

Exhibit “D”

A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS

MAY 18, 2010

The Lake County Board of County Commissioners met in regular session on Tuesday, May 18, 2010 at 9:00 a.m., in the Board of County Commissioners' Meeting Room, Lake County Administration Building, Tavares, Florida. Commissioners present at the meeting were: Welton G. Cadwell, Chairman; Elaine Renick, Vice Chairman; Jennifer Hill; Jimmy Conner; and Linda Stewart. Others present were: Sanford A. "Sandy" Minkoff, Interim County Manager; Melanie Marsh, Acting County Attorney; Wendy Taylor, Executive Office Manager, County Manager's Office; Neil Kelly, Clerk of Court; Barbara F. Lehman, Chief Deputy Clerk, County Finance; and Brenda Press, Deputy Clerk.

INVOCATION AND PLEDGE

Reverend Karen Burris from the Morrison United Methodist Church gave the Invocation and led the Pledge of Allegiance.

AGENDA UPDATE

Mr. Minkoff reported that there is a carry over item from the last meeting, and that there was an additional application received for the Children's Services Council on Tab 25. He stated that he would like to add a discussion under his business regarding the rezoning ordinance that was scheduled to be heard at the Tavares City Council tomorrow.

On a motion by Commr. Conner, seconded by Commr. Stewart and carried unanimously by a vote of 5-0, the Board approved the addition of said item to the Agenda.

MINUTE APPROVAL

On a motion by Commr. Renick, seconded by Commr. Stewart, and carried unanimously by a vote of 5-0, the Board approved the Minutes of March 29, 2010 (Special Meeting) as presented, and the Minutes of the April 20, 2010 (Regular Meeting) as presented.

CLERK OF COURTS' CONSENT AGENDA

On a motion by Commr. Stewart, seconded by Commr. Hill and carried unanimously by a vote of 5-0, the Board approved the Clerk of Courts' Consent Agenda, Items 1 through 5, as follows:

List of Warrants

Request to acknowledge receipt of list of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.

Arlington Ridge Community Development District's Operating Budget for FY 2011

Request to acknowledge receipt of Arlington Ridge Community Development District's Proposed Operating Budget for Fiscal Year 2011, along with cover letter relating that the public hearing to adopt the proposed budget has been tentatively scheduled for August 17, 2010.

Sumter County Public Works

Request to acknowledge receipt of notice from Sumter County Public Works of a public hearing to be held on Tuesday, May 11, 2010 at 5:00 p.m. at the Sumter County Government Annex located at 910 Main Street, Bushnell, Florida 33513 regarding the County Road 470 Preliminary Engineering Study from Interstate 75 to the Lake County Line.

Cascades at Groveland Community Development District

Request to acknowledge receipt of proposed Fiscal Year 2010/2011 Budget for Cascades at Groveland

Community Development District.

City of Mascotte Public Meeting

Request to acknowledge receipt of notice from the City of Mascotte for Public Meeting for the County Road 33 Preliminary Engineering Study to be held on May 6, 2010 from 6:00 pm to 8:00 pm at the Tedder Thomas Memorial Civic Center, 121 Sunset Avenue, Mascotte, Florida.

COUNTY MANAGER'S CONSENT AGENDA

On a motion by Commr. Conner, seconded by Commr. Stewart and carried unanimously by a vote of 5-0, the Board approved the County Manager's Consent Agenda, Tabs 3 through 18, pulling Tabs 11 and 18 as follows:

Community Services

Request for approval of an Interlocal Agreement between Lake County Board of County Commissioners and the Lake-Sumter MPO for the Transit Development Plan annual update. Fiscal Impact: \$14,780.71

Request for approval of the Standard Coordinator Contracts with several transportation providers who transport our developmentally disabled citizens for the Agency for Persons with Disabilities. No fiscal impact.

Employee Services

Request for approval and authorization for the Chairman of the Board of County Commissioners to sign the Letter of Understanding Regarding the Lake County Board of County Commissioners Workers' Compensation Managed Care Arrangement with the State of Florida. Fiscal Impact: \$1,000.

Environmental Utilities

Request for reassignment of an operating lease from Nortrax Equipment Company-Southeast, L.P. to Deere Credit Inc. subject to County Attorney approval.

Request for approval and award of ITB# 10-0810 for up to 10,000 each, 18 gallon yellow curbside recycling containers at \$5.52 each, for a total amount of \$55,200.00 to Rehrig Pacific Company; and authorization for the Procurement Officer to execute confirming documentation.

Fiscal and Administrative Services

Request for declaration of the items on the submitted list(s) surplus to the County needs, authorization for the removal of all of the items on the submitted list(s) from the County's official fixed asset inventory system records, and authorization for the Procurement Services Director or designee to sign vehicle titles. No fiscal impact.

Report covering purchasing actions over \$25,000 completed within County Manager authority provided for information only. No fiscal impact.

Request for approval of Budget Change Request to transfer funds to Community Services Administration to cover the difference in allocation of lease costs for Buildings B and E. No fiscal impact.

Public Safety

Request for approval of the submitted contract and Resolution 2010-54 to accept grant funding from the Florida Department of Community Affairs, CDBG Disaster Recovery Grant Program, for the purpose of implementing a disaster recovery project as a result of Tropical Storm Fay, 2008. The project will install a generator and related infrastructure at Spring Creek Elementary School in Paisley to allow the facility to have electrical redundancy and make it a primary shelter during times of emergency. Fiscal Impact: \$290,487.

Public Works

Request to award to low bidder under Invitation to Bid (ITB) 10-0406 for upgrade of the existing storm water management infrastructure at the Sheriff's vehicle maintenance facility located in Eustis. Fiscal Impact: \$83,605.75.

Request for approval to award a contract with Boykin Construction, Inc., on a limited competition basis

for additional work under the Hooks Street Phase IV and Grand Highway project in the amount of \$41,153.80 to be expended from the Road Impact Fee Benefit District 5 fund. Commission District 2.

Request for approval to award under ITB# 10-0803 for the purpose of one (1) Tree Trimming Truck for a total amount of \$112,731.00 to Orlando Freightliner and authorize the Procurement Office to execute the confirming documentation.

Request for approval to award for the purchase of one (1) each Dump Truck, 64,000 GVW, 4 x 6, 12 CY, Tandem Axle to Atlantic Truck Center utilizing the Florida Sheriff's Association Contract for a total amount of \$87,947.00.

Request for approval to award for the purchase of one (1) each 52,000 lb GVWR, 4 x 6 Tandem Axle, Road Tractor to Atlantic Truck Center, utilizing the Florida Sheriff's Contract for a total amount of \$78,021.00 and authorize the Procurement Office to execute confirming documentation.

Commr. Renick commented that she was happy to see that the County received the grant funding on Tab 11. She asked if the Board would have the information from this work product before the committee finishes their decision making on Covanta.

Commr. Cadwell stated that the Board should have that information available prior to the committee's decision.

Mr. Minkoff stated that the first meeting of the task force was advertised for next week. He commented that the task force has been directed to review the current operations and to submit a proposal for the future. He noted that the task force is expected to be in session for an 18 to 24 month period, and anticipates the information being provided to them prior to their recommendation.

Commr. Renick commented that she wanted to ensure that the committee received the information resulting from the activity sheets, and noted that she was happy to point out the financial incentive program under activity four. She stated that regarding Tab 18, it was her understanding that the Board was limiting sidewalk projects to only those projects near a school.

Mr. Jim Stivender, Director of Public Works reported that Tab 18 is for two separate projects with one being associated with the curve on CR 48 where the County received calls from residents concerning the paved shoulder drop off, and the other project is related to the missing link of sidewalk in the Golden Triangle Office near the Tax Collector's Office and residential homes.

Commr. Renick commented that she thought these were good projects, but asked if the Board wanted to allot money to these projects when the goal has been to prioritize sidewalk projects near schools.

Mr. Stivender stated that some of the projects require millions to acquire right-of-way to install sidewalks, and noted that these two projects could be completed economically. He explained that there is a substantial amount of right-of-way needed to access Lost Lake Elementary, and opined that it is a matter of deciding to complete a few projects as clean up around the County versus not completing any projects.

On a motion by Commr. Renick, seconded by Commr. Conner and carried unanimously by a vote of 5-0, the Board approved the County Manager's Consent Agenda, Tabs 11 and 18, as follows:

Growth Management

Request for acceptance of Award and Special Terms and Conditions for Energy Efficiency and Conservation Block Grant, and approval of Resolution No. 2010-53 for unanticipated revenue. Fiscal Impact: \$2,807,500.

Public Works

Request for approval to advertise bids for CR-48 Bike Path Addition and #4858 Dillard Road Sidewalk

Project No. 2010-19 at an estimated cost of \$30,000.00 for CR-10 Bike Path Addition and \$62,000.00 for #4858 Dillard Road sidewalk from Renewal Sales Tax Capital Projects – Sidewalks. Commission Districts 3 and 4.

COUNTY ATTORNEY'S CONSENT AGENDA

On a motion by Commr. Renick, seconded by Commr. Stewart, and carried unanimously by a vote of 5-0, the Board approved the County Attorney's Consent Agenda, Tabs 19 through 22, as follows:

Approval to cancel the Mortgage and release the Note executed by Rodney Barnett on August 1, 2001, and recorded at O.R. Book 1984, Pages 1945 through 1952, upon receipt of the \$750.00 payment.

Approval to have a Closed Session of the Board of County Commissioners.

Authorize the Chairman to sign and file a Proof of Claim form with the Federal Deposit Insurance Corporation (FDIC) as it pertains to the Retreat at Silver Creek Development. No fiscal impact.

Approval of Termination of Shopping Center Lease between Clermont Center, Ltd. And Lake County. Fiscal Impact: \$3,360 est. savings.

COMPREHENSIVE PLAN

Ms. Amye King, Growth Management Director, stated that the Commission asked staff to prepare a series of maps of the south Lake County area that would depict both Horizons West and the proposed South Lake Rural Protection Area (RPA). She presented the requested map, and outlined the boundaries of the RPA and other developments.

Commr. Cadwell commented that the map presented is the one that he wanted to see, and noted that the comparison chart of the RPA requirements to the rural land requirements was also helpful.

Commr. Conner stated that the second map that staff provided outlines the South Lake RPA and the sections that Clermont is requesting which are labeled 25, 26 and 27.

Commr. Cadwell noted that Clermont is also requesting sections 34, 35 and 36.

Commr. Conner commented that it was his understanding that the original compromise did not include sections 25, 26 and 27.

Commr. Renick clarified that the compromise included lifting the RPA from 4,700 acres.

Commr. Conner commented that the topography of sections 25, 26 and 27 are significantly different than sections 34, 35 and 36, and opined that he could understand the logic of treating the sections differently based on topography.

Commr. Cadwell asked how many acres are in each section.

Mr. Brian Sheahan, Planning and Community Design Director responded that each section consists of 640 acres.

Commr. Renick opined that the Board already made a huge compromise when it lifted the RPA from the 4,700 acres. She commented that although she does not usually respond publicly, she wanted to address an email she received that stated that she does not care about the farming community, and noted that there is not anything she is more proud of than being a farmer's daughter. She stated that her family farmed for generations and that she understands the pressures of farming. She commented that it is unreasonable to not protect an area that is known to be environmentally sensitive. She stated that she did not foresee Clermont outgrowing the area of the already lifted 4,700 acres anytime in the immediate future. She explained that this is the County's Comp Plan which should outline where the County foresees growth. She commented that the City of Clermont is only

9,300 acres and opined that the additional land is sprawl. She stated that there have been comments that the RPA changes the land use process, and explained that the land use change process is not affected by the RPA.

Commr. Stewart asked staff to display the comparison chart of the area with the RPA requirements versus the current rural land use requirements, and noted that the only difference is that the RPA restricts the building of any roads over two lanes. She stated that there were comments that the TIPS Strategy suggested the south Lake area, and clarified that the TIPS Strategy promoted sites for mixed use office development especially in close proximity to downtown areas in southern Lake County sites with infrastructure near Orlando. She pointed out that there is not any infrastructure in that area. She commented that the TIPS Strategy also directed that once a short list of suitable sites was created, property owners should be encouraged to create conceptual site plans that focus commercial development in a concentrated location without requiring more than 50 to 100 acres. She reported that she attended the South Lake Chamber of Commerce luncheon a few weeks ago and listened to the guest speaker, Mr. Rasesh Thakker from the Tavistock Group that developed the Lake Nona Medical Center, who commented that large amounts of land are not a requirement for successful economic development. She commented that the TIPS Strategy recognized the importance of protecting the rural areas in an effort to attract good corporations to the County. She stated that the RPA should remain in tact, especially since there is not an immediate need or specific plans for the land. She opined that the City of Clermont could present this issue to the Board at a later date when there was a need for the additional land.

Commr. Stewart asked why the additional acreage is being requested.

Commr. Renick explained that the topography of the area is important because it is part of the water recharge. She opined that the Board has already made a huge compromise, and relayed a past situation in Clermont where a hill was cut down and years later there was a request for another cut in the hill because people had forgotten how big the hill was originally so it appeared to be a good compromise. She commented that the Board should remember where the boundaries began compared to the current boundaries, and asked the Board to leave the RPA as it is.

Commr. Stewart reiterated that the RPA does not affect Clermont's economic development.

Commr. Hill commented that it was her understanding at the beginning of this process that the RPA applied to public owned land in an effort to protect the area regardless of geographic location. She stated that the RPA requirements and the rural land use requirements do not encourage planning, and noted that if the overlay was removed it would encourage planning for that area. She reported that there is a smart scorecard document for development projects that should be completed by all of the project partners, and recommended removing the overlay and preparing the scorecard to plan the entire area. She commented that development is happening in five or ten acre tracts creating rural sprawl rather than a planned development, and opined that there should be certain measures and standards for the development of this area.

Commr. Renick stated that the Comp Plan includes measures and standards to discourage the five acre development and rural sprawl. She commented that the density is one dwelling per five acres, and explained that the development could be clustered when appropriate. She opined that the rural protection area designation sends a clear message that the development measures and standards should be strictly adhered to in this area.

Commr. Hill remarked that there is not any planning for commerce within the RPA, and opined that commercial strip malls are being promoted with the current standards.

Commr. Stewart commented that it cannot be ignored that the County and staff has spent years on the Comp Plan which was developed based on hundreds of public meetings with citizens who gave the Board direction for the Comp Plan. She stated that this is not going to hurt economic development, and the only difference is that a four lane road cannot be built.

Commr. Hill expressed concern that the area allows for non-residential commercial, religious organizations, and schools which do not generate ad valorem tax revenue.

Commr. Stewart noted that the RPA does not affect the allowable land uses mentioned by Commr. Hill.

Commr. Hill commented that she would like to remove the RPA and require planning with standards and measures with agreement from the community.

Commr. Stewart opined that the community has elected to protect the rural areas, and stated that the County can have economic growth while protecting the rural areas. She reported that the TIPS Strategy emphasized protecting the rural areas to attract business to this county.

Commr. Renick stated that she first saw a presentation on the RPA at an LPA meeting before she was a commissioner, noting that this discussion has been ongoing for years. She explained that by designating this area as a rural protection area it clearly defines the area to potential developers that this is a special area that requires caution in developing.

Commr. Conner stated that the Board can give direction today and change their mind next week at the final hearing.

Commr. Renick commented that she thought that the public would be able to have input at this meeting.

Commr. Cadwell explained that public input was allowed at the end of the workshop, and that the discussion today is to finalize this issue from last week's workshop.

Commr. Conner commented that there is one other difference between the RPA and rural land designation which allows the land owners to sell their development rights to someone else under the RPA. He opined that the area is going to be protected with or without the RPA, and recommended removing the overlay from sections 25, 26 and 27.

Commr. Stewart agreed with Commr. Conner, and stated that is how she felt when Clermont made the first request which the Board compromised and voted to accommodate them. She commented that no one has been able to explain how the removal of the RPA will help Clermont's economic development.

Commr. Conner stated that he received an email noting that businesses that may be considering locating in Lake County may perceive this as an issue.

Commr. Stewart commented that Clermont has been granted 5,000 acres, and encouraged businesses to come to Lake County.

Commr. Conner warned that the perception is that Lake County has a bad reputation with businesses. He recommended removing the overlay because the Comp Plan protects this area, and opined that the Lake County Comp Plan protects land in this county better than any other comp plan in the state.

Commr. Stewart stated that anti-business perception is false.

Commr. Renick opined that the Board has compromised, and stated that there has to be a point in which the County stops compromising on this issue.

There was a motion by Commr. Renick, seconded by Commr. Stewart to leave the South Lake Rural Protection Area in tact as it is written in the Comp Plan, which failed by a vote of 2-3.

Commr. Hill, Commr. Conner and Commr. Cadwell voted "no."

Commr. Hill confirmed with Mr. Sheahan that the 5,000 acres that was referenced was owned by Conserve II, and noted that the land owned by Conserve II will not be developed because there is not road access. She reported that the County had contemplated purchasing the Conserve II land but decided against it because of the road issues. She opined that the development for this area needs to be planned, and feared that there is going to be rural sprawl.

Commr. Stewart clarified that voting for the motion on the table would remove the overlay from sections 25, 26 and 27, and asked if the next motion would be to remove the entire RPA.

Commr. Conner stated that he would not support removing the overlay from the entire area.

On a motion by Commr. Conner, seconded by Commr. Hill, and carried by a vote of 4-1, the Board approved the removal of the rural protection area on sections 25, 26 and 27.

Commr. Renick voted "no."

PRESENTATION

STORMWATER PROGRAM UPDATE

Mr. Stivender reported that the Stormwater Program update was last presented to the Board in January of 2009, and commented that there has been a lot of construction on various Lake County projects. He stated that the County has been able to obtain excellent prices and extend the funding because of the prices and the County partners.

Ms. Mary Hamilton, Public Works Department, stated that she would provide an update of the current Stormwater programs and review the Stormwater projects that have been completed and are planned for this upcoming year.

Floodplain Program

Ms. Hamilton reported that the Floodplain Program has been in existence for a number of years. She stated that in November 2009 FEMA initiated the Risk Mapping Assessment and Planning effort which is a two year process and requires a significant amount of public involvement. She commented that one of the successes of the Floodplain Program is the elevation of a residential home in Astor which received substantial damage during Tropical Storm Fay, and noted that the residents are receiving reimbursement from their insurance company and FEMA.

Lot Grading Program

Ms. Hamilton stated that the Lot Grading Ordinance was adopted in September 2008, and explained that staff performs two inspections which has reduced neighbor to neighbor flooding complaints. She commented that residents are contacting the County prior to the building permit process to avoid costly errors.

National Pollutant Discharge Elimination System (NPDES) Program

Ms. Hamilton reported that the County is in the second permit cycle of the National Pollutant Discharge Elimination System (NPDES) Program. She stated that the Environmental Protection Agency (EPA) is initiating new rule making to make the Phase I and Phase II permits more equitable which will result in specific performance measures that the County will have to track and maintain, and noted that currently the EPA lists six guidelines and accept whatever action the County decides. She commented that the EPA wants to require all storm water projects to have a monitoring program which will require changes to the Clean Water Act. She

reported that this is the second year that the County has been participating in the Storm Drain Marking Program which is a cooperative effort with the Boy Scouts, Watershed Action Volunteer (WAV) Program and the Lake County Water Authority (LCWA).

Watershed Action Volunteer (WAV) Program

Ms. Hamilton stated that in 2002 Lake County became a partner in the WAV Program which is spearheaded by the Water Management District. She reported that Lake County uses this program to satisfy the public education requirement for the NPDES permit which is accomplished through school presentations, civic events, storm water drain marking and staff training.

Lake County Water Atlas

Ms. Hamilton stated that the Environmental Utilities Department is the lead on the Water Atlas project which is another tool used for the NDPEs permit. She reported that the site has a storm water library where citizens can access data about different storm water projects. She commented that the site includes a feature where citizens can anonymously report suspected illicit discharges for the County to inspect. She displayed a graph depicting the Stormwater Program funding since 2000.

Lake John Drainage Improvements

Ms. Hamilton stated that the Lake John Drainage Improvements was a joint project with the City of Mount Dora that was completed in June 2009 to resolve some flooding issues with the Dogwood Mountain Stormwater Pond and floodplain enhancement for Lake John. She commented that the total project cost approximately \$720,000 which the County contributed almost \$70,000.

Hollondel Stormwater Pond

Ms. Hamilton reported that the Hollondel Stormwater Pond project was completed in September 2009 for a total cost of \$868,000 which included funding of \$415,000 from the Department of Environmental Protection (DEP) and \$75,000 from LCWA. She stated that the monitoring program for this project has been started, and the County expects to be reimbursed \$60,000 from DEP at the completion of the monitoring program.

Dead River Stormwater Pond

Ms. Hamilton stated that the Dead River Stormwater Pond project was recently completed this month for approximately \$1.3 million, and noted that a grant reimbursement request has been submitted to LCWA and another will be submitted to the DEP in July in accordance with their quarterly reporting requirement.

Getford Road Stormwater Pond

Ms. Hamilton stated that the Getford Road Stormwater Pond project is currently under construction and is scheduled to be completed in July 2010 with a project cost of \$1.4 million. She noted that the County is partnering with the City of Eustis which will be responsible for the maintenance of the pond.

Astor Flood Study

Ms. Hamilton stated that the Astor Flood Study was completed a couple of years ago and as a result Wild Hog Road and Hazelnut Road were raised approximately two feet in December 2009 to improve drainage conveyance.

Eustis/Lakeshore Drainage Improvements

Ms. Hamilton reported that the design for the Eustis/Lakeshore Drainage Improvements was completed

in July 2009, and noted that estimated construction costs are \$1,200,000. She stated that the County is working with the City of Eustis to address any outstanding issues before starting construction on this project.

Washington Avenue Drainage Improvements

Ms. Hamilton stated that the Washington Avenue Drainage Improvements were a result of the Yale Basin Study, and noted that the project is currently in the design and permitting stage. She reported that there have been some delays due to right-of-way issues. She commented that the project is scheduled to begin in October with an estimated cost of \$1 million which includes the paving of Oak Street.

Harbor Oaks Drainage Improvements

Ms. Hamilton reported that the Harbor Oaks Drainage Improvements are scheduled to begin next month with a projected cost of \$61,000. She stated that the County was waiting on final easement documents which will include an exfiltration system along Harbor Oaks Drive to offset the impacts to Lake Griffin.

Royal Trails Flood Study

Ms. Hamilton stated that the Royal Trails Flood Study has been in progress for the past three years to look at flooding and water quality issues. She reported that a detailed floodplain delineation was done and submitted to FEMA as part of the current mapping updates. She noted that the County was trying to address the TMDLs for the Wekiva River, Blackwater Creek and the Wekiva Parkway & Protection Act. She stated that there was extensive public involvement through three public meetings, an ongoing project website, comment cards and multiple field visits. She mentioned that the study was completed in March 2010, and the County has prioritized the major and minor improvement projects to be scheduled for future years.

Blue Lake Flood Study

Ms. Hamilton stated that Blue Lake is a small landlocked lake located off of Bates Avenue in Eustis which is currently two feet higher than the FEMA established 100 year elevation. She commented that any changes to the lake would require FEMA's approval, and noted that the County is currently in the process of applying for an emergency pumping permit.

Lower Palatka Basin Study

Ms. Hamilton reported that the Lower Palatka Basin Study was the final study to complete the Ocklawaha Basin which was completed in December 2009. She stated that the study resulted in the CR 33 Swale Improvements and Villa City Road Improvements which are currently in the design stage.

Wolfbranch Road Drainage Improvements

Ms. Hamilton stated that the Wolfbranch Road Drainage Improvements are needed for a flume near Robert D Road which drains directly into Wolfbranch Sink. She reported that the County is designing this project and evaluating either a storm water pond or a water quality structure in the right-of-way, and noted that there is limited right-of-way with a high pressure gas line on the north side.

Pending Cooperative Projects

Ms. Hamilton stated that staff anticipates submitting an Interlocal Agreement with the City of Eustis to the Board later this year for the downtown Eustis storm water pond. She commented that staff has had several meetings with the City of Clermont and LCWA and noted that staff anticipates submitting an Interlocal Agreement with the City of Clermont and LCWA for the Hooks Street Drainage Improvements. She reported that staff has been meeting with the City of Umatilla and their consultants regarding the Yale Basin priorities in

an effort to satisfy water quality goals for Lake Yale and assist with the City's reuse mandate.

COUNTY MANAGER'S DEPARTMENTAL BUSINESS

MOTOROLA CONTRACT – 800 MHZ RADIO SYSTEM MAINTENANCE

Commr. Hill thanked staff for the detailed notes. She opined that the Board's lack of response when asked about the knowledge of the maintenance agreement was interpreted that the Board was not aware of the maintenance agreement, and noted that the Board was aware of the agreement but not the specifics of it.

Commr. Conner stated that the purpose of the report was to learn from past mistakes to ensure that they did not happen again. He opined that the Board achieved its objective to ensure that similar issues are presented to the Board.

On a motion by Commr. Hill, seconded by Commr. Renick and carried unanimously by a vote of 5-0, the Board accepted the report from the County Attorney and County Manager on the Motorola Contract – 800 MHz radio system maintenance.

OTHER BUSINESS

CHILDREN'S SERVICES COUNCIL

Commr. Hill stated that she would appreciate if the Board would reappoint Ms. Yandell for District 1. She opined that it would be nice to have someone from law enforcement on the council, and asked if the Board could create a law enforcement seat.

Mr. Minkoff stated that there is a vacant At-large position. He explained that there are vacancies for each of the county commission districts and the At-large position. He stated that staff presented the Board with information for all applicants, and noted that there were two applicants for commission district 3.

Commr. Conner noted that the leadership on the council would like to have the law enforcement seat.

On a motion by Commr. Conner, seconded by Commr. Hill and carried unanimously by a vote of 5-0, the Board approved the reappointment of Ms. Julie Yandell for District 1; Mr. Charles Crane for District 2; Ms. Debbie Thomas for District 3; Mr. Byron Thompson for District 4; Ms. Lorrie Ann Simmons for District 5; Mr. Jay Marshall for Lake County Schools; Ms. Kimberly Grabert for the Department of Children and Families; and the appointment of Mr. Jack Holder to the At-large position for the Children's Services Council with all terms expiring May 14, 2012.

LIBRARY ADVISORY BOARD

Commr. Cadwell stated that he received an email from Ms. Sue Michaelson requesting the withdrawal of her application for the Library Advisory Board. He nominated Mr. John Nystrom for District 5.

On a motion by Commr. Conner, seconded by Commr. Stewart and carried unanimously by a vote of 5-0, the Board appointed John Nystrom to the Library Advisory Board for District 5 with a term expiring February 28, 2013.

REPORTS – COUNTY ATTORNEY

HOOKS STREET ROAD PROJECT

Ms. Marsh requested the Board approve the resolutions to institute the eminent domain process for the Hooks Street project.

On a motion by Commr. Conner, seconded by Commr. Hill and carried unanimously by a vote of 5-0, the Board approved Resolution No. 2010-55 (Ford of Clermont), Resolution No. 2010-56 (Fox Hill Builders, Inc.), and Resolution No. 2010-57 (Rocky Mount Development Co., Inc.) to institute the eminent domain

process for the Hooks Sweet project.

REPORTS – COUNTY MANAGER

CITY OF TAVARES REZONING ORDINANCE

Mr. Minkoff stated that the rezoning ordinance regarding the judicial center will have its second reading with the City of Tavares tomorrow. He reported that the current ordinance requires the Clerk's Record Center to be listed for sale at the completion of the judicial center. He stated that staff will present to the council tomorrow a request to change the ordinance to provide an option to sell the building to the city in four and a half years with the stipulation, that if the city chooses to purchase it, then they would lease it back to the County for an additional year, which would prevent the Clerk's Record Center from being relocated for five and a half years.

Mr. Neil Kelly, Clerk of Court, commented that the building was retrofitted to meet the needs for the official record keeping and asked that the Board plan well in advance to allow for adequate space and functionality in the new location.

Commr. Conner commended the County Manager for his efforts on this agreement with the City of Tavares, and thanked the Clerk for his assistance in the redesign and downsizing of the courthouse.

There was a consensus of the Board for the County Manager to present the request to the City of Tavares.

Mr. Minkoff stated that an agreement will be presented to the Board if the city council approves this request.

REPORTS – COMMISSIONER HILL – DISTRICT 1

LAW ENFORCEMENT PLAQUE PRESENTATION

Commr. Hill thanked Commr. Conner for attending the Law Enforcement Plaque Presentation in her absence.

REPORTS – COMMISSIONER RENICK – VICE CHAIRMAN AND DISTRICT 2

BASEBALL FIELDS IN SOUTH LAKE COUNTY

Commr. Renick asked the Board to direct staff to meet with Ms. Dot Richardson regarding her ideas to build ball fields in south Lake County, and asked for this issue to be put on an agenda for a future meeting.

Commr. Cadwell reported that the County hosted the Girls High School Softball State Championships in Clermont, and noted that the County needed to do a better job advertising events like this in the future.

REPORTS – COMMISSIONER CONNER – DISTRICT 3

LAW ENFORCEMENT MEMORIAL SERVICE

Commr. Conner thanked Commr. Hill for allowing him to represent her and the Commission at the Law Enforcement Memorial Service. He stated that it was a great honor to represent the Commission at the National Memorial in Washington DC.

AMERICRAFT COOKWARE

Commr. Conner stated that he made a visit through the Lake Sumter Business Resource Center to Americraft Cookware. He thanked Mr. David Hurley, Mr. Russ Sloan, Mr. Cary Pierce and the Mount Dora Chamber of Commerce for participating in the site visit.

Commr. Renick commended the Economic Development staff for doing a good job, and noted that she was very impressed at her site visit to Hunt Industrial Park last week.

REPORTS – COMMISSIONER CADWELL – CHAIRMAN AND DISTRICT 5
EMS AND MOBILITY CENTER

Commr. Cadwell reported that the Republican representatives are not doing any earmarks, but noted that the Republicans vowed to support the Lake County EMS Center and mobility center when presented for a vote.

CITIZEN QUESTION AND COMMENT PERIOD

There was no one present who wished to address the Board.

ADJOURNMENT

There being no further business to be brought to the attention of the Board, the meeting was adjourned at 10:07 a.m.

WELTON G. CADWELL, CHAIRMAN

ATTEST:

NEIL KELLY, CLERK

Exhibit “E”

A SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS

MAY 25, 2010

The Lake County Board of County Commissioners met in a special Comprehensive Plan workshop session on Tuesday, May 25, 2010 at 9:00 a.m., in the Board of County Commissioners' Meeting Room, Lake County Administration Building, Tavares, Florida. Commissioners present at the meeting were: Elaine Renick, Vice Chairman; Jennifer Hill; Jimmy Conner; and Linda Stewart. Commr. Welton Cadwell was not present due to illness. Others present were: Sanford A. "Sandy" Minkoff, Interim County Manager; Melanie Marsh, Acting County Attorney; Wendy Taylor, Executive Office Manager, County Manager's Office; and Susan Boyajan, Deputy Clerk.

INVOCATION AND PLEDGE

Pastor Tom Keisler from the First Baptist Church in Tavares gave the Invocation and led the Pledge of Allegiance.

INTRODUCTION AND SUMMARY

Ms. Amye King, Director of the Growth Management Department, illustrated on the monitor that the meeting was properly advertised, and she noted that as the Board reached consensus on all of the issues they would be discussing, none of them would be adopted until the Board decided to adopt the entire plan after the public hearing.

Commr. Renick commented that they might want to consider postponement of the final vote on this plan if they find themselves in the situation of ending up with 2-2 votes on some issues, and she asked Ms. Melanie Marsh, Acting County Attorney, what they would do in that event.

Ms. Marsh responded that if the Board chose to postpone it, the Statute gives them 120 days from the date they received the Objections, Recommendations and Comments (ORC) Report from the Department of Community Affairs (DCA), which would give the Board until July 31. She pointed out, however, that staff had set a tentative deadline of June 22, and the safest course of action would be to re-advertise it, even though they would announce it at today's hearing.

Commr. Renick explained that she would be taking public input on each of the issues as they were discussed, as well as public input at the end of the meeting for issues that were not necessarily listed on the agenda.

Ms. Marsh placed the proposed ordinance on the floor for its final reading by title only, as follows:
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AUTHORIZING THE ADOPTION OF THE COMPREHENSIVE PLAN OF LAKE COUNTY, "PLANNING HORIZON 2030" AND THE TRANSMITTAL OF THE ADOPTED PLAN TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Brian Sheahan, Director of Planning and Community Design, Department of Growth Management, stated that before the Board today was the adoption of the 2030 Planning Horizon Comprehensive Plan, and they have listed some items that they needed to get final direction on from the Board. He noted that the plan in front of them today did reflect all the direction received at the May 11 and May 18 workshops, and he requested that they give staff final approval of those changes today.

ADDITIONAL DISCUSSION/CHANGES

SOUTH LAKE RURAL PROTECTION AREA

Commr. Renick commented that she felt that there was a lot of common ground by the Board at the last meeting, and she opined that during discussion of this issue, they needed to think in terms of both economic and environmental sustainability together. In an effort to address all the concerns that she heard at that meeting, she wanted to present another option, and she had the language of her proposed language for Policy I-1.4.8 shown on the monitor and handed out on a hard copy to everyone who wished a copy of it. She commented that they wanted to make sure that there was no residential growth beyond what was allowed, and the 60 percent open space was to protect the aquifer and the wildlife and still leave land available for economic development. Her alternate language was an effort to see if they could find a common ground rather than having a split vote on this issue.

Commr. Hill commented that she thought Commr. Renick was on the right track. She asked whether one dwelling unit per five acres with 60 percent of the net area preserved for open space was a change from the existing policy.

Mr. Sheahan explained that the open space would be slightly higher than what would currently be required in that area, but he pointed out that the area is within one of the highest recharge areas in the County.

Commr. Hill noted that the policy did not mention anything about the roads.

Commr. Renick related that possibly part of the reason for moving the rural protection area (RPA) down is that they previously believed that a road would not be allowed to be constructed through Conserve II, but she pointed out that the last meeting with the Conserve II staff indicated that they were amenable to putting a road through Conserve II. She also commented that if they located the road farther south than the Conserve II property, then it would not help much in terms of relieving the traffic on SR 50, and the road should be as close to Clermont as possible. She suggested that they consider moving the RPA back up to include Conserve II and the whole area as a Small Area Plan.

Commr. Conner asked what areas would include the RPA on the Comp Plan.

Commr. Renick responded that she proposed that they put the RPA back to what they had decided on at the May 18 meeting or even up to include Conserve II for the small area plan, and she commented that they could call it something other than rural protection area, since that term concerns some people, which would make it clear that there would be land for economic development.

Commr. Conner opined that he believed that there were many similarities between the rural and the RPA designations, which both contain 1 to 5 densities, and there have been many exaggerations about the differences between them. He commented that he believed the rural designation does protect the rural area of south Lake County. He commended Commr. Renick for trying to find some common ground, and he stated that he thought it was a very reasonable approach.

Commr. Renick pointed out that this was not for retail commercial type development such as strip malls or for residential development, but to make sure that there was land available in case a major industry wanted to locate there. She stated that she did not see a need, but she wanted to calm the fears about hurting economic development and still have the 60 percent open space that would offer them the environmental protections that they were looking for.

Commr. Stewart opined that Lake County had plenty of space for economic development close to Clermont, and economic development needed to be close to the infrastructure, services, and transportation

corridors.

Commr. Conner noted that this was a planning document for the next two decades, not for just the next year or two.

Commr. Stewart stated that she thought that they should address the need when it arises. She commented that they had put a lot of taxpayer money, time, and effort into the Comp Plan, and all the research that they have done indicates that rural areas are important. She opined that they needed to learn from their past mistakes and to take their time to diversify their economy and manage their growth carefully.

The Vice-Chairman opened the public hearing regarding the issue of the South Lake Rural Protection Area.

Ms. Cindy Barrow, a School Board member and former LPA member who resides in Clermont, stated that she had traveled to the DCA to hear their feedback on this particular plan, and she noted that DCA applauded the rural protection areas as innovative and a very unique idea. However, she was looking for a compromise that everyone could be satisfied with, and she was concerned that there was no mention of what kind of road could go through that area in the proposed new language. She thought it was key that nothing more than a two-lane road should go through that area to help preserve it, and a four-lane road would interrupt the environmental sensitivity. She appreciated that they were looking at keeping the Ridge area free of development, which would help their water recharge area and the lakes in Clermont, and that they were looking at a plan that would preserve what they needed to have preserved. She commented that she liked the idea of 60 percent open space and the density of 1 to 5.

Mr. Bill Calhoun, a resident of Lady Lake, opined that there should be additional consideration given to the opinions of the two Commissioners that represent that specific area, and he was concerned that economic development was becoming a popular reason for politicians to support continued development, but it does not necessarily ring true for the population of their constituents who want to see controlled and managed growth. He also commented that he appreciated the compromise and thought it might be a good idea. He also believed that they should develop the 5,000 acres they already had for economic growth first, and if there was some need in the future to modify the RPA to introduce more commercial development, that could be addressed at that time, although it would not be as easy a task as it currently is.

Mr. Pete Mattli, a resident of Clermont, stated that his background was strongly pro-environment and commented that in the past when he traveled down US Hwy 27 he noticed wall-to-wall hills separated by pristine lakes with numerous wetlands; however, that was now changed to the current wall-to-wall rooftops in every direction except to the south where the wetlands prevail. He opined that their concerns for South Lake are threatened by the very sources that are supposed to represent the people, which were the Clermont City Council, South Lake Chamber of Commerce, and the Clermont Planning Commission. He expressed concern that on the present track, he envisioned that the wetlands east of Hwy 27 would disappear under the usual acres upon acres of rooftops.

Ms. Nancy Fullerton, a resident of Clermont, commented that she could agree with Commr. Renick's proposed policy as long as the emphasis remains that the rural protection area is returned, and she opined that greater harm to the people and creatures of Lake County would result from lack of protection of that land than not developing the area for commercial and residential growth, which is speculative and unneeded.

Ms. Nancy Hulbert, a resident of Leesburg, stated that she participated in the development of South

Florida, and one of the projects she worked on was the Sawgrass Expressway, which was a bypass from Palm Beach to Miami-Dade without going through the traffic-congested area of Fort Lauderdale and Boca Raton. She commented that although initially that four-lane highway had no development for five miles, it currently has housing developments, warehouses, and other development adjacent to it and is totally developed today. She moved to her home near Lake Eustis to get away from the urban congestion of South Florida, and she urged the Board to consider what a four-lane facility could do. She pointed out that there were several notices in the newspaper recently from Clermont advertising changes to the Comprehensive Plan to residential rather than industrial development. She requested that the Board keep the RPA in place for the entire section that they originally sent to DCA in January.

Mr. Kasey Kesselring, a resident of Montverde, pointed out that Sections 15, 16, 23, and 24 of the Conserve II property which totals 2252 acres belongs to Orange County and the City of Orlando and is not currently available to Lake County for any development. He commented that if Orange County or Orlando chose to either annex that property with the Clermont or consider an agreement with Lake County for additional uses for that property, there may be discussions at that time about use for economic or any other type of development, but it was very unlikely that any of that property would be available for development purposes because of the trust that it is held in, so he wanted to clarify that there is not 5,000 acres available for economic development. He stated that he would support leaving the RPA on the 4686 acres as proposed, but he would not support putting the RPA back over the 1900 acres that was lifted last week. He opined that Lake County has not diversified their economy, and they have a very imbalanced ratio of commercial to residential development.

Mr. Jim Purvis, a resident of Clermont, commented that the decision regarding the Comp Plan would impact their community for many years, and he noted that there were two opinions as to the possible future growth versus concerns for the need to protect natural resources that they were charged with the responsibility for. He was concerned that compromise would be a dilution of a previous position and might result in little of the original objectives remaining. He asked for reconsideration of the last vote taken and to return those three sections of lands to the previous designation or something similar. He hoped that the Board would find a true compromise today, perhaps along the lines of Commr. Renick's suggestion, and he commented that the citizens expect their overall concerns expressed over many years to be evaluated fairly and with firm direction. He commented that he could support a four-lane road if it were built on the Conserve II property, but he absolutely could not support a four-lane road in any other part of that area.

Council Member Ray Goodgame of Clermont mentioned that he did not receive the Commissioners' e-mail regarding the proposed new policy I-1.4.8, so his comments would be on the spur of the moment. He related that after the joint meeting with the County, the City of Clermont amended the requested RPA line; and then since they decided that Sections 34, 35, and 36 were environmentally sensitive, asked for only Sections 25, 26, and 27 to be taken out of the RPA and to be left rural as it had been for the last 80 years. He reiterated the point that a previous speaker made that they did not have 5,000 acres for development. He also noted that the MPO was not looking at a two-lane road but at something to relieve traffic off of SR 50, and he stated that there were discussions with Conserve II to see if they could possibly have a four-lane road between US Hwy 27 and CR 429. He emphasized that Clermont did not intend to have houses built in that area and only intended to utilize the area for possible economic development. He explained that an interested developer would not want to wait an additional several months to begin a project. He commented that the City wanted to work with the

County, and he wanted the property that was taken out of the RPA at the last meeting to be left rural.

Ms. Cecilia Bonifay of Akerman Senterfitt mentioned that she found it unusual and perhaps procedurally incorrect for the Chairman to proffer new language at this point in the process when obviously some of the effected municipalities and other property owners have yet to receive it. She related that she was involved with Conserve II on behalf of Orange County and the City of Orlando, and she confirmed that it was owned by those entities and that they have discussed annexation with the City of Clermont, which was the reason for the joint workshop. She reported that there was a briefing that afternoon before the Orange County Commission about moving forward with plans for that area, and she related that they have conceptually agreed to a road corridor through the Conserve II property. She commented that there were very few lands that would be available for economic development since there were the Rapid Infiltration Basin and other wetlands on that property. Her concern was that this policy was extremely restrictive, and attracting industry would be difficult with densities of one unit per five acres, no clustering, and 60 percent open space.

Ms. Jennifer Roper, a resident of Windermere, stated that she was concerned with the land use designation that the County was proposing to place on her family's property which was in the RPA area. She specified that her land was called Sawgrass Groves, which her great-grandfather bought about 80 years ago and which had contained citrus until the freezes and canker disease in the 1980's destroyed about 40 percent of the grove. She explained that citrus is still grown on the remainder of the property, with cattle being raised on the rest of it. She has heard reports that the citrus industry is dying out as a result of new diseases such as greening, unpredictable weather, competition, new fees and taxes, and restraints on farming, and she commented that they really needed to have some options for the future use of their land. She illustrated on a slide the location of her property and the new Beltway, and she noted that there was no access from Lake County to get to her property and that her property was totally affected by what Orange County does in that area. She related that the zoning there is town center, which is a 300-acre commercial area that would be just north of the gate of the property, and there were 4,000 homes directly east. She requested that the property remain rural without the added RPA protection designation to leave the options open regarding the property.

Mr. Keith Schue, a resident of Sorrento and a former LPA member, commented that he saw a disconnect between what the Comprehensive Plan stated about the RPA and actions that were occurring regarding future planning for the area, and he believed that should be mentioned in the Comp Plan to address that subject. He commented that he was glad to hear that there was not an interest in promoting more residential development and that the goal was to provide for economic development, which indicated that there was common ground to be had, and he would support Commr. Renick's policy that represents that common ground. He stated that he thought he was seeing a commitment to limit densities to 1 per 5 and add significant open space for conservation, which he believed were positive things to do. He requested that the Board look at all the lands that were at stake, including the rural lands to the north.

Ms. Linda Bystrak, a resident of Leesburg and a member of the Board of Directors of the Lake County Water Authority, showed some slides shown in Palatka by the St. Johns River Water Management District on July 9, 2009 regarding the district water supply plan illustrating how important their recharge areas were. The first slide showed a map of the serious depressions underneath the cities of Jacksonville and Orlando, which are caused by the consumptive use permit wells pulling so much water from underneath those cities that the aquifer level starts to drop, indicating a great need for recharging those aquifer levels. The next slide showed the

impact on the vegetation of inadequate water levels, and another showed the impact to the lakes. She mentioned that they were predicting a 15 percent drop in the water levels between now and 2030. She pointed out on another slide that the springs would also be impacted in Lake County with as much as a 15 percent reduction in flow, and she commented that much of Lake County was in the critical area for water use and that the County needed to save as much open land as possible for water recharge.

Mr. Wayne Saunders, Clermont City Manager, commented that the City appreciated the compromise that the Board made last week, and he opined that it was a legitimate compromise that would give them adequate area to try to be competitive in a global market to bring some new clean industry to the south Lake County area. He explained that including the three sections that were excluded from the RPA last week, there were currently 3,600 acres that could be planned in the JPA out of 5,804 acres, since 2,252 acres of that area is Conserve II. He rebutted the opinion that Clermont had a lot of acreage already available to them, and commented that there was only 300 acres of undeveloped commercial property in the City of Clermont. He urged the Board to adopt the plan as proposed last week without any further changes to the RPA area.

Ms. Helen McCormick, a resident of Sorrento, commented that she has reviewed the Comp Plan and found it well-balanced and the best option economically. However, she opined that the decision regarding the RPA area was short sighted, and she asked the Board to restore the RPA the way it was for the long-term good of the County.

Mr. Rob Kelly, a resident of Clermont and former member of the LPA, pointed out that the LPA adopted the rural area plan before he even became a member, and he believed that they needed to look at what is needed in all of South Lake and not just south of SR 50. He noted that Groveland took in about 2,000 acres for an industrial park and that there were 3,000 acres near SR 19, Hwy 27 and the Turnpike that is well placed with infrastructure and roads surrounded by four or five different cities, which was a very good fit for where economic development could be without spending a lot more money. He stated that 3,000 acres have been approved for the Hills of Minneola as well as a potential Turnpike exchange, and he believed there was over one million square feet of industrial and commercial that was approved in that section. He illustrated on the map that south of SR 50 contained 700 or 800 acres more and some additional infill within Clermont that provides additional sites, and there were commercial corridors to be developed throughout the SR 50 and Hwy 27 corridors. He concluded that they had about 5,000 acres including Conserve II, which was as available as any other land that is in that area, and he pointed out that Conserve II is located in Lake County, even though it happens to be owned by Orange County. He also asked the Board to limit any four-lane road that would go through Conserve II similar to the road alignment that was on the north side.

Mr. Billy Long, owner of Long Farms in Apopka, related that he owned some property in Conserve II and that his family has been farming in Florida for 60 years. He commented that a farmer puts all of his money in his land as his chief investment. He stated that his land was included in the RPA, and he did not want to be included in that land designation.

In response to a question from Commr. Stewart, Mr. Sheahan explained that the RPA designation would allow the same uses on the land which were currently allowed.

Mr. Jeff Barrett, a resident of Clermont, opined that the Clermont city officials have done little to win over the confidence and build the trust of the residents. He commented that they had a beautiful city, and they should be able to use their parks and their lakes. He pointed out that the revitalization project in downtown did

not even consider local businesses for bids, and he wanted to see Clermont lure some real workforce companies such as Digital Domain, which was building a \$51 million animation studio in Port St. Lucie, which offered incentives and worked to attract the company to their area. He thought they could all work together to find a solution for investing in their economic growth and development both close to the cities and homes in which they live and in the RPA. He suggested building a business office park that resembles a park with a lot of green space and engineered and built with the least invasive environmentally sound construction, water reclaim system, and power grids.

Ms. Judi Proli, a resident of Clermont, stated that she had moved from Miami to get away from city life and that she fell in love with the City of Clermont, which had the feel of a real small-town atmosphere while visiting her daughter and son-in-law. She commented that over the last seven years she has noticed enormous changes in the area, such as disappearance of the hills and orange groves due to development and the area becoming very commercialized. She related that feedback she has received from other residents has indicated that they also had moved here to get away from city life and to enjoy their retirement. She was concerned about seeing out-of-control growth in the County that had no consideration for the infrastructure.

Mr. Joseph Rudderow, Jr., a resident of Leesburg, stated that he supported the move the Board took to remove the RPA from the three zones. He recapped that Mr. Long had previously related that he has been putting his money into retaining and maintaining his property over the years, and he commented that the day may come when that would become too unproductive to do anymore, forcing him to sell his land. He asked the Commission to always keep individual property rights in mind.

Mr. Charles Lee, Director of Advocacy for Audubon of Florida, commented that he believed Commr. Renick's proposed language was on the right track, and dealing with this area through a small area plan to target the potential for economic development in the right places and the right intensity is a good thing to do. He opined that keeping the rest of it in a balance of 1 per 5 density and keeping 60 percent open space protected is also good because of the recharge and wetland potential that clearly exists in this area. He noted that a geographical analysis of the area south of the Conserve II property shows very prolific wetland areas, and he believed that concentrating the open space through trade-offs in those areas is a possibility. He also commented that he thought it was good that the Board included the potential for transfer of development rights as part of the small area plan. He recommended that the Board move in the direction of this approach, since it made a lot of sense and offers the potential for the right kind of economic development and also recharge of the wetlands.

Ms. Elizabeth Kapoor, a resident of Leesburg, stated that the County has been developing the Comp Plan for three years, and she was concerned about the "eleventh-hour" changes. She opined that she has not heard one thing that justifies a change to the plan that was sent to DCA, only speculative comments about development for the future, and all of that was already considered and included in the Comp Plan. She requested that the Board make no changes and to take it back to the way it was when they originally sent it to DCA. She added that she moved from Clermont three years ago, and she commented that the south Hwy 27 corridor is an eyesore, which makes her distrust the project the County would have in mind for the RPA area.

Ms. Jeanette Netwal, a 16-year property owner who lives outside of Astatula, stated that she saw that in the Midwest suburban sprawl resulted in a lot of small town blight and attrition out of their downtown areas, and it was an expensive proposition for small towns to revitalize those areas. She commented that the foreclosure situation in the Clermont area was an indication of the potential for these communities to incur the

scenario of that expensive sprawling out, having to revitalize and save their downtown areas, and position themselves to be attractive places for commerce and manufacturers. She opined that businesses would not want to come if the downtown is sparse and not able to retain and keep the business partners in their downtown areas. She also thought it was important to look at these types of opportunities that they have to work with their communities to help them re-envision themselves, pull their commerce partners back into their downtown and bring a more vital footing to attract that type of development.

Mr. Egor Emery stated that he believed that the language proposed by Commr. Renick was good compromise language for changing the Comprehensive Plan, and he would advocate applying it to the RPA and sent to the DCA. He commented that as a citizen he was upset by this process, since he was tired of secret plans and having to pay for development. He stated that he participated in this process so that he could be informed about what was happening and could have some impact along with all of the citizens and the staff that put the time into this. He commented that comprehensive planning is for what they were going to do in the future and obligates them regarding how they would spend their tax money. He pointed out that protections that currently exist on that land used to be applied to Four Corners, and he does not think that land was protected from sprawl, which shows that the current zoning on the land was not enough. He opined that they needed to recognize that this area was separated a great distance from infrastructure, and the infrastructure to support the economic development would have to be paid for by the taxpayer. He recommended that they put the development in the area where infrastructure already exists.

Mr. David Hill, a landowner within the Conserve II property, commented that he was tired of this process that has taken several years, but he believed that no one has even thought about listening to the land owners that were being affected. He emphasized that this plan was not about how they could use their land today, but about how they would be able to use it in the future. He commented that circumstances change, and they wanted the opportunity and the right to change along with it. He did not think they should be forced into having to continue farming, even when that was realistically no longer an option for them. He commented that he has lived in this area all his life, and he believes he should have a say in what happens at least as much as those that have only recently moved to this area.

Ms. Angie Langley noted that the RPA and bureaucratic levels of government were not in the country's founding fathers' plans. She emphasized that the land owners of those properties were there decades before many of the residents from the large developments and those that moved here from other areas were, and they have maintained and paid taxes on those properties, which have been part of their families' heritage. She opined that the County was asking those property owners to provide green space for Orange County, and Lake County would not get a penny from any of the development that occurs in Orange County right next door to those properties. She asked the Board to consider not putting another layer of government bureaucracy on those property owners, because it was already protected. She concluded with a quote from Daniel Webster which stated that "no other rights are safe when property is not safe."

Mr. Jerry Cloud, a resident of Eustis and President of Loma Linda Corporation, stated that the citrus industry is dealing with so many diseases that they did not have 20 years ago as well as control put on the products that they could use and expenses resulting from labor rules and regulations which could force them to sell their property, and he was concerned that the designation that was arbitrarily put on their property would greatly reduce the value of it when growing citrus was no longer viable. He pointed out that the land owners

had a lot to lose, but the people that were in favor of the RPA did not have anything to lose.

Ms. Vicki Zaneis, a resident of Lady Lake, commented that she thought a lot of people were misunderstanding what it really meant to be located within an RPA, and she noted that her 120-acre farm was located within an RPA area, which she was happy about and did not see as a hindrance in any way.

Ms. Theresa Cherry, a resident of Clermont, stated that her understanding was that the RPA was a key recharge zone for the lakes and affected the way the water flows through Clermont and up north. She commented that it should be preserved, because it was a watershed and geographically higher than the surrounding area, which was swampland. She noted that the fluctuation of the lakes has been increasing and that they obviously needed more recharge areas. She thought that the change in verbiage that would ensure some green space was a very good movement as long as it did not include a road, and she opined that the RPA should go back to where it was before it was sent to DCA or the new language should be considered to move forward with all the RPA area before it went to DCA.

RECESS AND REASSEMBLY

The Vice-Chairman announced that there would be a 15-minute recess at 10:55 a.m.

SOUTH LAKE RPA DISCUSSION (CONT'D)

Commr. Renick clarified that their options were that they could leave the RPA as it was decided on May 18 and then put the small area plan over those additional sections, with the understanding that they could also include the Conserve II property; or they could keep the RPA as it is today and put the small area plan over the original RPA.

Commr. Stewart asked Mr. Sheahan to explain what the RPA designation would change.

Mr. Sheahan explained that the major difference of the RPA was that it allowed transfer of development rights, which was the ability to sell the potential rights on their property for development elsewhere, and the RPA limited roadways to two lanes. He noted that there are no two-lane roads or four lane roads currently planned in the south Lake RPA, but there was a need for an east-west connector, which could possibly be just south of 50 or farther down into the Four Corners area, but not within the proposed RPA.

Commr. Stewart clarified that the property owners would continue to have the same rights and could continue to plan for the future use of their land the same way that they did before, except they could not put a four-lane road through it.

Mr. Sheahan added that it also would not preclude them from applying for a land use amendment to change it to something else.

Commr. Renick stated that the process in terms of land use change was just as it had been before, but the word protection was just worrisome to some people.

Commr. Conner commented that the idea of leaving the RPA as it was determined by their May 18 vote and adding the language that Commr. Renick proposed for the small area plan seemed to him to be an approach that people on both sides could be in favor of and was a compromise that he could support.

Commr. Renick opined that would result in true planning for the area and that the increase of the open space requirement to 60 percent was for aquifer recharge. She stated that they would be acknowledging that this was an environmentally sensitive area, but they were allowing for some economic development.

Commr. Conner commented that he did not think the 60 percent requirement was cumbersome.

Commr. Hill opined that the proposed plan with 60 percent open space would not result in viable,

economic high-wage jobs without a master plan for allowable uses that they want in that area and that it was too restrictive.

Commr. Renick responded that the only restrictions were for no additional residential densities other than what was currently allowed and requirement of 60 percent open space to prevent destroying the aquifer recharge and for the protection of the natural resources, and she noted that there may be an opportunity to put a commerce park in that area. She also pointed out that they should all agree that any road has to be located far enough north through the Conserve II property to really help Clermont, which would be part of the plan.

Commr. Hill related that she would vote in favor of this if the open space requirement was changed to 50 percent.

Mr. Sheahan clarified that the 60 percent open space requirement would be on the net acreage of land, which did not include water bodies or wetlands.

Commr. Conner asked how many acres out of the 1900 acres comprising the three sections that the City of Clermont is interested in would be able to be used for commercial growth.

Mr. Sheahan answered that only about 5 to 10 percent of those sections were wetlands, leaving about 1,000 acres to be used for economic development.

On a motion by Commr. Conner, seconded by Commr. Stewart and carried by a vote of 3-1, the Board moved that they keep the RPA removed from the three sections per the vote of May 18 and add the language of Commr. Renick's proposed new Policy I-1.4.8, which includes pursuing a Small Area Plan for the rest of the area that would foster economic development for targeted industries, as well as approval of the textual language for this change.

Commr. Hill voted "no."

AREA BETWEEN SR 50 AND CR 50 NORTH OF PLAZA COLLINA

Commr. Renick explained that this was the area that was north of Plaza Collina with some access issues which was changed from 4 to 1 density to 1 to 1 density, which was a huge change from what they have previously had. She asked if anyone had any objections to this change, which was to change it back from Rural Transition to Urban Low density.

Commr. Hill asked if she was just concerned with Eagles Landing or all three sections that made up that area.

Mr. Sheahan clarified that the area in question was comprised of 628 acres and pointed out the area on a map. He also pointed out an area that was a subdivision to show that the density in that area would not increase, since it was highly unlikely that it would be further subdivided. He also explained that they already had two approved PUD's in this area with further restrictions already designated on those.

Commr. Renick commented that with the Scenic Byway and Orange County nearby, there would be limitations as to what can be done with the property, but she still thought it was appropriate to leave the land the way it was originally with a 4 to 1 density.

On a motion by Commr. Conner, seconded by Commr. Hill and carried unanimously by a vote of 4-0, the Board moved to leave the land that was between SR 50 and CR 50 north of Plaza Collina at the original density of Urban Low, which was 4 units per acre.

GOOSE PRAIRIE

The Vice-Chairman opened the public hearing regarding a discussion of the Goose Prairie Area and if

the area was included in a state list for endangered or protected land.

Mr. Robert Jones from Bowen, Radson and Schroth PA in Eustis, representing Dura Stress Acquisitions LLC, a property owner in the area near Goose Prairie, stated that they believe that the Comp Plan that was currently constituted is an appropriate use of the property and a good balance between the rural character of the area and Lake County as a whole as well as the current use. He noted that there was some industrial in that area, and Dura Stress has been a local employer in Lake County for many years which has employed thousands of people, including 250 employees currently. They believe that the small changes to that area in the new Comp Plan are appropriate and requested that the Board leave it as it is.

Ms. Candy Smith, who lives on Goose Prairie Road in Lisbon, stated that she was against the expansion of Dura Stress in their community. She commented that she understood that the business is good for the community to a certain extent, but she was concerned about the water recharge in Goose Prairie. She related that the County Commission itself has looked at preserving that land area in the past, and in the 1970's the state did not acquire the property, because they felt it was a little too small, so the County Commission determined at that time that they would protect that area through zoning and revisit that in the future. She explained that Goose Prairie was a recharge area that directly affects Lake Eustis, and she opined that the County's lakes were becoming extremely dirty. She stated that she would like Goose Prairie protected and some of the industrial expansion curtailed in that particular area to protect their waterways, and she also did not want to see peat mines, sand mines, and industrial buildings across the street from her home, which was why she lived in a rural community.

Ms. Bobbie NeSmith, a resident in the Goose Prairie area, related that the Goose Prairie area has been protected by a designation of Rural Village zoning in the Lisbon area, and the Dura Stress area was protected as Suburban. However, she was concerned that changing the land use designation to rural would allow mining, which would affect the water quality. She referred to some documents from the Lake County Conservation Council in the 1970's indicating a concern about passage of nutrients to Lake Eustis resulting in future over-enrichment as indicated by the excessive growth of algae, which she noted that they could currently see in all of their lakes, as well as more frequent fish kills and general decline in recreational sport fishing. She commented that Goose Prairie was the only extensive marsh land adjacent to Lake Eustis, and allowing increased industrial use there next to the recharge area would further damage their lakes. She mentioned that she had paperwork indicating that the Custer Trucking property was currently designated as residential, and there was no business on that property; therefore, she did not see the need to change it to industrial in the Comp Plan, and she requested that the Board change it back to residential since it would not be conforming as industrial.

Ms. Linda Bystrak, who resides across the street from Dura-Stress, commented that they need to protect the area from heavy water users and that they did not need industrial in that area to deplete their aquifer any more than it already is. She related that the people in her neighborhood are low income and could not afford an increase in the cost of their rent to cover the cost of new wells. She pointed out that Goose Prairie was adjacent to Emerald Marsh, which was also an important recharge area.

Ms. Marian Kenny, a Georgia resident, commented that this is a very critical area, and they have fought this fight very hard in the 1980's. She expressed concern that the 2030 Comprehensive Plan would permit mining of silica sand and peat mining. She stated that Dura-Stress is draining into Goose Prairie and Emerald Marsh. She requested a plan that would protect this area.

Commr. Renick pointed out that putting the rural protection area over that is not going to guarantee that there would be no mining in that area.

Commr. Hill stated that the only change she saw was that Custer Trucking was put into the industrial land use, which was at the corner near two large businesses, Wolverine and Dura-Stress, and she noted that the residence that was referred to earlier was the caretaker's house for the trucking company.

Commr. Renick asked if there was Commission support for expanding the RPA to include Goose Prairie, and she clarified with Mr. Sheahan the location of what was considered the Goose Prairie area.

Mr. Sheahan pointed out that no official boundary existed for that area and that it was an approximate region. He also reported that Dura Stress currently has approved site plans for the two large parcels shown in purple on the monitor and had heavy industrial zoning, and Custer Trucking currently had planned commercial zoning.

Commr. Renick asked if placing an RPA over that area would change Dura-Stress' ability to operate.

Mr. Sheahan responded that they would have to have a text change to convert the land use to rural, because those future land use categories are not included in rural protection areas.

Commr. Hill commented that a lot of that area is Water Authority property and was already very much protected, and she did not see a reason to extend the RPA since it would not prevent any of the last speakers' concerns.

Mr. Sheahan related that he had explained to those parties that mining in Lake County is a very thorough process with significant environmental protections for wetlands and other sensitive lands, and any change to a mine or even a substantial change to any zoning would come before the Board.

Commr. Renick commented that in addition to those protections, she would be in favor of expanding the RPA for that area, since it is adjacent to the Emerald Marsh area.

Commr. Stewart stated that she was not sure what difference it would make, and it would not affect the mining. She added that she would consider it if it offered real protection.

The Board decided to leave that as is.

AVALON GROVES

Mr. Jimmy Crawford, representing the land owner for the Avalon Groves parcel, stated that the landowner was looking at other ways to develop the property, since the old plan would not work under the new Comp Plan because the traditional neighborhood design standards would be required, with anything over 100 acres required to be designed mixed use and with employment generation characteristics. He stated that the best land use plans that he has been involved in all entailed straight hard right line urban growth boundaries similar to the rural land use and RPA classification as well as the higher density land classifications that are within the Four Corners area. He pointed out that Avalon Groves is in the Four Corners area surrounded on three sides by approved or existing residential development with higher densities, including approved, built-out subdivisions at four units to the acre directly to their west; Cagan's Crossing with up to 22 units per acre to their south; and Horizons West to the east. He emphasized that this issue has already been specifically and recently discussed and decided by the Commission, and he believed that last minute changes should only be done as a result of compelling change in conditions.

Mr. Greg Beliveau with LPG in Mount Dora showed an exhibit recapping Mr. Crawford's statement that Avalon Groves was surrounded on three sides by existing development ranging from four units per acre to eight

units per acre and that there is also an existing paved road which dead ends on their eastern boundary and Sawgrass Bay Blvd., which is a four-lane road that dead ends on their western boundary. He displayed an aerial showing all the development that has occurred in Lake County that surrounds them and another exhibit that illustrated the growth along US Hwy 192 near the Disney Property. He related that they have discovered and investigated the fact that the old design that was presented had a few problems, such as it did not take into consideration that the Comp Plan had several components that they needed to look at, including the fact that this property is well over 100 acres, which triggers the TND (Traditional Neighborhood Design) requirements of a whole new specific design application and three levels of mixed use and village-type economic support. He has recently informed his clients that those have to be integrated in the design, which they have had to adapt to. Also, they want to reinforce the fact that the request to retain the urban low density and rural transitions creates compatibility and continuity with the surrounding area and maintains the densities that are established both east and west. He added that the transition land use that is to the north actually provides a good buffer between the RPA and the 4 to 1 density on the remainder of the property. He also noted that they had utilities and re-use available and a possible road connector between US 27 with CR 545.

Commr. Renick stated that she had brought this back up, because she thought this would be appropriate for some industrial. She related that she has since found out that the concrete plant and the industrial development there would be temporary, and Orange County's planned industrial development would not fit. She stated that she was still concerned about the density and the possibility that they were going to get an area with residential development and strip malls, but she understands what development has happened in that area. She wanted to hear from the rest of the Commission if there was any interest in changing this.

Commr. Hill commented that she had no interest in changing it, but she would make a note for future reference regarding the fact that the four-lane road was right next to the school.

OPEN SPACE ISSUE

Commr. Renick explained that this was the issue of whether the threshold for the open space requirement in the Wekiva should be three, five, or ten lots.

Mr. Egor Emery spoke in support of alterations of the lot requirements for triggering open space, specifically the issues in the Wekiva, stating that three lots should be the trigger, because more than that would constitute a subdivision. He noted that there has been language put forward that was contrary to DCA's position of ten lots, which was a lot more than a subdivision.

Mr. Charles Lee, representing Audubon of Florida, stated that they think that the five-lot trigger was probably an appropriate compromise which also seemed to be satisfactory with DCA. He commented that he sympathizes with people who are in the posture of wanting to subdivide their property for family and that it made sense in a number of circumstances, but the reality is that it would be unlikely of that proceeding past five units for legitimate reasons without trying to slip a subdivision under the open space requirement.

Mr. Keith Schue representing Friends of the Wekiva River, submitted a letter related to this subject from that group and stated that this affects three policies in the Comprehensive Plan, including the Wekiva-Ocala ecological corridor. He showed a map of this corridor with the Ocala National Forest to the north, the Wekiva Basin to the south, and the complex of lands that both have and have not been bought for preservation in between. He pointed out on the map an area that has been recognized by the State as being important in terms of ensuring the ecological connectivity and noted that conservation lands have been bought. He presented a

map of the Wekiva River Protection Area designated in Statute, pointing out the Wekiva-Ocala RPA boundary, and he stated that Policy I-5.2.2 well defined the area which requires the open space within that RPA. He commented that five as a threshold for open space would be a reasonable approach, but he suggested that striking the language that has the reference to the three units would actually make it consistent with the open space that is discussed everywhere else in the Comp Plan.

Mr. Rob Kelly from the Citizens Coalition commented about some designs Pasco County had for their rural protection areas, and he saw a problem in the requirement that was based on ten acres as a threshold for open space. He opined that five acres would be a good compromise and would be better than ten, although he believed that three would be preferable, and he requested the Board to strongly consider the five acre threshold. He also commented that he believed that was a separate issue from family lot splits, and he related that even though family lot splits would have to remain in place for the family for three years, he has seen some abuse of that requirement where those families were selling those houses they were split off from the day after that third year expired.

Mr. Jon Pospisil, a resident of Goldenrod, requested the Board to keep the threshold at ten units, and he commented that he did not think that the open space requirement would provide the connectivity that they all would like to see and the benefits hoped for, but instead would have a significant impact on the value of land. He also opined that the open space in that format was a mistake.

Ms. Cindy Barrow asked the Board to compromise by deciding on the five acre threshold.

Ms. Vicki Zaneis stated that she would prefer three acres as the threshold, but she thought that five was a good compromise as well. She related that DCA has given them instruction on that issue, and she believed that they should follow DCA's directive to stay in compliance. She also commented that open space was such an enormously important part of this document and would benefit the community.

Commr. Stewart commented that the state has recognized how critically important connectivity is in this specific area of the Wekiva-Ocala Greenway, which was in the path of the wildlife corridor, and keeping the ten acre threshold would destroy connectivity. She pointed out that the Department of Transportation has invested a lot of money to provide wildlife underpasses for connectivity and that a ten-acre threshold would undo all of the work that they have done. She was concerned that DCA would find them in noncompliance if they stick with ten, and she thought that five would be a great compromise.

Commr. Renick related that of all the issues that were discussed at the meeting with DCA, this seemed to be the one that they were most forceful on that day, and she noted that she thought that the compromise of five would be acceptable to DCA and a good compromise.

Commr. Stewart made a motion to change the threshold for open space to five acres, which was seconded by Commr. Renick, who passed the gavel, and failed by a vote of 2-2.

Commr. Conner and Commr. Hill voted "no."

Commr. Conner opined that he did not think that the Chairman was in favor of this issue, and he did not think there would be a majority vote in favor of the motion if they postponed this until the Chairman was present, unless he had changed his mind regarding this issue.

Commr. Renick asked the County Attorney about the procedure at this point regarding continuation of the meeting.

Ms. Melanie Marsh, Acting County Attorney, stated that it was the Board's discretion about whether

they wanted to continue with the other issues or to postpone if they could not come to a resolution on that issue, but since the motion failed, the language would stay as is.

RECESS AND REASSEMBLY

The Vice-Chairman announced at 12:40 p.m. that there would be a recess for lunch and that they would reconvene at 1:45 p.m.

RPA IN YALAHA-LAKE APOPKA AREA

Commr. Hill stated that she wanted to discuss the possibility of changing the RPA lines to exclude the Yalaha-Lake Apopka area due to annexations that would be taking place there. She related that she believed this area was a high intense industrial area already, and she thought they should keep it connected to the Lake Apopka basin.

Mr. Sheahan related that the area Commr. Hill referenced would shortly be annexed into the City of Groveland up to Dewey Robbins Road.

Commr. Stewart asked why it would matter whether it was in the RPA if it would be annexed.

Commr. Hill commented that she wanted to clean it up before it went to DCA.

Commr. Renick opined that the City of Groveland could annex this whether it was or was not in the RPA since it was compact and contiguous, and asked if the Board could later give staff direction to change the map to DCA to reflect any annexations.

Ms. Sheahan explained that there could not be any changes without change to the FLUM (future land use map) and that the next amendment cycle would not be until next year.

Mr. Rob Kelly of the Citizens Coalition and former LPA member stated that during the planning process the LPA was continually trying to adjust for annexations, but it was constantly changing. He commented that he saw no reason to change the boundary, and he asked the Board for the RPA to remain the same, since he believed that the area really did deserve some of that protection. He also opined that he thought there was no guarantee that the annexations would be approved.

Mr. Jerry Cloud, who represented land owners in the Loma Linda area, explained that he was working on annexing Loma Linda into the City of Groveland, and currently there was an arbitrary line dividing the east and west side of the property into 223 acres of rural transition and 211 acres that were in the rural protection area. He pointed out that he was told by the City Council that being in the RPA could make a big difference in their decision to annex it.

Commr. Renick asked the County Attorney for a legal opinion on whether changing the RPA would affect the annexation process.

Ms. Marsh related that once it is annexed, it was a City Council issue, but that Mr. Cloud was referring to whether the City Council would consider annexing it with that designation from the County. She also explained that the City would abide by the County Comp Plan until they do their own Comp Plan amendment to bring that property in.

Ms. Cecilia Bonifay, Akerman Senterfitt, requested that the Board put all of Loma Linda in rural transition, since one portion was currently in RPA and the other part rural transition. She noted that Loma Linda is one entity and has been under the same ownership for 50 or 60 years. She commented that the County has created problems by putting this portion in an RPA land use category and that there was no scientific or underlying rationale for this, since it would be more appropriate to have it in one category.

Commr. Hill mentioned that this is their biggest employment center in the region, which was in an urbanized area off of the interstate and US Hwy 27. She also mentioned that SR 19 was slated for improvements, including sidewalks and trails.

Commr. Conner opined that he did not see the need for an RPA there and that he supported removing it from the property in question.

On a motion by Commr. Conner, seconded by Commr. Hill and carried unanimously by a vote of 4-0, the Board moved to remove Loma Linda and the parcel immediately to the east from the RPA.

Commr. Renick had Mr. Sheahan display on the map the other parcel that they were considering removing from the RPA.

Mr. Sheahan displayed the aerial map on the monitor, and pointed out an area north of the area discussed previously.

Commr. Stewart commented that keeping the RPA there would not hinder it in any way.

Commr. Hill pointed out that the parcel to the east of the previously discussed parcel was in the middle of an industrial area and would be an enclave.

Commr. Renick suggested a compromise for the western part of that section, but it was noted that there was a lot of water located on that parcel. She commented that she would be comfortable taking that middle section out.

Commr. Hill stated that her motion was to take the entire thing out, since she did not see splitting it and leaving the other section.

Commr. Hill made a motion to remove everything with the yellow line around it, which was seconded by Commr. Conner, and failed by a vote of 2-2.

Commr. Renick and Commr. Stewart voted "no."

Commr. Stewart suggested that they leave it alone right now until they see exactly what was going to happen.

Commr. Conner opined that there was not much difference between the rural protection area and rural designation, and if there was not much difference he did not think the government needed to act proactively in that particular situation.

Commr. Renick pondered whether the County would be developing in that area.

Commr. Hill commented that she hoped the County would, because it was the only employment center in the region, and perhaps they could develop that with Groveland.

FLUM CORRECTION – GREEN SWAMP

Mr. William Ray of Ray and Associates stated that they have been dealing with this issue for quite some time and commented that they have been looking for the Comp Plan to be reliable, predictable, use of the best available science and information, and that land use be based upon the underlying landform. He pointed out that this site was outside of the 100-year flood plane, has been historically altered through agriculture activities, is currently in semi-improved pasture, is comprised of well-drained sandy soils, is not wetland in nature, directly fronts on a County road, and is directly adjacent across that County road to existing residential development. He related that they were proposing to assign land use to this site that is comparable and compatible with other landforms in the immediate vicinity adjacent to it. He opined that there was no physical reason for the break line to have occurred between rural conservation as opposed to Green Swamp rural. He

proposed that the lands that were above the 100-year flood plane, non-wetland in nature, and comprised of the well-drained and excessively well-drained sandy soil receive the land use of Green Swamp rural; and the remaining lands that are in the 100-year flood plane and that are wetland in nature assigned Green Swamp rural conservation as would be appropriate and comparable with other land uses in that area.

Mr. Rob Kelly pointed out that this has been a very controversial issue that was brought before the LPA several times and that he has spoken with staff at DCA at length, who indicated that they found no evidence that the land use in this area should be anything different than what it currently is. He noted that this property has changed hands a few times and that there are other upland areas in the Green Swamp that are one to ten density. He requested that the Board leave the designation in this area the way it is, and he did not see any justification to indicate a change should be made.

Commr. Hill commented that she brought this issue up because they had different mapping and better GIS technology than they had in the 1990's, and she asked if they could fix this issue now and then update the entire Green Swamp for the EAR (Evaluation and Appraisal Report).

Commr. Renick stated that it still came down to the issue of density for her, since they were trying to keep the densities down in the Green Swamp area, and she would not support changing it at this point.

Commr. Conner commented that he was not inclined to make any changes right now.

Commr. Renick clarified that there was consensus to move on to the next issue.

MOUNT PLYMOUTH-SORRENTO MAIN STREET PROPERTY

Commr. Hill explained that the Board had previously discussed three different possible options regarding this issue, including splitting the land with the north portion designated as a Main Street classification and the southern portion with a neighborhood classification. She stated that the land owner requested that she bring this back up, and he preferred to go back to the original Mount Plymouth-Sorrento Main Street designation.

Commr. Conner asked what the densities would be under the current Comp Plan and then if they made the change that was requested.

Mr. Sheahan explained that this property is commonly referred to as the Jones property, and it was in an urban compact node under the current Comp Plan with a density of 5.5 dwelling units per net acre, but under the proposed Comp Plan the land use would change to Mount Plymouth-Sorrento Neighborhood, which is a 2-unit per net acre future land use category. He recapped that when this was brought to the Board several months ago, there were three options, one of which was to change the whole thing to Main Street with a density of 5.5 units per net acre and another to leave it as Neighborhood at 2. He reported that the Board chose to change the whole property to Neighborhood. He related that a compromise position that was discussed with the applicant was to split the property with the northern half going to Main Street and the southern half going to Neighborhood, and he showed that option on the screen. He commented that there was some data and justification behind that, since the Public Works Department has envisioned a roadway going through this property to realign CR 437 that would roughly follow the southern red line he pointed out on the monitor.

Commr. Stewart, who recused herself from the vote, stated that that option made sense, because 5.5 density meant water and sewer could be provided, but 2 per acre would mean septic tank usage, which was a huge issue for her. Also, she mentioned that Public Works was determined to reroute CR 437 right through that property, and it would make sense for that to become the new Main Street when that happens.

Ms. Jeanne Etter, a resident of Sorrento, commented that she believed the compromise that was worked out was a very good compromise for the area, and she believed that the northern part of that property should be included in the Main Street area if that road goes through to make a cohesive area for development. She added that there was already designation in the Comp Plan for 100,000 feet of commercial east of the Jones property and that other development would not be able to be built without water and sewer being brought in. She opined that this could work within the confines of what was already planned out there and of what was currently in the Comp Plan.

Mr. Don Jones, owner of Silver Oaks Farm in Sorrento, related that he had purchased the property because it had future land use of 5.5 units per acre, and he pointed out that it currently has the proposed town center on the east border, commercial all along the north border, CR 437 along the west border, and a DOT road slated for down the middle of it. He related that the LPA changed the density on his property on September 18, 2008 to two units per acre, which was never discussed during the five years that the Mount Plymouth-Sorrento Advisory Committee met. He stated that there were Florida Statutes that define what must be done to consider changing density on land use, but none of those were applied. He opined that medium density of 5.5 units per acre would be necessary for long-term success of the Mount Plymouth Main Street development plan, local transportation, infrastructure, capital improvements, and the realignment of 437. He commented that the requested density and intensity of development mandates the provision of central utility service, preventing the spread of individual wells and on site waste disposal systems in the Wekiva Study area. He emphasized that the proposed change to the Mount Plymouth Neighborhood was not based on any of those criteria other than arbitrary desires of individuals, and his main objective was to have the original density to his property when he purchased it 25 years ago at 5.5 units per acre restored. He stated that property with a 2 units per acre density was not a developable piece and would reduce the value of his property considerably, and if the Board allowed the proposed future land use to stand, they would destroy his property rights and ignore good planning principles of appropriate density.

Mr. Keith Schue commented that he thought compromise was needed, and he could understand the logic of a 50-50 split. He wanted to point out that the LPA did not change any density, but only made recommendations, and there were policies in the Comprehensive Plan that allowed water and sewer for property that was 2 units per acre.

Commr Hill made a motion to honor the property owner's request to change the land use of the entire property back to the original Mount Plymouth-Sorrento Main Street designation, but the motion died due to lack of a second.

Commr. Renick commented that she previously voted against this because of concerns about the domestic self supply study and that she was not happy with any additional development in that area, but she could live with the compromise that was proposed by staff.

Commr Conner commented that he was not enthused about higher densities in the Sorrento-Mount Plymouth area, but he did not like taking property rights away from anyone, and he felt that Dr. Jones made some good points. He also felt that the 5.5 density was compatible with the surrounding area of that section of the property.

Commr. Stewart stated that she would not have spoken in favor of it if that road was not eventually going to be going in there or they had not worked so hard to develop the main street for Mount Plymouth-

Sorrento.

On a motion by Commr. Hill, seconded by Commr. Conner and carried by a vote of 3-0, the Board moved to change the density on the Jones property to 50 acres of the northern section to Mt. Plymouth Main Street designation at 5.5 dwelling units per acre and 30 acres of the southern section to Neighborhood Proper at 2 dwelling units per acre.

Commr. Stewart was recused from the vote.

PUBLIC INPUT

Ms. Pam Jennelle, a resident of Eustis, wanted to point out that even though there was a feeling among County staff and the Commissioners that all the residents of Mt. Plymouth and Sorrento were entirely happy with the policies that cover their area within the Comp Plan, it was her feeling after speaking to a wide spectrum of people in their community that they do not have consensus yet, but she believed that they could get to that point.

Mr. Vance Jochim, a resident of Tavares, expressed concern that the County was starting down the path of creating problems due to restrictive regulations over land rights, and he opined that it would take value away from property owners without offering them any compensation for it, which amounts to redistribution of wealth. He also opined that they were using a method of eminent domain, because they were trying to pass a law to try to take rights away from some existing property owners. He commented that he did not believe, however, in completely unlimited rights, and he believed that offering compensation for loss of value could be an alternative. He also stated that in other regions these kinds of regulations resulted in a large increase in government staffing to ensure regulatory compliance and an increase in litigation, and he suggested that the County get a professional published estimate of the cost of those factors

Mr. Hugh Harling, a resident of Orlando who owned two parcels of property in Lake County, stated that he had been working with the County staff for a long time and was happy with the Comp Plan process. He specified that one of the parcels he owned was south of Umatilla and was going from Rural Transition to Urban Low Density, and he wanted to get confirmation to make sure that his parcel was included. He stated that his other parcel is adjacent to Mount Dora on SR 46, which was going from Industrial to Regional Office, and he was coordinating with the City of Mount Dora, who wanted to adjust their Comp Plan to match the County's to avoid any complications regarding any annexations that take place.

Mr. Don Magruder with Citizens for Better Government, recapped that two weeks ago he pointed out that Objection 36 regarding the housing element used an irrelevant 2004 housing study to justify itself, but he found that the study was currently still the same with no updates, even though he believed the information was so old that it was essentially useless. He stated that Mr. Sheahan indicated to him that that was the best information available. He related that he had the guidelines for the housing element sent to him from DCA, and he opined that the County did not address any of those guidelines. He pointed out that they were required to make an effort to get real information from the best available sources, and he handed out a list of requirements. He also noted that the housing element was a required portion of the plan. He related that the federal government is about to release millions of dollars for renewal grants for restoration of old properties, and Lake County would miss that opportunity because it did not have the proper information in its housing study. He stated that the dynamics of housing is changing, and what they would need in the future in housing is going to be totally different. He emphasized that it was important that the County made sure that they had the housing

element right.

Ms. Amye King, Growth Management Director, responded that she has discussed many of the different areas with DCA that they have objected to, but that was not one of them.

Mr. Sheahan stated that the last conversation with DCA indicated that they were receptive to all the County staff's comments, with the exception of a couple of issues that were already brought up to the Board, and housing was not one of them. He noted that when this issue was first brought up, CDBG (Community Development Block Grant) indicated that the study was planned to be updated in the next 12 months, which was communicated in the response to the DCA. He related that he sent Mr. Magruder a copy of the 72-page data inventory and analysis of the housing element which contains updated annual average earnings for Lake County.

Ms. Linda Nagle, Director of the Home Builders Association, echoed the concerns of Mr. Magruder about the lack of importance placed upon the housing element in the Comp Plan. She emphasized that especially since this Comp Plan is for the period covering the next 20 years up to 2030, the plan needs to be relevant and up to date. She opined that housing was the economic generator of this county until the County is able to replace or augment it with other economic activity. She noted that currently they have workers who cannot find jobs and people who are making low incomes, and the affordable housing plan does not cover their current needs and certainly not their needs in 2030 when they were relying upon old data. She requested that the Board consider those people and the housing industry and to do due diligence and update the housing study.

Dr. Christine Harris, a resident of Mount Dora, mentioned that she was pleased to hear that Dura Stress was a viable enterprise, which was one of their initiatives in the Lake Yale area, and she was proud that they have 250 employees who were unemployed a few years back. She noted that the County Commission had review of the Comprehensive Plan Horizon 2030 on its agenda on May 18, which coincided with the DOT being in the process of designing its 2025 plan. She recapped that the intent was to balance the demand for utilities, for development and conservation areas, and demand for transportation and education, as well as to provide for concurrency provisions of infrastructure which relates to water, sewer, utilities and how they manage the human environment which they built around their natural resources. She related that they have heard extensive testimony at this meeting that many people desire that their quiet, rural area be sustained, and she commented that the restrictions of the rural protection area have that property right in mind.

Mr. Keith Schue stated that he thought it would be useful to add the words "or will promote (or contribute to) urban sprawl" at the end of Policy VIII-1.9.2, which relates to transportation as justification for land use amendments, and adding that reference to urban sprawl would make it consistent with other infrastructure policies in the Comprehensive Plan. He also noted that he would submit for the record the wording in writing that he prepared for the five-unit threshold language.

Mr. Greg Beliveau from LPG commented that the plan had a lot of language about transfer of development rights to offer that option in several locations, including the rural protection area. However, he pointed out that the problem was that they did not know where they would transfer those rights to and what they would get for transferring them. He related that there was a receiving area and a transferring area in the Wekiva, but for other areas in the plan there was a place to receive the development rights, but no place to get them. He also pointed out that there were no bonuses or any way to get value on them when someone is interested in buying them, which was how they get enhanced so people would want to sell them and preserve

their property forever as a conservation area. He requested that the Board look at that so that they could build a tangible value there.

Ms. King responded that she had discussed this extensively with Mr. Sheahan, and their intent was to build that TDR (transfer of development rights) program into the LDR's.

Ms. Candy Smith stated that she understood that there were no areas in Lake County protected from mining based on the Comprehensive Plan, but she did want Goose Prairie protected, because that affected her ground water and well. She also stated that if they were going to change the land use in the area with the new Comp Plan from Rural Village to a more restrictive designation, they were affecting the land that she has owned for over 20 years where she could currently put 2 dwellings per acre. Under the new plan, she could only put one dwelling per 5 acres, but she only owns 1 ¼ acres. She stated that if she could have her zoning back where she could put a second house on her property, then she could provide a residence for one of her children as her parents did for her. She stated that her community was small and that she wanted to keep it a rural community, protect it the best that she could, be able to put a second house on her property, and retain her property value as best as possible.

Mr. Sheahan explained that Rural Village was a conceptual future land use category that came with about three pages of policies and requirements that had to be adhered to, and much of that area was changed to Rural Transition.

Mr. Tim Green, President of Green Consulting Group, stated that if the TDR was mentioned in the LDR's but is not in the Comp Plan, there would be no bonus densities, because the Comp Plan talks about maximum densities. He commented that for a TDR to have any value, it would have to go somewhere, and there has to be some kind of provision for that density increase unless the LDR's start out less than what is allowed under the Comp Plan.

Ms. Marian McKinney stated that she was concerned that the changing of the terms such as urban village would change the prospect of what they could have in their community, and she specified that their community was started in 1914 and that many of the residents were low-income. She questioned how the employment center got large, since she believed that they had violated several permits from DER. She commented that this was a prime recharge area and was a valuable piece of property for the entire county.

RECESS AND REASSEMBLY

The Chairman announced at 3:25 p.m. that there would be a ten-minute recess.

PUBLIC INPUT (CONT'D)

Mr. Jon Pospisil commented that the last time he spoke before the Board, he did not have an exhibit showing current zoning, and he wanted to give the Board a handout that showed some of that. He stated that although he did not intrinsically have an objection to rural transitional, he did not want to end up with a density that was too low, and he believed that 1 to 1 density with 50 percent open space on it was a good compromise and would be a good transition to lower densities to the north. He specified that under the current rules, without going for any type of rezoning, they could put 38 units on approximately 66 acres, but the rural transitional could theoretically leave him with as few as 13 units to 22 units with 1 to 1 and 35 percent open space. He requested that the Board consider adding his suggested language to the Comp Plan which he believed was the simplest and cleanest way to do it.

Ms. Cecilia Bonifay stated that the land use designation for the Rex Clonts parcel reduced their ability to

use their property, specifying that it currently has urban expansion, but has been given a rural transition designation on 550 acres and that the open space would be a significant problem for him. She noted that this property has 1000 feet of frontage on US Hwy 27, was in two utility districts, and has utilities in the area. She wanted to clarify that there was language put in this morning putting the strategic area plan over the top of that, and she would check to see if those surrounding property owners would be aware of that. She also commented that she did not find that this was a very good climate, especially in Lake County, in which to do TDR's, and she noted that they had no sending or receiving areas. She commented that there were aspirational goals in the plan.

OPEN SPACE ISSUE REVISITED

Commr. Stewart noted that the Ocala-Wekiva Greenway was in her district, and they have worked hard in the Wekiva Basin to try to maintain that wildlife corridor that is so important. She asked if the Board would consider the compromise of the threshold of five acres in the small area in the Wekiva-Ocala Greenway corridor, leaving everything else at ten, since the state and scientific evidence have shown the importance of that connectivity there.

Commr. Renick stated that they would leave it at ten, since no other Commissioner was willing to discuss this change and she did not want to hold up the Comp Plan.

GOOSE PRAIRIE REVISITED

Ms. Marsh reported that staff was considering adding a provision in the conservation element that would list the Goose Prairie area as an area of ecological significance, and they could provide whatever additional protections they believe would be necessary in those areas when they do the LDR's.

Commr Stewart commented that it was a valuable recharge area.

Mr. Sheahan highlighted on the screen the location of Goose Prairie and the primary area where the residents who spoke were concerned with. He explained that the idea would be to have a policy that stated that the County recognizes the wetlands and water bodies within Goose Prairie as a sensitive environmental resource, which he assured the Board they already do, and they would specify the alternate key numbers in the policy with these parcels shown on the screen as having those resources. He clarified that within the parcels that were not wetlands or water bodies would not be subject to that grouping. He commented that this would provide some assurance to the speakers that added scrutiny would be in place when they adopt the new LDR's.

Commr. Renick asked if this would affect Dura Stress in any way.

Mr. Sheahan responded that Dura Stress does have some wetlands on their property, and they are adhering to the setbacks that are required in the Code. He noted that Dura Stress was mostly developed, and they were proposing to build one additional building, which would not be impacted by this policy.

ADOPTION OF 2030 PLANNING HORIZON COMPREHENSIVE PLAN

Commr. Hill commented that she still had some problems with the 60 percent open space in the South Lake area with densities of 1 to 5, and she opined that that requirement would render that property useless. She was concerned that this would impact some property owners.

Commr. Renick stated that part of the issue was a concern that they did not want development just on five-acre tracts in that area.

Commr. Conner commented that he did not think that was a problem, because 1 to 5 density would leave plenty of land to build on.

Commr. Hill stated that she was still not comfortable with this issue, and she suggested that they postpone this so that they could have some time to think about the issues discussed before voting on the plan. She also believed it was a very important vote and that all of the Commissioners should be there.

Commr. Conner opined that if being comfortable with everything in the Comp Plan was going to be their criteria for adoption, then they would probably have a 5-0 vote against it, and he did not think more time would make any difference in the way the Commissioners would think about the issues that were discussed. He commented that this has been an exhaustive process with a great amount of public comment, and he emphasized that he was ready to vote on this 2030 Comp Plan. He also stated that he believed Commr Cadwell wanted them to vote on this today.

On a motion by Commr. Stewart, seconded by Commr. Conner and carried by a vote of 3-1, the Board approved the 2030 Planning Horizon Comprehensive Plan.

Commr. Hill voted "no."

REPORTS – COMMISSIONER CONNER – DISTRICT 3

PRESENTATION REGARDING VETERANS MONUMENT

Commr. Conner reported that he and Commr. Hill attended the Veterans Monument ceremony in Leesburg on Saturday, May 22, and he mentioned that he would ask for some County participation and funding of that monument in the future. He requested to add a five-minute presentation regarding the Veterans Monument in Leesburg to the next meeting's agenda, and the Board gave consensus for that.

Commr. Hill added that she spoke to Mr. Tom Osebold, Veterans Services Manager, who mentioned that sometimes there are grants available, and they would look into that.

ADJOURNMENT

There being no further business to be brought to the attention of the Board, the meeting was adjourned at 4:15 p.m.

WELTON G. CADWELL, CHAIRMAN

ATTEST:

NEIL KELLY, CLERK