


The Board of County Commissioners of Citrus County, Florida, met in regular session on the above date. The Chairman called the meeting to order and Commissioner Wooten led in the Invocation and the Pledge of Allegiance to the U.S. Flag.

Commissioners:	Jim Fowler, Chairman; Gary Bartell, First Vice-Chairman; Vicki Phillips, Second Vice-Chairman; Josh Wooten and Roger Batchelor
Attorney:	Robert B. Battista
Administrator:	Richard Wm. Wesch
Clerks:	Betty Strifler, Clerk; Glenda Brown, Deputy Clerk

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

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

 Sam Lyons distributed a water resources manual from Florida's Water Management Districts, titled "Florida Waters" (filed with the Clerk's agenda). He urged the Board to read the manual, and stated that it was an excellent source of information, which would be beneficial to the County when making decisions regarding water issues. He offered to assist the Board at any time with water-related problems. (I-69/1:05 P.M.)

#3- **CONSENT AGENDA**

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board pulled Item #3-GG.2 (Bid Waiver Request, Musco Lighting) for discussion, and approved the balance of the Consent Agenda, as follows:

#3-A Approved the minutes of the regular meeting held on June 11, 2002.

#3-B Approved the following warrants: Payroll registers dated 06/11/02 at \$426,058.91 and dated 06/13/02 at \$30,879.63. Accounts Payable register dated 06/24/02 at \$2,466,048.12

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

RESOLUTION NO. 2002-124

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE FLOOD MITIGATION GRANT BUDGET FOR FISCAL YEAR 2001/2002

WHEREAS, on May 14, 2002 the Citrus County Board of County Commissioners executed a State-Funded Subgrant Agreement with the State of Florida Department of Community Affairs; and
WHEREAS, on May 24, 2002 the State of Florida Department of Community Affairs executed the agreement providing funds for structural inspections of homes to determine what retrofit measures are need to strengthen them and lessen damages from windstorms; and

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

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 25th day of June 2002, as follows:

1. The Board does hereby amend its budget to include the estimated revenues and expenditures listed in Exhibit "A" attached hereto and made a part hereof by reference.

2. The Clerk of the Board is hereby directed to spread this resolution upon the minutes of the meeting held this date.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	032D-334-500	FEMA – State Grant	\$9,000
<u>Expenditures</u>	032D-5737D-54900	Other Current Charges	\$9,000

RESOLUTION NO. 2002-125

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

WHEREAS, the Division of Library Services has received donations from the Friends of the Homosassa Public Library and the Friends of the Coastal Region Library; and

WHEREAS, these donations will be used for subscription renewals to the Wall Street Journal and the New York Times Sunday Edition; and

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

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 25th day of June 2002, as follows:

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ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	131-366-907	Donations – Friends of the Library	497
		Total Revenues	\$497
<u>Expenditures</u>	131-6212-55200	Operating Supplies	10
	131-6212-55400	Dues, Books, Subscriptions	487

	Total Expenditures	\$497
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RESOLUTION NO. 2002-126

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

WHEREAS, the Citrus County Library System applies annually for a Universal Service discount on telecommunications and internet service; and

WHEREAS, this discount is provided through the Schools and Libraries Division as established by the Federal Communications Commission; and

WHEREAS, these funds will be used to purchase computers and related accessories and software; and

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

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

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/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	131-369-900	Other Miscellaneous Revenues	22,274
		Total Revenues	\$22,274
<u>Expenditures</u>	131-6212-55100	Office Supplies	1,000
	131-6212-55200	Operating Supplies	2,000
	131-6212-55270	Computer Accessories	400
	131-6212-55275	Computer Software	874
	131-6212-56400	Machinery and Equipment	18,000
		Total Expenditures	\$22,274

RESOLUTION NO. 2002-127

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

WHEREAS, on May 21, 2002 the County received FEMA funds from the State of Florida for responding to Wildfire activity in Dixie County last year; and

WHEREAS, the Division of Fire Services wishes to use the funds for the betterment of fire service in Citrus County; and

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

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

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/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

/s/ Jim Fowler

JIM FOWLER, CHAIRMAN

EXHIBIT " A "			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<u>Revenues</u>	154-334-500	FEMA – State	7,070
		Total Revenues	\$7,070
<u>Expenditures</u>	154-3200-55120	Office Equipment	600
	154-3200-55201	Tools, Implements, and Spec. Cloth.	5,470
	154-3200-55210	Miscellaneous Supplies	1,000
		Total Expenditures	\$7,070

#3-D Approved the following budget transfers: **ADM:** \$1,000 from #001-2101-53100 with \$600 to #-55105 and \$400 to #-54800. **TEEN COURT:** \$4,000 from #079C-2160C-51200 to #-51306. **ELECTIONS:** \$4,080 from #001-2443-55417 and \$2,000 from #-55100 to #-54921. **MOD:** \$18,440 from #001-2670-53400 and \$23,400 from #-54300 with \$35,000 to #-54603, \$500 to #-55100, \$340 to #-55417, and \$6,000 to #-54605. **SSD:** \$500 from #001-2991-52300 with \$350 to #-55100, \$150 to #-55417, and \$2,195 from #181C-5370C-51200, \$168 from #-52100, \$160 from #-52200, and \$16 from #-52400 to #-54600, \$5,800 from #159C-5409C-52300 and \$60 from #-54160 with \$5,800 to #-7204C-52300 and \$60 to #-54160, and \$50 from #068C-5413C-54100 to #-55100. **FSD:** \$3,000 from #154-3200-56400 to #-55211. **BD:** \$4,000 from #066-3445-55208, \$1,500 from #-54600, \$2,500 from #-54000, and \$1,500 from #-54605 to #-54603, and \$4,000 from #-55275 to #-56400. **SWM:** \$1,360 from #401-5212-56400 to #-55120. **HSD:** \$420 from #166C-5366C-53000 to #-55100. **CSMSBU:** \$4,472 from #730-8225-53400 with \$312 to #-54300, \$1,500 to #-54500, and \$2,660 to #-54604. **UD:** \$6,500 from #450-247200 to #-9000-54160.

#3-E Approved and authorized the Chairman to sign Satisfactions of Judgment for Raymond L. Davis, Case No. 1983-MM-157; Cecil Arnold, Case No. 1998-MM-2121;

James Nicholas Skelton, Case No. 99-1624-MM 02; Temple F. Cord, Case No. 2001-1787-MM 02; Timothy A. Cannella, Case No. 1997-83-MM; and Kelly Ann Shipman, Case No. 2000-1034-TC.

#3-F Approved the following wire transfers: **CIS:** \$13,170.38 dated 05/09/02 and \$11,650.13 dated 05/23/02. **PGCS:** \$6,182.95 dated 05/03/02, \$6,304.71 dated 05/10/02, \$4,733.20 dated 05/17/02, \$7,800.73 dated 05/24/02, and \$3,681.72 dated 05/31/02. **BANK OF AMERICA:** \$14,859.83 dated 05/16/02.

#3-G Approved and authorized the Chairman to sign a Connection Charge Installment Lien Agreement for Thomas A. Clark Jr.

#3-H Accepted the completed Crystal River Airport Runway Project and approved final payment and release of retainage to Pave-Rite, Inc., at \$39,961.36.

#3-I Approved the donation of twenty surplus computer systems, including CPU's, monitors, keyboards, and mice to the Center for Independent Living.

#3-J Approved and authorized the Chairman to sign the Florida Department of Environmental Protection (FDEP) Solid Waste Tire Grant Application, and subsequent grant reports.

#3-K Accepted a Permanent Drainage Easement signed by Phillip Mulrain, to alleviate a perpetual drainage problem on S. Chestnut Terrace in Lecanto, and authorized the Clerk to place the acceptance stamp upon same and record in the public records.

#3-L Accepted a Temporary Construction Easement for Parcel 746 from Black Diamond Property Owners Association, Inc., for the CR-491 Road Improvement Project, and authorized the Clerk to place the acceptance stamp upon same and record in the public records.

#3-M Approved and authorized the Chairman to sign the Ingress and Egress Easement Agreement with Florida Water Services Corporation for Homosassa Regional Park, and authorized the Clerk to place the acceptance stamp upon same and record in the public records.

#3-N Accepted a Warranty Deed for Lots 27 and 28, Block 14, Lovelace Lodges, Section A from William V. Newsome and Carolyn N. Wadsworth, for the expansion of the Eugene Martin Park, and authorized the Clerk to place the acceptance stamp upon same and record in the public records.

#3-O Approved the final disposal by donation of the East Cove Boat Ramp to the East Cove Community Club, Inc., and approved and authorized the Chairman to sign a Deed of Conveyance to the East Cove Community Club, Inc.

#3-P Accepted a General Warranty Deed (Parcel 121) from Clark Stillwell, Trustee, and a General Warranty Deed (Parcel 202) from Gulf to Lake Associates Ltd., for the CR-491 Road Improvement Project, and authorized the Clerk to place the acceptance stamp upon same and record in the public records.

#3-Q Accepted a Permanent Drainage Easement from Robert N. Lynch, as Bishop of the Diocese of St. Petersburg, his successors in office, a Corporation Sole, and authorized the Clerk to place the acceptance stamp upon and record in the public records.

#3-R 1) Authorized the land exchange with Albert Rooks for a small portion of County property in exchange for an additional right-of-way for the widening of Watson Road; and 2) approved payment to Mr. Rooks, to replace his fencing adjacent to Watson Road, which represents one-half the cost at \$1,764.

#3-S Approved and authorized the Chairman to sign an agreement with Pospiech Contracting Inc., at \$30,867 to extend the existing water main at Holden Park, approximately 1,060 linear feet near the intersection of Lowden Street and Rainbow Drive.

#3-T Acknowledged receipt of Section VII District-Wide Recommendations and Specific Recommendations for Individual Centers, from the Citrus County School Plant Survey.

#3-U Set the following public hearings to consider amendments to the Comprehensive Plan (Ordinance No. 89-04 as amended) and the Land Development Code Atlas (Ordinance No. 90-14):

<i>DATE AND TIME</i>	<i>LOCATION</i>	<i>APPLICATION</i>
<u>Adoption Workshop:</u> September 10, 2002 at 2:00 P.M.	Masonic Building, 3 rd Floor, 111 West Main Street, Inverness	CPA/AA-02-20 (Shelton)
		CPA/AA-02-21 (DDS for Bono)
		CPA/AA-02-22 (Perry)
<u>Adoption Hearing:</u> October 8, 2002 at 2:00 P.M.		CPA/AA-02-23 (44 East Investments)
		CPA/AA-02-24 (Hicks)

#3-V Approved and authorized the Chairman to sign DEP Contract No. SP485 Amendment No. 3 with the FDEP to provide \$750,000 funding for the Homosassa Wastewater Collection System Project - Phase 1.

#3-W Set the Tentative Budget Hearing to be held on Thursday, September 12, 2002, at 5:01 P.M., and the Final Budget Hearing to be held on Tuesday, September 24, 2002, at 5:01 P.M., in the Masonic Building, 3rd Floor, 111 West Main Street, Inverness.

#3-X Approved and authorized the Chairman to sign the Old Courthouse Use Agreement with the New Inverness Olde Towne Association, Inc., for the Historic Courthouse grounds for the Third Annual Uncle Sam Jam to be held on July 6, 2002, and waived all fees associated with said usage of grounds.

#3-Y Adopted and authorized the Chairman to sign a Resolution adopting the Interim Gain-Time Policy established in Resolution 2002-85 regarding the granting or forfeiture of Gain-Time for County prisoners, as the County's Gain-Time Policy, and providing an effective date. **RESOLUTION NO. 2002-128**

#3-Z 1) Approved for the purpose of construction bidding, a proposed design and location of a "landmark sign" to be constructed in County right-of-way on West Yulee Drive opposite the Elementary School; 2) approved for the purpose of design bidding, the location of an "information kiosk" to be constructed at the County boat ramp parking area as a tentative project for year two of the grant; and 3) approved and authorized the Chairman to sign the Proposed Agreement Provisions with the Riverside Resort for enhanced boat ramp access.

#3-AA Approved and authorized the Chairman to sign the Employer Application with Blue Cross Blue Shield for continuation of coverage from October 1, 2002, through September 30, 2003.

#3-BB Approved renewing the group term life insurance program with Florida Combined Life at a premium guarantee period of two years from October 1, 2002, through September 30, 2004

#3-CC 1) Approved the removal of six obsolete submersible pumps from property listing #B102, 95/96 Landfill Expansion, and reduced the Capital Asset Cost by \$51,284; and 2) approved the transfer of said obsolete pumps to Fleet Maintenance for inclusion in the County Auction.

#3-DD Set a public hearing on July 9, 2002, at 2:40 P.M., in the Masonic Building, 3rd Floor, 111 West Main Street, Inverness on an Ordinance amending the Citrus County Code, Chapter 2, Article II, Division 2, Section 2-45, entitled "Public Participation at Board meetings," by providing for its exclusion to quasi-judicial proceedings; amending the Citrus County Code, Chapter 2, Article II, by addition Division 3 entitled "Quasi-Judicial Proceedings", providing for its intent and applicability, providing definitions, establishing presumptions for ex parte communications, providing for general procedures and order of the proceeding, providing evidentiary standards, establishing procedures for cross-examination, continuances, deferrals and supplementation of the record, and providing for appeal; providing for severability; providing for inclusion in the Code; and providing for an effective date.

#3-EE Approved the following items for deletion from the County's fixed asset list:

Extension Services		
14277	General Electric Ice Machine	Non-Repairable
Support Services		
13073	Lowery Organ	Non-Repairable
10048	Sylvania Stereo System	Non-Repairable
Parks and Recreation		
8336	8' Metal Playground Slide	Unsafe

#3-FF Adopted and authorized the Chairman to sign a Resolution authorizing the issuance of Citrus County, Florida, Pollution Control Revenue Refunding Bonds (Florida Power Corporation Project), in one or more series, of the County (the "Series 2002 Bonds"), in the total aggregate principal amount of not exceeding \$240,865,000 for the purpose of refunding bonds previously issued by the County, Pasco County, Florida and Pinellas County, Florida to finance and refinance a portion of the cost of the acquisition, installation and construction of pollution control and sewage and solid waste facilities owned by Florida Power Corporation ("FPC"), providing that the Series 2002 Bonds shall not constitute a debt, liability or obligation of the County, Pasco County, Florida, Pinellas County, Florida, the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues provided therefore; finding the necessity for negotiated sale of the Series 2002 Bonds; providing for the sale of the Series 2002 Bonds pursuant to a Bond Purchase Agreement; authorizing the use and distribution of an Official Statement relating to the Series 2002 Bonds; authorizing the execution and delivery of certain documents in connection with the delivery of the Series 2002 Bonds; providing for certain other matters in connection with the delivery of the Series 2002 Bonds; and providing an effective date. **RESOLUTION NO. 2002-129**

#3-GG.1 Approved Bid No. 072-02, HSD, home repairs, awarded FTB 01-095 at the base bid plus alternate total of \$12,533.45, and RHB 2002-016 at the base bid total of \$13,338.08 to Heath Restoration Specialist as the lowest bidder. (I-93)

#3-GG.2 BID WAIVER REQUEST, PARKS & RECREATION (P&R), MUSCO LIGHTING

Commissioner Batchelor referred to the agenda memorandum for this item, which stated that the installation cost of lighting at the Homosassa Springs Area Recreation Park was approximately \$106,000; however, the bid submitted by Musco Lighting was \$103,350, which was \$6,850 above P&R's budget of \$96,500 for this project. He stated that the Crystal River Little League wanted to help offset the cost, but if they could not, he suggested using funds from previous P&R projects, which had been completed under bid quotes. He also recommended changing the requested amount of \$106,000 to \$103,350.

Upon Motion by Commissioner Batchelor, seconded by Commissioner Fowler, and carried unanimously, the Board waived bid procedures and allowed P&R to purchase Musco Lighting for the athletic fields in the County parks at \$103,350, and approved the use of existing funds in the P&R budget to offset the \$6,850 difference, provided the Crystal River Little League could not assist with the cost. (I-155/1:10 P.M.)

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

#6-A **BOARDROOM AND ADMINISTRATIVE OFFICES**

Mr. Wesch stated that the request to solicit a proposal from Dooley and Mack, Inc., for this project was due to several reasons, including the concern of having too many contractors on the site at one time. He added that Dooley and Mack, Inc., had demonstrated experience in this type of project, and had revised the construction period for the Stovall Building from 9 to 12 months to approximately 6 months.

Upon motion by Commissioner Fowler, seconded by Commissioner Batchelor, and carried unanimously, the Board authorized staff to solicit a proposal from Dooley and Mack, Inc., for the design and construction of a new Boardroom and Administrative Offices in the existing Courthouse. (I-215/1:11 P.M.)

#6-B **BURN BAN**

Upon motion by Commissioner Batchelor, seconded by Commissioner Phillips, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution lifting the "Burn Ban", effective immediately. **RESOLUTION NO. 2002-130**

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

#7-A **TOURIST DEVELOPMENT COUNCIL**

Commissioner Wooten nominated Sue Ellen Friddle, Commissioner Bartell nominated Frances Roberts, and Commissioner Batchelor nominated Dr. Edwin Holland for positions on the Tourist Development Council for four-year terms.

Motion by Commissioner Fowler, seconded by Commissioner Bartell, and carried unanimously, to cease nominations. (I-267/1:15 P.M.)

#7-B **CODE ENFORCEMENT BOARD**

Commissioner Wooten nominated Richard John Phillips for an Alternate Member position on the Code Enforcement Board (CEB) for a term that would expire on November 30, 2003.

Motion by Commissioner Fowler, seconded by Commissioner Bartell to cease nominations.

Commissioner Phillips stated that she thought there were other resumes on file for the CEB, and that in the future, staff should make certain that all applicants' resumes were included. Based on that information, Commissioner Bartell replied that he preferred to delay the nomination for this position until staff determined that no other applications should have been included in the backup material.

The Chairman tabled the item until the July 9 meeting.

#7-C **LAKE TSALA APOPKA BASIN RECREATION & WATER ADVISORY BOARD**

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board accepted with regret the resignation of Marshall Earnest, and announced a vacancy for a Member-at-Large position on the Lake Tsala Apopka Basin Recreation and Water Advisory Board for a term to expire on September 30, 2003. (I-342)

#12- **COUNTY ATTORNEY'S REPORT**

#12-A **CONSTITUTIONAL OFFICER'S BONDS**

Mr. Battista explained that pursuant to Chapter 137, Florida Statutes, the Board was required to review on a semi-annual basis, the sufficiency of various bonds that were filed with the Clerk of the Circuit Court by the Constitutional Officers.

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board determined that the Constitutional Officers of Citrus County had sufficient bonds filed with the Clerk of the Circuit Court.

(I-381/1:20 P.M.)

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

#14-A **BOARDROOM AND ADMINISTRATIVE OFFICES**

Dave Conant questioned item #6-A, and asked if the decision was final that the Board would be moving into the new Courthouse, and if Dooley and Mack, Inc., would design and build the new Boardroom and Administrative offices. He was also concerned that the Board might have to relocate again if the judges required more space in the future.

Commissioner Phillips stated that she understood the motion was only for a proposal from Dooley and Mack, Inc., for the design and construction of a new Boardroom and Administrative Offices. The Chairman explained the motion again, and stated that the Board would be moving into the new Courthouse, and there was no way to predict the length of time the Board could remain in that location.

The Chairman recessed the meeting and reconvened at 1:30 P.M.

#2-B **PROCLAMATION – CHRIS HAMILTON**

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation recognizing Chris Hamilton for attaining the rank of "Eagle Scout."

Mr. Wesch read the proclamation and the Chairman presented the proclamation to Mr. Hamilton.

#2-C **PROCLAMATION – ELI RICHARDSEN NUZZI**

Upon motion by Commissioner Fowler, seconded by Commissioner Phillips, and carried unanimously, the Board approved and authorized all Commissioners to sign a proclamation recognizing Eli Richardsen Nuzzi for attaining the rank of "Eagle Scout."

Mr. Wesch read the proclamation and the Chairman presented the proclamation to Mr. Nuzzi.

(I-660/1:39 P.M.)

The Chairman recessed the meeting and reconvened at 2:00 P.M.

#2-D OA-02-02, CLARK A. STILLWELL, BRANNEN, STILLWELL & PERRIN, P.A.

Gary Maidhof, Director, Department of Development Services (DDS) read the preamble to the ordinance into the record, and Joanna Coutu, Senior Planner, Community Development Division (CDD) gave the staff report as follows:

Applicant Name/Number:	Clark A. Stillwell of Brannen, Stillwell & Perrin, P.A.
Land Use:	Amend Ordinance No. 90-14 of the Land Development Code (LDC), by providing for the allowance of minor subdivisions along private, paved roads; by providing for codification, severability, etc.
Staff/PDRB Recommendation:	Approval

She stated that staff had initially recommended denial of the application; however, at the PDRB workshop on May 2, 2002, staff was directed to find acceptable language that would allow the proposal while still complying with the Comprehensive Plan (COMP). She advised that staff had addressed their concerns as follows: maintenance of right of ways, an engineer's certification would be required for LDC qualification, that a limited number of parcels could utilize the exemption to a maximum of contiguous lots per recognized plat per calendar year, and that authorization must be provided from the Homeowners Association (HOA) to allow this exemption.

Mr. Stillwell stated that adequate protections were built into the amendment, in that a minor subdivision must lie within a platted subdivision, and could not be a condominium or in an unrecorded subdivision. He added that the road must be maintained to County standards, the consent of the HOA would be required, and that the minor subdivision must meet density requirements of the COMP and LDC. He further stated that platting was the most economical process, and would save cost in engineering fees.

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

Upon motion by Commissioner Bartell, seconded by Commissioner Wooten, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending the Land Development Code, Ordinance No. 90-14; by providing for the allowance of minor subdivisions along private, paved roads; by providing for codification, severability, etc. **ORDINANCE NO. 2002-A16** (I-881/2:05 P.M.)

The Chairman recessed the meeting and reconvened at 2:10 P.M.

#2-E AA-02-07, WATER & AIR RESEARCH, INC., FOR RANDUM CORPORATION

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

Applicant Name/Number:	AA-02-07, Water & Air Research, Inc., for Randum Corporation
Land Use:	Modification of the Planned Development Residential

	(PDR) District as approved in Ordinance 2001-A21, pursuant to Sections 2270, Planned Developments (PD), and 5400, PD of the LDC
Property Data:	Sections 14 and 15, Township 18 South, Range 18 East; further described as parcel 12000-00C0, approximately 7.5 acres in the Beverly Hills area
Staff/PDRB Recommendation:	Approval with conditions and requirement referenced in backup material
Proposed Project:	Marina Del Ray-100 one and two bedroom multi-family units with recreation facilities.

He reviewed the project by stating that the multi-family units would consist of 66 one-bedroom and 34 two-bedroom units with fifteen units being handicapped accessible. He advised that all of the concurrency issues had been addressed. He stated that there would be elevators in each building, laundry facilities on each floor of each building, and that a clubhouse and other recreational facilities would be constructed. He advised that the conditions were standard, and included limitations on development, parking, signage, etc.

Bill Kinser, Planner for Water & Air Research, Inc., thanked the Board and staff for their time and consideration, and stated that it was a very good project. He added that the project would reduce squall, was located in an area with adequate infrastructure, was compatible with the surrounding area, filled the need for elderly and low-income housing, etc.

Commissioner Phillips asked if there would be covered parking areas, and Mr. Kinser replied that covered parking areas were not in the plans, but that handicapped spaces would be adjacent to the handicapped units.

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

Dick Schnably, representing the Beverly Hills Civic Association, spoke in favor of the proposed apartment complex, and stated that it would provide a safe secure place for the elderly. He thanked Randum Corporation for listening to their concerns, the County for working out the details, and the citizens of Beverly Hills for their support of the project. He suggested that this project might be a catalyst for future projects for senior citizens.

John Thrumston and Joyce Valentino spoke in favor, and stated they were glad that the developer and the community worked together on a good quality project, and hoped the Board would support it.

Jason Larsen, representing Creative Choice Homes, thanked the Board and staff, particularly Joe Monroe for his assistance. He advised that he had received several positive comments from developers around the state, and that he thought there would be a lot more interest in the County for this type of development, especially for senior citizens.

The Chairman then asked for anyone to speak in opposition. With no further public comment, the Chairman closed the public hearing.

Upon motion by Commissioner Phillips, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance, amending Ordinance 90-14, providing revisions to the LDC Atlas, by providing modification of the Planned Development Residential (PDR) District as approved in Ordinance 2001-A21, pursuant to Sections 2270, Planned Developments (PD), and 5400, PD of the LDC.

ORDINANCE NO. 2002-A17 (I-1198/2:20 P.M.)

The Chairman recessed the meeting and reconvened at 2:25 P.M.

#2-F **SV-01-04, CRYSTAL RIVER LIMITED PARTNERSHIP**

Ms. Coutu reviewed a request by Mr. Stillwell, on behalf of Crystal River Limited Partnership to vacate a portion of North Crystal Terrace (f/k/a Crystal Park Drive) lying between Lots 19, 20, 25, and 26, and adjacent to Lots 23 and 24 of Crystal Park Acres. She advised that this was the only remaining area to be vacated, and that utility companies had no objections, except for a sewer line easement requested by the City of Crystal River. She also stated that the Plat Review Team had discussed the subject vacation on July 18, 2001, and had no objections, and that the PDRB had recommended approval with conditions on September 6, 2001. She advised that staff initially recommended approval with conditions; however, since that time, a letter of objection from an abutting property owner had been received (included in the backup material), and there was an administrative directive to consider Policy No. 10.4.2 of the COMP in a stricter manner. She read the policy into the record as follows: "vacation of right of ways, alleys, roads, and access easements shall only be allowed when principal or secondary access to a parcel of land is not diminished, the location of an existing or future utility is not adversely affected, or the roadway does not serve a public purpose nor has the potential of being integrated into the transportation system." Therefore, she stated staff was recommending denial of this application.

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

Mr. Stillwell advised that according to the survey, half of the street was vacated, that the utility line easement requested from the City of Crystal River would be located on the north portion of the street to be vacated, which was only 20 feet wide. He stated that the abutter's principal access was off of US-19, and that there was a road through the woods to the back of the abutter's house. He explained that utilities would not be affected, the roadway was not wide enough to serve any public purpose due to the LDC requirement of at least 60 feet for a public street, and that no structure could be built on the property. He mentioned that by vacating the subject area, the County would be absolved of liability and would gain income because the property would be added to the tax rolls. He further stated that his client was prepared to grant an easement to the abutter for Lots 19 and 20.

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

Commissioner Wooten asked Mr. Battista if the proposed offer by Mr. Stillwell for an easement to the abutter's property was sufficient from a legal standpoint. Mr. Battista replied that the abutter's objection did call a question to the COMP Policy as read by Ms. Coutu. He recommended that this application be delayed until the July 9 meeting so that Mr. Stillwell, the applicant, and the property owner could discuss the proposed easement and determine if the property owner would be agreeable to that option.

Motion by Commissioner Wooten, seconded by Commissioner Bartell, to continue application SV-01-04 until July 9, 2002.

Discussion ensued regarding the LDC requirement of at least a 60 foot roadway, the road not being wide enough for public access, the property becoming landlocked if an agreement could not be reached, the back road to the abutter's property being a secondary access road, unknown problems that might exist with the property owner's access to US-19, etc.

Mr. Maidhof advised that the Department of Public Works would arrange a site check, and that the Department of Transportation would be contacted regarding any problems with the property owner's access to US-19.

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

There being no other business to come before the Board, the Chairman adjourned the meeting. (I-1692/2:39 P.M.)

ATTEST: _____, Clerk _____, Chairman