

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

Clerk: Glenda Brown, Deputy Clerk

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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3- **CONSENT AGENDA**

***Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board pulled item 3-W (RealtiCorp Environmental Resource Permit Application), approved the following consent agenda items, and authorized the Chairwoman to execute all related documents:***

3-A Minutes of the regular meeting held on July 26, 2005, with correction to item 3-C, and the special meeting held on July 27, 2005 (Preliminary Budget Hearing).

3-B Payroll registers dated August 16, 2005, for \$576,866.97, and dated August 18, 2005, for \$31,093.45 and \$998.70. Accounts payable register dated August 19, 2005, for \$6,264,501.66.

3-C Budget Resolutions:

RESOLUTION NO. 2005-160

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

WHEREAS, on December 7, 2004, the Citrus County Board of County Commissioners approved an agreement for the Challenger World event to be held in Citrus County; and

WHEREAS, this event will be funded by the Tourist Development Council and Occupational License 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 23<sup>rd</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	160-400-200	Cash Carry Forward	\$25,000
Expenditures	160-2122-58221	Special Projects	\$25,000

RESOLUTION NO. 2005-161

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE ARTICLE V LEGAL AID BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, as part of the Article V implementation that began on July 1, 2004, the County receives \$65 mandatory court cost; and

WHEREAS, these funds must be used to support an innovative court program, Legal Aid, Law Library and Teen Court; and

WHEREAS, unspent funds must be transferred to the Drug Court program which is the innovative court program designated by the Board of County Commissioners; 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

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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	095-400-200	Cash Carry Forward	\$2,784
Expenditures	095-5705-59100	Transfer	\$2,784

RESOLUTION NO. 2005-162

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE ARTICLE V LAW LIBRARY BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, as part of the Article V implementation that began on July 1, 2004, the County receives \$65 mandatory court cost; and

WHEREAS, these funds must be used to support an innovative court program, Legal Aid, Law Library and Teen Court; and

WHEREAS, unspent funds must be transferred to the Drug Court program which is the innovative court program designated by the Board of County Commissioners; 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

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BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	096-400-200	Cash Carry Forward	\$2,784
Expenditures	096-5706-59100	Transfer	\$2,784

RESOLUTION NO. 2005-163

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE ARTICLE V TEEN COURT BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, as part of the Article V implementation that began on July 1, 2004, the County receives \$65 mandatory court cost; and

WHEREAS, these funds must be used to support an innovative court program, Legal Aid, Law Library and Teen Court; and

WHEREAS, unspent funds must be transferred to the Drug Court program which is the innovative court program designated by the Board of County Commissioners; 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

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BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	097-400-200	Cash Carry Forward	\$2,784
Expenditures	097-5707-59100	Transfer	\$2,784

RESOLUTION NO. 2005-164

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE ARTICLE V DRUG COURT BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, as part of the Article V implementation that began on July 1, 2004, the County receives \$65 mandatory court cost; and

WHEREAS, these funds must be used to support an innovative court program, Legal Aid, Law Library and Teen Court; and

WHEREAS, unspent funds must be transferred to the Drug Court program which is the innovative court program designated by the Board of County Commissioners; 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

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/s/ Betty Strifler

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BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	098-381-000	Transfer	\$8,350
Expenditures	098-5708-59100	Transfer	\$8,350

RESOLUTION NO. 2005-165

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING SCHOOL AND PARKS DISTRICT 3 IMPACT FEE BUDGETS FOR FISCAL YEAR 2004-05

WHEREAS, the Board of County Commissioners approved a contract with Tindale Oliver for an Impact Fee update study; and

WHEREAS, additional funds need to be appropriated to cover the costs associated with the research required for the study; 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

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OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<b>SCHOOL IMPACT FEES</b>			
Revenues	611-400-200	Cash Carry Forward	\$17,187
Expenditures	611-2800-53100	Professional Services	\$17,187
<b>PARK IMPACT FEES – DISTRICT 3</b>			
Revenues	638-400-200	Cash Carry Forward	\$1,801
Expenditures	638-2838-53100	Professional Services	\$1,801

RESOLUTION NO. 2005-166

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE CRYSTAL RIVER AIRPORT ROADWAY AM-334 BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, the Crystal River Airport Access Road project will cost more than originally anticipated; and

WHEREAS, funds need to be appropriated to cover the additional monies needed to complete this project; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 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

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OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	060-381-000	Interfund Transfers	28,461
	060-381-001	Transfer – General Fund	26,630
		Total Revenues	\$55,091
Expenditures	060-5773-53100	Professional Services	(2,388)
	060-5773-56300	Improve other than Building	57,479
		Total Expenditures	\$55,091

RESOLUTION NO. 2005-167

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE WATER QUALITY GRANT BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, the Citrus County Board of County Commissioners approved a funding agreement with Southwest Florida Water Management District; and

WHEREAS, the project consists of the final design and construction activities related to the removal of portions of Parsons Point Road, an elevated fill road that extends from Potts Preserve; 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

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OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	062A-334-999	State Non Grant Revenue	23,250
	062A-381-000	Interfund Transfers	23,250

		Total Revenues	\$46,500
Expenditures	062A-5415A-53400	Other Contractual Services	46,500
		Total Expenditures	\$46,500

RESOLUTION NO. 2005-168

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

WHEREAS, the Citrus County Board of County Commissioners has received funds from the Federal Aviation Administration and the Florida Department of Transportation for certain security related projects at the Crystal River Airport; and

WHEREAS, the County's cash match for these projects needs to be appropriated; 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

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VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<b>CRYSTAL RIVER AIRPORT FAA GRANT</b>			
Revenues	076-381-000	Transfers	1,673
		Total Revenues	\$1,673
Expenditures	076-5788-53100	Professional Services	3,100
	076-5788-56300	Improve other than Building	(1,427)
		Total Expenditures	\$1,673
<b>CRYSTAL RIVER AIRPORT DOT GRANT</b>			
Revenues	014-381-001	Transfers	9,254
		Total Revenues	\$9,254
Expenditures	014-7239-53100	Professional Services	550
	014-7239-56100	Land	(11,170)
	014-7239-56300	Improve other than Building	19,874
		Total Expenditures	\$9,254

RESOLUTION NO. 2005-169

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE INVERNESS AIRPORT FEDERAL AVIATION ADMINISTRATION GRANT BUDGET FOR FY2004-05

WHEREAS, the Citrus County Board of County Commissioners has received funds from the Federal Aviation Administration for certain security related projects at the Inverness Airport; and

WHEREAS, the County's cash match for these projects needs to be appropriated; 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

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/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	075-381-001	Transfers	\$1,700
Expenditures	075-5787-56300	Improve other than Building	\$1,700

RESOLUTION NO. 2005-170

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE INVERNESS AIRPORT FEDERAL AVIATION ADMINISTRATION GRANT BUDGET FOR FY 2004-05

WHEREAS, the Citrus County Board of County Commissioners has received funds from the Federal Aviation Administration for an environmental assessment at the Inverness Airport; and

WHEREAS, the County's cash match for this project needs to be appropriated; 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

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BOARD OF COUNTY COMMISSIONERS

OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRWOMAN

<b>EXHIBIT "A"</b>			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
Revenues	075-381-001	Transfers	9,870
		Total Revenues	\$9,870
Expenditures	075-5787-53100	Professional Services	33,864
	075-5787-56300	Improve other than Building	(23,994)
		Total Expenditures	\$9,870

3-D Budget Transfers: **Animal Services:** \$4,000 from #001-5106-56400, \$500 from #51306, \$500 from #54000, \$2,800 from #53100, \$500 from #55120, \$1,500 from #55205, and \$1,000 from #55400 with \$7,800 to #55208 and \$3,000 to #55202. **Resource Center/VA Clinic:** \$5,000 from #320-5806-56200 to #54800. **Extension/Environmental Health Building:** \$8,500 from #362-5766-56400 to #55120. **Water Quality:** \$5,500 from #001-5425-51400 to #51200, and \$62,500 from #062-5415-53400 with \$23,250 to #59100 and \$39,250 to #60060. **Inverness Airport Runway Sealing:** \$4,705 from #073-5781-56300 to #53100. **Holden Property/Inverness Airport:** \$15,000 from #024-7235-56100 with \$13,500 to #55120 and \$1,500 to #56400. **Aviation:** \$1,690 from #001-7201-53409, \$200 from #55417, and \$1,100 from #53100 to #54600. **Landfill:** \$10,000 from #401-5212-54603 to #55208. **Utilities:** \$600 from #450-9000-54300 to #55270 and \$5,000 from #9400-53100 to #56300. **Library Services:** \$12,500 from #131-6212-55275 with \$11,000 to #56400 and \$1,500 to #55270, \$5,000 from #54100 to #54300, and \$300 from #55200 to #54700. **Fire Training Center:** \$450 from #051-3225-55100 to #55120, \$4,599 from #51400 to #54300, \$930 from #54100 to #55400. **Fire Administration:** \$500 from #154-3200-54909 to #55200, \$1,282 from #54603 to #56400, \$96,445 from #52300 to #56400, and \$20,000 from #54909 to #55208. **Beverly Hills Fire Department:** \$2,000 from #155-3215-54604, \$2,800 from #56400 to #54603. **Housing Services:** \$350 from #001-2113-54000 to #55417. **Transportation Operations:** \$231 from #159F-5409F-55120 to #54604. **Community Care for the Elderly:** \$259,431 from #183F-5345F-334-691 with \$60,425 to #692 and \$199,006 to #693. **Parks Special Programs:** \$100 from #104-6104-55210 to #55221. **Community Services Administration:** \$200 from #001-5225-54605 to #54100. **Administrative Services:** \$85,000 from #001-9999-60050 to #2101-54921, \$3,000 from #9999-60050 to #2101-54900, and \$300,000 from #9999-60050 to #2101-53401. **Public Works Administration:** \$35 from #102-4103-53400 to #54160. **Engineering:** \$1,500 from #102-4104-55417 to #55270. **Public Safety:** \$800 from #001-3340-54300 and \$2,200 from #54000 to #54603, and \$990 from #55120 and \$1,400 from #54300 to #56400. **Teen Court:** \$5,250 from #079-2155-51200 with \$950 to #54000, \$100 to #54160, \$200 to #54603, \$200 to #54700, \$200 to #55100, \$500 to #55200, \$1,500 to #55210, \$500 to #55221, \$100 to #55400, and \$1,000 to #55417, and \$7,530 from #079E-2160E-51200, \$665 from #52100, \$625 from #52200, \$350 from #52300, \$160 from #53100, \$800 from #53400, \$240 from #54000, \$700 from #54700, \$1,895 from #-

55120, \$125 from #-55417, and \$800 from #-56400 with \$13,792 to #-51306, \$96 to #-53500, and \$2 to #-54160.

3-E Satisfaction of Judgment for Zoraida C. Perez, Case No. 1999 MM 001787.

3-F Receipt of the Auditor General's Report No. 2006-2007, a performance audit of the County Value Adjustment Boards, July 1, 2003, through June 30, 2004.

3-G Receipt of the Southwest Florida Water Management District's (SWFWMD) Tentative Budget Submission for Fiscal Year 2005-2006.

3-H Connection Charge Installment Lien Agreement between the Citrus County Municipal Service Benefit Unit for Water and Wastewater Utility Services and Charles and Sharon Hoagland.

3-I Releases of Liens for special assessments that had been paid in full: Resolution No.75-64 reconfirmed by Resolution No. 93-170 for Silvestro and Anna Messina, Alternate Key (AK) No. 1808430 (C); Resolution 93-172 for Candido Marquez, AK No. 1835976 (D); Resolution No. 99-099 for Frank Bruno, AK No. (Z) 1650411, and Jonathan T. Snow, AK No. (Z) 1901294; Resolution No. 2001-186 for William J. and Sue Pelham, AK No. 1882753 (1B); Resolution No. 2005-147 for John Finely Kennedy II and Pamela Anne Tru, AK No. 2905425 (5A), Keith Cook, AK No. 1633397 (5A), Donald P. Livermore, AK Nos. 1645654 and 1645662 (5A), and Mark S. Bartsch, AK Nos. 3199569 and 3199648 (5A).

3-J Satisfaction of Lien filed by and on behalf of Citrus County Municipal Service Benefit Unit for James Christopher and Tracy Mitchell, and Frank and Geraldine Meyer.

3-K Recording of the proof of publication of non-court related unclaimed monies held by the Clerk of the Court.

3-L \$3,500 payment for Claim No. 010100-000554-GB-01 for an incident involving Daniel W. Evans II.

3-M Youth Athletic Organization Agreement with the East Citrus Soccer League for the use of Holden Community Park in conjunction with other leagues as necessary for their 2005-06 soccer season.

3-N Write-offs totaling \$4,803.99 for uncollectible commercial solid waste assessments including penalties.

3-O Consent and Joinder of Mortgagee and Subordination of Mortgagee included within the Perpetual Nonexclusive Easement for Ingress and Egress and Drainage Agreement between Creative Choice Homes XXVIII Ltd., Randum Corporation, and Regions Bank.

3-P Youth Athletic Organization Agreement with Citrus Youth Conference Organization "Sharks Football" for the use of Bicentennial Park in conjunction with other leagues as necessary for their 2005 season.

3-Q Certification of the non-ad valorem assessment roll in compliance with Florida Statutes Chapter 197.3632.

3-R FCC Form 472 Billed Entity Applicant Reimbursement (BEAR) Form for reimbursement of telecommunications discounts for the Library Services Division provided through the E-Rate Program of the Schools and Libraries Division (SLD) of the Universal Service Administrative Company from Sprint-Florida, Inc., for \$28,665.31.

3-S Agreement and Performance and Payment Bonds with Beach Construction Company, Inc., to complete the Meadowcrest Wastewater Sludge Dewatering Improvements Project for \$557,000.

3-T State-funded Subgrant Agreement with the State of Florida, Department of Community Affairs (CSFA Number 52.023) for updating and performing the hazards analyses on facilities within Citrus County for \$3,874 beginning upon execution by both parties and ending June 30, 2006.

3-U **(1)** Substantially Similar Plat of Ponderosa II Subdivision, and **(2)** that the plat be recorded in the public records.

3-V Interlocal Agreement for Whispering Pines Park with the City of Inverness for the operation of Whispering Pines Park beginning October 1, 2005, and ending September 30, 2006.

3-X Transfer of the management and personnel of the Citrus Springs Community Center from the Division of Community Support Services Division to the Parks and Recreation Division effective October 1, 2005.

3-Y **(1)** "Sworn Statement in Proof of Loss" for reimbursement by the County's excess carrier for the loss of Fire Engine No. 42 for \$83,555.50, **(2)** staff to sell Fire Engine No. 42 at Weeks Auction, and **(3)** the Clerk to release the title.

3-Z Smart Access Manager (SAM) End User License and Service Agreement with Comprise Technologies, Inc., for the installation and support of public workstation management software in all five Library Service branches.

3-AA Cancellation of the joint meeting between the Board of County Commissioners and the Citrus County School Board scheduled for August 26, 2005, at 9:00 A.M. at the Lecanto Government Building.

3-BB Westlaw Subscriber Agreement and order form for the Citrus County Library System to provide library patrons with online access to legal research services.

3-CC (1) Grant Agreement (Project Number 3-12-0156-002-2005) with the U.S. Department of Transportation, Federal Aviation Administration, for the Crystal River Airport Master Plan and Airport Layout Plan Update for \$149,269, and (2) the related budget resolution.

RESOLUTION NO. 2005-171

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING THE CRYSTAL RIVER AIRPORT FEDERAL AVIATION ADMINISTRATION GRANT BUDGET FOR FISCAL YEAR 2004-05

WHEREAS, on August 23, 2005, the Citrus County Board of County Commissioners executed a Grant Agreement with the Federal Aviation Administration; and

WHEREAS, the Federal Aviation Administration is providing funds for the Airport Master Plan and Airport Layout Plan Update at the Crystal River Airport; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for fiscal year 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 23<sup>rd</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	109-331-410	Federal Aviation Grant	149,269
	109-381-001	County Cash Match	7,857
		Total Revenues	\$157,126
Expenditures	109-5480-53100	Professional Services	157,126
		Total Expenditures	\$157,126

3-DD (1) Release of Lien for \$5,595 in Code Enforcement Board Case No. 04-451 for Michelle Clayton, and (2) the related Mutual Release Agreement.

3-EE Notice of Commencement for the Eden Park Fishing Pier Project for designing, permitting, construction, and installation of a fishing pier, including ADA requirements.

3-FF & GG Set the following public hearings to consider amendments to the Land Development Code (LDC) Ordinance No. 90-14 at the Citrus County Courthouse, 110 North Apopka Avenue, in Inverness:

Date and Time	Application No./Applicant
Workshop: September 13, 2005, at 3:15 P.M. Hearing: October 11, 2005, at 5:15 P.M.	AA-05-10, McKean for Sweetwater
Workshop: September 13, 2005, at 3:20 P.M. Hearing: October 11, 2005, at 5:20 P.M.	AA-05-11, Department of Development Services (DDS)

3-HH (1) Task Authorization No. 2 to Master Agreement for Solid Waste Engineering, Planning and Environmental Services, RFQ 077-04 SWM, for services related to providing a revised closure plan, considering completion at the end of Phase 2 area, and a permit modification to Florida Department of Environmental Protection (FDEP) with SCS Engineers under the Master Agreement dated April 26, 2005, for \$40,800, and (2) the related budget transfer: **Landfill:** \$40,800 from #401-5212-60050 to #-53100.

3-II Ranking of the following firms for general engineering services and allowing staff to utilize those firms on an as-needed basis for a period of three years:

1. Dyer, Riddle, Mills & Precourt, Inc. – transportation/traffic
2. PSI – geotechnical/material testing
3. Professional Engineering Consultants, Inc. - general engineering
4. Hoyle, Tanner & Associates - general engineering
5. Reynolds, Smith and Hills, Inc. - general engineering
6. BCI Engineers and Scientists, Inc. - general engineering

3-JJ A public hearing set for September 13, 2005, at 3:00 P.M. at the Citrus County Courthouse, 110 North Apopka Avenue, in Inverness on an ordinance providing for the inclusion of parking violations within the Citrus County Civil Traffic Infraction Hearing Officer Program.

3-KK The following settlements for the County Road (CR) 486 condemnation action as recommended by the firm of Pennington Moore Wilkinson Bell & Dunbar, P.A., Attorneys at Law:

1. Parcel 202/Sheets: \$6,600, attorney fees and costs, and expert fees and costs
2. Parcel 108: \$45,350, expert fees and costs
3. Parcel 112: \$21,250, expert fees and costs
4. Parcel 114: \$23,000, expert fees and costs
5. Parcels 115, 204, 745, and 805/Hailey: \$158,702.80, and approval of the Mediated Settlement Agreement between the parties

3-LL A resolution providing for the change in control of the cable television franchises granted to Adelpia Communications Corporation to Comcast.

**RESOLUTION NO. 2005-172**

3-MM Travel expenses for Commissioner Bartell to attend the 30th Annual Conference on Water Management in Fort Myers, September 7 through 9, 2005.

3-NN The following Bid Committee Report: **(1) Bid No. 084-05, Engineering Division (ED), airport security fencing and electric gates:** contract awarded to Smith Industries Inc., d/b/a Smith Fence Company at \$303,587.50 as the lowest bidder; **(2) Bid No. 089-05, Utilities Division, utility pipe borings:** awarded to Rockdale Pipeline, Inc., as the lowest bidder meeting the specifications; **(3) Bid No. 101-05, Community Services Department, Parks and Recreation Division administrative building:** contract awarded to Winkel Construction as the lowest bidder at the base bid of \$364,980 with the addition of \$6,082 for fire rated glazing on door No. 113 and \$1,604 for the replacement of the existing window for a total bid amount of \$372,666; **(4) Bid No. 102-05, ED, Crystal River Airport access road:** contract awarded to Pave-Rite, Inc., at \$397,479.40 as the lowest bidder; **(5) Bid No. 074-03, Maintenance Operations Division, contract services for painting:** renewed the current bid with VIP Painting, Inc., in accordance with the bid proposal, which reflected a cost increase of 5 percent over last year's price; **(6) Bid No. 007-04, Road Maintenance Division (RMD), asphalt concrete for surface/leveling including sand seal coat:** renewed the current bid with Pave-Rite, Inc., in accordance with the bid proposal, which reflected 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; **(7) Bid No. 011-04, RMD, asphalt curbing:** renewed the current bid with Pave-Rite, Inc., in accordance with the bid proposal, which reflected a cost increase of 4 percent over last year's price; **(8) Bid No. 012-04, RMD, construction and road debris dumping & disposal of excess excavated earth material:** renewed the current bid with Citrus Sand & Debris, Citrus Sand & Debris II, and Sand/Land of Florida under the same terms and conditions listed in the bid documents; **(9) Bid No. 016-04, RMD, tree removal and stump grinding:** renewed the current bid with Farmer's Choice Tractor's, Inc., in accordance with the bid proposal, which reflected a cost increase of 5 percent over last year's price; **(10) Bid No. 017-04, RMD, tree removal and stump grinding for specimen trees:** renewed the current bid with Farmer's Choice Tractor's Inc., in accordance with the bid proposal, which reflected a cost increase of 5 percent over last year's price; **(11) Bid No. 019-04, RMD, traffic signal maintenance, installation & repair:** renewed the current bid with Control Specialists Company in accordance with the bid proposal, which reflected a cost increase of 14.85 percent over last year's price; **(12) Bid No. 002-05, SWM, transportation, processing and marketing of recyclables:** renewal bid agreement with Citrus Recycling and Roll-off Service, Inc., under the same term and conditions listed in the bid documents; and **(13) Piggyback Bid Request, RMD, sign material:** allowed RMD to piggyback the Osceola County bid for sign materials awarded to 3M Company effective through February 21, 2006.

### 3-W REALTICORP ENVIRONMENTAL RESOURCE PERMIT APPLICATION

Commissioner Phillips stated that this item was for the Chairwoman to execute a letter to the SWFWMD Governing Board asking for continuance on final action regarding RealtiCorp's Environmental Resource Permit (ERP) at their meeting on August 30. She questioned what action staff would take if SWFWMD's Governing Board failed to continue that decision.

Gary Maidhof, DDS Director, explained that according to statute, the water management district (SWFWMD) must render a decision within 120 days of the completed

application, and should they issue the permit, the County would have 30 days to appeal the decision through the administrative hearing process. He also stated that the ERP would be a consent agenda item and staff would request that the item be pulled for continuance.

Commissioner Phillips expressed concerns about the RealtiCorp ERP, especially regarding the wetlands. She remarked that this Board should try to preserve the wetlands and address water issues.

Commissioner Bartell asked for clarification on the location of the wetlands, and stated that in his opinion, this application was the same as the one made to the County, and that the Corp (Army Corp of Engineers) had been reviewing this application for over a year and a half. He questioned why SWFWMD was involved in the process if those were the same wetlands being considered for mitigation.

Mr. Maidhof explained that development by RealtiCorp required approval from the Corp and the DEP (Department of Environmental Protection) for an ERP; however, in this case, the application was reviewed by the water management district as opposed to the DEP. He detailed the process SWFWMD used in calculating and negotiating a mitigation packet to offset the wetlands impacts. He advised that staff had identified some concerns with the application; however, prior to staff's review, RealtiCorp representatives met with Mr. Wesch, Mr. Battista, and him to reopen discussions about the Board's past concerns (wetlands, access, design criteria, and so on), and RealtiCorp agreed to reevaluate and incorporate those concerns in their proposal. He stated that rather than attacking SWFWMD's position, staff decided the better approach would be to request a continuance on the ERP, copy that request to RealtiCorp, and trust that they would go before SWFWMD and agree with the County to resolve the issues and create an appropriate mitigation package. He also stated that if SWFWMD approved the permit, the Board had the option to appeal that decision within 30 days; however, he cautioned that the Board would have to demonstrate that the actions of SWFWMD were in some way faulty. He indicated that it would be a significant staff undertaking to develop the technical aspects to challenge that permit. He added that staff was hopeful that this less intensive approach would be effective, but if not, staff would advise the Board at the next meeting and request direction on filing an administrative hearing.

Commissioner Bartell questioned if SWFWMD or the County had the advantage over the decisions of the wetlands. He stated that the problem was the confusion about the location of the wetlands, and he thought SWFWMD was in violation of their own statutes in the issuance of permits regarding the potential problems with Kings Bay. He pointed out that he was told whoever had the most stringent regulations dictated authority over the wetlands.

Mr. Wesch replied that was typically the case, but the question was the impact of the ERP; however, the County might have other regulations and jurisdiction over wetlands impacts. Commissioner Bartell emphasized that he thought it was wrong for a state agency to give an ERP permit contrary to County regulations. Mr. Wesch advised that

staff was working on a COMP revision that would clarify that the Board would be the responsible agency for wetlands impacts within the County's geographical boundaries.

Mr. Maidhof specified that the LDC was very clear that the most stringent agency controlled the issues of wetlands. He illustrated the reasons an ERP was valuable to a holding company such as RealtiCorp, but stated that in addition to an ERP, they would need a COMP and/or an LDC amendment to accomplish an intensive development, which was strictly under the County's control. He advised that state agencies were obligated to comply only with their rules and were not bound to observe local land use plans concerning issuance of permits, which he felt was one of the major flaws in the growth management system. He added that RealtiCorp indicated that they would be willing to address the wetlands issues, and he hoped they would reaffirm that stance in front of the SWFWMD Governing Board on August 30. He explained to Commissioner Bartell that the Corps process would still go forward if the permit was issued by SWFWMD, and that the Corp could issue a separate permit under federal law, which could be challenged as well.

Commissioner Bartell implied that this was not a minor violation of wetlands, that it would have an adverse effect on Kings Bay and the Crystal River, and that the Board should be looking at the bigger picture rather than focusing on this particular piece of property. Mr. Maidhof agreed.

The Chairwoman tabled further discussion of this subject until after item 2-A.

(1:19 P.M.)

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

2-A **OPEN TO THE PUBLIC**

2-A.1 Frank Shepard mentioned that in the past, individuals in the audience had made inappropriate comments to him, and he questioned if the Board's policy allowed personal comments to individuals during Board meetings. The Chairwoman affirmed that the correct procedure was to direct comments to the Chair, and that she would do her best to make certain the procedure was followed.

Mr. Shepard then informed the Board about the airboat noise problem on the northwestern lakes. He thanked Commissioner Bartell and Mark Edwards (Aquatic Services Director) for their assistance in solving a problem with an air boater. He advised that the FWC (Fish and Wildlife Conservation) would reveal their report regarding airboat noise on September 21, and suggested that a member of the Board or Mr. Edwards attend the meeting and provide the information to the public.

He questioned the status of a letter he had previously asked the Board to send to the Attorney General about the airboat noise, and Mr. Battista stated that a legal memorandum along with a cover letter to the Attorney General would be on the next Board meeting agenda. The Chairwoman responded to Mr. Shepard's question regarding his suggestions by stating that she had received and read them and would offer a reply as soon as possible.



2-A.2 Charles Koonz questioned the results of a road study that was published in the Citrus County Chronicle (Chronicle), which listed roads that were extremely crowded and at maximum capacity. He particularly asked why North Citrus Hills Boulevard and North Essex Avenue were listed because there was not that much activity on those roads. He stated that State Road (SR) 44 from Croft Road to CR 491 was listed as a grade "A" road by the state; however, the intersection at Croft Road and SR 44 was listed by the Sheriff's Department as being one of the most dangerous intersections in the County. He mentioned that the Chronicle quoted a Commissioner to say that this study was one reason to keep the gas tax. He specified that he did not think the Board should depend solely on this study as a reason to retain the gas tax.

Commissioner Phillips pointed out that the road study Mr. Koonz referred to was a preliminary report, that the completed study would be available to the public, and that the study would be brought to the Board for discussion and public comment. (1:28 P.M.)

2-A.3 Gordon Leonard mentioned that he had polled the Board previously about a water park, and that since that time he had been informed that individuals must direct their questions to the Chair. He questioned where he could find that written procedure. Commissioner Phillips explained that whether the procedure was written or not, it was a good policy because it was difficult to address issues if they were not on the Board's agenda and if the Board did not have sufficient information. She stated that unless the other Board members felt differently, she did not believe it was appropriate to poll the Board without documentation and without the item being on the agenda. She added that the Commissioners were accessible and the public was welcome to contact individual Commissioners regarding their opinions on particular issues.

Mr. Leonard also referenced a Chronicle article in which the County Attorney was quoted as saying the six-cent gas tax could not be reduced once adopted, but must be repealed entirely. He questioned if the Board could rescind the gas tax entirely, adopt a new less stringent tax, and increase impact fees for the difference. The Chairwoman replied that the legal opinion of Mr. Battista was based upon state statute, which said that the gas tax could not be partially repealed. She stated that the gas tax would go into effect January 2006 and the only other opportunity the Board would have to reconsider the gas tax would be prior to December with 60 days notice to the Department of Revenue. She explained that the Board adopted Transportation Impact Fees at 100 percent of their legally defensible amount and that impact fees could not be increased because additional monies were needed for roadway projects.

2-A.4 Joseph Springer, vice president of the Citrus County Airboat Alliance, stated that he thought Mr. Shepard's suggestion that Mr. Edwards attend the FWC meeting in September was excellent. He also requested that the Board repeal the six-cent gas tax.

2-A.5 Jim Bitter remarked that the same comments made by a previous speaker concerning there being no traffic congestion on North Citrus Hills Boulevard and North Essex Avenue also applied to Grover Cleveland Avenue in Homosassa.

The Chairwoman clarified that the study was not about traffic congestion but for roadway capacity. Mr. Maidhof explained that there was an established capacity based on the type of road, rural versus urban, as well as the size, speed zones, and so on. He stated that the speakers were referring to a level of service "F", which not only included urban areas (Orlando, Tampa) with bumper-to-bumper traffic, but peak hour traffic and the ability to travel at or close to speed, and that the consultant analyzed traffic count data that was provided by County staff. He stated that since the Board's final budget was forthcoming, staff was concerned that the written preliminary report might not be received before that time, and thought the Board should have that information to consider during the final budget hearing process.

Mr. Wesch added that the entire level of service dichotomy was created by the state to allow local governments and the state to plan and utilize a level of service as a planning tool, and that it was not in this jurisdiction's best interest to degrade into gridlock before acting. He reiterated the Chairwoman's statement that the final report would be distributed to the public and the Board for local review.

Commissioner Bartell remarked that CR 490 appeared to have more traffic problems than Grover Cleveland Boulevard, and yet in the Five Year CIP (Capital Improvement Program) staff had recommended that improvements be made to Grover Cleveland Boulevard. He requested that the consultant recommend road improvement priorities and be present at this year's CIP meeting because the Board should spend transportation funds in a prudent manner. Mr. Wesch confirmed that staff would invite the consultant to the CIP meeting. (1:40 P.M.)

2-B **CERTIFICATE OF APPRECIATION**

***Upon motion by Commissioner Bartell, seconded by Commissioner Damato, and carried unanimously, the Board approved and authorized all Commissioners to execute a certificate of appreciation to teacher Cindy Shear and her Lecanto High School Reading Buddies who partnered with the Citrus County Library System Youth Librarian, Sherry Durham for their commitment to help children improve their reading skills.*** (1:42 P.M.)

3-W **REALTICORP ERP APPLICATION - CONTINUED**

Commissioner Damato shared the following concerns about this permit: the area was surrounded by a church, a golf course, residential homes, a major highway, an airport, a cemetery, an armory, and Progress Energy's training center and electrical sub-station; the area was in a drainage basin; natural water flow issues and watershed issues must be addressed; and the Board should address those global issues on future development as well as the development on the subject property.

Commissioner Valentino stated that she also had concerns with the property and the wetlands and was glad that the Board was taking this action.

Commissioner Fowler remarked that Citrus County government should be the controlling authority if the County's wetlands would be impacted. He added that it made no

sense to mitigate damage to wetlands by allowing those doing the damage to purchase other wetlands for public ownership.

***A motion was made by Commissioner Phillips and seconded by Commissioner Valentino to send a letter to the Southwest Florida Water Management District Governing Board requesting continuance on their final action regarding RealtiCorp's Environmental Resource Permit Application.***

Commissioner Bartell concurred with the motion and with Commissioner Fowler that the County should dictate authority and Commissioner Damato about addressing the global issues. He also expressed concern that the SWFWMD Governing Board was under a time constraint to approve or deny the permit application. Mr. Maidhof confirmed that was true, but stated that the SWFWMD Governing Board could also take their own action. He reiterated that the subject letter would be copied to RealtiCorp with hopes that they would convey no objection to the extension in order to try to resolve the issue.

Commissioner Bartell questioned if staff or the Chairwoman could point out to David Moore (director of SWFWMD) that they were in violation of their own statutes if this application involved the same wetlands as those in the last proposal by RealtiCorp. Mr. Maidhof replied that staff could convey this to Mr. Moore; however, if adjustments were made and SWFWMD issued a permit, the Board's ability to challenge that decision in an administrative hearing would not be easy. He further stated that it would be difficult for staff to achieve a complete analysis of the application due to time constraints of the EAR (Evaluation and Appraisal Report) based amendments.

Mr. Wesch suggested that staff convey the major points of concern along with a statement that this was a cursory review based on the information available, which would not preclude an amendment of concerns at a later date should the need arise. He specified that he thought the Board's interest was to resolve the situation with SWFWMD and the developer and protect the wetlands, and if that could not be accomplished, then the administrative challenge would be used. The Board concurred with Mr. Wesch's recommendation.

Gail Jannarone, representing the Kings Bay Association, stated that she was very encouraged by the Board's discussion about protecting the wetlands, and mentioned that the Homosassa River Alliance, the Citrus County Council, and Citrus 20/20 had voted to stop the wetlands mitigation. Jim Bitter, representing the Homosassa River Alliance, expressed support of the Board's efforts as well.

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

(1:52 P.M.)

6- **COUNTY ADMINISTRATOR'S REPORT**

6-A **WEST SIDE SKATE PARK**

Mr. Wesch stated that the subject of a skate park on the west side of the County was previously before the Board, which arose by virtue of members of the community and

a few deputies on behalf of young people seeking a place to skate. He also stated that the Board directed staff to work with those interested parties, including the City of Crystal River, in locating a temporary skating facility on the west side of the County, and that several locations were identified and discussed. He further stated that although there were travel concerns to Bicentennial Park, the City of Crystal River could not house the facility; therefore, a location in Bicentennial Park off US 19 was chosen. He advised that even though the Bicentennial Park facility was identified as temporary in the backup material, this location seemed to be the best permanent location; therefore, staff took the liberty of converting from a temporary to a permanent type facility for about \$58,000. He explained that this facility would not be a poured in place (concrete) park, but would be comprised of modular units that could be moved and rearranged to ensure a continuous challenge for the skaters. He pointed out that the City of Crystal River had indicated that they would donate \$5,000 to this project, and the balance of the funds would come from a roller hockey rink project that was in the improvement plans for the Bicentennial Park facility. He added that staff proposed to delete that project in lieu of the skate park facility, and requested approval to convert the old tennis courts at the Bicentennial Park to a permanent skate park facility and expend up to \$58,000 to accomplish the project.

***A motion was made by Commissioner Bartell and seconded by Commissioner Fowler to approve and authorize the operations and funding for the conversion of the old tennis courts at Bicentennial Park to a permanent skate park facility with an expenditure of up to \$58,000.***

Commissioner Fowler questioned the liability aspect of a skate park. Mr. Wesch explained that there was an exemption created by the legislature for the liability of skate park facilities requiring safety procedures, such as certain equipment to be worn. He added that the law also required people (staff) to be at the park whenever it was open.

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

(1:56 P.M.)

6-B ***IMPACT FEE ADVISORY COMMITTEE***

Mr. Wesch advised that this was a follow up to the Board's discussion and direction to staff (July 16, 2005) to draft an administrative regulation for the potential creation of an impact fee advisory committee. He stated that staff had complied with the Board's request and that the administrative regulation detailed the purpose and duties of an impact fee advisory committee, the suggested membership, and procedures.

Mr. Maidhof responded to several questions from Commissioner Bartell as follows:

- (1) Staff solicited information from multiple sources, but identified only those in the backup material (six counties in Florida, two cities in Texas, and one city in Idaho).

- (2) A benefit of an impact fee advisory committee was that the feedback from an individual representing a group on a particular subject was much clearer than with open forums, such as transportation workshops.
- (3) Past actions on the Board's impact fee studies had been very open to the public and diligent in providing information and allowing time for the reviewers to respond; however, some representatives of groups having the most interest in impact fees believed a more formal process was beneficial.
- (4) It did not matter to him whether or not the Board created an impact fee advisory committee because he would still be communicating with those involved in the process.
- (5) The next preliminary impact fee report would be in October or early November and would not be implemented until July 1 or alternate date in order to provide sufficient review time before the budget hearing.
- (6) If an impact fee advisory committee identified areas of concerns or changes in methodologies, the cost could be significant; however, litigation would be more costly.

Mr. Maidhof further stated that staff retained the best consultants through a competitive bid process, and that he was very impressed with Mr. Duncan (Duncan & Associates, Inc.), and Tindale-Oliver & Associates, Inc., (TOA) professionalism and ability to interact with the private sector. He advised that the state legislature had established an impact fee review committee, and if the state decided to implement legislation, the impact fee process could be completely changed.

Commissioner Phillips specified that because she thought the state would implement impact fee legislation, there were concerns about additional costs, and that staff as well as this Board would still be communicating in the process, she was not convinced that an advisory impact fee committee would be beneficial. She added that she did not think there was a community in this state that had been more open or worked harder with the building industry, developers, and the public during the impact fee process.

Mr. Maidhof replied to Commissioner Fowler's question about TOA offering an opinion regarding impact fee advisory committees by stating that TOA basically said that there were advantages and disadvantages, depending on their structure and specific issues. He explained that in some counties if there was not an extended effort of communication or if many cities were involved, the committees were of great value; however, if people on the committee did not agree on issues, there could be gridlock, causing delays in the process and motivation for litigation.

Commissioner Fowler specified that he was not in favor of adding another layer to the process providing that this Board insisted that the PDRB (Planning and Development Review Board) perform their job rather than passing it to someone else (the Board).

Commissioner Valentino agreed with the Chairwoman's comments and with Commissioner Fowler regarding the PDRB. She stated that the PDRB was an advisory

board and they should listen to all parties and make recommendations, but that this Board should make the final decision. She mentioned that according to information from some counties, their impact fee advisory boards also reviewed other financial issues, including employee benefits, capital budgets, and so on, and she would not want an impact fee advisory board to be involved in other issues. She added that an impact fee advisory board would not benefit this County, she would be concerned about fair and equal representation, and she was not in favor of this action.

Commissioner Damato commented that the Chamber of Commerce and other members of the business and industrial community that paid large amounts of impact fees should have more input than just making a statement before the PDRB or this Board, and should not be denied a place in the process.

Commissioner Phillips pointed out that the Chamber of Commerce, the building industry, and the developers did not pay impact fees, that the fees were paid by their customers. She agreed with Commissioners Fowler and Valentino that the PDRB should send a recommendation to the Board when reviewing impact fees as they did for land use issues. She mentioned that the information (input, documents, minutes) received from the PDRB was very helpful and valuable in helping the Board make final decisions. She responded to Commissioner Fowler's question concerning public input at the PDRB by stating that there was extensive public comment at the PDRB impact fee workshops and hearings, and she did not think anyone was left out of the process.

Mr. Maidhof specified that the PDRB faced land issues frequently, but that impact fees were one of the few financial issues reviewed by the PDRB. He alleged that staff would assist the PDRB regarding impact fees, provide the Board's budget to them, and hold an educational workshop so they would be better prepared for the next impact fee process.

After a short discussion regarding the PDRB's understanding of their duties and responsibilities involving impact fees, the Chairwoman stated that it appeared the Board had no interest in establishing an impact fee advisory committee. (2:20 P.M.)

2-C **FEES AND ASSESSMENT RATES FOR SOLID WASTE MANAGEMENT**

Mr. Wesch stated that this item was to conduct a public hearing to set fees and assessment rates as well as the residential solid waste assessment for fiscal year 2005/2006. He advised the Board that staff had made the following changes to the fee schedule: **(1)** covered loads hauled to the landfill would receive a discount rate of \$30 per ton and uncovered loads would be \$40 per ton; and **(2)** nonprofit organizations operating as retail shops would receive an exemption of up to 600 pounds per month due to people dumping undesirable materials at those facilities; however, hauling costs would still be charged. He added that with the exception of a duplicate ticket charge of \$2, all other fees remained as previously adopted by the Board. He requested that following the public hearing, the Board adopt the enabling resolutions establishing the fee schedule and the residential solid waste assessment roll.

He replied to Commissioner Bartell's question about inspection of covered loads by suggesting that the Board adopt the rates today, and that staff would work on a procedure to implement an area of inspection for covered loads.

The Chairwoman opened the public portion of the hearing for comment and asked if anyone wished to speak in favor.

John Thrumston, representing Habitat for Humanity, spoke in favor of the discounted rate for nonprofit organizations due to the serious problem of people dumping items that must be discarded.

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

***A motion was made by Commissioner Fowler and seconded by Commissioner Damato to adopt and authorize the Chairwoman to execute (1) a resolution to set fees and assessment rates for Solid Waste Management for fiscal year 2005-06, and (2) a resolution ratifying and confirming the residential solid waste assessment roll for fiscal year 2005-06.***

Commissioner Valentino mentioned that she had discussed the dumping issue with people of many nonprofit organizations and had suggested that they reduce the number of items taken to the landfill and erect fences around their premises. She added that she was very appreciative of their efforts to discourage dumping at their sites. Commissioner Damato commented that the nonprofit organizations must separate the good items from the bad, and he thought it was fair to give them a rate reduction.

***The Chairwoman called a question on the motion and the motion carried unanimously. RESOLUTION NO. 2005-173 and RESOLUTION NO. 2005-174 (2:27 P.M.)***

6-C **ASSISTANT COUNTY ADMINISTRATOR AND RISK MANAGER**

Mr. Wesch stated that due to recent circumstances, the County had undergone a change in personnel and had attempted to fill several vacant positions. He introduced Tom Dick, who was selected as the new Assistant County Administrator. Mr. Dick made brief comments and thanked the Board for their support.

Mr. Wesch then introduced William Bryan, the County's new Risk Manager. Mr. Bryan stated that he was delighted with his new position. (2:30 P.M.)

7A- **COMMISSIONER VICKI PHILLIPS, CHAIRWOMAN**

7-A **BEVERLY HILLS MUNICIPAL SERVICES BENEFIT UNIT (MSBU)**

The Chairwoman announced the expiration of terms for three regular member positions on the Beverly Hills MSBU Advisory Council.

7-B **CITRUS SPRINGS MSBU ADVISORY COUNCIL**

The Chairwoman announced the expiration of terms for four regular member positions on the Citrus Springs MSBU Advisory Council.

Commissioner Bartell left the meeting.

7-C **AVIATION ADVISORY BOARD**

7-C.1 **Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board accepted with regret the resignation of Ronald D. Dillon and announced a vacancy for a District 1 regular member position on the Aviation Advisory Board.**

7-C.2 The Chairwoman announced the expiration of terms on September 30, 2005, for a District 5 regular member position and a member-at-large position on the Aviation Advisory Board.

7-D **HISTORICAL RESOURCES ADVISORY BOARD**

Commissioner Damato nominated Teresa Johns-Gordon to fill an alternate member position on the Historical Resources Advisory Board for a term that would expire on September 30, 2007.

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

7-E **CODE REVIEW AND APPEALS BOARD**

The Chairwoman announced the expiration of term on September 30, 2005, for one regular member position on the Code Review and Appeals Board.

7-F **TRANSPORTATION DISADVANTAGED COORDINATING BOARD**

**Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board accepted with regret the resignation of John Longacre and announced a vacancy for a medical transportation services position on the Transportation Disadvantaged Coordinating Board.** (2:34 P.M.)

12- **COUNTY ATTORNEY'S REPORT**

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

12-A.1 **WATERS RISK MANAGEMENT**

Mr. Battista stated that pursuant to the Board's direction at the last meeting to investigate the County's relationship with Arthur J. Gallagher and Company (the County's insurance broker) due to recent events (overcharges in Alachua County and the cities of Gainesville and Lakeland), his office had contacted the insurance consultant firm of Waters Risk Management to perform the audit. He advised that Waters Risk Management was well qualified and had provided a scope of work for the cost and time involved for the required analysis. He responded to the Chairwoman's question concerning the cost of the



analysis by stating that depending upon the time involved, it would range between \$5,000 and \$9,000.

**Upon motion by Commissioner Phillips, seconded by Commissioner Fowler, and carried unanimously, the Board authorized the County Attorney to notify Waters Risk Management to proceed as outlined in the scope of work in performing the audit/investigation of the remuneration received by Arthur J. Gallagher and Company for insurance sales and service during their history with Citrus County.** (2:36 P.M.)

3-W **REALTICORP ERP APPLICATION - CONTINUED**

Mr. Battista asked the Board to authorize staff to proceed with preparing an administrative appeal should SWFWMD grant the ERP to RealtiCorp on August 30, due to the 30-day filing timeframe. He added that he would present an update to the Board concerning the situation at the next meeting.

**Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board authorized staff to proceed with preparing the administrative appeal in the event that the Southwest Florida Water Management District granted an Environmental Resource Permit to RealtiCorp.** (2:36 P.M.)

Commissioner Bartell returned to the meeting.

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

13-A **FDOT GRANT FUNDING**

**A motion was made by Commissioner Fowler and seconded by Commissioner Phillips to discuss the FDOT grant funding.**

Commissioner Fowler mentioned that the Board had received a copy of a letter addressed to the Chairwoman to solicit applications under the County Incentive Grant Program that allowed the FDOT to make grants to counties for the improvement of transportation facilities on the state highway system, that could also be used for local transportation facilities that relieved congestion on the state highway systems. He advised that the funding in District Seven was \$6.9 million, and that CR 491 might be eligible because the Suncoast Parkway terminated at the County's southern border on US 19, and that CR 491 would relieve some traffic on US 19. He specified that this was a 50/50 matching grant; however, he felt it was worth applying for to help with the four-laning of CR 491.

Commissioner Phillips agreed and stated that Mr. Wesch received a copy of the letter, and she expected that he had forwarded the letter to the Transportation Department for evaluation. Mr. Wesch stated that the County typically solicited for improvement funding and had not previously solicited for construction funding, but at the Board's direction, staff would pursue this action. Commissioner Fowler advised that the deadline to apply was September 7.

**The Chairwoman called a question on the motion to discuss the FDOT grant funding and the motion carried unanimously.**

The Chairwoman explained the reason a motion was made on this item was that numerous people had pointed out to her that any business discussed under item 13 must first be accepted by motion.

**Upon motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, the Board instructed staff to investigate the possibility of qualifying for an incentive grant from the Florida Department of Transportation for local highway funding.** (2:43 P.M.)

**The Chairwoman recessed the meeting and reconvened at 3:08 P.M.**

13-A **FDOT GRANT FUNDING - CONTINUED**

Mr. Wesch clarified that staff understood the intent of the Board's last motion was to direct staff to research the applicability of the FDOT funding, and if appropriate, file the necessary paperwork on behalf of the County to procure that grant. The Commissioners agreed with Mr. Wesch's interpretation of the motion. (3:08 P.M.)

2-D **PLANNED DEVELOPMENT OVERLAY, PDO-05-02, BARRINEAU FOR WALDEN WOODS**

Assistant County Attorney Michelle Lieberman polled the Board for ex parte communications. Commissioner Phillips disclosed that a letter was distributed to the Board, which she began reading and then stopped when she recognized it was concerning this application. All other Commissioners replied that they had no communications regarding this application.

Rhonda Lake showed a slide presentation and gave a brief property description, and Joanna L. Coutu, AICP, Senior Planner, Community Development Division (CDD), reviewed the staff report as follows:

<b>Application Number/Name:</b>	PDO-05-02, H.W. Barrineau and Associates, Inc., for Walden Woods III, LTD.
<b>Property Data:</b>	Section 36, Township 20 South, Range 17 East and Section 31, Township 20 South, Range 18 East, more specifically, Oakdale Estates, Block 1, Lots 1 through 26; Block 2, Lots 5 and 25; Block 3, Lots 1 through 9, 15, and 17 through 21; Block 4, lots 2, 6 through 8 and 11 through 15; vacated Oakdale Lane, Parcel 11200, and Parcel 12100 in Section 36, Township 20 South, Range 17 East; and Parcel 43000 and Parcel 44000 in Section 31, Township 20 South, Range 18 East, Homosassa 74.45 acres
<b>Staff/ PDRB Recommendation:</b>	Approval with 19 conditions
<b>Proposed Project:</b>	To establish a master development plan for Walden Woods South Final Phase (mobile home/modular home

	subdivision consisting of approximately 248 residential lots with a clubhouse, pool/spa, shuffleboard courts, and horseshoe pit)
<b>Public Hearing:</b>	September 13, 2005, at 5:01 P.M.

Mrs. Coutu reported that the land use on this area varied from Medium Density Residential to Medium Density Residential allowing for mobile homes and Rural Residential. She advised that the applicant first applied for a COMP amendment in 2004 to become another phase of Walden Woods Mobile Home Park; however, withdrew that application prior to the first PDRB workshop. She explained that since that time, the Coastal High Hazard Area (CHHA) regulations were passed, which did not allow mobile home parks; therefore, the applicant was requesting a platted mobile home subdivision. She said that the original application contained 265 lots and that based on the concerns of staff and the PDRB, the number of lots had been significantly reduced, open space was increased accordingly, and a traffic study was approved by the consultant DRMP (Dyer, Riddle, Mills, & Precourt, Inc.). She stated that some of the areas on the master plan did not allow for mobile homes with the underlying zoning and the applicant was proposing modular homes in those areas. She also stated that the applicant was proposing a minimum 50-foot setback from wetlands with the exception of a roadway that crossed a small wetlands inlet connecting two different wetlands, which would require SWFWMD approval to cross that area. She added that the applicant was aware of the 19 conditions, and that several objection letters had been received, most addressing concerns with the existing Walden Woods Mobile Home Park, which was a different piece of land.

Chairwoman Phillips questioned why any mobile homes would be allowed in a CHHA if mobile home parks were not allowed, and expressed concern about the safety of mobile homes in the CHHA. Mr. Maidhof explained that mobile home parks were prohibited in the CHHA; however, staff recognized existing land use designations on property that allowed mobile homes. He stated that in this particular situation, the applicant would be marketing to new mobile homes, which must comply with the 1994 (Hurricane Andrew) standards. Mrs. Coutu added that the zoning for this area already allowed for mobile homes, the platted subdivision would comply with that zoning, and the PDO established a master plan.

Mrs. Coutu responded to Commissioner Bartell's question about the 19 conditions by stating that an additional condition was added to the previous 18 conditions due to a new amendment to the LDC stating that construction must commence within 365 days after the effective date of approval of a PDO.

Mr. Maidhof and Mrs. Coutu responded to Commissioner Damato's questions about clubhouse standards, fencing and screening, and pedestrian and street lighting as follows:

- The clubhouse must meet the LDC nonresidential standards.
- Screening around the subdivision and/or DRA (drainage retention area) perimeters was not required because the subdivision abutted a residential area.

- Street lighting was not a condition of the LDC, and traditionally there would be a request for a street lighting district.

Tim Campbell with the law firm of Clark, Campbell, and Winnie, representing the applicant/owner of Walden Woods LTD, made brief comments about the proposed project, the modification of plans, and the concerns of residents. He mentioned that the 19 conditions were acceptable to the applicant.

Mr. Barrineau (project engineer) stated that he had a long history with this development. He addressed the lighting concerns of Commissioner Damato by stating that Withlacoochee Electric had provided lighting for previous phases of this project and would provide the lighting for this phase, and that the owner would pay a fee for each lighting structure.

He answered questions from Commissioner Damato regarding the property being in a flood zone and the grade of the property relative to US 19 as follows:

- No portion had previously been identified in a flood zone by FEMA (Federal Emergency Management Agency).
- A portion of the project was in the SLOSH (Sea Lake and Overland Surge from Hurricanes) zone.
- The northwest corner of the property was a higher elevation than US 19, the wetlands areas was about the same or a little lower, and the southwest corner was low and would be filled, but generally it varied from an elevation of 7 to 18 feet.

The Chairwoman opened the public portion of the workshop for comment and asked if anyone wished to speak in favor or in opposition. With no public comment, the Chairwoman closed the public portion of the workshop. (3:23 P.M.)

## 2-E **PARSONS POINT RESTORATION**

Mr. Edwards presented a PowerPoint presentation (filed with the Clerk's agenda) on the recently completed Parsons Point Restoration Project (a cooperative funding project between the County and SWFWMD).

He provided a history of the project, and stated that the total budget was \$125,000 (\$62,500 each from the Withlacoochee Basin and the County). He detailed the FDEP and USACE (United States Army Corp of Engineers) permitting regulations and the USACE mitigation plan. He discussed the construction schedule and showed various pictures of before, during, and after the completion of the project. He advised that approximately 4,000 cubic yards of material was removed, that the work on the project was performed by Turnbull Environmental, Inc., for \$46,500, well under the anticipated cost of \$125,000, and that the project was completed ahead of schedule (before July 1, 2005). He mentioned that the project met the USACE mitigation requirement for the wildlife islands, that trees were donated by the County's Tree Enhancement Program and Native Plant Society, and that the County had received SWFWMD's reimbursement for \$23,500.

He thanked the Board for the opportunity, the Withlacoochee Basin Board for their approval, and the SWFWMD staff for this cooperative project. The Chairwoman and Commissioner Fowler commended Mr. Edwards on the wonderful job and the cooperative efforts and funding.

Commissioner Fowler questioned the reason for burning the brush, and Mr. Edwards replied that it was more economical than hauling the material away, and SWFWMD had identified areas to place the brush to enhance some of their controlled burns. He told Commissioner Damato that the project improved water quality because the natural flow of water had been restored, and that flood control would be a secondary benefit.

Commissioner Valentino commented that she and the citizens were very appreciative of Mr. Edwards and others for their hard work, and that she was very pleased the project came in under budget.

There being no other business to come before the Board, the Chairwoman adjourned the meeting. (3:37 P.M.)

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