

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

Attorney: Robert B. Battista

Administrator: Richard Wm. Wesch

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

The Chairwoman called the meeting to order, Commissioner Fowler gave the invocation, and Commissioner Bartell led the Pledge of Allegiance to the Flag.

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

### 2-A.1 **OPEN TO THE PUBLIC**

Mark Hanisch read a statement into the record and distributed information to the Board (filed with the Clerk's agenda) regarding issues with his property on Hall's River Road, and asked the Commissioners to review the information. He also asked Commissioner Bartell to exclude himself from any decisions concerning the property due to conflicts of interest.

2-A.2 Frank Shepard distributed a package of information (filed with the Clerk's agenda) regarding airboat noise. He requested that the Board ask for the Attorney General's opinion on idle speed zones due to health and safety issues while they wait for the state study on airboat noise levels to be completed. He offered to draft the questions for the County Attorney's Office.

Mr. Battista replied to Commissioner Bartell's question regarding idle speed zones by stating that staff had not changed their official opinion. He explained that idle speed zones or other boating restrictions could only be instituted when they applied to all vessels and was not specifically due to noise. Commissioner Bartell stated that he would not be willing to single out airboats for an idle speed zone.

Commissioner Phillips agreed that idle speed zones would have to apply to all watercraft. She suggested posing a specific question to the Attorney General with respect to idle speed zones for all watercraft, specifically airboats, due to noise. She commented that this was a statewide issue, that the Governor had appointed a committee to review the issue, and that this should be addressed at the state level rather than the local level.

Commissioner Valentino agreed with requesting the Attorney General's opinion because she was concerned that the state's decision on the issue would only address new airboats and the problem would not be resolved. Mr. Battista advised that the Florida Administrative Code indicated that idle speed zones could not be established for the sole reason of noise, and that a study would be needed to justify the idle speed zones for other reasons.

The Chairwoman stated that she respected the research that the County Attorney's Office had done on this issue; however, since airboat noise continued to be a problem, she would request the County Attorney to draft a question to be forwarded to the Attorney General for the Board's review at the next Board meeting.

3- **CONSENT AGENDA**

***Upon motion by Commissioner Bartell, seconded by Commissioner Damato, and carried unanimously, the Board pulled item 3-C (Budget Resolutions) and item 3-KK.2 (Bid No. 087-05, Utilities, Well Pump and Motor Repairs), approved the balance of the consent agenda items, and authorized the Chairwoman to execute all related documents:***

3-A Minutes of the regular meeting held on July 12, 2005.

3-B Payroll registers dated August 3, 2005, for \$570,788.61 and dated August 4, 2005, for \$30,050.75. Accounts Payable registers dated August 5, 2005, for \$3,002,203.35 and dated August 8, 2005, for \$241,553.42.

3-D Budget Transfers: **Article V Technology:** \$2,190 from #093-5703-605-52100, \$2,387 from #-52200, and \$3,914 from #-52300 to #-51200. **State Housing Initiative Partnership (SHIP):** \$6,153 from #133D-5304D-51210 to #-51200. **Housing Services:** \$220 from #001-2113-55275 to #-55100, and \$200 from #-54000 and \$220 from #-55400 to #-55417. **Fleet Management:** \$3,340 from #550-4150-54605 to #-54603 and \$1,600 from #-55206 to #-55208. **Aviation:** \$1,200 from #001-7201-54600 to #-54605. **Parks and Recreation:** \$16,563 from #001-6102-54610 to #-2670-54610. **Administrative Services:** \$7,500 from #001-2101-614-54916 with \$6,000 to #-621-53104 and \$1,500 to #-681-53104. **Fire Rescue:** \$17,720 from #154-3200-54909 with \$16,120 to #-55120 and \$1,600 to #-55200. **Fire Training Center:** \$450 from #051-3225-55100 to #-55120. **Beverly Hills Fire Department:** \$8,282 from #155-3215-56300 with \$7,646 to #-56400 and \$636 to #-54604. **Animal Services:** \$1,000 from #001-5106-53412 to #-53415. **Building Inspection:** \$22,500 from #066-3445-60050, \$3,000 from #-54100, \$2,000 from #-54000, \$5,000 from #-55275, \$1,000 from #-55205, and \$1,000 from #-54605 with \$15,000 to #-55208 and \$19,500 to #-54603. **Engineering:** \$8,500 from #102-4104-53100 to #-55208 and \$13,845 from #-51200 to #-51306. **Citrus Springs Municipal Services Benefit Unit (MSBU):** \$10,000 from #730-8200-53100, \$30,000 from #-54625, \$70,000 from #-56300, and \$32,000 from #-56305 to #-56333, and \$500 from #-53400 with \$426 to #-54907 and \$74 to #-55120. **Beverly Hills MSBU:** \$50 from #770-8200-53400 to #-54907. **Development Services:** \$2,400 from #107-2781-54160 to #-3441-54605. **Landfill:** \$3,000 from #401-5216-53400 to #-54912, \$15,091 from #-5212-60140 to #-53100, and \$514 from #-5218-53400 with \$347 to #-54000 and \$167 to #-54800.

3-E Satisfactions of Judgments for Steve F. Brooks, Case No. 1993 CF 000786; Steven F. Brooks, Case No. 1992 CF 000761, 1996 CF 000505, and 1993 CF 000770 02; Steven Fashawn Brooks, Case No. 1999 CF 000906; Michelle Anne White, Case No. 2003 CF 000324; and James Lee Roberts, Case No. 2002 CF 000887.

3-F Waived Tourist Tax fees (penalties and interest) due from Kimberly G. Strickland, vice-president of Chassahowitzka Hotel for \$53.37.

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

<b>Aquatics</b>		
<b>Property Number</b>	<b>Description</b>	<b>Condition</b>
8341	IBM Wheelwriter 5 Typewriter	obsolete
<b>Library Services</b>		
14340 B/165	Table / Folding / 6'	non-repairable
<b>Solid Waste Management</b>		
17446	Motorola Portable Radio	non-repairable
12807	Deskjet 1600C Computer Printer	non-repairable
14489	Sony Mavica Digital Camera	non-repairable
<b>Fleet Management</b>		
9186	Plasma Cutter	obsolete
10105	Polymer Deluxe TA58 Gun	obsolete
13468	Micromania Computer System	obsolete
10319	Basic A/C Charging System	obsolete
14492	3-com 24 port Hub	not cost effective to repair
11912A	Sun Model 2500 Computer System	obsolete
11042	Filter Crusher	obsolete
8080A	GE Mobile Radio	obsolete
<b>Systems Management</b>		
14433	Dell Computer	obsolete
14430	Dell Computer	obsolete
14571	Dell Computer	obsolete
14832	Dell Computer	obsolete
14410	Dell Computer	obsolete
15276	Dell Computer	obsolete
14275	Dell Computer	obsolete
13617	Micromania Computer	obsolete
14434	Dell Computer	obsolete
15278	Dell Computer	obsolete
14008	Suncoast Business Computer	obsolete
13387	HP Laserjet 5 printer	not cost effective to repair
14143	Suncoast Business Computer	obsolete
14830	Dell Computer	obsolete
15605	Dell Computer	obsolete
14070	Sony 400 Monitor	obsolete
<b>Traffic Control</b>		
9862	Traffic Signal	obsolete / replaced
8651	Traffic Signal	obsolete / replaced
11029	Traffic Signal	obsolete / replaced
3316	Traffic Signal	obsolete / replaced

3-H Deletion of the following items from the Property Appraiser's capital asset list:

Property Appraiser		
Property Number	Description	Condition
1024	Dukane Film Reader	obsolete
1064	PC	obsolete
1065	HP Plotter	obsolete
1066	Epson Scanner	obsolete
1092	Lanier Copier	obsolete
1095	Next Int'l PC	obsolete
1161	Postage Scale	obsolete
1175	Dukane Film Reader	obsolete
1283	Dell PC	obsolete
1294	Dell PC	obsolete
1305	PC	obsolete
1311	Disk Tower	obsolete
1480	CD Tower	obsolete
1519	Dell PC	obsolete
1544	Dell PC	obsolete

3-I Releases of Liens for special assessments that had been paid in full: Resolution No. 99-099 for Joseph E. Tash and Paula Pressler, Alternate Key (AK) No. (Z) 1207142. Resolution No. 2001-202 for Iva Conway and Robyn Serrecchio/C Hatcher, AK No. 1972043 (1E). Resolution No. 2002-141 and 2002-142 for Housing Assistance Foundation, AK Nos. 1728291 and 1728282 (2A).

3-J Receipt of the following documents from the Citrus County Mosquito Control District: **(1)** correspondence regarding capital improvements and mailing address, **(2)** copy of the proposed budget for fiscal year (FY) 2005-2006, and **(3)** Tentative Resolution No. RS #2.

3-K Receipt of correspondence and a certified copy of Ordinance No. 05-O-11 from the City of Crystal River, regarding voluntarily annexing property of M P H, LLC by Henry F. Harner, managing partner, into the corporate limits of the City of Crystal River.

3-L Approved the following wire transfers:

Heritage Consultants, Inc.	\$ 14,102.77	07/06/05
Heritage Consultants, Inc.	\$ 10,839.52	07/18/05
Preferred Governmental Claims Solutions	\$ 15,703.13	07/01/05
Preferred Governmental Claims Solutions	\$ 5,248.29	07/08/05
Preferred Governmental Claims Solutions	\$ 26,860.09	07/15/05
Preferred Governmental Claims Solutions	\$ 15,329.18	07/25/05
Bank of America	\$157,029.04	07/15/05
United States Postal Service	\$ 13,000.00	07/08/05
Florida Department of Revenue	\$ 1,907.57	07/20/05

Florida Department of Revenue	\$127,920.67	07/27/05
Citrus County Sheriff's Department	\$ 344.00	07/05/05
Wright Express	\$ 28,596.38	07/26/05
First American Title Insurance	\$ 16,500.00	06/30/05
Gulf Coast Title Closings & Escrow Services, Inc.	\$ 16,500.00	07/11/05
Title Offices LLC	\$ 16,500.00	07/11/05
American Title Services of Citrus Co., Inc.	\$ 16,400.00	07/13/05
First American Title Insurance	\$ 9,811.63	07/14/05
American Title Services of Citrus Co., Inc.	\$ 9,287.00	07/18/05
Southern Security Title Services, Inc.	\$ 9,928.44	07/18/05
First American Title Insurance	\$ 70,000.00	07/20/05
American Title Services of Citrus Co., Inc.	\$ 16,500.00	07/20/05
American Title Services of Citrus Co., Inc.	\$ 16,297.00	07/22/05
American Title Services of Citrus Co., Inc.	\$ 10,000.00	07/22/05
American Title Services of Citrus Co., Inc.	\$ 16,393.71	07/22/05
American Title Services of Citrus Co., Inc.	\$ 16,500.00	07/28/05

3-M (1) Audit Committee's selection of Purvis Gray & Company to serve as the County's external auditor, and (2) the contract with Purvis Gray & Company for a period of three years with the option of two one year renewals, upon receipt.

3-N (1) Permanent Reassignment of Development Rights Agreement for Howard B. Vail, DVR 2005-007, AK Nos. 1189471 and 1189489 for residential properties within MSBUs for installation of water and wastewater systems for Chassahowitzka Water Quality Assessment District, and (2) that the agreement be recorded in the public records.

3-O Public hearings set as shown to consider amendments to the Citrus County Land Development Code (LDC) Ordinance No. 90-14, at the Citrus County Courthouse, 110 North Apopka Avenue in Inverness:

Date and Time	Application
<u>Workshop:</u> August 23, 2005, at 3:00 P.M.	<u>PDO-05-02:</u> Harold W. Barrineau of Barrineau and Associates for Walden Woods III, LTD
<u>Hearing:</u> September 13, 2005, at 5:01 P.M.	

3-P Extension of the 2005 Tax Roll and that the Property Appraiser undertake all actions required so the tax bills may be mailed by November 1, 2005.

3-Q Use of the Historic Courthouse grounds and restrooms by the Veterans Appreciation Week Ad Hoc Coordinating Committee on November 11, 2005, from 9:00 A.M. until 12:00 P.M. for a memorial service.

3-R Use of the Historic Courthouse and grounds by the Supervisor of Elections for a Girl Scout voter education patch program workshop on October 1, 2005, from 9:00 A.M. until 1:00 P.M.

3-S Write-offs totaling \$7,735.59 for uncollectable commercial solid waste assessments and penalties.

3-T Nextel In-Building Service and Equipment Agreement for installation of a bi-directional amplifier at the Central Landfill Administration Office at no cost to the County.

3-U **(1)** Staff's proposed fee schedules for Solid Waste Management (SWM) for FY 2005-06, and **(2)** setting the following public hearings at the Citrus County Courthouse, 110 North Apopka Avenue in Inverness: August 23, 2005, at 2:00 P.M. to consider adopting fees and assessment rates for SWM FY 2005-06, and August 23, 2005, at 2:05 P.M. to consider adopting the residential solid waste assessment roll prepared by the Property Appraiser's Office.

3-V **(1)** Task Authorization No. Two to Master Agreement for Solid Waste Engineering, Planning, and Environmental Services – RFQ 077-04 SWM for services related to developing a site master plan with R. W. Beck under the master agreement dated April 26, 2005, at \$37,375, and **(2)** the related budget transfer: **Landfill:** \$37,375 from #401-5212-60140 to #-53100.

3-W & X Youth Athletic Organization Agreements with: **(1)** Nature Coast Soccer League for the use of Beverly Hills Community Park in conjunction with other leagues as necessary for their 2005-06 soccer season, and **(2)** AAU Baseball League for the use of Central Ridge District Park in conjunction with other leagues as necessary for their 2005 baseball season.

3-Y **(1)** Pave-Rite Inc., Change Order Proposal No. 5, Revision No. 2 for the Crystal River Airport Apron Project for the excavation of unsuitable materials and backfilling with clean material for \$38,935.14, and **(2)** the related budget resolution.

RESOLUTION NO. 2005-149

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE CRYSTAL RIVER AIRPORT PARKING APRON BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, on August 9, 2005, the Citrus County Board of County Commissioners approved a change order for the Crystal River Airport apron expansion project; and

WHEREAS, funds are available in the Aviation CIP to cover the additional cost; 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 2004-05; 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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS

OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	069-381-001	Transfer from General Fund	\$12,128
Expenditures	069-5775-56300	Improve other than Buildings	\$12,128

3-Z Revisions to the employee evaluation form effective October 1, 2005.

3-AA Use of the Historic Courthouse grounds by the Inverness Old Towne Association October 14, 2005, for the Music on the Square event.

3-BB Appointment of Russell Hackett to a District 4 regular member position on the Aviation Advisory Board for a term that would expire September 30, 2006.

3-CC Revisions to the 2005-2007 and 2002-2004 SHIP Local Housing Assistance Plans as recommended by the Affordable Housing Advisory Committee.

3-DD **(1)** Agreement with Tindale-Oliver and Associates, Inc., for the Law, Fire, EMS, and Recreation Impact Fee Study at \$114,168.59, and **(2)** the related budget resolution.

RESOLUTION NO. 2005-150

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING VARIOUS IMPACT FEE BUDGETS FOR FISCAL YEAR 2004-05

WHEREAS, on August 9, 2005, the Citrus County Board of County Commissioners approved a consultant contract with Tindale Oliver Associates for an Impact Fee update; and

WHEREAS, the cost of this contract is eligible to be funded with impact fees; 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 2004-05; 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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS

OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<b>PARK IMPACT FEES DISTRICT 1</b>			
Revenues	636-400-200	Cash Carry Forward	\$7,262
Expenditures	636-2836-53100	Professional Services	\$7,262
<b>PARK IMPACT FEES DISTRICT 2</b>			
Revenues	637-400-200	Cash Carry Forward	\$7,262
Expenditures	637-2837-53100	Professional Services	\$7,262
<b>PARK IMPACT FEES DISTRICT 3</b>			
Revenues	638-400-200	Cash Carry Forward	\$7,262
Expenditures	638-2838-53100	Professional Services	\$7,262
<b>PARK IMPACT FEES DISTRICT 4</b>			
Revenues	639-400-200	Cash Carry Forward	\$7,263
Expenditures	639-2839-53100	Professional Services	\$7,263
<b>FIRE IMPACT FEES</b>			
Revenues	620-400-200	Cash Carry Forward	28,305
Expenditures	620-2814-53100	Professional Services	28,305
<b>EMS IMPACT FEES</b>			
Revenues	621-400-200	Cash Carry Forward	28,431
Expenditures	621-2829-53100	Professional Services	28,431
<b>LAW ENFORCEMENT IMPACT FEES</b>			
Revenues	619-400-200	Cash Carry Forward	28,383
Expenditures	<sup>1</sup> 619-2816-2813-53100	Professional Services	28,383

3-EE (1) Second Amendment to the Professional Consulting Service Agreement with Tindale-Oliver and Associates, Inc., for \$87,631.33 for additional services related to the Impact Fee Study, and (2) the related budget resolution.

RESOLUTION NO. 2005-151

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING VARIOUS IMPACT FEE BUDGETS FOR FISCAL YEAR 2004-05

WHEREAS, on June 24, 2003, the Citrus County Board of County Commissioners approved a consultant contract with Tindale Oliver Associates for an Impact Fee update; and

WHEREAS, on August 9, 2005, the Citrus County Board of County Commissioners approved amendment #2; 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 2004-05; and

<sup>1</sup> Item 3-EEE, 10/11/05



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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS  
 OF CITRUS COUNTY, FLORIDA

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<b>ROAD IMPACT FEES DISTRICT A</b>			
Revenues	662-400-200	Cash Carry Forward	\$7,460
Expenditures	662-2831-53100	Professional Services	\$7,460
<b>ROAD IMPACT FEES DISTRICT B</b>			
Revenues	663-400-200	Cash Carry Forward	\$7,460
Expenditures	663-2832-53100	Professional Services	\$7,460
<b>ROAD IMPACT FEES DISTRICT C</b>			
Revenues	664-400-200	Cash Carry Forward	\$7,460
Expenditures	664-2833-53100	Professional Services	\$7,460
<b>ROAD IMPACT FEES DISTRICT D</b>			
Revenues	665-400-200	Cash Carry Forward	\$7,460
Expenditures	665-2834-53100	Professional Services	\$7,460
<b>SCHOOL IMPACT FEES</b>			
Revenues	611-400-200	Cash Carry Forward	\$22,846
Expenditures	611-2800-53100	Professional Services	\$22,846
<b>LIBRARY IMPACT FEES</b>			
Revenues	622-400-200	Cash Carry Forward	\$15,774
Expenditures	622-2816-53100	Professional Services	\$15,774
<b>PUBLIC BUILDINGS IMPACT FEES</b>			
Revenues	623-400-200	Cash Carry Forward	\$19,172
Expenditures	623-2830-53100	Professional Services	\$19,172

3-FF Renewal/Purchase Order (PO) Worksheet with Danka for a Toshiba DP 2570 Copier located at the Office of Utility Regulation for \$1,225.20 starting October 1, 2005, and ending September 30, 2006.

3-GG Certificate of Public Convenience and Necessity to Aeromed - Tampa General Hospital to continue to be the primary provider of air medical helicopter service until January 9, 2007.

3-HH Appointments of John Grannan, Historical Society Board member; Larry Braisted, member-at-large; and David Noble, alternate member on the Historical Resources Advisory Board for terms that would expire September 30, 2006.

3-II Payment of an invoice for special master Sidney F. Ansbacher, Esquire, in the matter styled Caruth Estate vs. Citrus County for \$1,200.

3-JJ (1) Staff's ranking of firms for the Land Development Code update and request to negotiate with the top ranked firm Duncan & Associates, and (2) to negotiate with the second and third ranked firms (White & Smith, LLC, and Clarion Associates, LLC), respectively if negotiations failed with Duncan & Associates.

3-KK The following Bid Committee Report: (1) **Bid No. 086-05, Maintenance Operations, heavy equipment rental:** awarded on a split bid basis to GS Equipment, Briggs Equipment, Highland Tractor Company, Hertz Equipment Rental Corp., and Ring Power Corp. as the lowest bidders; (3) **Bid No. 088-05, Utilities, fire hydrant painting:** awarded to Harry's Painting & Enterprises, Inc., at \$57 per fire hydrant as the lowest bidder meeting the specifications; (4) **Bid No. 008-04, Road Maintenance, furnish type II and type III asphaltic concrete:** renewed the current bid with Central Materials Company, Inc., in accordance with the bid proposal at a cost increase of 3 percent over last year's price plus a 12 percent increase in accordance with the FDOT (Florida Department of Transportation) fuel index price; (5) **Bid No. 008-05, Road Maintenance, metal culverts:** renewed the current bid with Gulf Atlantic Culvert Company, Inc., and Contech Construction Products, Inc., in accordance with the bid proposal at a cost increase of 5 percent over last year's price for Gulf Atlantic Culvert Company, Inc. and an 8 percent increase for Contech Construction Products, Inc.; (6) **Bid No. 002-04, SWM, purchase and transportation of scrap metal:** bid renewal agreement with Ocala Recycling under the same terms and conditions as listed in the bid documents; (7) **Bid No. 001-05, SWM, transportation of raw or treated leachate:** bid renewal agreement with A-Able Septic-Sewer Services, Inc., under the same terms and conditions as listed in the bid documents; (8) **Bid No. 003-05, SWM, transportation and recycling of obsolete electronic devices:** bid renewal agreement with Creative Recycling Systems, Inc., under the same terms and conditions as listed in the bid documents. (1:25 P.M.)

3-C **BUDGET RESOLUTIONS**

Commissioner Valentino advised that she pulled this item to discuss the budget resolution (Resolution No. 2005-156) amending the Inverness Airport Spray Field Relocation Budget and to inform the public that the money was being transferred from the General Fund to match the grant for the temporary relocation of the spray field.

***Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairwoman to execute the following budget resolutions:***

RESOLUTION NO. 2005-152

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE COMMUNITY SERVICES BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, the County receives funds from the Florida Choose Life License Plate Program when residents of the County purchase a Choose Life license plate; and

WHEREAS, these funds are distributed to not-for-profit organizations within the county whose services are limited to counseling and meeting the physical needs of pregnant women who are committed to placing their children for adoption; 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 2004-05; 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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	001-335-691	Choose Life License Plate	\$8,384
Expenditures	001-5225-58210	Choose Life License Plate	\$8,384

RESOLUTION NO. 2005-153

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE AQUATIC SERVICES BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, on July 23, 2002, the Citrus County Board of County Commissioners approved a 10-year Cooperative Aquatic Plant Control Program Agreement with the Florida Department of Environmental Protection; and

WHEREAS, the Florida Department of Environmental Protection executed Task Assignments #3 and #4 of the project providing funds for aquatic vegetation control in Citrus County waterways during the 2005-06 State 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 2004-05; 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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

ATTEST:  
/s/ Betty Strifler  
BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA  
/s/ Vicki Phillips  
VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	150-343-700	Aquatic Plant Control	\$113,600
Expenditures	150-6304-53400	Other Contractual Services	\$113,600

RESOLUTION NO. 2005-154

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE COURTHOUSE EXPANSION BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, funds are available for the courthouse expansion project that have not been appropriated; and

WHEREAS, these funds need to be appropriated to cover various costs incurred during the fiscal year; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 2004-05; 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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

ATTEST:  
/s/ Betty Strifler  
BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA  
/s/ Vicki Phillips  
VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	341-400-200	Cash Carry Forward	\$5,100
Expenditures	341-5114-56200	Buildings	\$5,100

RESOLUTION NO. 2005-155

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE ROAD IMPACT FEES BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, on July 26, 2005, the Citrus County Board of County Commissioners approved change order #1 to the County Road 486 road widening project; and

WHEREAS, impact fee funds are available to cover the cost of the change order; 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 2004-05; 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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<b>ROAD IMPACT FEES – DISTRICT A</b>			
Revenues	662-400-200	Cash Carry Forward	\$500,000
Expenditures	662-2831-56361	Forest Ridge to US 41	\$500,000
<b>ROAD IMPACT FEES – DISTRICT B</b>			
Revenues	663-400-200	Cash Carry Forward	\$200,000
Expenditures	663-2832-56361	Forest Ridge to US 41	\$200,000
<b>ROAD IMPACT FEES – DISTRICT C</b>			
Revenues	664-400-200	Cash Carry Forward	\$400,000
Expenditures	664-2833-56361	Forest Ridge to US 41	\$400,000
<b>ROAD IMPACT FEES – DISTRICT D</b>			
Revenues	665-400-200	Cash Carry Forward	\$276,998
Expenditures	665-2834-56361	Forest Ridge to US 41	\$276,998

RESOLUTION NO. 2005-156

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE INVERNESS AIRPORT SPRAY FIELD RELOCATION BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, on October 8, 2002, the Citrus County Board of County Commissioners executed a Joint Participation Agreement with the State of Florida Department of Transportation; and

WHEREAS, on October 29, 2002, the State of Florida Department of Transportation executed the agreement providing funds to relocate the spray fields at the Inverness Airport; and

WHEREAS, the remaining cash match was included in the 2005-06 budget; 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 2004-05; 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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	063-334-410	State Grant	440,000
	063-381-001	Transfer from General Fund	110,000
		Total Revenues	\$550,000
Expenditures	063-5774-56100	Land	790,000
	063-5774-56300	Improve other than buildings	(240,000)
		Total Expenditures	\$550,000

RESOLUTION NO. 2005-157

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE RESIDENTIAL/MAJOR ROAD BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, on July 26, 2005, the Citrus County Board of County Commissioners approved settlement of the case styled Dale L. Osterling and Jane Osterling vs. Citrus County, Florida; and

WHEREAS, these funds need to be appropriated to cover the settlement; 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 2004-05; 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 9<sup>th</sup> day of August 2005, by the Citrus County Board of County Commissioners.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	326-400-200	Cash Carry Forward	\$750,000
Expenditures	326-4110-56100	Land	\$750,000

3-KK.2 **BID NO. 087-05, UTILITIES, WELL PUMP AND MOTOR REPAIRS**

Mr. Wesch explained that staff had received a last minute bid protest on this item. He added that when the issue was resolved staff would bring the bid item back to the Board for approval.

6- **COUNTY ADMINISTRATOR'S REPORT**

6-A **APPROVAL OF MISCELLANEOUS ITEMS RECEIVED AFTER THE CLOSE OF AGENDA DEADLINE**

6-A.1 **UNITED STATES ARMY CORPS OF ENGINEERS (USACE) PROJECTS**

Mr. Wesch explained that staff was requesting the Board to approve a resolution in support of the Davis Lake Restoration and the Tsala Apopka Littoral Shelf Restoration projects. He mentioned that the Board had authorized staff to acknowledge local sponsorship with the USACE Continuing Authority Program. He advised that neither project received congressional approval or funding for FY 2006 and therefore a resolution to be sent to the County's Congressional Delegation would be in order.

***Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board adopted and authorized the Chairwoman to execute a resolution to request congressional support and funding by the United States Army Corps of Engineers for FY 2006 for the Davis Lake Restoration and Tsala Apopka Littoral Shelf Restoration projects.***

**RESOLUTION NO. 2005-158**

6-A.2 **INTERIM COUNTY ENGINEER**

Mr. Wesch explained that County Engineer Ken Cheek and Public Works Director Ken Frink would be leaving employment on August 12, 2005, and that Florida Statutes required counties to have a named PE (professional engineer) as the county engineer. He stated that Donovan Neese, a PE currently in the Utilities Division, had agreed to serve in the interim position.

***Upon motion by Commissioner Fowler, seconded by Commissioner Damato, and carried unanimously, the Board approved the appointment of Donovan Neese as interim County Engineer.***

2-B EMPLOYEE SERVICE AWARDS

The following employees were recognized for their years of service to the County:  
**5 Years:** Richard Diggs and Francine Nobles. **20 Years:** Rodney Worthington. **30 Years:** Prime Devaughn. (1:31 P.M.)

Mr. Wesch reiterated that Mr. Cheek and Mr. Frink were leaving County employment and complimented their expertise and outstanding service to the County.

2-C PRESENTATION - SAFETY TOWN

Sheriff Jeff Dawsy discussed a visionary concept through a private/public partnership, which was necessary and timely for Citrus County. He presented a slide presentation called "Citrus County Children's Safety Center" (filed with the Clerk's agenda). He explained that this would be a total community effort to keep the children safe and would include three tiers of involvement (Sheriff's Office, Citrus County Children's Advocacy Center, and the School Board). He showed pictures of an operating facility located in Pasco County that had child-size buildings with streets, sidewalks, traffic lights, and vehicles. He mentioned that he would like the Safety Center to become a teaching center for children to learn life-saving facts, traffic rules, vehicle safety; and stranger danger, and that the target audience would be kindergarten to third grade. He displayed a mock design of what the Safety Center could look like with a multi-purpose training center, bus parking, railroad track, individual buildings (bank, hospital, 911 Center, power plant), or basically a small city to train children on safety issues. He said that the Safety Center could meet other needs for seniors, volunteer training, and so on. He advised that the Safety Center would be built by donations, sponsorships, and community support; staffed by volunteers; operated by the Sheriff's Office; and assisted by school personnel and parents. He added that he had received a \$50,000 grant from DJJ (Department of Juvenile Justice) for planning and design; however, land was needed for topography and master site plan.

He then spoke about the partnership that his office had developed with the representatives of the Citrus County Children's Advocacy Center. He mentioned their plans to build a cottage named "Jessie's Place". He explained that those plans were separate from Safety Town; however, the cottage could be built on the same property. He discussed the national and local statistics on child abuse and the specialized services provided by the Children Advocacy Centers, showed pictures of Kimberly's Cottage in Marion County, and displayed the other counties that were served by Child Advocacy Centers.

He finalized his presentation by speaking about "Enterprise Village", which was a training program in Pinellas County through the school system. He explained that this was a hands-on business education program for fifth graders through middle school to teach real life lessons on becoming productive members of society. He added that Pinellas County's village had a mayor's office, radio station, banks, McDonalds, and so on.

He reiterated that he had received a \$50,000 grant from DJJ and would need approximately 15 acres of land to proceed with planning and design. He said that he



already had a business plan in place, that he had contacted many business people in the community, and that the three entities (Sheriff's Office, the School Board, and the Children's Advocacy Center) believed that this Safety Center could become a reality.

Commissioner Bartell strongly supported the concept because this was an investment for the children. He mentioned the property that the County had recently inherited with specifics to recreation (Betz Farm), which had streets, sidewalks, and central sewer and water. He asked the Board to direct staff to research this property to determine if this type of project would be an appropriate use. Sheriff Dawsy explained that the real goal today was to see if the Board would partner with him on the next step of this vision.

Discussion ensued regarding the School Board donating land for this project, concerns with duplication of services, legality of using Betz Farm for this project, the School Board being in favor because they were already participating in Enterprise Village in Pinellas County, and so on.

***A motion was made by Commissioner Fowler and seconded by Commissioner Bartell to instruct staff to move forward on the concept (Citrus County Children's Safety Center), and to work with the Sheriff in developing the concept in an effort to make it a reality.***

Discussion ensued after the motion regarding the Safety Center being located in the central part of the County, the need for water safety, knowing all of the partner's responsibilities now and in the future, and staff reviewing the Betz Farm property.

Sheriff Dawsy stated that this was the initial part of a vision, that he did not need a site specific location at this time, and when he returned to the Board all of the elements, cost factors, and so on would be defined. He added that he was asking the Board at this time if they were in agreement with the concept. He mentioned that he would be bringing this presentation to the School Board shortly.

The Chairwoman stated that the Sheriff would come back to the Board for a final decision.

Sheriff Dawsy explained that he had an architect and would like to have different properties and different master site plans to explore. He added that he appreciated the working relationship that he had with the Board. He replied to Commissioner Damato's question regarding the buildings by stating that the school superintendent had pledged the Withlacoochee Technical Institute resources to construct the buildings at their site and assist in developing and building all of the structures on the site. He said that there would be a cost involved with placing and maintaining a building in the Safety Center; for example, Home Depot, McDonalds, SunTrust, and that he was working on the development of that into the business plan. Commissioner Damato asked the Sheriff to look into corporate sponsors and find out what their future participation would be on this project.

The Chairwoman asked if anyone in the audience wished to address the motion. There was no public comment.

***The Chairwoman called a question on the motion and the motion carried unanimously.*** (2:09 P.M.)

2-D ***CERTIFICATE OF RECOGNITION - EAGLE SCOUT AWARD***

***Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board approved and authorized all Commissioners to execute a Certificate of Recognition to David Rundio for attaining the rank of Eagle Scout.***

(2:11 P.M.)

The Chairwoman recessed the meeting and reconvened at 2:25 P.M.
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2-E ***CITRUS COUNTY HISTORICAL SOCIETY (CCHS) LEASE AGREEMENT***

President of the CCHS John Piersall asked the Board to rescind the July 12, 2005, letter from the Chairwoman to the Clerk, and to enforce the lease between the Board and the CCHS.

Marcia Beasley stated that the CCHS had made a sincere effort to enforce the lease without bringing the violation before the public. She explained that the violation was about an unauthorized County office in the Old Courthouse. She said that the County archives were not limited to the records from the Clerk, nor were they comprised solely of the Clerk's records; that they consisted of public and private records and other archival material, which had historical value to the County, per Florida Statute (FS) 199. She advised that historical archives were typically managed by professional archivists and not record clerks. She mentioned that the Board needed to define "County office" in the lease and she discussed the items that were located in the office occupied by the Clerk employee, which constituted an unauthorized County office. She continued by stating that the community objected to County offices in the Old Courthouse, that the Clerk's Office should have been listed in paragraph 30 of the lease similar to the judiciary, that CCHS had to find additional storage for archival records outside of the Old Courthouse because of the Clerk's records, and so on.

Vice-president of CCHS Beverly Drinkhouse made additional comments about the violation of the lease. She stated that only CCHS had the authority to allocate space within the building, that the Clerk had no jurisdiction to determine how the space should be utilized, that the CCHS was unaware of the July 12, 2005, letter until it was approved by the Board on the consent agenda at the July 12 Board meeting, and so on. She added that the Clerk employee who was located in the Old Courthouse was there on a temporary basis. She spoke about CCHS members who were no longer willing to dedicate their efforts to raise funds supporting and maintaining the Old Courthouse museum if the lease was not upheld.

Dan Quick, life member and former president of the CCHS, stated that he had led the move to approve the housing of a special needs employee of the Clerk's Office to the

Old Courthouse, and that his only regret was that the CCHS was now facing a confrontation concerning the agreed upon use of the Old Courthouse. He commented on the CCHS membership, the Old Courthouse being an asset to the County, and the private and public funding and artifacts that were donated. He requested that the lease agreement be enforced.

Mr. Piersall concluded by stating that the CCHS had accomplished everything the Board had requested, and that the CCHS members were passionate about the Old Courthouse. He then commented on the past and future exhibits.

Mrs. Strifler stated that the Clerk of the Court acted as the custodian of the public records as defined by FS 119, and that in 1992 the duties of the Clerk were expanded to the management of the Historical Resources Office and the archives and special collections area in the Historic Courthouse. She advised that the 1992 agreement stated that the archives and special collections program would be funded by the Board and managed by the Historical Resources Office under the direction of the Clerk. She added that it had been suggested that an operating agreement be drafted by a committee made up of representatives from all concerned parties to resolve this matter.

She responded to an editorial in the St. Petersburg Times as follows: the Citrus County archives housed in the Historic Courthouse vault was a collection of records deemed historically significant by the State Bureau of Archives and Records Management, and that the Clerk was the custodian of public records and was required by law to have a deputy clerk present when a record was requested or reviewed. She mentioned that state grant funding was provided to the County to renovate the first floor of the Historic Courthouse for the purpose of a museum, County archives, and library to conduct research into the historical records. She added that she had requested from the Board a records center to manage and store County records; however, that request was not related to historical records. She also responded to an article in the Citrus County Chronicle regarding a statement that a former deputy clerk was allowed to work temporarily as a courtesy to her parents who were supporters of the society. She clarified that the former employee was provided reasonable accommodations to perform the essential functions of the job during the time when the employee was able to perform those tasks. She stated that she was not responsible for the comments; however, deeply regretted and was sorry for any embarrassment caused to the former employee or her family.

Commissioner Phillips mentioned a letter from Tom Richie (filed with the backup material) requesting her to recuse herself from this issue due to conflicts of interest. She stated that she was friends with the Clerk as well as many elected officials, and that a family member was employed by the Clerk's Office, which did not create a conflict regarding this issue. She mentioned that should the employees of the Clerk and the historical archives that belonged to the County be removed from the Historic Courthouse, it would cause a substantial cost to the taxpayers. She stated that considering all of those issues she would decline Mr. Richie's request.

Commissioner Phillips commented that she had been made aware of this issue a while ago, that Mr. Wesch and she had met with members of the CCHS and the Clerk, and that a meeting had been scheduled for August 30 to resolve this issue. She apologized to those that should have been contacted regarding the July 12 letter and explained that she had replied to a letter she had received from the Clerk requesting a letter of support, and that she had sought the assistance of the County Attorney's Office to assure that her response was based on facts. She added that the letter mentioned that it was the statutory responsibility (FS Chapter 119) of the Clerk to be the custodian of the County archives. She advised that the Historical Resource Office had been in existence since 1992 and located in the Historic Courthouse when the lease agreement was approved, and that the Board's explanation within the budget alluded to the fact that the Historical Resource Office was responsible for archives and collections. She added that the lease did not mention archival records or the custodianship of those records and that the Board was statutory responsible for supplying all constitutional officers with office space. She proclaimed that if the Board were going to enforce one section of the lease, they would need to enforce all sections (referring to the CCHS Office located on the second floor). She advised that paragraph 30 stated that except for the Historical Resources Office and the judiciary, no other offices should utilize the second floor.

Commissioner Damato stated that he had personal ties to this issue, as a member of CCHS and past president of the museum trustees. He expressed concern about the issue, stated that there had never been a conflict between the CCHS and the Clerk, and that the statutory duties of the Clerk and the presence of the CCHS were equally important. He added that the operational procedures needed to be better defined to meet the needs of the citizens. He mentioned that he did not believe this issue should be resolved by the Board today. He suggested that the Historical Resources Advisory Board (HRAB) act as facilitator between the County Administrator, the County Attorney, the CCHS, and the Clerk to resolve the issue.

Commissioner Fowler made brief comments regarding the lease and the July 12, 2005, letter from the Chairwoman to the CCHS. He stated that it was rare to place a letter on the consent agenda for Board approval because it did not allow public comment. Mr. Battista replied to Commissioner Fowler's question concerning violation of the lease by stating that based on what he had heard today, the Board was not in violation. He added that other documents could be brought forward to prove otherwise, that there was no definition for the office of Historical Resources, and so on.

Mrs. Strifler replied to Commissioner Fowler's question regarding the possibility of storing those records elsewhere by stating that the state had provided funding for the specific purpose of a museum, County archives, and a library on the first floor of the Historic Courthouse. She added that she had provided copies of the floor plan and the grant application (filed with the Clerk's agenda). She mentioned that the historic records were convenient to the public for educational tours and for citizens, college students, newspaper reporters, and title searchers who needed to access the County archives. She stated that she believed the state funding was originally established for a County archive

and library; however, the Board could create another scenario for the historic records if they wished.

Mr. Battista replied to Commissioner Fowler's question regarding the Clerk's authority by stating that according to the lease, the Clerk did not have the authority to order the CCHS out of the Historic Courthouse or any space in the building.

Commissioner Phillips advised that since 1992 the Board's budget had a description of the Historical Resources Office. Mr. Battista explained to Commissioner Fowler that budget transactions had no effect on the lease. Commissioner Phillips referred to the information provided by the Clerk (filed with the Clerk's agenda), which described the purpose and definition of the historical resource officer.

Discussion ensued regarding the purpose of a lease, the historical records being available for visitors to view, continuing the decision until after the August 30 meeting, and so on.

***A motion was made by Commissioner Valentino to delay making a decision on this issue today and maintain the August 30 meeting with the Citrus County Historical Society so that the issue could be resolved. Motion died for lack of a second.***

Commissioner Phillips stated that the issue was with the lease and it was the Board's statutory responsibility to provide space for the Clerk. She agreed with continuing to have the August 30 meeting, that the meeting could be open to the public, that the County Attorney should be present to help mediate, that Commissioner Damato had suggested that HRAB facilitate that meeting, that the County Administrator should be present, and so on. She advised that she hoped to resolve the issue at the August 30 meeting, and that the outcome would be brought to the Board. Commissioner Valentino mentioned that the lease would expire June 2006, and the Chairwoman stated that the motion today should be to renegotiate the lease to make it agreeable to all parties.

***A motion was made by Commissioner Phillips and seconded by Commissioner Valentino to continue with the scheduled August 30, 2005, meeting with the representatives of the Citrus County Historical Society, the Clerk, the Board of County Commissioners, the Chairwoman, the County Administrator, and the County Attorney for the purpose of renegotiating the lease for an amicable agreement between the Board of County Commissioners and the Citrus County Historical Society.***

Commissioner Bartell stated that all parties had the same goals for historic archives, that it might be time to renegotiate the lease, and that he would support the motion.

Commissioner Damato stated that he would support the motion; however, he had a reservation regarding the amount of people involved in the motion.

The Chairwoman clarified the motion by stating that the meeting would include representatives of the Historical Society, the Clerk of the Court, the Chairwoman, the County Administrator, and the County Attorney. She added that public input would not be allowed at the August 30 meeting; however, when the lease was brought before the Board for approval public input would be allowed.

Commissioner Fowler stated that this had been the most successful public/private partnership, and that he did not like the portion of the motion regarding renegotiating the lease because of the unintended implied threat. He suggested resolving the current issues first.

Commissioner Phillips explained that she suggested renegotiating the lease because the lease was the issue and it would expire soon. She said that a lease needed to be written so that everyone agreed and if the group on August 30 could not prepare that lease, the Board would have to write the lease agreement. She added that the lease needed supplements that could be amended in the future.

Commissioner Damato asked staff to review the resolution that created the HRAB to determine if they were part of the lease and the historical resources and to determine if they should be part of the August 30 meeting.

The Chairwoman asked if anyone wished to comment on the motion.

Patti Keever made brief comments about her experience with historical societies and stated that she could not understand why this had become an issue. She said that she believed there had been a personality conflict between a few people and now the CCHS and the Board was debating an issue that should have never started.

Ron Drinkhouse stated that he was upset that the Clerk had asked the CCHS to evacuate their space in the Historic Courthouse.

Richard Stimpfl suggested that the Clerk move her records into the new courthouse so that the CCHS could expand their space in the Historic Courthouse.

Sophia Diaz-Fonseca commented that the Clerk's Office had been a great asset to the CCHS. She expressed concern with the public access to those records if they were moved from the Historic Courthouse. She added that the records should be open and accessible to the public and the public should be number one when everyone met on this issue.

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

The Chairwoman recessed the meeting and reconvened at 4:16 P.M.
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2-F **CROFT ROAD INTERSECTION IMPROVEMENT PROJECT**

Mr. Wesch mentioned that staff had previously made a presentation to the Board (July 12, 2005) regarding the Croft Road Intersection Improvement Project (Project); however, they neglected to request approval of the resolution for the Project. He requested adoption of the resolution following a brief presentation by Walt Eastmond (Engineering Manager) and public comment.

Mr. Eastmond advised that the Board made choices for the Project at the public workshop and that favorable comments were made by Richard Fitzpatrick (Citrus County School Board Attorney). He mentioned that a letter from Larry Haag was included in the backup material (regarding County acquisition of his client's property). He then proceeded with a short PowerPoint presentation (filed with the Clerk's agenda). He advised that the Project was located between Hayes Road and County Road (CR) 486, approximately one-half mile in length. He reviewed the following topics that were discussed at the workshop: (1) design elements, including typical sections (four-lane divided versus five-lane section) and roadway alignment; (2) design concepts; and (3) evaluation factors. He indicated that the Board selected the four-lane typical section with a raised median, the east alignment that abutted the Hernando Elementary School property, and Design Concept 3, which redirected the bus loop to CR 486 with consolidated access to Barn Owl Path, Rotor Wing Path, and the school.

Mr. Eastmond replied to Commissioner Damato's question regarding expansion of the school by stating that the School Board owned a large amount of vacant property and were contemplating expansion.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairwoman closed the public portion of the hearing.

***Upon motion by Commissioner Fowler, seconded by Commissioner Valentino, and carried unanimously the Board adopted and authorized the Chairwoman to execute a resolution selecting a typical section, alignment, and access management conceptual design for the intersection of Croft Road and County Road 486, outlining criteria considered for each, authorizing commencement of design and creation of plans, authorizing voluntary acquisition of property, authorizing development of an interlocal agreement with the Citrus County School Board, determining the necessity of acquisition by eminent domain by Citrus County of certain property within the County for the purpose of improving, constructing, and maintaining Croft Road and a new County road to provide consolidated access to the Hernando Elementary School, Rotor Wing Path, and Barn Owl Path, and further finding that the public would benefit there from.***

**RESOLUTION NO. 2005-159** (4:21 P.M.)

7- **COMMISSIONER VICKI PHILLIPS, CHAIRWOMAN**

7-A **AFFORDABLE HOUSING ADVISORY COMMITTEE**

***Upon motion by Commissioner Bartell, seconded by Commissioner Damato, and carried unanimously, the Board accepted with regret the resignation of***

Emily Ruiz-Angelo and announced a vacancy for a member-at-large position on the Affordable Housing Advisory Committee for a term that would expire April 25, 2006.

12- **COUNTY ATTORNEY'S REPORT**

12-A **FINAL PLAT - BRENTWOOD TOWNHOMES PHASE III, PLT 05-13**

***Upon motion by Commissioner Bartell, seconded by Commissioner Fowler, and carried unanimously, the Board (1) approved and authorized the Chairwoman to execute the Final Plat of Brentwood Townhomes Phase III, Improvement Agreement, Water and Wastewater Developer's Agreement, and related documents, and (2) directed the Clerk to record all documents in the public records.*** (4:22 P.M.)

12-B **APPROVAL OF MISCELLANEOUS ITEMS RECEIVED AFTER THE CLOSE OF AGENDA DEADLINE**  
**UTILITY RATE STUDY**

Mr. Battista stated that a presentation (Water and Wastewater Rate Study) was previously given by the consultant (Henry Thomas with Public Resources Management Group, Inc.), on the proposed rate increases for the County Utility System. He advised that after discussion and public comment, the Board instructed the County Attorney's Office to determine if it would be feasible for the Citrus County Water and Wastewater Authority (WWA) to review those proposed rate increases. He explained that the WWA was organized primarily to review "for profit utility systems" within the County and there was no format for reviewing a governmental utility; therefore, the examination would be an "ad hoc" process. He expressed concern with spending the WWA funds for a more complex review because the WWA was funded by fees from regulated utilities, and County utilities were not regulated. He referenced a letter attached to this item from a consultant (Hoyle, Tanner & Associates, Inc.), outlining the cost involved depending on the extent of the review. He said the review could be brief, followed by a question and answer period, and any issues raised could be addressed at the public hearing. He requested that if the Board wished to continue with the review, that they authorize the consultant to proceed, provide direction on the extent of the review, and reschedule the public hearing from August 23 to September 13, 2005, in order to provide notification on customers' water bills.

Commissioner Bartell stated that he believed someone with technical ability should review the proposed rate increases in a general, not an in depth manner.

***Upon motion by Commissioner Bartell, seconded by Commissioner, and carried unanimously, the Board (1) directed staff to move forward with a review of the County Water and Wastewater Rate Study by the Citrus County Water and Wastewater Authority, (2) authorized the spending of \$2,000 for the consultant, (Hoyle, Tanner & Associates, Inc.) to proceed with a presentation to the Citrus County Water and Wastewater Authority, and (3) rescheduled the public hearing for September 13, 2005, at 3:30 P.M. due to the need for notification to each customer through the billing cycle.***



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

13-A **ARTHUR J. GALLAGHER AND COMPANY**

***A motion was made by Commissioner Phillips and seconded by Commissioner Bartell to direct the County Attorney's Office to begin the appropriate process to conduct an independent investigation using independent auditors, the State Attorney, the Florida Attorney General's Office, or any other state agency that could assist with the investigation into possible overcharges to Citrus County by the County's insurance broker, Arthur J. Gallagher and Company.***

Commissioner Phillips distributed a Gainesville newspaper article, which stated that Arthur J. Gallagher and Company (Gallagher) had overcharged the City of Gainesville \$1,300,000, Alachua County \$117,000, and the City of Lakeland \$1,000,000. She also distributed two letters from Mr. Wesch dated July 28 and August 4, 2005, inquiring about the firm's position regarding the article (all documents filed with the Clerk's agenda). She expressed concern about the situation because Gallagher had served as the County's insurance broker since August 26, 1997. She stated that although Mr. Wesch had sent letters asking how this would affect Citrus County, she was uncertain that she would have a level of confidence in their reply. She emphasized that the Board had a fiduciary responsibility to the taxpayers to spend money correctly, and she believed it was appropriate to use an independent investigator. She mentioned that the Board approved the firm of Purvis Gray & Company to serve as the County's external auditor, which was on today's consent agenda, and she thought the firm could be utilized for this purpose. She added that she hoped the Board would support her motion and if there had been overcharges to the County, the Board should request a refund.

Commissioner Phillips confirmed for Commissioner Damato that the Board could investigate the relationship between the County and Gallagher from the beginning.

Mr. Battista commented that if the Board favored the proposal, his staff would report a definitive process to the Board in two weeks, as well as contact Purvis Gray & Company, the Cities of Gainesville and Lakeland, and Alachua County.

***The Chairwoman called a question on the motion and the motion carried unanimously.***

(4:35 P.M.)

2-G **PRESENTATION - WELLFLORIDA COUNCIL**

Jeff Feller, resource development director of WellFlorida Council, provided background information about WellFlorida, a private, nonprofit agency created to be involved with healthcare facility regulation in Florida. He advised that WellFlorida served 16 counties, including Citrus, and provided service for Department of Children and Families District 3 and 13. He added that WellFlorida was composed of direct healthcare services, and consulting and research in healthcare policy for communities, school systems, county commissions, and so on.

He presented an annual update of WellFlorida's activities in Citrus County for fiscal year 2003/2004 (documents filed with the Clerk's agenda). He discussed two

programs that affected Citrus County residents, **(1)** the Healthy Start Program, which provided prenatal, and infant care, and **(2)** the Ryan White Program, medical and support services for HIV-positive persons. He advised that the physical impact of WellFlorida for Citrus County in fiscal year 2003/2004 was approximately \$383,000 with 792 clients served. He mentioned that WellFlorida typically requested a seven-cent per capita voluntary funding assistance. He thanked the Board for the years of support and stated that Citrus County had been one of their closest community partners.

He specified that WellFlorida's consultation services also helped communities write federal, state, and private foundation grants. He gave examples of assistance provided to Lake and Hernando Counties in acquiring major federal grants for healthcare centers. He mentioned that starting Monday, WellFlorida would be working with Mary Beth Nayfield (Director of Public Health) in evaluating the need for a community healthcare center in Citrus County.

He advised that WellFlorida had created health profiles for the 16 counties served and that Citrus County was probably the healthiest of those. He indicated that although Citrus County's percentages were about one percent lower than the state for non-elderly uninsured (age 0-64), about 15 percent of the non-elderly population was uninsured and about 14,000 working people did not have access to any type of health insurance. He stated that a community healthcare center would focus on low income uninsured people and on health outcomes. He showed a comparison of different age-adjusted death rates for the five leading causes of death and reported that Citrus County compared unfavorably to the state in four of those causes of death. He also stated that the age-adjusted death rate for unintentional injuries was almost three and one-half times greater than Florida's average, and that injury prevention would need to be reviewed.

He pointed out that the calculation on avoidable hospitalization in Citrus County was about eight hospitalizations per one thousand people and was higher than the state. He concluded by distributing CD ROMs to the Board (filed with the Clerk's agenda), which provided statistical information about WellFlorida, were free to the public, and could be received by contacting WellFlorida Council in Gainesville.

Commissioner Damato commented that the demographic data could be more accurate (age 0-64) for this County because there were many people between the ages of 55 and 64. Mr. Feller explained that the elderly population needs were more critical, and that senior citizens had a compensation source (Medicare); however, it was difficult for the younger population to qualify for Medicaid, so in some ways, it was better to have a higher senior population because there was more insurance.

Mr. Feller announced that a consumer member position and a purchase member position were open on the WellFlorida Council Board of Directors for Citrus County. He encouraged anyone interested in healthcare policy to apply. (4:50 P.M.)

14- **ANY OTHER BUSINESS OR PERSONS WISHING TO ADDRESS THE BOARD**  
 14-A **JOINT MEETING WITH THE CITRUS COUNTY SCHOOL BOARD**

Commissioner Phillips informed the Board that she had received a letter from Pat Deutschman (chair of the Citrus County School Board) requesting postponement of the joint meeting between this Board and the School Board scheduled for August 26, 2005. She explained that Mrs. Deutschman and she agreed that it would be best to cancel the meeting until it was known how Senate Bill 360 (Infrastructure Planning and Funding) would affect both boards. Mr. Wesch advised that the cancellation would be on the next Board meeting agenda. (4:51 P.M.)

**The Chairwoman recessed the meeting and reconvened at 5:07 P.M.**

Commissioner Fowler did not return to the meeting.

2-H **2005 FIRST CYCLE LARGE SCALE AMENDMENTS**

Assistant County Attorney Michelle Lieberman polled the Board for ex parte communications regarding items H, I, J, and K. All Commissioners replied that they had no previous communications concerning the applications. Gary Maidhof, Director of the Department of Development Services (DDS) made brief comments and read the ordinance preambles into the record.

2-H.1 **CPA/AA-05-01, DDS - CITRUS COUNTY RESOURCE CENTER/VA CLINIC**

Rhonda Lake, Community Development Division (CDD) Coordinator, showed a short slide presentation and briefly described the property, and Sue Farnsworth, Environmental Planner, CDD, reviewed the staff report as follows:

<b>Application Number/Name:</b>	CPA/AA-05-01, DDS - Citrus County Resource Center/VA Clinic
<b>Land Use:</b>	<b><u>Generalized Future Land Use Map (GFLUM):</u></b> From Residential Mixed Use (RMU) to Public, Semi-Public Institutional (PSI) <b><u>LDC Atlas:</u></b> From Planned Development Residential (PDR) to PSI with a Planned Development Overlay (PDO) excluding use as a correctional facility
<b>Property Data:</b>	Approximately 31 acres, further described as Parcel 33210, in Sections 15 and 22, Township 18 South, Range 18 East, located at 2804 West Marc Knighton Court, Lecanto, west of CR 491
<b>Staff/PDRB Recommendation:</b>	Approval
<b>Proposed Project:</b>	Citrus County Resource Center and VA Clinic

Mrs. Farnsworth stated that some comments had been received, including Black Diamond Property Owners Association, and that their legal counsel and staff had agreed that the wording of the PDO satisfied their requirements.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor. Attorney Clark Stillwell, representing Black Diamond Property Owners Association, made brief comments and thanked the Board for keeping the PD on the property.

The Chairwoman then asked if anyone wished to speak in opposition. With no further public comment, the Chairwoman closed the public portion of the hearing.

**Upon motion by Commissioner Bartell, seconded by Commissioner Damato, and carried unanimously, the Board approved application CPA/AA-05-01, Department of Development Services, Citrus County Resource Center/VA Clinic. (5:13 P.M.)**

2-H.2 **CPA/AA-05-02, DDS FOR BUCKHORN PROPERTY HOLDINGS, INC.**

Mrs. Lake provided a brief description of the property, and Mrs. Farnsworth presented the following staff report:

<b>Application Number/Name:</b>	CPA/AA-05-02, DDS on behalf of Buckhorn Property Holdings, Inc.
<b>Land Use:</b>	<b>GFLUM:</b> From RMU to Medium Density Residential (MDR) <b>LDC Atlas:</b> From PDR to MDR
<b>Property Data:</b>	Section 24, Township 18 South, Range 18 East, Tract 2 and a portion of Tract 1 of LR-02-37, located on West Norvell Bryant Highway (Hernando area), 51 acres ±
<b>Staff/PDRB Recommendation:</b>	Approval
<b>Proposed Project:</b>	Heritage Subdivision (PLT-04-33), single-family residential lots

Mrs. Farnsworth reported that this property was erroneously assigned PDR land use; however, there had never been a master plan on the property and the landowner requested a more appropriate land use. She stated that the property was inside the PSA (Planned Service Area) and that the proposed uses were similar to the surrounding area of site built residential homes. She further stated that she had received some public comments, mostly from the residents of Citrus Hills expressing concern about the property use being similar to the surrounding area.

Mr. Maidhof responded to Commissioner Phillips' question concerning incompatible uses with an MDR designation by stating that MDR did allow for some neighborhood type commercial uses, but could only occur through a conditional use public hearing process, and those uses must be compatible with the surrounding area.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairwoman closed the public portion of the hearing.

**Upon motion by Commissioner Valentino, seconded by Commissioner Damato, and carried unanimously, the Board approved application CPA/AA-05-02, Department of Development Services on behalf of Buckhorn Property Holdings, Inc.**

2-H.3 **CPA/OA-05-01 DDS – INTERCHANGE DEVELOPMENT STANDARDS**

Mr. Maidhof stated that he was pleased that staff had received an admirable ORC (Objections, Recommendations, and Comments) Report on this project. Jenette B. Collins, AICP, Principal Planner, CDD, summarized the following text revisions to the Comprehensive Plan (COMP) and the LDC:

<b>Application Number/Name:</b>	CPA/OA-05-01, DDS
<b>Elements:</b>	<b>COMP:</b> Chapter Six - Traffic Circulation Element Chapter Ten - Future Land Use Element <b>LDC:</b> Chapter Four - Mandatory Use, Design Standards and Development
<b>Subject:</b>	Suncoast Parkway 2 Interchange Development Standards
<b>Staff/PDRB Recommendation:</b>	Approval

Mrs. Collins reported that the COMP portion of the text amendment would not change the land use, but would create floating zones and establish interchange management areas (IMA) for all interchange access roads within one mile surrounding the Suncoast Parkway 2 (Parkway) interchanges. She also stated that there could be up to five interchanges, and that the LDC added specific standards for site design within the IMAs. She requested that the written report and staff's presentation on this item at the July 26 workshop be made a part of the public record. She referred to her memorandum dated July 26, which stated that the backup material included a corrected version of the final LDC ordinance amendment, clearly indicating changes to the language and changes in the policy for exterior lighting that decreased the number of foot-candles for various types of lighting.

She explained to Commissioner Damato that much of the language regarding the trails (pedestrian and bicycle) was added to policies within the text amendment for the COMP, Appendix G, under the Traffic Circulation Element and the Goals, Objectives, and Policies for Pedestrians and Bikeways. She stated that the language in the LDC text amendment was under Pedestrian Circulation (page 5, item 1), which she read into the record.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor, then in opposition.

Attorney Jim Neal representing Dick (Richard) and Janet Yant, owners of JDP Kennel, stated that he was perplexed when he requested a copy of the backup material for this item, but was provided only a copy of the LDC ordinance amendment. He mentioned that he had not reviewed the traffic circulation or future land use element text and policy changes. Mr. Maidhof gave Mr. Neal his copy of the other backup material for this item.

Mr. Maidhof responded to his question concerning adoption of the ordinance amendments by explaining that the COMP component was originally submitted as part of the First Cycle Amendment; it was approved by the Board for transmittal to the DCA (Department of Community Affairs) for approval, and was now in the adoption stage. He

added that the LDC ordinance amendment would implement the proposed policies to be amended within the COMP.

Mr. Neal stated that he could not determine where the IMAs would be from this LDC amendment; however, the primary objection of the Yants was that the corridor for the Parkway had not even been selected, and it was unfair to subject them and other property owners within a mile of the proposed interchanges to a complete PDO. He remarked that it was good to plan for the possibility of the Parkway, but the time of implementation was critical, and since the corridor had not been designated, he could not perceive a need for the amendment. He also stated that the amendment would cause the Yant's property and other properties that fell within the IMAs to be nonconforming developments and that it would prohibit expansion of those properties without going through a public hearing process. He questioned if a PD would be required for expansion of existing developments, such as adding dog runs to JDP Kennel, and if central sewer, underground utilities, traffic study, and so on would be mandatory regardless of any type of new development or current operating business.

Mr. Maidhof explained that the proposed COMP Goals, Objectives, and Policies and LDC standards would become effective when and if the Turnpike Enterprise identified a preferred corridor and a build option. He stated that prior to that time, if the Yants wished to expand their kennel the current LDC standards would apply. He advised that the intent was to have regulations in place so when and if a corridor was identified; sporadic type development would be prevented. He also stated that the proposed standards did not apply to any property in Citrus County today, and that language was specified in the COMP.

Mr. Neal requested that language be added to the LDC ordinance amendment specifying that the standards would not take place until and if a Parkway corridor and build option was selected, so there would be no question should the Yants or anyone else appeal for additional development. He indicated that some of the standards were subjective, and that language addressing landscaping and buffering, and design for signage were not clearly defined. Mr. Maidhof said that those matters would be determined through a PD public hearing process, and that staff, the PDRB, and the Board would determine if signage, for example, was acceptable. Mr. Neal replied that it would be helpful if the standards were specified similar to those of other commercial uses throughout the County, so when a plan was submitted, the property owner would know if they were in compliance. (5:33 P.M.)

Mr. Yant remarked that Janet (Mrs. Yant) and he had always been supportive of the Parkway; however, they thought this amendment was overly ambitious and too vague in many areas. He mentioned that they had owned commercial property on State Road 44 for 25 years; however, they believed that for the past 10 years, they had been "held hostage" by the proposed Parkway. He questioned that if they decided to sell their property, how they would explain the proposed regulations to a potential buyer when it was unknown if, when, or where the Parkway would be located. He said that the latest Parkway proposals shown on the County map involved 250 feet of their property, and they

were concerned that even more land would be required and that the kennel business would be eliminated. He mentioned that the reason they were here today stating their objection was because they missed the July 12 PDRB meeting and the July 26 workshop.

Commissioner Phillips remarked that this Board understood the concerns of the Yants and other property owners regarding the possible Parkway corridors, and that the Board continued to request that the selection of the corridor be no more than three options. She specified that the Board's intent was to prohibit unsightly uncontrolled commercial development around the nodes (IMAs), and if the Board waited until a selection was made for a corridor, it would be too late to set regulations in place. She mentioned that the Board wanted some type of control over signage; for example, not allowing neon signs; however, the LDC would prevail for the size and so on. She added that the standards would help the County tremendously and would avoid the appearance of the Wildwood exit, for example. She asked Mr. Maidhof if the Yant's property were affected by the Parkway corridor, would it be grandfathered in.

Mr. Maidhof replied that the Yants or their successor business would be recognized as a valid nonconforming use for operating the same business. He detailed the following two scenarios if the Parkway was built through the County: **(1)** larger commercial developments might want to purchase the Yant's property or other properties for developing a hotel, fueling station, and so on at the IMA areas; or **(2)** the Turnpike Enterprise would own and control the IMA areas and lease the property for development; however, in either situation, the County would control the appearance of the interchanges and the new standards would apply. He added that regardless of the properties affected by the Parkway, it would be advantageous for the buyers and sellers because development standards would be established. He pointed out that the trigger to the regulations going into effect would be when the Turnpike Enterprise identified a preferred corridor and a build option, and until that time, the LDC would apply.

Mr. Neal asked Mr. Maidhof to identify the language that specified the standards would not be effective until the corridor was selected and the build option was determined.

Mr. Maidhof referred to Objective 10.7 (Chapter Six - Traffic Circulation Element), which referenced the process of the Parkway alignment. He stated that the Board could make a determination that the COMP Goals, Objectives, and Policies in this section of the LDC go into effect when the Turnpike Enterprise selected a corridor and a build option, which would probably be within eight to ten years. He responded to Commissioners Bartell and Phillips request to add a sentence regarding an effective date by stating that the appropriate place to insert that language would be in the implementing ordinances.

Assistant County Attorney Michelle Lieberman explained that the COMP Goals, Objectives, and Policies must have implementing language of the LDC, and that adding language to the LDC ordinance amendment would be adequate. Commissioner Bartell commented that the language should be explicitly clear. He also stated that he was proud of staff for taking a proactive stance now rather than waiting until the Parkway interchanges and corridor was selected.

Mr. Maidhof affirmed that language would be added within the LDC ordinance amendment as follows: *"the effective date of this ordinance shall be adopted by resolution of the Board of County Commissioners upon selection of a preferred corridor and established interchanges by the Turnpike Enterprise."*

With no further public input, the Chairwoman closed the public portion of the hearing.

**Upon motion by Commissioner Bartell, seconded by Commissioner Damato, and carried unanimously,** the Board adopted and authorized the Chairwoman to execute an ordinance to amend the Citrus County Land Development Code, Ordinance 90-14, to adopt interchange management areas pertaining to the Suncoast Parkway 2; providing for standards to establish interchange management areas proximate to interstate interchanges; providing standards for access management, landscape and buffering, lighting, pedestrian circulation, signage, and subdivision regulations relative to interchange management areas; providing for conflicts; providing for severability; providing for codification and providing for an effective date, in accordance with application CPA/OA-05-01, Department of Development Services. **ORDINANCE NO. 2005-A24** (5:47 P.M.)

2-1 **2005 SMALL SCALE CYCLE NO. THREE AMENDMENTS**  
**CPA/AA-05-06, FELIX AND STEPHEN W. DZEIDZIECH**

Mr. Maidhof read the ordinance preambles into the record, Mrs. Lake provided a short slide presentation of the property, and Joanna L. Coutu, AICP, Senior Planner, CDD, gave the staff report as follows:

<b>Application Number/Name:</b>	CPA/AA-05-06, Felix and Stephen Dzeidziech
<b>Property Data:</b>	5468 West Homosassa Trail, CR 490, or a portion of Parcel 1A000-0020, Crystal Acres Unrecorded Subdivision Lot 2, lying northeast of the intersection of CR 490 and Rock Crusher Road about 3.5 miles east of US 19 1.65 acres + of a 2-acre + parcel
<b>Land Use:</b>	<b><u>GFLUM and LDC Atlas:</u></b> from LDR (Low Density Residential) to MDR
<b>Staff/PDRB Recommendation:</b>	Approval

Mrs. Coutu explained that the applicant had previously applied to change this parcel to General Commercial (GNC); however, after staff review the applicant withdrew that request and was now requesting MDR District, which provided a transitional use between the surrounding commercial node and the LDR area.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor or in opposition. With no comment, the Chairwoman closed the public portion of the hearing.



**Upon motion by Commissioner Bartell, seconded by Commissioner Damato, and carried unanimously, the Board approved application CPA/AA-05-06, Felix and Stephen Dzeidziech.** (5:50 P.M.)

2-1.2 **CPA/AA-05-10, WILLIAM E. AND RUTH E. WILLIS**

Mrs. Lake presented a slide presentation and Mrs. Coutu provided the staff report on the following:

<b>Application Number/Name:</b>	CPA/AA-05-10, William E. and Ruth E. Willis
<b>Property Data:</b>	Villa Terrace Unit 8 of Homosassa, Block 305, Lots 1, 2, 15, and 16, 2951 South Audubon Terrace, Homosassa. Approximately 1.4 acres
<b>Land Use:</b>	<b><u>GFLUM and LDC Atlas:</u></b> from GNC and LDR to Professional Services and Office (PSO)
<b>Staff/PDRB Recommendation:</b>	Approval

Mrs. Coutu explained that there was an existing office on Lot 1 with a GNC designation and that the remainder of the site was vacant. She added that the applicant planned to develop an office complex on the site and that the change appeared to provide a transitional area between the commercial development on Homosassa Trail and the residential area to the north.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairwoman closed the public portion of the hearing.

**Upon motion by Commissioner Bartell, seconded by Commissioner Valentino, and carried unanimously, the Board approved application CPA/AA-05-10, William E. and Ruth E. Willis.** (5:52 P.M.)

2-1.3 **CPA/AA/PDO-05-14, PARADISE DEVELOPMENT GROUP**

Mrs. Lake presented a slide presentation of the property and Mrs. Collins provided the staff report as follows:

<b>Application Number/Name:</b>	CPA/AA/PDO-05-14, Paradise Development Group
<b>Property Data:</b>	Section 24, Township 20 South, Range 17 East; further described as Lots 20 through 25 (less US 19 right of way), Block 1 of US 19 No. 3 Addition. 3.40 acres +
<b>Land Use:</b>	<b><u>GFLUM and LDC Atlas:</u></b> From PSO District to GNC District
<b>Proposed Project:</b>	Walgreen's Drug Store and multi-parcel shopping center
<b>Staff/PDRB Recommendation:</b>	Approval subject to conditions listed in backup material

Mrs. Collins explained that the amendment involved six lots located within the US 98 commercial node on US 19 in part of the US 19 No. 3 Addition Subdivision. She advised that the request was also to establish a Master Development Plan through a PDO that would encompass 15.41 acres including the 3.40 acres for a two-phase project with 67,660 square feet of commercial use. She advised that there had been no changes to

the application since the July 12 workshop and that all concurrency issues had been met. She stated that staff's review of the proposed uses and development phasing design coupled with the applicant's proposal to isolate the wetland area from development, as well as the overall traffic circulation plan did warrant consideration, and staff did not find that the proposed plan would be a detriment or was incompatible with surrounding uses. She reported that the project would serve the population of the surrounding communities of Sugarmill Woods, Chassahowitzka, and Homosassa. She added that the project was located within the PSA, incorporated good planning practices, and offered a design that would meet the large retail standards of the LDC.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairwoman closed the public portion of the hearing.

Commissioner Damato discussed the importance of this monumental project and complimented the developers and staff on working together to ensure that all LDC standards had been met to guarantee the public an aesthetically pleasing high quality project. He stated that this project would be a highly visible gateway to the Nature Coast community from the east and the first large commercial development visible to the public as they entered the County from the south on US 19. He recommended that the developers agree to the County's performance standards for care and maintenance of the exterior building facades, frontage roads, parking lots, and particularly the landscaping into the future. Commissioner Valentino questioned if the developers would be obligated to continue those standards.

Mr. Maidhof explained that this amendment was a combination of the actions of the partnership of the Board and the FDOT in the realignment of the US 98 and US 19 intersection, and that it was an implementation of the US 19 node program the Board adopted as part of the original COMP through the Stipulated Settlement Agreement. He added that it was an implementation of the US 19 Access Management Plan adopted a few years ago to better manage access along US 19 and limit road cuts and medians, and that this was the first development that was meeting the full criteria of the revised tree ordinance and the "big box" ordinance. He stated that the LDC already contained significant language requiring maintenance for the types of infrastructure Commissioner Damato spoke about, that approval of this amendment merely provided the framework by which the applicants could obtain a Development Order, and that staff would specify conditions for those types of infrastructure when a permit was issued for the Development Order.

***Upon motion by Commissioner Bartell, seconded by Commissioner Damato, and carried unanimously, the Board approved application CPA/AA/PDO-05-14, Paradise Development Group.***

Commissioner Bartell left the meeting.
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**Upon motion by Commissioner Valentino, seconded by Commissioner Damato, and carried unanimously,** the Board adopted and authorized the Chairwoman to execute all ordinances associated with the 2005 First Cycle Large Scale Amendments, (in accordance with CPA/AA-05-01, DDS, Citrus County Resource Center/VA Clinic and CPA/AA-05-02, DDS for Buckhorn Property Holdings, Inc. (A/K/A Heritage), and the 2005 Small Scale Cycle No. Three Amendments (in accordance with CPA/AA-05-06, Felix and Stephen Dzeidziech, CPA/AA-05-10, William E. and Ruth E. Willis, CPA/AA/PDO-05-14, and Paradise Development Group).

**ORDINANCE NOS. 2005-A25 THROUGH 2005-A28, RESPECTIVELY** (6:01 P.M.)

2-J **AA-05-06, MCFARLAND CONSTRUCTION, INC.**

Mrs. Lake presented a slide presentation of the property, Mr. Maidhof read the ordinance preamble into the record, and Mrs. Coutu provided the staff report as follows:

<b>Application Number/Name:</b>	AA-05-06, McFarland Construction, Inc.
<b>Property Data:</b>	Section 14, Township 17 South, Range 18 East, Citrus Springs Unit 1, Block 68, Lot 18, 9220 North Peachtree Way, Citrus Springs. Approximately 0.23 acres
<b>Land Use:</b>	From PDR, Duplex Use to PDR, Single-Family Residential
<b>Proposed Project:</b>	Single-family residence
<b>Staff/PDRB Recommendation:</b>	Approval

Commissioner Bartell returned to the meeting.

Mrs. Coutu advised that the parcel was surrounded by duplexes and multifamily sites and that most of the area was vacant. She reported that the applicant applied for a single-family home on the site and was unaware that the site was designated for duplex use. She stated that the area was similar in size and appearance to the single-family residential lots a few blocks to the east, and impacts would be reduced by eliminating one living unit.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairwoman closed the public portion of the hearing.

**A motion was made by Commissioner Phillips and seconded by Commissioner Damato** to adopt and authorize the Chairwoman to execute an ordinance amending the Citrus County Land Development Code Atlas, Ordinance No. 90-14, by changing the land use designation of certain property located in Section 14, Township 17 South, Range 18 East, from Planned Development Residential Duplex Use to Planned Development Residential Single-Family Use; by providing for repeal of conflicting ordinances; and providing for an effective date, in accordance with application AA-05-06, McFarland Construction, Inc.

Mr. Maidhof answered Commissioner Valentino's question concerning issuance of a permit for construction before Board approval by stating that a permit was issued in

this case with the understanding that should the Board fail to approve the application, the structure would need to be converted into a duplex. He explained that on occasion, he would authorize a permit because of a timeline in a client's contract; but typically, staff would not issue a permit until the application was approved by the Board.

***The Chairwoman called a question on the motion and the motion carried unanimously. ORDINANCE NO. 2005-A29 (6:04 P.M.)***

2-K ***AA-05-08, LINDHORST CONSTRUCTION INC., FOR SISK, PLUOT, SCHAEFER, AND GAPCZYNSKI***

Mr. Maidhof read the ordinance preamble into the record, Mrs. Lake showed a slide presentation and briefly described the property, and Margaret A. Beake, AIA, AICP, Senior Planner, CDD, provided the following staff report:

<b><i>Application Number/Name:</i></b>	AA-05-08, Lindhorst Construction, Inc., for Jeffrey E. and Salina C. Sisk (Lots 5 and 6); Pascal L. and Caren Pluot (Lot 7); Richard and Stephanie K. Schaefer (Lot 8); and Gerald S. and Diane S. Gapczynski (Lot 9)
<b><i>Property Data:</i></b>	Section 17, Township 20 South, Range 18 East; further described as Lots 5, 6, 7, 8, and 9, of Block B-K, Cypress Village Sugarmill Woods Subdivision (Homosassa area) Approximately 3.31 acres
<b><i>Land Use:</i></b>	From PDR Multifamily Use to PDR Single-Family Use
<b><i>Proposed Project:</i></b>	Single-family residences
<b><i>Staff/PDRB Recommendation:</i></b>	Approval

Mrs. Beake reported that staff did verify that there was a house on Lot 10, which was questioned at the last meeting, and that the zoning on that lot had never been changed from multifamily to single-family use, which was an oversight by the County. She stated that the surrounding area was increasingly being changed from multifamily to single-family use; therefore, this application was compatible with the adjacent vicinity. She mentioned that except for the question about the house on Lot 10, no other issues were raised at the public workshop on July 12.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairwoman closed the public portion of the hearing.

***Upon motion by Commissioner Bartell, seconded by Commissioner Damato, and carried unanimously, the Board adopted and authorized the Chairwoman to execute an ordinance amending the Citrus County Land Development Code Atlas, Ordinance No. 90-14, by changing the land use designation of certain property located in Section 17, Township 20 South, Range 18 East, from Planned Development Residential Multifamily Use to Planned Development Residential Single-Family Use; by providing for repeal of conflicting ordinances; and providing for an effective date, in accordance with application AA-05-08, Lindhorst Construction, Inc., for Jeffrey E. and Salina C. Sisk,***

Pascal L. and Caren Pluot, Richard and Stephanie K. Schaefer, and Gerald S. and Diane S. Gapczynski. **ORDINANCE NO. 2005-A30** (6:08 P.M.)

2-L **ORDINANCE AMENDMENT OA-05-05, DDS**

Mrs. Collins stated that this was a staff initiated LDC text amendment to improve the usability of the LDC when identifying specific land uses allowed within each land use category. She also stated that staff was recommending increasing a Level 1 to a Level 2 Review on uses allowed under the various residential and commercial land use districts to insure compatibility with the surrounding residential uses. She advised that at the Board's request during the July 12 workshop, staff added a provision to the amendment to allow an additional 365 days for meeting concurrency requirements regarding the commencement of PDs and PDOs. She then read the language into the record as follows: *"Upon written request submitted prior to termination of the 365 days, the director of community development may grant one extension not to exceed 365 days from meeting concurrency requirements."*

CDD Director Chuck Dixon reminded the Board that they approved the ranking of the LDC Update on the consent agenda today and that this text amendment would clarify the level of review for various land uses in the LDC and would simplify the way that information was conveyed. He then read the ordinance preamble into the record.

The Chairwoman opened the public portion of the hearing and asked if anyone wished to speak in favor, then in opposition.

Attorney Stillwell thanked staff for adding a provision to the amendment allowing one 365-day extension regarding the commencement of PDs. He had concerns on the ordinance amendment regarding the following: **(1)** a conditional use process would be required on certain types of uses that currently did not require that type of review; **(2)** High Intensity Industrial and High Intensity Commercial Uses should be defined; **(3)** language should be incorporated into Section 3321 (Development Standards for Previously Approved Planned Developments) stating that this did not apply to DRI (Development of Regional Impact) resolutions and vested non-DRI's; and **(4)** the deletion of the Recreational Resort from the Coastal and Lakes (CL) District was inconsistent with the land use plan (COMP) that allowed recreational uses in the CL District (letter of objection filed with the Clerk's agenda). He requested that the Board address the last two issues.

Mr. Dixon responded to Mr. Stillwell's comments as follows: **(1)** the County's current performance based zoning ordinance had very generalized land use districts and to ensure compatibility between land uses, the level of review needed to be clarified for those various land uses, and until there was a revised updated ordinance, staff proposed raising the level of review so that any issues regarding compatibility could be negotiated through the public hearing process; **(2)** it was not necessary to incorporate language into the ordinance to allow DRI resolutions to supercede because a DRI constituted a Development Order; and **(3)** Recreational Resort was not a land use district, but was a land use listed in the LDC with specific criteria and had never been allowed in a Low Intensity C/L District. (6:23 P.M.)

Dixie Hollins, president and owner of Citrus Mining and Timber, passed out maps showing his property zoned Industrial (IND) and Extractive (EXT) in the northwest part of the County (filed with the Clerk's agenda). He expressed concern about past permitted uses that now required a Level 2 (PDRB) review, for example, power plant, manufacturing, boat marinas, mining, and so on. He stated that he was also uncomfortable about the "gray areas" in which staff would determine the level of review.

Mr. Dixon, Mrs. Lieberman, Mrs. Collins, and Mr. Maidhof responded as follows to Mr. Hollins' questions, comments, and concerns:

- The County's performance based ordinance did not list every possible land use.
- Level of review "D" would depend on the use and was subject to specific criteria in the LDC.
- Communication transmission towers were classified as level of review "D".
- Level of review "S" was subject to interpretation by the Community Development Division Director.
- A plant nursery in a CL District, a sod farm, or other similar uses would require a Level 2 review.
- A power generating facility would be permitted under a Level 1 review.
- A public wellfield must be compatible with a land use to avoid potential contamination, and a Level 2 review would be required if a public wellfield exceeded 100,000 gallons per day.
- A Level 2 review would not be required for a power generating gas turbine with an excess of 100,000 gallons because that type of facility would not require potable water, it would be a withdrawal well for cooling purposes.
- A Recreational Vehicle Park (RVP) District with a consumptive use in excess of 100,000 gallons of potable water would require a permit from the water management district, a DEP (Department of Environmental Protection) permit, and a Level 2 review in order to ensure that the aquifer would not be adversely impacted.
- Marina, manufacturing of boats, and storage under the Industrial District would be a Level 1 (staff) review.
- The encouraged approach to establish an RVP would be a land use change to an RV category, which would require Board approval and would allow for conditions. The retail aspect of an RVP could be an expansion later or a Level 1 review associated with the RVP. New RVPs required a master plan.
- The public had the right to challenge a Level 1 (staff decision) review.

Mr. Stillwell pointed out that Mr. Maidhof made a comment at the last public workshop about Chapter 5 being flawed, and that Mr. Dixon had stated that this amendment was about compatibility. He suggested that the ordinance specify that any new conditional use review as required by this ordinance shall be reviewed for the purposes of land use compatibility.

Mr. Maidhof remarked that he had no concerns about the conditional use process, and that Mr. Stillwell was referencing the supplement standards section, which

oftentimes required a density or intensity that was higher than that specified in the LDC. He stated again for the record that the section was flawed, and that the issue had been discussed with the contractors working with staff on the LDC as well as the consultant retained by DCA who would assist the County in reviewing the COMP and the LDC concerning springs protection. He expressed concern about including the language proposed by Mr. Stillwell in the document at this late date because there were different compatibility issues. He committed to the Board that he would continue to work closely with the DCA consultant and the current consultant to investigate an interim amendment to that section; however, he thought this amendment had merits as proposed.

With no additional public comment, the Chairwoman closed the public portion of the hearing.

***A motion was made by Commissioner Valentino and seconded by Commissioner Phillips to adopt and authorize the Chairwoman to execute an ordinance amending the Citrus County Land Development Code Atlas, Ordinance No. 90-14, by amending processes for Planned Developments and Planned Development Overlays; by amending standards for nonconforming waterfront setbacks; by amending standards for determining land use for previously approved Planned Developments; by defining specific uses allowed within land use districts; by amending standards for prohibited signs; by deleting Appendix G; and by providing for codification, severability, and an effective date, in accordance with application OA-05-05, Department of Development Services.***

The Chairwoman explained to Commissioner Damato that even after Board approval, this amendment would still be reviewed many times. Mr. Dixon gave a brief history of the original LDC ordinance, and stated that it needed to be updated because safeguards had been removed and it had been amended so many times. He advised that this was an interim step to cover gray areas that had not been anticipated, such as incinerators, large garages, and other things that were not specifically spelled out in the ordinance. He added that the amendment would be reviewed again, that there would be a report and recommendations from the consultant, and a public hearing process.

***The Chairwoman called a question on the motion and the motion carried unanimously.*** **ORDINANCE NO. 2005-A31**

There being no other business to come before the Board, the Chairwoman adjourned the meeting. (6:51 P.M.)

ATTEST: \_\_\_\_\_, Clerk \_\_\_\_\_, Chairwoman