River Oaks Properties, Inc. CPA/AA-06-15 McKean & Associates for Sun Coast Investors CPA/AA-06-16 Larry Haag for G & C Citrus, Inc. CPA/AA-06-17 Clark A. Stillwell for Citrus Mining and Timber, Inc.
<u>Transmittal Hearing:</u> June 13, 2006, at 5:01 P.M.	CPA-06-19 Clark A. Stillwell for E.J. and Sally May, Croft Revocable Family Trust and Lecanto Residential Properties, LLC. CPA-06-16 Generalized Future Land Use Map (GFLUM) Update, Department of Development Services (DDS) CPA-06-17 Clark A. Stillwell for Citrus Mining and Timber, Inc. CPA-06-18 Clark A. Stillwell for Citrus Mining and Timber, Inc.

***(Clerk's note: Additional information provided after the Agenda Summary was published indicated that application CPA/AA/PDO-06-14 was no longer part of the Second Cycle Amendments.)**

3-U Replat/Substantially Similar Plat of Merryman Subdivision (PLT-06-01) and the Clerk to record the plat in the public records.

3-V Agreement of Assignment Inverness Airport Hangar Leases with Owens Air Service, Inc.

3-W Sworn Statement in Proof of Loss (Inland Marine) to Lexington Insurance Company (the County's excess carrier) for reimbursement of completed repairs for Asset No. 20164, CAT Compactor 826-G, for \$122,953.15.

3-X Use of the Historic Courthouse grounds by the Rotary Club of Inverness for their Music on the Square event May 5, 2006, from 5:00 P.M. until 9:00 P.M.

3-Y Fire Rescue Division's request to submit an application for the FY06 Fire Grant Program for \$459,992 to purchase new up-to-date extrication and fitness equipment for the fire stations in order to meet current National Fire Protection Association standards and to enhance the fire rescue delivery system.

3-Z The Board and the County Administrator to attend the Florida Association of Counties Annual Conference in Collier County June 27 through 30, 2006.

3-AA Work Authorization No. 12 to the Professional Services Agreement with Hoyle, Tanner & Associates, Inc., for the installation of airfield security fencing at the Inverness Airport for \$24,000.

3-BB **(1)** Establishment of a full time permanent court data entry operator position to be supervised by a member of the Fifth Judicial Circuit Public Defender's Office; **(2)** staff to immediately advertise and hire for this position; and **(3)** the related budget transfer: **Article V Technology:** \$15,241 from #093-5703-60050 with \$11,201 to #-603-51200, \$857 to #-52100, \$877 to #-52200, \$2,215 to #-52300, and \$91 to #-52400.

3-CC Settlement and payments to William Knipp for \$81,716.81; James Gerlisky for \$70,000; Michael Duke for \$15,000; and Joanna Smith for \$15,000 for multiple automobile accidents that occurred on April 5, 2004, when a County employee failed to stop a vehicle in traffic.

3-DD Use of the Old Floral City Fire Station by the Floral City Garden Club April 3 through April 7 in preparation for their annual plant sale to be held on April 8, 2006.

3-EE Release of Lien for \$8,400 in Code Enforcement Board Case No. 93-17 filed against property owned by Paul L. and Lisa R. Gibson.

3-FF Information about a Complaint that had been filed in the Circuit Court in the matter styled Nancy A. Harris vs. Citrus County pertaining to an alleged accident at Fort Island Gulf Beach.

3-GG **(1)** EMS County Grant Application with the Florida Department of Health Bureau of Emergency Medical Services for \$21,219, and **(2)** the required resolution certifying that the grant funds would not be used to supplant existing County EMS budget allocations, but would be used to improve and expand the County's pre-hospital emergency medical services system. **RESOLUTION NO. 2006-064**

3-HH Release of the development loan for Brentwood III (PLT-05-13) and placing the facilities on private perpetual maintenance pursuant to the recommendation of the Department of Public Works (DPW).

3-II Release of the development loan for Southgate Villas (PLT-05-09) and placing the facilities on private perpetual maintenance pursuant to the recommendation of the DPW.

3-JJ Ranking of architectural firms (Request for Qualifications (RFQ), No. 055-06) for the Health Department Dental Clinic and that staff begin negotiations with the top ranked firm Walton Architectural Associates.

3-KK **(1)** Initial Assessment Resolution to create the Chassahowitzka Water Special Assessment District and establishing May 29, 2006, as the final date for accepting Permanent Reassignment of Development Rights Applications as provided in Administrative Regulation (AR) 11.10; and **(2)** setting a public hearing on June 27, 2006, at 2:15 P.M. at the Citrus County Courthouse, 110 North Apopka Avenue in Inverness to hear public comments on the proposed assessments and the method of their collection.

RESOLUTION NO. 2006-065

3-LL Bid/RFP (Request for Proposals) Award Recommendations: **(1) Bid No. 017-06, Engineering Division (ED), Stovall Building Retrofit Construction**: contract with Lyric Services, Inc., for \$383,063.25 as the only bidder; **(2) Bid No. 024-06, ED, Mowing of the Crystal River and Inverness Airports** to Priest Property Maintenance, Inc., as the lowest bidder meeting the specifications; **(4) Bid No. 042-06, Maintenance Operations Division (MOD), Janitorial Services**: to Owens, Renz & Lee, Inc., as the lowest bidder meeting the specifications; **(5) Bid No.045-06, ED, Chassahowitzka Area Water Project**: contract with Danella Companies, Inc., at \$3,285,632 as the lowest bidder upon approval of the bid by DCA; **(6) Bid No. 052-06, Solid Waste Management, Purchase of a Steel Wheel Compactor for Landfill Operations**: Total Cost Agreement upon receipt for Option 2 for a Caterpillar 826H including Caron Wheels to Ringpower Corporation at the cash purchase price of \$523,882 as the lowest net total cost bidder; **(7) Bid No. 063-06, Community Services, Sale of a Play Structure**: to the Boys and Girls Club of Citrus County as the only bidder; **(8) Bid No. 064-06, MOD, Chiller System for the Detention Facility**: to Fair and Sons at \$112,972.38 as the lowest bidder, Notice of Commencement, and the related budget transfer: **General Fund**: \$112,973 from #001-9999-60050 to #-2140-54604.

3-L **NATURE WALK AFFORDABLE HOUSING PROJECT**

Commissioner Phillips noted this item was to adopt a resolution to transfer the daily trips from the Betz Farm DRI (Development of Regional Impact) to the Nature Walk Affordable Housing Project. She commented that she did not want to set precedence by this action; however, because of the strong need for affordable housing, she would support the request.

A motion was made by Commissioner Phillips and seconded by Commissioner Damato to adopt and authorize the Chairman to execute a resolution transferring 26 peak hour trips and 213 daily trips from the Betz Farm Development of Regional Impact to the Nature Walk Affordable Housing Project.

Commissioners Damato, Bartell, and Valentino concurred and mentioned that staff had assured them that this action would not affect the balance of the development on the subject property.

The Chairman called a question on the motion and the motion carried unanimously. RESOLUTION NO. 2006-066

3-LL.3 **BID NO. 050-06, MOWING OF THE COUNTY'S RIGHTS-OF-WAY AND LITTER PICK-UP**

Commissioner Phillips commented that Mr. Priest alluded to this bid and she wanted to mention that she concurred with staff's letter stating that Mr. Priest was not in compliance at the time he bid the project.

A motion was made by Commissioner Phillips and seconded by Commissioner Valentino to approve Bid No. 050-06, Road Maintenance Division (RMD), Mowing of the County's Rights-of-Way and Litter Pick-up for Districts 1-6 and 8-13 to Ferngrove Property Maintenance and District 7 to Pine Ridge Property Owners Association, Inc., as the lowest bidders meeting the specifications.

Commissioner Valentino informed Mr. Priest that all Commissioners read the letter from staff and concurred with their recommendation.

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

Commissioner Bartell pointed out that a letter from staff was included in the backup materials for item 3-LL.5, the award of Danella Companies, Inc., for the Chassahowitzka Water Project, regarding problems the County had with Danella on the Halls River Road Project. He stated that the letter should satisfy scheduling issues.

2-B **AWARD OF FINANCIAL REPORTING ACHIEVEMENT**

Lynda Flynn, Office of Management and Budget Director of Osceola County presented an award for "Certificate of Achievement for Excellence in Financial Reporting" by the Government Finance Officers Association of the United States and Canada to Betty Strifler, Clerk to the Board of County Commissioners.

Mrs. Strifler accepted the award and acknowledged the efforts of Sarah Koser, Finance Director, and Susan Sullivan, Assistant Finance Director, in preparing the report.

6- **COUNTY ADMINISTRATOR'S REPORT**

6-A **REALTICORP REQUEST FOR DEVELOPMENT AGREEMENT**

Mr. Wesch stated that the provision for this potential development agreement between the County and RealtiCorp (as manager of RIF, 304, LLC) was contained in Chapter 163, Florida Statutes (FS), which allowed local government to entertain discussions with a developer to require certain criteria for development. He further stated

that if the Board approved the development agreement, there would be a PDRB (Planning and Development Review Board) and Board review process.

Assistant County Attorney Michele Lieberman explained to the Chairman that Chapter 163 FS allowed the Board to establish a process of entering into a development agreement with legal property owners. She began to provide details about the County ordinance and the process when she was interrupted by Mr. Wesch who asked the Chairman to recess the meeting until the cause of an odor in the Commission Chambers could be ascertained.

The Chairman recessed the meeting and reconvened at 2:01 P.M.

2-C **CHILDREN'S/ADOLESCENT RESIDENTIAL SUBSTANCE ABUSE FACILITY**

Russell Rasco, executive director of the Centers asked the Board to support their request for \$1.8 million from the state legislature for building a regional 15-bed child and adolescent residential substance abuse facility specializing in co-occurring disorders in Lecanto. He mentioned that Senators Nancy Argenziano and Mike Fasano and Representative Charles Dean were sponsoring the project. He stated that The Centers would be matching funds and were looking to the community for in-kind services, which would help make the project a reality. He stated that the facility would serve Marion and Citrus Counties and provide assistance to those who could not afford this type of service. He distributed packets of information to the Board about the facility (filed with the Clerk's agenda), and requested that any Commissioner attending the Citrus County Legislative Day in Tallahassee tomorrow support the project.

Commissioner Bartell suggested that the Board draft a letter supporting this project.

A motion was made by Commissioner Phillips and seconded by Commissioner Damato to approve and authorize the Chairman to execute a letter of support regarding The Centers' request that the state legislature fund \$1,800,000 to construct a children's/adolescent residential substance abuse facility.

Commissioner Phillips told Mr. Rasco that she would bring the letter with her to Tallahassee tomorrow.

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

7- **COMMISSIONER GARY BARTELL, CHAIRMAN**

7-A **AFFORDABLE HOUSING ADVISORY COMMITTEE**

7-A.1 Commissioner Phillips nominated Annemarie Hooper to fill a real estate representative position.

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

7-A.2 Commissioner Valentino nominated Norm Peterson to fill an affordable housing provider position.

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

7-A.3 Commissioner Phillips nominated Kim Farrar to fill a low-income advocate/voucher program participant position.

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

7-A.4 Commissioner Phillips nominated Barbara Wheeler to fill a member-at-large position.

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

7-A.5 Commissioner Phillips nominated Ron Lieberman to fill a member-at-large position.

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

The Chairman announced that the terms for the above positions would expire on April 25, 2008.

7-B **CITRUS SPRINGS ADVISORY COUNCIL**

Commissioner Phillips nominated John R. Rourke to fill a regular member position on the Citrus Springs Advisory Council for a term that would expire September 30, 2007.

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

11- **COMMISSIONER JOYCE VALENTINO**

11-A **RECOGNITION OF ROBERT AND GEORGEANNA PHELPS**

Commissioner Valentino discussed the contributions and accomplishments of Robert and Georgeanna Phelps and their organization of volunteers known as the Spring Busters at Bluebird Springs Park. She mentioned that Mr. Phelps passed away last year and she requested Board approval to acknowledge the accomplishments of Mr. and Mrs. Phelps and the Spring Busters.

A motion was made by Commissioner Valentino and seconded by Commissioner Phillips to authorize staff to place signage dedicating the Bluebird Springs Park Pavilion as the "Robert and Georgeanna Phelps Pavilion" in recognition of Robert

and Georgeanna Phelps and the Spring Busters stating: "With the gratitude of the County and community to all of the Spring Busters."

Mr. Wesch confirmed Commissioner Fowler's statement that there was a policy about not naming parks and the like after living persons, and suggested that the plaque read "the Phelps Pavilion".

Amended motion was made by Commissioner Valentino and seconded by Commissioner Phillips to authorize staff to place signage dedicating the Bluebird Springs Park Pavilion as the "~~Robert and Georgeanna Phelps Pavilion~~" in recognition of Robert and Georgeanna Phelps and the Spring Busters stating: "With the gratitude of the County and community to all of the Spring Busters."

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

2-D **PROCLAMATION - "WEEK OF THE YOUNG CHILD"**

Upon motion by Commissioner Phillips, seconded by Commissioner Damato, and carried unanimously, the Board approved and authorized all Commissioners to execute a proclamation declaring April 1 through 8, 2006, "Week of the Young Child" in Citrus County.

6-A **REALTICORP REQUEST FOR DEVELOPMENT AGREEMENT - CONTINUED**

Mrs. Lieberman explained that the County's ordinance (Chapter 78) did meet the requirements of FS Chapter 163 and that two public hearings must be held before adopting the development agreement. She advised that the ordinance required that the entity identify all legal and equitable owners having an interest in the property, and if other than an individual, all principals and other persons with interest shall be revealed. She informed that Clark Stillwell (representing RealtiCorp) had submitted all the deeds and information that RIF (RealtiCorp) owned; however, there was no information about any principals or other persons with interest.

Mr. Maidhof responded to Commissioner Bartell's questions and concerns as follows:

- Issues beyond the standard LDC and COMP standards could potentially be addressed by a development agreement, such as access management, concurrency, wetland and habitat impacts, and other matters.
- The proposed project would have some, although reduced wetland impacts from the original project.
- The proposal was a combination of commercial and residential development, and all property was in the Coastal High Hazard Area (CHHA).
- The project would probably result in a PDO (Planned Development Overlay) and some land use adjustments to extend the GNC area and changes to the residentially designated areas.

- The Board could establish rules and issues for staff to address in the development agreement and staff could provide a status report.

Mrs. Lieberman explained the requirements and process of the development agreement to Commissioner Phillips, and stated that once the agreement was approved by the Board, if there were any zoning and COMP changes, the applicant would be required to go through those processes separately. Mr. Maidhof further explained that the Board could require that the land use changes occur first and staff would include that language in the development agreement or the changes could travel concurrently with the understanding that if land use changes were not approved, the standards within the development agreement would be declared null and void. He added that this was the first commercial development agreement and it was not an approval for the project, only a useful tool to establish all criteria.

Commissioner Phillips remarked that entering into the agreement and staff devoting time to the development would give the project a certain amount of credence, and she did not understand how this could be advantageous.

Mr. Maidhof explained that in many cases, a critical infrastructure might not be present in the early stages and a development agreement helped facilitate the timing to make sure that improvements were done at the time of build out. He advised that RealtiCorp was a real estate holding company looking to establish a marketable product to sell to third parties, so he understood their interest in this type of approach.

He clarified for Commissioner Fowler that the ultimate decision would be made by the Board and the development agreement would not make it easier for the developer; however, it would allow staff the ability to address and negotiate many concerns up front to avoid last minute issues. He stated that although this would be staff intensive, he was in favor of advance planning, and this was a good tool to utilize that would hopefully answer the Board's and the public's questions.

A motion was made by Commissioner Fowler and seconded by Commissioner Damato to authorize staff to accept and review a development agreement from Clark A. Stillwell, LLC and RealtiCorp on behalf of RIF 304, LLC, which would be considered via a public hearing by the Planning and Development Review Board and the Board as provided for in Florida Statutes Chapter 163.3220 et seq., and as set forth in Chapter 78, Article II Development Agreements of the Citrus County Code.

Mr. Maidhof answered Commissioner Damato's questions by stating that this was an exercise in site plan control, and for a project of this complexity and size, a development agreement was an excellent vehicle to accomplish public and Board comments on the future development of this property.

Commissioner Valentino stated that she could not support the request and felt that RealtiCorp should make application through normal procedures.

Mr. Stillwell pointed out that his client had provided a copy of the deed, legal description, and had delineated the legal owner of the property who owned equitable interest, the partner, and the shareholders. He declared that the party signing the document had legal authority and the exhibits provided to the County Attorney on March 1 indicated the owners and controlling parties. He explained that the legislature recognized there was a gap for non-DRI projects of substantial size and with significant issues, so they created this process to fill a void in modern land use planning. He indicated that staff did not want a piecemeal application, they wanted a master development process, and the development agreement would provide answers to the issues in a public hearing process. He said that a development agreement would set forth a master site plan, defining infrastructure, wetland impacts and mitigation, intensity and location of land uses, and then the applicant would go through plan amendments, LDC, and PD (Planned Development) amendments. He requested that the Board use this development agreement as a good long-term planning vehicle to define the interests and resolve issues in a public hearing process for the total site.

Discussion ensued regarding issues that would be negotiated in the development agreement; reasons for having a development agreement; the Board having more authority over wetlands and wetland mitigation by creating a development agreement; the legal owners and equitable interests in the property, and so on.

The Chairman asked if anyone wished to address the subject.

Carl Bertoch, spoke on behalf of Lewis Ranieri and the Foundation for the Advancement of Mesoamerican Studies, Inc. ("FAMSI"), property owners on the west side of US 19 across from the proposed RealtiCorp project. He distributed a packet of information (filed with Clerk's agenda) including maps depicting the present and proposed land uses of the subject property. He stated that his clients were challenging the DEP (Department of Environmental Protection) permit by the City of Crystal River for the proposed project sewage collection system, and were concerned about the environmental impacts to the property due to the native wetlands. He pointed out that FS Section 163 governing development agreements stated that development plans must be consistent with the COMP. He declared that it was premature to consider a development agreement because RealtiCorp's proposal to the Diocese of St. Petersburg to acquire property for access management at US 19 and Ozello Trail had not been consummated. He stated that Mr. Ranieri had made a commitment and proposed offer that was equal to and much better for the subject property and the parishioners of St. Benedict's Church, and that a principal of the Diocese had advised that a decision should be made within a week or two regarding the sale of the property. He asked the Board to consider deferring or rejecting this development agreement until the action of the Diocese was known because if Mr. Ranieri bought the property, the plan was subject to a substantial change.

Commissioner Fowler commented that there were many unknowns about this development and the decision was whether to proceed with a better planning document.

Priscilla Watkins, representing the Homosassa River Alliance, spoke in opposition and stated that development agreements in this County had been used for minor changes of existing PDOs and other minor corrections lasting only a few months in duration. She mentioned that the subject property was almost 270 acres in the CHHA with at least four land use categories and other restrictions. She urged the Board to deny this request because it would advocate the Board's authority to the County Administrator and staff, there would be only one review and two public hearings, the development agreement would give vested rights to certain permissions, and if approved, the contractual form would not be subject to any new County laws, policies, and fees for the duration, which could be ten years plus extensions.

Mrs. Lieberman clarified that there would be various public hearings held throughout the process, and the development agreement would list necessary modifications, which would require approvals through the regular land development process for COMP, zoning, or other changes to the property. She explained that if amendments were necessary to zoning or land use plan designations on the property, the development agreement would be contingent upon the amendments being made and approved. She further explained that at any time the developer could not obtain approvals through the process; the Board had the option to withdraw from the development agreement.

Mr. Maidhof responded to questions from Board members as follows:

- This situation was similar to a mini DRI process.
- This process had the potential to expand and enhance the piecemeal fashion to ensure the public's interest was served.
- Development agreements of this type would be coming to the Board in the future regarding utility issues because capacity was quickly being consumed and expansion would be needed for other developments to move forward.
- This method would address all the issues on this property at one time.

Ms. Watkins remarked that PDOs were not allowed in RUR (Rural Residential) District and wetland mitigation was not permitted in CL (Coastal and Lakes) District. She added that this was a very sensitive area comprised mostly of wetlands, and insisted that the Board not approve the development agreement.

Mr. Maidhof clarified that PDOs were not allowed in an RUR District; however, staff would evaluate those issues when RealtiCorp made specific requests by application.

Sandra Noble, Executive Director of FAMSI, expressed concern that further destruction of the wetlands on the subject property would drastically diminish the quality of the pond on FAMSI's property that would be used for an educational and environmental component to the planned museum of ancient artifacts.

Others speaking in opposition were Marco Wilson TOOFAR (Taxpayers Outraged Organization for Accountable Representation); Ron Miller, president of the

Homosassa River Alliance; Curtis James; Theresa Waldron, representing the Nature Coast Sierra Club; Jim Nichol; Tom Clark; Jim Bitter; and Dewayne Brooks. They discussed the following: sensitivity of the site due to wetlands and natural forest; pollution to the Crystal River; RealtiCorp's past actions with regard to this property; impacts to St. Benedict's Church; loss of wetlands; the County's current process was appropriate and only RealtiCorp would benefit from a development agreement, and so forth.

Commissioner Damato proclaimed that this property would be developed some day and it was very important that the development be done properly with site plan control and a master plan that addressed all issues up front.

Mr. Maidhof answered Mr. Brooks question about wetland mitigation by stating that RealtiCorp's prior environmental resource permit included the acquisition and donation of a large tract of mostly upland property in access of 100 acres. Mr. Stillwell added that the total dedicated acreage was 320 acres, which was 50 percent upland and 50 percent wetland zoned CL, and the agreement was still in effect.

Commissioner Fowler commented that the state not the County would receive the land donated by RealtiCorp in exchange for the wetlands on this property, and the development agreement would allow the County more control, not less.

Commissioner Phillips stated that she did not think the County Attorney was completely satisfied with all the legal aspects of the development agreement as required by the County Code. She expressed concern about entering into the development agreement because of the staff time involved and it would give the appearance that the development plan would eventually be approved. She added that she believed in the COMP and the process that was in place for development, and if this were approved, the public would loose the ability to be involved in many discussions. Commissioner Valentino agreed and added that the development agreement would benefit the developer more than the County.

Commissioner Bartell also questioned the benefit to the County and legal issues, and stated that he could not support the motion because he could not take the public out of the process.

The Chairman called a question on the motion. Motion failed. Voting aye: Commissioners Fowler and Damato. Voting nay: Commissioners Bartell, Phillips, and Valentino.

(4:07 P.M.)

The Chairman recessed the meeting and reconvened at 4:31 P.M.

12- **COUNTY ATTORNEY'S REPORT**

12-A **FINAL PLAT - APPLICATION NO. PLT-05-12, BELMONT HILLS UNIT 3**

Upon motion by Commissioner Fowler, seconded by Commissioner Damato, and carried unanimously, the Board approved and authorized the Chairman to execute the Final Plat of Belmont Hills Unit 3, the Improvement Agreement, and the Water

Developer's Agreement, and directed the Clerk to record the documents in the public records.

12-B **FINAL PLAT - APPLICATION NO. PLT-04-33, HERITAGE**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized the Chairman to execute the Final Plat of Heritage, the Water and Wastewater Developer's Agreement, and the Irrevocable Letter of Credit, and directed the Clerk to record the documents in the public records.

12-C **TRANSITION OF THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY (FGUA) CITRUS SYSTEMS TO THE COUNTY**

Mr. Battista stated that he had received letters from Robert Sheets, FGUA System Manager (included in the backup materials) concerning issues about the acquisition process of the FGUA Citrus Systems to the County.

The Board concurred with Mr. Battista's recommendation to have the FGUA proceed with the following items:

ITEM	DISCUSSION
Pending contract negotiations with Severn Trent regarding contract operations, customer service, and billing for the FGUA systems	Contract would be going before the FGUA Board for review and approval at their April meeting, the County's consultant and staff had reviewed the contract, there would be no demobilization fees, and the contract could be assumed by the County upon acquisition of the systems.
FY 2007 Budget	County staff would become involved with the FGUA FY 2007 operating and capital budget for the Citrus County Systems
2006 Parity Debt	The FGUA would issue short-term interim financing, which would allow the County to issue its own long-term debt at time of transition.
Citrus Springs	Special assessment program would go forward with funding alternatives other than long-term assessment debt. If the Citrus County Systems were transitioned prior to December of this year, the County could prepare a County assessment through FS Chapter 197. The Topeka Line Agreement and Sylvan Agreement were two issues that the County would need to address.

Then the following issues were discussed and the Board agreed with Mr. Battista's recommendations as stated below:

ISSUES	RECOMMENDATIONS
Utility Advisory Board	Not to move forward at this time
Financing of transition	Proceed with Option 2 (issuing a new series of

	bonds)
Transition plan	Proceed with the transition plan and report to the Board with the agreement. A format for the transition plan could be brought to the Board within a month; however, parallel issues would be addressed throughout the process.

Mr. Sheets stated that the FGUA wanted the County to collaborate with them on important decisions. He explained that the FGUA update memos would be provided monthly outlining the FGUA's proposals and decisions unless the County directed them to do something different. He mentioned other transitions that had occurred and assured the Board that the FGUA would be available to insure the Citrus County transition went smoothly.

13- **ANY OTHER COUNTY BUSINESS - ACCEPTED BY MOTION ONLY**

13-A **COUNTY ADMINISTRATOR**

Commissioner Phillips advised that prior to today's meeting she had given Mr. Wesch notice that she would be bringing the issue of his employment contract before the Board. She explained that on many occasions she had made Mr. Wesch aware of his failures and shortcomings, but his performance continued to deteriorate rather than improve, and she no longer had confidence or trust in his ability to fulfill the duties of his office.

A motion was made by Commissioner Phillips and seconded by Commissioner Valentino to terminate Richard Wesch's Employment Agreement effective immediately and authorize severance pay as outlined in the agreement.

Discussion ensued regarding Mr. Wesch's performance as Administrator, the procedure for handling this type of issue, respect for Mr. Wesch as a person, employee evaluations reflecting the concerns with Mr. Wesch, the need for communication, accomplishments of the County, and so on.

Commissioners stated that this action was no reflection on any of the County employees.

The Chairman asked for public comment.

Paul Danner asked the Commissioners if they were going to micro manage or macro manage the County. He stated that he hoped the Board was terminating Mr. Wesch because of big picture issues that would hinder the County from moving forward.

The Chairman called a question on the motion. Motion carried. Voting aye: Commissioners Bartell, Phillips, and Valentino. Voting nay: Commissioners Damato and Fowler.

The Chairman made the recommendation to appoint Tom Dick as Interim County Administrator with the appropriate compensation, and to assign the responsibility of the Board's agenda to Mr. Battista.

A motion was made by Commissioner Bartell and seconded by Commissioner Phillips to appoint Tom Dick as Interim County Administrator with the appropriate compensation, and assign the responsibility of the agenda to the County Attorney during the interim period.

Human Resources Director Randy Petitt explained that the normal compensation was a minimum of five percent or the starting salary of the next higher pay grade.

Mr. Dick stated that he would like to remain Assistant County Administrator, and that he would assume the responsibility of County Administrator during the interim period, but would not accept any compensation. He suggested that the responsibility for the agenda remain with the County Administrator's Office because most items were from senior staff and forwarded to the County Administrator for approval. He added that he had spoken to Mr. Battista earlier and they agreed to work together on the agenda.

Mr. Petitt suggested that the Chairman execute a letter denoting that all duties, responsibilities, and authority be transferred to Mr. Dick as the Assistant County Administrator until the County Administrator's position was filled.

Commissioner Bartell withdrew his motion and Commissioner Phillips withdrew her second.

A motion was made by Commissioner Damato and seconded by Commissioner Phillips to concur with Tom Dick's wishes to remain Assistant County Administrator assuming the duties of County Administrator during the interim period and with Randy Petitt's suggestion of the Chairman executing a letter denoting this change in order to meet all statutory requirements.

Commissioners agreed that Mr. Petitt and Mr. Battista should bring options on filling the County Administrator vacancy to the Board as soon as possible.

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

There being no other business to come before the Board, the Chairman adjourned the meeting at 5:44 P.M.

ATTEST: _____, Clerk _____, Chairman