BOARD OF COUNTY COMMISSIONERS, PASCO COUNTY, FLORIDA

REGULAR MEETING/REZONINGS

ANNOTATED MINUTES

THE MINUTES WERE PREPARED
IN AGENDA ORDER AS PUBLISHED
AND NOT IN THE ORDER IN WHICH
THE ITEMS WERE HEARD

FEBRUARY 24, 2010

West Pasco Government Center, Board Room
7530 Little Road, New Port Richey, FL 34654

County Commissioners

Chairman Pat Mulieri, Ed.D., District 2
Vice-Chairman Michael Cox, CFP®, District 4
Ted Schrader, District 1
Ann Hildebrand, District 3
Jack Mariano, District 5
CALL TO ORDER 10:00 A.M.

Chairman Mulieri called the meeting to order at 10:00 a.m.

INVOCATION

PLEDGE OF ALLEGIANCE

Ms. O’Neil gave the Invocation and the Pledge of Allegiance to the Flag.

ROLL CALL

Ms. O’Neil called the roll. All Commissioners were present.
CONSENT

Chairman Mulieri noted that Consent Agenda Items C9 and C47 were withdrawn, and Agenda Items C10, C16, C17, C24, C30, and C86 were pulled from the Consent Agenda for discussion.

COMMISSIONER HILDEBRAND MOVED approval of the Consent Agenda; COMMISSIONER COX SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

LEGISLATIVE/ADMINISTRATIVE

COUNTY ATTORNEY

C9 Economic Development Agreement-Stainless Fabricators, Inc.-for the Construction of a Building Totaling 30,100 Square Feet Located in the West Pasco Industrial Park in Pasco County, FL; the Company Has Constructed the Building to Serve as Its Relocated, Expanded, Manufacturing Facility and Headquarters

Memorandum CAO10-0023

Recommendation: Approve
Comm. Dist. All

Mr. Steinsnyder requested the item be withdrawn.

C-10 Additional Funds ($30,000.00)-Dana G. Toole, P.A.-DeCubellis Road Extension

Memorandum CAO10-1215

Recommendation: Approve

Comm. Dist. 4

Commissioner Cox stated the reason he pulled the agenda item was because of the lack of progress on the DeCubellis Road project and the request for additional funds.

Mr. Steinsnyder gave an explanation of the item and said he had met with Traveler's Surety Company regarding his displeasure on how they were handling the case.

Discussion followed regarding not enough emphasis was placed on the project by the legal representation for the County by Mr. Toole; the issue was with Traveler's; to direct County Staff to never accept Traveler's as a surety company on any other project; and to schedule a special meeting next Tuesday for action.
COMMISSIONER COX MOVED approval to include making next Tuesday’s Board meeting a Special Session; COMMISSIONER HILDEBRAND AND COMMISSIONER SCHRADER SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

COUNTY ADMINISTRATOR

C16 Application for Fortune Teller Permit and Similar Occupations-Sharon Rebecca Salichova-to Obtain a License for Fortune Teller and Similar Occupations, Mobile/Various Locations Memorandum CA10M-5027 Recommendation: Approve Comm. Dist. All

Mr. Gallagher noted the name of Sharon Lee Burnett as listed in the Description and Conditions was incorrect and recommended that it be changed to the correct name of Sharon Rebecca Salichova as listed within the Subject title of the agenda memo.

COMMISSIONER SCHRADER MOVED approval of the corrected name; COMMISSIONER HILDEBRAND SECONDED.
Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

C17 Application for Fortune Teller Permit and Similar Occupations-Shelaindera Kumar Sharma-to Obtain a License for Fortune Teller and Similar Occupations, 8405 Reynolds Drive, Hudson, FL 34667 (On-line and Telephone)

Memorandum CA10M-5028

Recommendation: Approve

Comm. Dist. All

Mr. Gallagher noted the name of Sharon Lee Burnett as listed in the Description and Conditions was incorrect and recommended that it be changed to the correct name of Shelaindera Kumar Sharma as listed within the Subject title of the agenda memo.

COMMISSIONER SCHRADER MOVED approval of the corrected name;

COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
DEVELOPMENT SERVICES BRANCH

PERMITS AND DEVELOPMENT INFORMATION SERVICES

C24  Class I Mine Transfer-Plaza Materials Corporation Permit to-Central State Aggregates, LLC

Memorandum PD10-050

Recommendation: Approve

Comm. Dist. 1

Commissioner Schrader stated the reason he had pulled the item was because he had concerns about the transfer, but after speaking to the County Attorney he was comfortable with the item.

COMMISSIONER SCHRADER MOVED approval; COMMISSIONER COX AND COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

ENGINEERING SERVICES - ENVIRONMENTAL LANDS ACQUISITION

C30  Amendment to BCC Resolution No. 04-233-Establishing ELAMP and ELASC-Environmental Lands Acquisition Management Program
Memorandum ELA10-008

Recommendation: Approve
Comm. Dist. All

Commissioner Mariano stated he pulled the item in order to congratulate Staff on bringing the proposal back to the Board.

COMMISSIONER MARIANO MOVED approval; COMMISSIONER SCHRADER SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

PUBLIC SERVICES BRANCH
FACILITIES MANAGEMENT

C47 Task Order No. FM10-01-Coastal Design Consultants, Inc.-Provide Professional Engineering Services/Cross Bayou Bus Transfer Station/Bus Route Exchange ($28,650.00)
Memorandum FAC10-076
Recommendation: Approve
Comm. Dist. 3
The item was withdrawn by the County Administrator.

OFFICE OF MANAGEMENT AND BUDGET

PURCHASING

C86 Appointment of Selection Committee-N/A-for Professional Consulting Services Related to the Preparation of a Design Criteria Package for the Design-Build of a Multi-Purpose Sports Complex in the Trinity Area

Memorandum PU10-120

Recommendation: Approve

Comm. Dist. 3

Commissioner Mariano explained the reason he pulled the item was to request the addition of a couple more people onto the Selection Committee for the Sportsplex project. He wanted to add people who had played and competed in regular softball tournaments that would have pertinent input.

Chairman Mulieri requested the item be heard under Old Business.
**COMMISSIONER ITEMS**

**COMMISSIONER MARIANO**

R1 A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA-CONGRATULATING PRESTON (BUD) MORE-ON CELEBRATING HIS 100TH BIRTHDAY.

Memorandum CAO10-4851

Recommendation: Approve

Comm. Dist. All

Ms. O'Neil read the Resolution by title only into the record.

COMMISSIONER MARIANO MOVED adoption; COMMISSIONER COX SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

**VICE CHAIRMAN COX**

R2 A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA-COMMENDING ROLAND MOSCHNER FOR TWENTY-EIGHT YEARS OF DEDICATED SERVICE TO THE INFORMATION
Ms. O’Neil read the Resolution into the record.

**COMMISSIONER COX MOVED** adoption; **COMMISSIONER HILDEBRAND SECONDED**.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Mr. Roland Moschner thanked the Board.

R3 A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA-CONGRATULATING COMMUNITY HOSPITAL IN NEW PORT RICHEY-ON RECEIVING THE JOINT COMMISSION’S DISEASE SPECIFIC CERTIFICATION IN TWELVE DISEASE AREAS.

Memorandum CAO10-4850

Recommendation: Approve

Comm. Dist. All
Ms. O'Neil read the Resolution into the record.

COMMISSIONER COX MOVED adoption; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Ms. Kathy Gillette, CEO of Community Hospital, thanked the Board for the Resolution and honored the Chief Nursing Officer who was present with her.

R4 A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA-RECOGNIZING THE UNITED WAY OF PASCO COUNTY’S PROSPERITY CAMPAIGN-TO AID LOWER INCOME FAMILIES IN PASCO COUNTY.

Memorandum CAO10-4852
Recommendation: Approve
Comm. Dist. All

Ms. O'Neil read the Resolution into the record.
COMMISSIONER COX MOVED adoption; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Ms. Susan Arnett, President United Way of Pasco County, thanked the Board for the Resolution.

Ms. Kristin King, Program Director, thanked the Board for the honor.

COMMISSIONER HILDEBRAND

R5  A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA-Congratulating Morton Plant North Bay Hospital-on the Grand Opening of its New Starkey Medical Tower and Medical Arts Building.

Memorandum CAO10-4855

Recommendation: Approve

Comm. Dist. All

Ms. O’Neil read the Resolution into the record.
COMMISSIONER HILDEBRAND MOVED adoption; COMMISSIONER COX AND COMMISSIONER MARIANO SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Mr. Rich Beckesh thanked the Board for the recognition and invited the Board for a tour of the facility.

Mr. John Courus thanked the Board for the recognition.

CHAIRMAN MULIERI

R6 A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA-Congratulating Michele Crary-On being named the 2009 Employee of the Year by the Pasco County Board of County Commissioners.

Memorandum CAO10-4849

Recommendation: Approve

Comm. Dist. All

Ms. O’Neil read the Resolution into the record.
COMMISSIONER COX MOVED adoption; COMMISSIONER HILDEBRAND AND COMMISSIONER MARIANO SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Ms. Michele Crary thanked the Board for the honor.

R7 A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA-RECOGNIZING THE MONTH OF FEBRUARY-AS BLACK HISTORY MONTH IN PASCO COUNTY.

Memorandum CAO10-4854

Recommendation: Approve

Comm. Dist. All

Ms. O’Neil read the Resolution into the record.

COMMISSIONER COX MOVED adoption; COMMISSIONER MARIANO AND COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
Ms. Sandy Wright, Director of the After School Program, thanked the Board for the honor.

Ms. Sophie Hall, a white student who was a volunteer at the African American Club, gave a brief history of what Black History meant to her.

Mr. Marlowe Jones, a former student, thanked the Board for the honor.

Mr. Michael McCullen, a visitor from New York, expressed his appreciation for Black History Month.

Mr. Dan Callahan thanked the Board for recognizing the importance of Black History Month and to especially thank Chairman Mulieri and Commissioner Mariano for participating in the celebration in honoring Dr. Martin Luther King, Jr. at Pine Hill.

Chairman Mulieri requested a motion to hear three emergency Resolutions.

**COMMISSIONER HILDEBRAND MOVED** to hear three emergency Resolutions;

**COMMISSIONER COX AND COMMISSIONER SCHRADER SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA CONGRATULATING FIRST RESPONDERS OF TAMPA BAY GOLF & COUNTRY CLUB ON ITS TENTH ANNIVERSARY.

Ms. O'Neil read the title of the Resolution into the record.

COMMISSIONER SCHRADER MOVED adoption; COMMISSIONER HILDEBRAND AND COMMISSIONER COX SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA CONGRATULATING TIBBETTS LUMBER COMPANY ON THE GRAND OPENING OF THEIR STORE IN LAND O’ LAKES.

Ms. O'Neil read the title of the Resolution into the record.

COMMISSIONER HILDEBRAND MOVED adoption; COMMISSIONER SCHRADER SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA RECOGNIZING THE 100TH ANNIVERSARY OF THE CITY OF ZEPHYRHILLS.

Ms. O’Neil read the Resolution into the record.

COMMISSIONER MARIANO MOVED adoption; COMMISSIONER SCHRADER SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Mr. Steve Spina accepted the Resolution on behalf of the Mayor of Zephyrhills.

 COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS

MISCELLANEOUS MATTERS

R8 PUBLIC-COMMENT--

Memorandum PC10-109

Recommendation: Not Applicable

Comm. Dist. All
There was no public comment.

INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

COUNTY ATTORNEY

R9 INTRODUCTION OF AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY CODE OF ORDINANCES SECTION 6-26 TO DEFINE "RESORT"; AMENDING SECTION 6-28 TO EXTEND THE HOURS FOR RESORTS TO SELL ALCOHOLIC BEVERAGES DAILY UNTIL 3:00 A.M.; AMENDING SECTION 6-29 TO ALLOW CUSTOMERS TO REMAIN ON THE PREMISES OF RESORTS UNTIL 3:30 A.M.; PROVING FOR APPLICABILITY, REPEALER, SEVERABILITY, INCLUSION INTO THE CODE, AND AN EFFECTIVE DATE.

Memorandum CAO10-0806

Recommendation: Approve

Comm. Dist. All

Ms. Kristi Wooden, Senior Assistant County Attorney, explained the agenda item in detail. Staff recommended the Board introduce the proposed amendments, waive the evening hearing requirements by a roll call vote, and direct Board Records to advertise
the proposed Ordinance for public hearing on March 16, 2010, in Dade City and on March 30, 2010, in New Port Richey.

COMMISSIONER HILDEBRAND MOVED to introduce and to waive the evening hearing requirement; COMMISSIONER COX SECONDED.

Ms. O’Neil called the roll; the vote was unanimous and the motion carried.

LEGISLATIVE/ADMINISTRATIVE

COUNTY ATTORNEY

R10 Tourist Development Tax and Online Travel Companies-Request for Direction-to Pursue Litigation

Memorandum CAO10-2406

Recommendation: Approve

Comm. Dist. All

Ms. Elizabeth Blair, Senior Assistant County Attorney, explained the item in detail. She noted there were three litigation options proposed and Staff recommended Litigation Option One to seek a declaratory decree to determine the liability of the OTC’s for tourist development taxes.
Discussion followed regarding what would happen should a settlement be reached; an audit would be conducted for a settlement; this was not classified as a class action suit; and if the Counties were to win the amount would be 25% of gross recoveries after costs were subtracted.

**COMMISSIONER SCHRADER MOVED** approval of Staff’s recommendation;
**COMMISSIONER COX SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

R11 Tourist Development-On-Line Travel Companies-Opposition to Federal Legislation

Memorandum CAO10-2407
Recommendation: Approve
Comm. Dist. All

Mr. Steinsnyder stated Item R11 was related to Item 10. He noted that based on litigation there was a Federal Bill that had been sponsored to take away the Counties authority to collect tax from on-line travel companies.

Ms. Blair explained that the Resolution was to oppose the Federal legislation.
COMMISSIONER COX MOVED approval; COMMISSIONER SCHRADER SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

COUNTY ADMINISTRATION – PERSONNEL

R12 Cost Savings Award Program-County Employees-Status Report

Memorandum PER10-0177

Recommendation: Not Applicable

Comm. Dist. All

Mr. Gallagher explained the item and noted that Ms. Barbara De Simone would present the awards to the employees.

Ms. De Simone presented monetary awards in the amount of $750.00 to John Luecke; $50.00 to Benny Scala; $300.00 to John Rivera; and $1,000.00 to Robert Burgarella for cost saving suggestions.

Each of the recipients explained what their suggestions were and how it saved the County money.
COMMISSIONER MARIANO MOVED to increase John Luecke’s bonus from $750.00 to $1,000.00; COMMISSIONER COX SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

DEVELOPMENT SERVICES BRANCH

PERMITS AND DEVELOPMENT INFORMATION SERVICES – BUILDING INSPECTIONS

R13 Request for a Stay of Previous Order of Demolition and Approve Repairs to Condemned Structure-Current Owners: James and Rebecca Sigler-6624 Butch Street, Port Richey, Parcel ID No. 21-25-16-0020-00000-0080, Condemned Due to Vehicular Damage to Structure

Memorandum PD10-009

Recommendation: Approve

Comm. Dist. 4

Mr. Timothy Moore, Pasco County Building Official, explained the item and recommended the Board approve Alternative One.

COMMISSIONER MARIANO MOVED approval of Staff’s recommendation;

COMMISSIONER HILDEBRAND SECONDED.
Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

ENGINEERING SERVICES - ENVIRONMENTAL LANDS ACQUISITION

R14 Full Fee Acquisition-Nomination of Aripeka Estates, LLC-ELAMP

   Memorandum ELA10-009
   Recommendation: Approve
   Comm. Dist. 5

Mr. Ron Daniels, Acting Environmental Lands Program Manager, explained the item and reviewed the location of the property of Aripeka Estates. He recommended the Board approve the ELASC recommendation to add Aripeka Estates to the acquisition list.

Discussion followed regarding the acquisition process; a controversial rezoning parcel; and if the developer was motivated to sell.

COMMISSIONER COX MOVED approval; COMMISSIONER MARIANO SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
ZONING AND SITE DEVELOPMENT DEPARTMENT

R15  Lien Resolution-Holly Palmerton and Thomas Palmerton-Amended Property Maintenance Ordinance (Section 42-1), Lien Resolution; BCC 2/24/10, 10:00 a.m., NPR
Memorandum CC10-055
Recommendation: Approve
Comm. Dist. 2

Ms. Cindy Jolly, Development Director, explained the item was to correct who the sole owner was regarding the lien placed on the property.

COMMISSIONER COX MOVED approval; COMMISSIONER SCHRADER SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

UTILITIES SERVICES BRANCH

UTILITIES SERVICES

R16  Agreement-City of Dade City-Establishing Designated Service Areas for Water and Wastewater Services
Memorandum UT10-305
Recommendation: Approve
Comm. Dist. All

Mr. Bruce Kennedy, Director Utility Services, explained the item and recommended approval of the agreement.

COMMISSIONER SCHRADER MOVED approval; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

OFFICE OF MANAGEMENT AND BUDGET

OFFICE OF MANAGEMENT AND BUDGET

R17 A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA-SETTING ADMINISTRATIVE FEES PERTAINING TO THE COUNTY’S IMPACT FEE PROGRAM AND-PURSUANT TO SECTION 78-29 OF THE PASCO COUNTY CODE OF ORDINANCES.

Memorandum OMB10-10074
Recommendation: Approve
Comm. Dist. All
Mr. Nurrenbrock, OMB Director, requested the item be continued to the March 16, 2010, meeting, 1:30 p.m., in Dade City. He asked if the Board had any technical questions regarding the cost allocation for Ms. Saldana from Chicago who was present at the meeting.

Ms. Ani Saldana, Senior Consultant from Maximus, answered questions by the Board regarding how prevalent the charge was for user fee services; the need for the study; how the fee would impact large businesses coming to the County; the school impact fee was amended; if a portion of the fee would be given to the School District or to the Clerk’s office; what the equation of the fee would be for the County; the administrative fees would be added to the existing fees; how the fee would help the general fund; and if there was opposition with the building community.

**COMMISSIONER MARIANO MOVED** to continue the item to March 16, 2010, 1:30 p.m., in Dade City; **COMMISSIONER SCHRADER AND COMMISSIONER COX SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

R18 Sheriff's-Vehicle Policy-Penny for Pasco

Memorandum OMB10-10100
Mr. Nurrenbrock explained the item and the Sheriff’s request. He noted Staff did not make a recommendation regarding this issue.

**COMMISSIONER COX MOVED** approval of Alternative Two which was to amend the policy to allow the purchase of the pick-up truck; **COMMISSIONER HILDEBRAND SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

R19 COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS-Board of County Commissioners-County Administrator-County Attorney-Clerk

Memorandum BCCA10-120

Recommendation: Not Applicable

Comm. Dist. All
DISTRICT ONE – COMMISSIONER SCHRADER

Commissioner Schrader spoke regarding a huge community cleanup this past weekend in the Trilby/Lacoochee area with over 100 volunteers. He asked the Board to view pictures of the clean-up showing tires, appliances, furniture and the like.

COMMISSIONER SCHRADER MOVED to waive the $300.00 tipping fees from the General Fund; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Commissioner Schrader said he met with representatives of the Evans family regarding Skyland Utilities and wanted the Board to be on the same page with the issue of not having a private utility. The Evans’ had applied for public supply for providing water to the surrounding area and they were not willing to exclude the public supply portion. He felt action was needed to defend the County’s position.

Mr. Steinsnyder said his office had filed a petition opposing the application. County Staff was looking to outside counsel that has worked with the PSC to address the utility issue.
Mr. Gallagher said he had spoken to Pete Dunbar regarding what the PSC was going to do; where the County stood; and suggested utilizing his firm to explore all alternatives.

Mr. Gallagher recommended the Board authorize both he and Mr. Steinsnyder to contact Mr. Dunbar, prepare a letter of proposal, and if it was under $25,000 allow Mr. Steinsnyder or himself to sign it.

**COMMISSIONER SCHRADER MOVED** approval of Mr. Gallagher’s recommendation; **COMMISSIONER COX SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

**DISTRICT TWO – CHAIRMAN MULIERI**

Chairman Mulieri said Platinum Road had potholes and she requested approval of $100.00 to fix it.

**CHAIRMAN COX MOVED** approval for a one time emergency repair for Platinum Road in the amount not to exceed $100.00; **COMMISSIONER HILDEBRAND SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
Chairman Mulieri asked if a guard rail could be placed at the corner of Medley and Normandeau in the Leisure Hills area. Apparently ATV’s were breaking through the signs that were placed there. She directed Mr. Gallagher to follow-up.

Chairman Mulieri stated that everyone should be proud of our County. She noted that April was County Government Week. She thought that the County should showcase Pasco County and this year’s theme was “Healthy County.” She asked if the County could do something to promote and showcase the County, such as Healthy Businesses, Healthy Eating Books, and Health Care Services.

**DISTRICT THREE – COMMISSIONER HILDEBRAND**

**COMMISSIONER HILDEBRAND MOVED** approval for a one time emergency road repair not to exceed $250.00 for Anita Way; **COMMISSIONER COX SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

**DISTRICT FOUR – COMMISSIONER COX**
COMMISSIONER COX MOVED to appoint John Hagan to serve on the Pasco Hernando Workforce Board; COMMISSIONER HILDEBRAND AND COMMISSIONER MARIANO SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

DISTRICT FIVE – COMMISSIONER MARIANO

Commissioner Mariano reported on the National Association of Regional Conferences that he attended. In 2012 the event will be held in Tampa. While he was in D.C. he lobbied for TBARTA. One of the presentations he saw was regarding Tiger Discretionary Grant Program which allocated a lot of money. Florida had 116 projects submitted and none of them were approved. California received 130 million dollars worth of funds, Illinois received 128 million, Massachusetts received 95 million, and New York received 83 million. He suggested Staff take a look at this to see what kinds of projects were being approved.

Commissioner Mariano said he was on the Steering Committee for Connecting Global Competitiveness which was to bring Orlando and Tampa together. Mr. Gehring and he attended the meeting and the committee was so enthused with Mr. Gehring’s input that he was placed on the technical faculty. When the committee meets at the University of
Pennsylvania campus to design the rail they would like Mr. Gehring to attend. He brought the item before the Board to request approval for Mr. Gehring to attend that meeting.

**COMMISSIONER HILDEBRAND MOVED** approval; **COMMISSIONER MARIANO SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Commissioner Mariano spoke on Item C86, which was regarding the Selection Committee for the design of the Multi-purpose Sports Complex. Mr. Nurrenbrock had given him a list of three people for the committee; Terrence Duhan, Brian Borosso, and Scott Madows. All three were manager players and covered different areas and levels of expertise.

Discussion followed regarding the Sunshine Law; taking Mr. Buckman off of the committee and making him the advisory to the committee; leaving Mr. Johnson on the committee; and leaving the three other names on the committee.

**COMMISSIONER MARIANO MOVED** to remove Mr. Buckman off of the committee and add Terrence Duhan, Brian Borosso and Scott Madows to the committee; **COMMISSIONER SCHRADER SECONDED.**
Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Commissioner Mariano spoke on item C9 regarding the Stainless Steel Fabricators Company and asked if there was any way to help them. Mr. Steinsnyder said he had spoken to them but the issue was how would they guarantee the impact fees for the 5 year period. Mr. Steinsnyder said he spoken to their lawyer, who said he would discuss the issue with his client and he would get back to the County.

**COUNTY ADMINISTRATOR**

No items.

**COUNTY ATTORNEY**

Mr. Steinsnyder asked for the Board’s direction regarding Conflict Waivers. He explained further. He requested the Board authorize him to sign the Conflict Waivers. He stated if there was an issue he would bring it before the Board. The Board agreed that he should handle the Conflict Waivers.
CLERK TO THE BOARD

No items.

NOTED ITEMS

AGENDAS/MINUTES

Agenda Items R20 through R35 were noted.

THE BOARD RECESSED AT 11:54 A.M. AND RECONVENED AT 1:35 P.M. ALL BOARD MEMBERS WERE PRESENT.

PUBLIC HEARINGS

PUBLIC HEARINGS AT 1.30 PM

PROPOSED ORDINANCES

P1 AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 2-107 OF THE PASCO COUNTY
CODE OF ORDINANCES TO RAISE EMERGENCY PURCHASING AUTHORITY OF THE COUNTY ADMINISTRATOR FROM $15,000.00 TO $100,000.00;-AMENDING SECTIONS 2-58, 30-29, AND 30-30 OF THE PASCO COUNTY CODE OF ORDINANCES TO CLARIFY THAT WHEN A QUORUM OF THE BOARD IS UNABLE TO MEET, THE COUNTY ADMINISTRATOR MAY DECLARE, EXTEND, OR TERMINATE A LOCAL STATE OF EMERGENCY WHEN CHAIRMAN AND VICE-CHAIRMAN ARE UNAVAILABLE;-AMENDING SECTION 30-32 TO GIVE THE COUNTY ADMINISTRATOR EXPRESS ENUMERATED AUTHORITIES IN AN EMERGENCY WITHOUT THE NECESSITY OF PRIOR BOARD ACTION, AND ADDING AUTHORITY TO MAKE USE OF FACILITIES AND SUPPLIES, DIRECTING AND COMPELLING EVACUATIONS, AND ACQUIRING OR CONFISCATING TANGIBLE GOODS OR PROPERTY; ADDING SECTION 30 -34 TO DEFINE THE ROLE OF THE COUNTY ATTORNEY IN EMERGENCY; PROVIDING FOR APPLICABILITY, REPEALER SEVERABILITY, INCLUSION INTO THE CODE, AND AN EFFECTIVE DATE.

Memorandum CAO10-803

Recommendation: Approve

Comm. Dist. All

Ms. O'Neil noted proof of publication.
Ms. Kristi Wooden, Senior Assistant County Attorney, read the title into the record. She distributed a redline version of the Ordinance to the Board and explained the item. Staff recommended the Board accept public comment, approve Alternative Number One, and adopt the proposed Ordinance by roll call vote. She noted that the Board gave Staff permission to move directly to a final public hearing rather than Introduction of the Ordinance.

There was no public comment.

**COMMISSIONER SCHRADER MOVED** adoption; **COMMISSIONER HILDEBRAND SECONDED.**

Ms. O’Neil called the roll; the vote was unanimous and the motion carried.

**P2 AN ORDINANCE AMENDING ORD. NO. 90-10, CODIFIED IN CHAPTER 102 OF THE PASCO COUNTY CODE OF ORDINANCES AMENDING SECTIONS 102-186, 102-189 and 102-190-TO LEVY AND IMPOSE AN ADDITIONAL ONE (1) PERCENT LOCAL OPTION TOURIST DEVELOPMENT TAX ON EACH WHOLE AND MAJOR FRACTION OF EACH DOLLAR OF THE TOTAL RENTAL CHARGED EVERY PERSON WHO RENTS, LEASES, OR LETS FOR CONSIDERATION ANY LIVING QUARTERS OR ACCOMMODATIONS IN ANY HOTEL, APARTMENT HOTEL, MOTEL, RESORT MOTEL, APARTMENT,**
APARTMENT MOTEL, ROOMING HOUSE, MOBILE HOME PARK, RECREATIONAL VEHICLE PARK, OR CONDOMINIUM FOR A TERM OF SIX (6) MONTHS OR LESS; AMENDING AND UPDATING THE TOURIST DEVELOPMENT PLAN FOR PASCO COUNTY; PROVIDING FOR APPLICABILITY, REPEALER, SEVERABILITY; INCLUSION INTO CODE AND AN EFFECTIVE DATE.

Memorandum TD10-053

Recommendation: Approve

Comm. Dist. All

Ms. O’Neil noted proof of publication.

Mr. Eric Keaton, Public Communications Manager, explained the Tourist Development Plan utilizing the overhead projector.

Commissioner Cox noted two concerns he had with the Ordinance deviating from State law: 1) The first was that according to State law the Chairperson had to be the Chairperson of the Tourism Board and it now stated or someone who was appointed; and 2) A lot of the uses of the money had been taken out of the Ordinance and it now came down to only one usage which was for the capital construction of at least one multi-purpose sports complex.
Ms. Blair explained the modifications that were made to the draft Ordinance. The reference to Florida Statutes where it was appropriate was included as a disclaimer; the addition of B and C to Section 3; and in Section 4 the language was changed to include more concepts regarding the uses of money. She distributed a new page 2 of the proposed Ordinance to the Board members showing the elimination of the description of what capital construction projects would be funded and allocated. Other modifications included two new concepts: the annual review of the plan and amendments to the plan.

She stated she would review the Statutes regarding the appointment of the Chair and noted that the use of the money was stated in the modifications she had distributed.

Discussion followed regarding clarification of the Statute concerning the Chair of the TDC; the allocation percentage numbers would need to be reviewed by the TDC for recommendation; inconsistencies were on page 3 of the Plan with the Vision, Mission, Goals, Objectives, and Funding Allocation; clarification was needed for the allocation of bond money, impact fee money and the tourist development tax money for the Sportsplex; and the usage of the fields for tournaments and other events.

Mr. David Larson, Mr. Greg Rehlie, Mr. David Loomis, Ms. Beverly Helie, Ms. Susan Jacobs, Ms. Debra Hatcher, Mr. Glen Hamm, Chairman of the Cultural Affairs Advisory Committee for the City of New Port Richey; Ms Diane Badard, publisher of Nature Coast Travel Host; Ms. Karen King, and Ms. Dana Hiyia spoke under public comment. Concerns raised were: the Ordinance was flawed; the money should be spent to put
heads in beds; additional dialogue needed to be conducted with the hoteliers; it was not the right time for a tax increase; why short term rental of single-family residences were not listed in the title; the lights, noise, and traffic from the fields would have a detrimental economic impact for the Heritage Springs community; the sports complex should bring in heads in beds; the Ordinance should not tax the local residents who live here; money should be set aside for grant programs for the municipalities for film festivals; by promoting the County it would increase heads in beds; a workshop should be scheduled for the different players and hoteliers involved; and Pasco County was competing with all of the other counties for the exact same business.

Discussion followed regarding the Sportsplex projections for tourism that was based on several assumptions from the American Softball Association; there were four members of the Board in favor of Sportsplex and the Trinity site; concerns about using impact fee money and bond money to build the fields; and a prior motion had been passed stating that a combination of all three sources would be used to pay for the Sportsplex.

Staff asked the Board to continue the Ordinance and the Tourism Plan, give Staff direction to take it back to the TDC, and to bring back a revised Ordinance based on a penny increase and one without the increase.

Further discussion continued regarding deficiencies in the Ordinance that needed to be corrected; to adopt the plan as part of the Ordinance; to take the plan to the TDC; there were not enough votes for an extra penny increase; Staff did not have the money yet
that was reallocated in the budget; and if the County Attorney could separate the Ordinance from the Plan.

**COMMISSIONER COX MOVED** to continue the item to April 14, 2010, 1:30 p.m., in Dade City; **COMMISSIONER HILDEBRAND SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

**PUBLIC HEARINGS**

P3   LPA SunWest Harbourtowne Development of Regional Impact Development Agreement-Sunwest Acquisition Corporation-LPA Continuance Request to 3/16/10 at 1:30 p.m., in DC
Memorandum PGM10-103A
Recommendation: Continuance Requested
Comm. Dist. 5

Mr. Richard Gehring, Growth Management, requested the item be continued to March 16, 2010, 1:30 p.m., in Dade City.

**COMMISSIONER MARIANO MOVED** to continue the item to March 16, 2010, 1:30 p.m., in Dade City; **COMMISSIONER HILDEBRAND SECONDED.**
Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Mr. Gehring noted that Mr. Ben Harrill was the applicant’s representative and he was in agreement with the continuance.

P4  SunWest Harbourtowne Development of Regional Impact Development Agreement-SunWest Acquisition Corporation-BCC Continuance Request to 3/30/10 at 1:30 p.m. in NPR
Memorandum PGM10-104
Recommendation: Continuance Requested
Comm. Dist. 5

Mr. Gehring requested the item be continued to March 30, 2010, 1:30 p.m., in New Port Richey.

COMMISSIONER HILDEBRAND MOVED to continue the item to March 30, 2010, 1:30 p.m., in New Port Richey; COMMISSIONER SCHRADER SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
Mr. Gehring noted that Mr. Ben Harrill was the applicant’s representative and he was in agreement with the continuance.

**REZONINGS – P5 THROUGH P9**

Ms. Dillon gave proof of publication.

Mr. Steinsnyder read the procedures that would be followed.

Ms. Dillon swore in those who planned on presenting testimony.

Ms. Debra Zampetti, Zoning/Code Compliance Administrator, read the Consent Agenda into the record.

**COMMISSIONER COX MOVED** approval of the Consent Agenda; **COMMISSIONER HILDEBRAND SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
P5  ZONING PETITION (Regular) Rezoning Request-Scioto Bend Townhomes, LLC, and Cody R. Adams-from a PO-2 Professional Office District to an R-1MH Single-Family/Mobile Home District
Memorandum ZN10-6900
Recommendation: Denial
Comm. Dist. 2

The item was withdrawn by the applicant.

P6  ZONING PETITION (Regular) Conditional Use Request-Galleria Land Trust 1-Conditional Use for Multifamily Dwellings in a C-2 General Commercial District
Memorandum ZN10-CU22
Recommendation: Continuance Requested
Comm. Dist. 2

Ms. Zampetti noted the applicant had requested the item be continued to March 30, 2010, 1:30 p.m., in New Port Richey.

COMMISIONER COX MOVED to continue to time certain; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
P7  ZONING PETITION (Consent) Conditional Use Request-Trinity 54, LLC/Ichiban Sushi-Conditional Use for the Sale of Alcoholic Beverages (4COP-SRX); Beer, Wine, and Liquor, On-Premises Consumption in Conjunction with the Operation of a Restaurant in an MPUD District

Memorandum ZN10-CU23

Recommendation: Approval with conditions

Comm. Dist. 3

The petition was approved as part of the Consent Agenda.

P8  ZONING PETITION (Consent) Rezoning Request-The Volunteer Way, Inc.-from an A-C Agricultural District to an I-1 Light Industrial Park District

Memorandum ZN10-6903

Recommendation: Approve

Comm. Dist. 4

The petition was approved as part of the Consent Agenda.
Mr. Gehring requested the item be continued to March 30, 2010, 1:30 p.m., in New Port Richey.

**COMMISSIONER MARIANO MOVED** to continue the item to March 30, 2010, 1:30 p.m., in New Port Richey; **COMMISSIONER HILDEBRAND SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Mr. Gehring noted that Mr. Ben Harrill was the applicant’s representative and he was in agreement with the continuance.
Memorandum PGM10-106
Recommendation: Approve
Comm. Dist. 5

Mr. Gehring requested the item be continued to March 30, 2010, 1:30 p.m., New Port Richey.

COMMISSIONER MARIANO MOVED to continue the item to March 30, 2010, 1:30 p.m., in New Port Richey; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Mr. Gehring noted that Mr. Ben Harrill was the applicant’s representative and he was in agreement with the continuance.

P11 SunWest Harbourtowne DRI Comprehensive Plan Amendment-SunWest Acquisition Corporation-Northwest Pasco County between the Unincorporated Communities of Hudson to the South and Aripeka to the North, in Sections 01, 02, 11, 12, and 13, Township 24 South, Ranch 16 East

Memorandum PGM10-107
Recommendation: Approve
Comm. Dist. 5
Mr. Gehring requested the item be continued to March 30, 2010, 1:30 p.m., in New Port Richey.

COMMISSIONER MARIANO MOVED to continue the item to March 30, 2010, 1:30 p.m., in New Port Richey; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Mr. Gehring noted that Mr. Ben Harrill was the applicant’s representative and he was in agreement with the continuance.

P12 CPAL10-1(01) Staff Initiated Comprehensive Plan Amendments-Market Area Package-BCC Transmittal; 2/24/10, 1:30 p.m., NPR

Memorandum PGM10-71

Recommendation: Approve

Comm. Dist. All

Ms. Dillon noted proof of publication.

Ms. Carol Clarke, Growth Management, explained the item utilizing the overhead projector. Staff recommended approval of Alternative One.
There was no public comment.

COMMISSIONER MARIANO MOVED approval; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

P13 CPAL10-1(02) Comprehensive Plan Amendments-Urban Service Area Designation Transmittal Hearing-BCC 2/24/10, 1:30 p.m., NPR, Transmittal to DCA

Memorandum PGM10-96

Recommendation: Approve

Comm. Dist. All

Ms. Dillon noted proof of publication.

Ms. Clarke explained the item utilizing the overhead projector. Staff recommended approval of Alternative One.

There was no public comment.
COMMISSIONER COX MOVED approval; COMMISSIONER MARIANO SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

P14 CPAL10-1(03) Staff Initiated Comprehensive Plan Amendments-Transit Oriented Development Transmittal Hearing-BCC 2/24/10, 1:30 p.m., NPR, Transmittal to DCA

Memorandum PGM10-87

Recommendation: Approve

Comm. Dist. All

Ms. Dillon noted proof of publication.

Ms. Justyna Buszewski, Growth Management, explained the item utilizing the overhead projector. Staff recommended approval of Alternative One.

Ms. Barbara Wilhite, representative for the applicant, thanked the Board and Staff for their comments and support.

There was no public comment.
COMMISSIONER HILDEBRAND MOVED approval; COMMISSIONER SCHRADER AND COMMISSIONER COX SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

P15 CPAL10-1(8)A Comprehensive Plan Amendment-Mixed Use Western Hub Classification Transmittal Hearing-BCC 2/24/10, 1:30 p.m., NPR, Transmittal to DCA,
Memorandum PGM10-116
Recommendation: Approve
Comm. Dist. 3

Ms. Dillon noted proof of publication.

Ms. Buszewski explained the item utilizing the overhead projector. Staff recommended approval of Alternative One.

There was no public comment.

COMMISSIONER HILDEBRAND MOVED approval; COMMISSIONER MARIANO SECONDED.
Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

P16 CPAL10-1(8) Comprehensive Plan Future Land Use Map Amendment-for Mixed Use Western Hub Classification Approximately 1,159.49 Acres-Transmittal Hearing 2/24/10, 1:30 p.m., NPR, Transmittal to DCA Memorandum PGM10-100 Recommendation: Approve Comm. Dist. 3

Ms. Dillon noted proof of publication.

Ms. Buszewski explained the item utilizing the overhead projector. Staff recommended approval of Alternative One.

There was no public comment.

COMMISSIONER MARIANO MOVED approval; COMMISSIONER HILDEBRAND AND COMMISSIONER COX SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
Ms. Dillon noted proof of publication.

Ms. Michelle Masumian, Growth Management Planner II, distributed a document to the Board.

**COMMISSIONER HILDEBRAND MOVED** to receive and file the document; **COMMISSIONER COX SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Ms. Masumian explained the item utilizing the overhead projector. Staff recommended approval of Alternative One.
Mr. Clarke Hobby, representative for the applicant, agreed with Staff’s recommendation.

There was no public comment.

COMMISSIONER COX MOVED approval; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

P18 CPAL10-1(09) Pasadena Hills Area Plan Amendment-Pasadena Hills Area Plan Amendment-BCC Transmittal; 2/24/10, 1:30 p.m., NPR

Memorandum PGM10-83

Recommendation: Approve

Comm. Dist. 1

Ms. Dillon noted proof of publication.

Ms. Clarke explained the item utilizing the overhead projector. Staff had received a letter of objection from the Mayor of St. Leo regarding the extension of Handcart Road to S.R. 52. Staff recommended approval of Alternative One.
COMMISSIONER HILDEBRAND MOVED to receive and file the letter of objection; COMMISSIONER COX SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Commissioner Schrader asked Mr. Gehring if he felt comfortable responding to the concerns raised in the letter from the Mayor of St. Leo.

Mr. Gehring said he would address St. Leo’s concerns and work with them regarding the corridor and find out what was acceptable to them.

Ms. Virginia Blake had several concerns that she wanted read into the record. She did not see anything in the plan to prevent the build out of residential areas without development of the rest of the village areas. She had raised that question at the workshop and was told there were financial incentives for commercial development avoiding the need for imposing actual requirements. She felt the money to be made by residential development could outweigh those incentives for completion of the villages and the area could be left as the usual urban sprawl. In the event that drought conditions continued and supply problems were repeated, she felt the Board should consider the fact that the problems may not be over in that regard. Pasadena had been reduced to a puddle in the northeast area and she had concerns of where the water would come from. She had misgivings about the Special Taxing District. The plan was approved with much acclaim, but her concern was about the final product and how
much of it would resemble the original concept. She would like to see it kept in terms of amendments in order to correct scrivener errors and number errors and not alter the original plan as produced.

**COMMISSIONER HILDEBRAND MOVED** to receive and file a document from Mr. Gerald Figurski; **COMMISSIONER COX SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

Mr. Gerald Figurski, representative for the applicant Iafrate Properties, LLC, distributed a verbatim from the January 8, 2008, presentation that he gave on the adopted Pasadena Plan. He wanted to clarify for the record in the first page of Staff’s memorandum under Summary, the 5th paragraph “The initial purpose of this amendment is to correct a scrivener’s error. At the January 8, 2008 adoption hearing, the BCC approved the request by the Iafrate properties’ representative to remove their parcels… from the Area Plan.” He stated that this did not occur. He referred to the handout and discussed why the Iafrate property was being removed from the area plan; that there were certain costs associated with transportation and other infrastructure elements; the Board had specifically excluded the boundaries of St. Leo and San Antonio; leaving the entitlements on the Iafrate properties land; the intersection of Clinton and Prospect; the Iafrate property was not annexed nor did they file for annexation, and that the property should stay as it was.
Discussion followed regarding if Iafrate wanted back into the plan; if Iafrate had paid their proportionate fee; if the property owners group and the Iafrate’s were willing to donate ROW for the Clinton Avenue extension; and Iafrate’s concerns regarding the location of the ponds.

Ms. Nancy Hazelwood and Ms. Alma Coston spoke under public comment. Concerns raised were: the fear of not understanding all of the changes; the legality of the Iafrate’s property and their land use credits; requested something in writing from the County regarding the taxes for the existing property owners; concerns of the matrix system; the partial development; and payment for a roadway system.

Mr. Joel Tew and Mr. Ben Harrill, co-counsels for the property owners group of Pasadena Hills, addressed all of the concerns that were raised. Mr. Tew said the property owner’s group was not interested in having a partnership with the Iafrate property owners.

Mr. Leonard Johnson, representative for the Price family, supported the amendment and asked the Board to send it as presented.

**COMMISSIONER COX MOVED** approval; **COMMISSIONER SCHRADER AND COMMISSIONER MARIANO SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.
Ms. Dillon noted proof of publication.

Ms. Clarke explained the item in detail. Staff recommended approval.

There was no public comment.

**COMMISSIONER COX MOVED** approval; **COMMISSIONER MARIANO SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

P20 Riverside Villas I, PVAS No. 929, Board-Initiated Assessment-BCC-Requesting Authorization for the Engineering Services Department to Proceed with the
Resurfacing of the Streets in the Riverside Villas I Paving Assessment Project
(Maximum Assessment of $3,154.03 per ERU with Discount)

Memorandum PMA10-052

Recommendation: Approve

Comm. Dist. 4

Ms. O'Neil noted proof of publication.

Mr. David Brown, Engineering Services, explained the item and noted it was a Board initiated paving assessment. Staff recommended approval of Alternative One.

Mr. Tim Fronsee was not opposed to the road being paved but was opposed to the amount he would have to pay. His other concerns were: the 1999 agreement was altered by the Board and was not brought back to the community; the video tape and minutes of the meeting/session were lost; the Board minutes from April 2002 through November 2002 were not accessible; he had turned in over 100 citations to Code Enforcement and Mr. Gallagher had said none existed; and a bond was placed toward the road but was given back to Orsi Development.

Commissioner Cox gave a detailed explanation of what the issues were when the Board granted the approval of the development, how the residents voiced their concerns about the roads, and that an investigation was still ongoing regarding citations to Orsi and their truck drivers.
Ms. Linda Moore and Mr. Lawrence Holden, Jr., spoke regarding the drainage; the assessment; homes being in foreclosure; concerns that one side of the street was being assessed and not the other side; concerns that the citizens of Heritage Lakes’ were not required to donate or be assessed for usage of the roads; Deeb Development should be assessed for the trucks on the road; and the amount of traffic caused by the half acre size development using the roads.

Mr. Brown addressed the issues that were raised utilizing the overhead projector.

Discussion followed regarding how only part of River Chase had been included in the project assessment; the traffic counts; the way the properties were assessed; Heritage Lakes HOA has paid for the paving of their roads; Riverside Villas were not involved in the initial project; the $100,000 bond posted for completion of the retention pond in River Chase; and the issue regarding the truck citations/fines was the only item not fully addressed because of the ongoing investigation.

Mr. Steinsnyder noted that the revenues would not be given back to the County for the fines; the money would be given to the State of Florida.

**COMMISSIONER COX MOVED** approval pending the answer to what happened with the trucks that veered off the truck route.
Commissioner Schrader asked Commissioner Cox to clarify the motion.

**COMMISSIONER COX AMENDED** his motion to approve the paving assessment and if the County received any of the fine money into general revenue they would apply that money to the project; **COMMISSIONER SCHRADER SECONDED.**

Commissioner Schrader commented on the fund balance for these discounts continuing to dwindle and the need for the Board members to be privy of those numbers.

Mr. Gallagher noted that Mr. Nurrenbrock prepared an agenda item regarding this issue and it would be agendaed for the next meeting.

Chairman called on the motion; the vote was unanimous and the motion carried.

P21  Public Hearing: Vacation of Right-of-Way-Peter, Gene, Linda, Terry, and Kathy Little and Rizk Florida JV-Grovewood Estates, Unit One, Section 12, Township 25 South, Range 17 East, Racetrac Petroleum Parcel

Memorandum REA10-039

Recommendation: Approve

Comm. Dist. 4

Ms. Dillon noted proof of publication.
Mr. David Edwards, Real Estate Manager, explained the item. Staff recommended approval.

There was no public comment.

COMMISSIONER HILDEBRAND MOVED approval; COMMISSIONER SCHRADER AND COMMISSIONER COX SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

P22 Creation of a Streetlight Service Area Request (Annual Charge of $16,262.40)-Progress Energy Corporation and Withlacoochee River Electric Cooperative, Inc.-Magnolia Valley; BCC 2/24/10, 1:30 p.m., NPR Memorandum UTFSSP10-083 Recommendation: Approve Comm. Dist. 4

Ms. Dillon noted proof of publication.
Mr. Bruce Kennedy, Utilities Services Director, explained the item and noted there were two power companies involved, Progress Energy and Withlacoochee River Electric. Staff recommended approval following public comment.

**COMMISSIONER COX MOVED** approval; **COMMISSIONER SCHRADER AND COMMISSIONER MARIANO SECONDED.**

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

P23 Creation of a Streetlight Service Area (Annual Charges of $17,482.92) - Withlacoochee River Electric Cooperative, Inc.-Deerfield Lakes; BCC 2/24/10, 1:30 p.m., NPR

Memorandum UTFSSP10-202

Recommendation: Approve

Comm. Dist. 2

Ms. Dillon noted proof of publication.

Mr. Bruce Kennedy, Utilities Services Director, explained the item. Staff recommended approval following public comment.

There was no public comment.
COMMISSIONER COX MOVED approval; COMMISSIONER HILDEBRAND SECONDED.

Chairman Mulieri called on the motion; the vote was unanimous and the motion carried.

THE BOARD RECESSED AT 3:39 P.M. AND RECONVENED AT 3:38 P.M. ALL BOARD MEMBERS WERE PRESENT.

ADJOURN

P24 -----  
Memorandum ADJ10-109  
Recommendation: Not Applicable  
Comm. Dist. All
The meeting adjourned at 5:16 p.m.