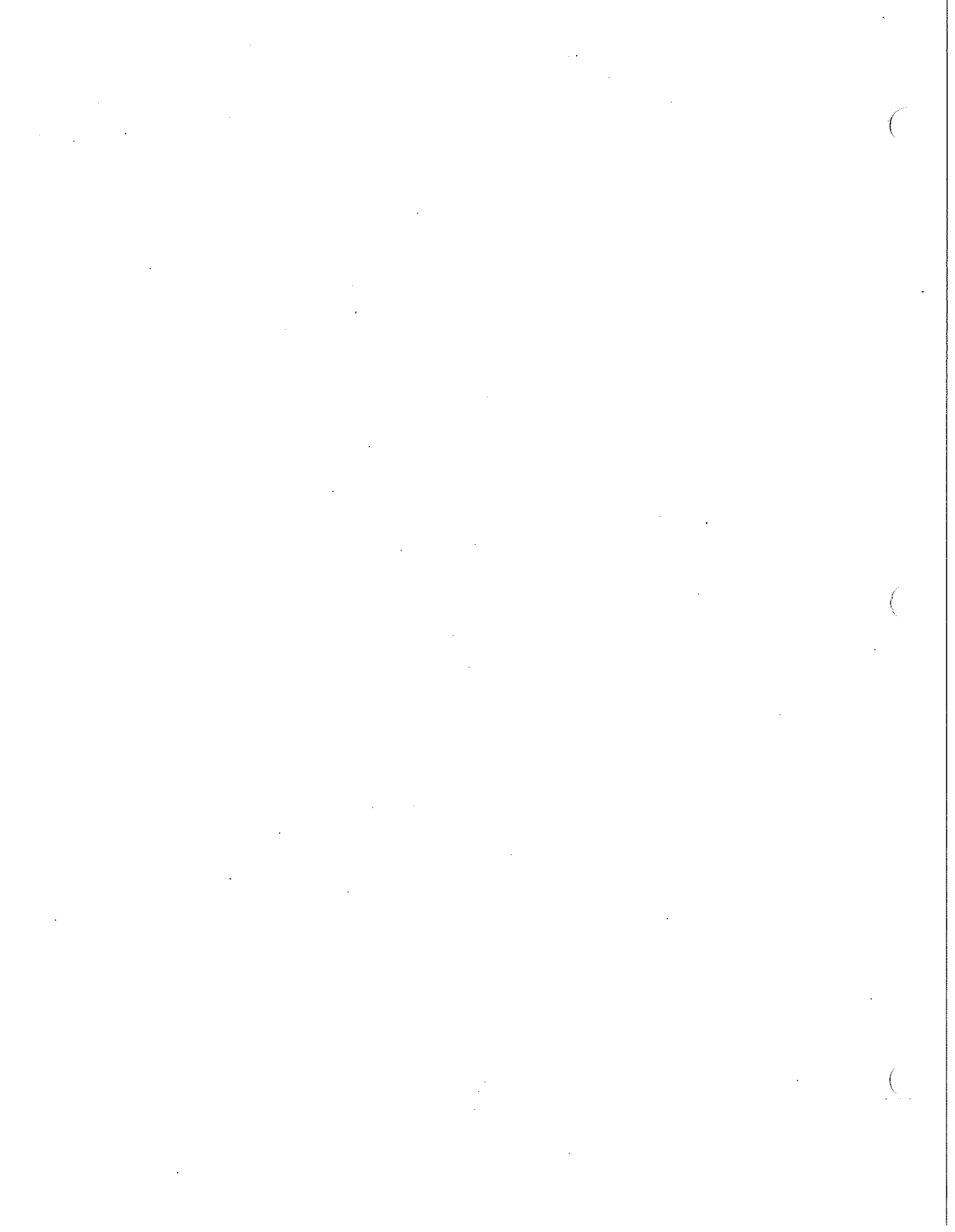


**Lake County
Board of County Commissioners
Workshop
BCC Chambers
June 16, 2009
1:00 P.M.**

- I. 2030 Comprehensive Plan**
 - 1. Mining Discussion and Presentation**
 - 2. Review of changes discussed on June 9, 2009**
 - 3. 2030 Comprehensive Plan Departmental Comment 90 through 214 on the following elements: Capital Improvements, Concurrency Management, Conservation, Economic Development, Housing, and Intergovernmental Coordination.**
 - 4. Public Comment**

- II. Future 2030 Comprehensive Plan Workshops:**
 - July 14, 2009 at 1PM: Comments 215 through 284, map overview**
 - July 21, 2009 at 1:30 PM: Financial Feasibility presentation**



agencies, such as the School Board, may want to partner with them if they were aware they would not have to produce an enormous amount of money, making a commitment to contribute for two years.

Commr. Cadwell stated that they needed to commit to the agent and, in retrospect, try to find funds without holding up the Program. He remarked that there were originally three people in that department and now there was only one, who is the lowest paid person there. He commented that the other two positions were not being filled because of the hiring freeze.

Commr. Conner stated that the County Manager has the authority to request that position be filled as an item on the Board's Agenda.

Commr. Cadwell stated that the County Manager was seeking innovative ways to keep the Program afloat, but they must have an agent soon for the Program to continue.

Ms. Deborah Boulware, County Extension Service Director reported that Ms. Cindy Hall, County Manager, would be meeting with the District Director from the University, and the interim replacement individual for Ms. Boulware in the early part of July to discuss the funding situation. She stated that this was a University directed Program so they need a staff person in order to carry it forward. She remarked that she has been assisting them since the agent left and will continue throughout the summer to make sure upcoming events take place. She commented that some type of decision must be made as to whether the program will continue. She explained that the 4-H year begins September 1 of each year and someone could step in on an interim basis during the hiring process, but the long term good of the program still needs to be a dedicated staff person.

Commr. Cadwell made it clear that they were trying to fill the agent position, but there was no realistic chance of getting the department back to full force.

RECESS

The Chairman called for a recess at 12:20 p.m. and stated that the Board would reconvene at 1:00 p.m. in Board Chambers for a Workshop on the Comprehensive Plan.

RECONVENE

The Lake County Board of County Commissioners reconvened in a Special Workshop Session on Tuesday, June 16, 2009, at 1:00 p.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; Jennifer Hill, Vice Chairman; Jimmy Conner; Elaine Renick; and Linda Stewart. Others present were: Sandy Minkoff, County Attorney; Cindy Hall, County Manager; and Ellie McDonald, Deputy Clerk.

AGENDA UPDATE

Ms. Amye King, Growth Management Director, addressed the Board stating that staff requested postponement of the Intergovernmental Coordination Element, found on pages 153 through 214, to the next meeting as they were working on policy language and staff recommendations for a few different policies in that Element.

Commr. Cadwell stated that the first part of this meeting would be regarding specific mining discussions with public comment at that time; and following that they would move into the

Comprehensive Plan Comments. He noted that there was a lot of wordsmithing in the report and if the Board approved, they would have Commr. Renick meet with staff and go through those to save time. He explained that as they get to those comments if they would just say "wordsmithing" they will continue forward and let Commr. Renick discuss those with staff.

PRESENTATION

MINING

Mr. Walter Wood, Senior Hydrogeologist, Environmental Utilities, stated that this presentation was similar to a presentation he gave to the Local Planning Agency (LPA) on sand mining in the Green Swamp. He stated that he would be reviewing what materials were being mined, where the mines were located, types of materials being mined, the process involved, mining history, and what has gone on in the Green Swamp as well as legislation that has been proposed in the past. He stated that the materials being mined were sorted coarse sand, coarse and medium sand, and fine, medium, and coarse grains. He commented that the fine, medium and coarse grains were more desirable because there was more contact between the different grains. He stated that the report they had received on sand mining in Lake County included a map showing sand deposits within the State which are distributed along the ridge of the north central part of the State, with a few in the panhandle. He displayed on the monitor samples of Department of Transportation (DOT) sand within the State, preferable for building, which is found predominantly in Lake County. He explained in detail the methods of sand mining within the County as dry open pit-mines where no dewatering is required; dewatered open-pit mines where the water is removed from the pit and discharged elsewhere, and occurs only with peat mines in the County; and closed-loop dredge mines where water is recycled through the dredge pond and the plant. He displayed a 2008 slide showing areas being mined in Lake County, primarily in the Green Swamp. He pointed out the area in the Green Swamp Area of Critical State Concern (GSACSC); areas permitted for sand mining; areas set aside for mitigation for mines on the east side which will not be mined; and mines east of Clermont. He also showed an aerial slide of the same locale from 1941 showing sand hills and wetlands with little activity; a 1972 slide which indicated that the sand hills became citrus groves; a 1979 slide which indicated mining with roads present and a few groves remaining; and a 2008 slide indicated the mines replaced citrus groves in uplands, where lakes were created. He presented a photograph showing what is left after mining and reclamation is complete showing a lake and the restored shorelines which were sloped gradually to prevent someone from falling in a hole. He reported that there was some proposed legislation a couple of years ago with regard to mining. He commented that this started primarily in South Florida with the lime rock mines, but miners have expressed concern in other parts of the State. He explained that some counties were making it difficult to obtain mining permits and banning mining altogether. He stated that the quality of some materials that are available for mining in the permitted areas is not as good as they would like, and that subdivisions are moving into those areas. He noted that choices can be made for development, but one cannot choose where the location of the resource, and once houses are placed on the land it is not available for mining from then on. He stated that some of the deposits are not being protected although they do have a requirement for

protection of deposits in the Comprehensive Plan Policy. He commented that the materials were used for transportation, highway safety, construction maintenance, housing, schools, and any type of development requiring limestone or sand. He remarked that the legislation that has been proposed in the last two years would preempt local government's ability to enforce their regulations, but it has not passed as far as he knows. He noted that there were concerns if it did pass that as a county government they would have no way to regulate where the mines went or any conditions that apply.

Commr. Cadwell stated that this legislation was endorsed by the FDOT as well.

Mr. Wood stated that FDOT wanted to have those materials available. Finally, he distributed information from the Strategic Aggregate Study prepared by Lampl Herbert Consultants in Tallahassee, with a map showing the sand resource area in both Polk and Lake Counties. He commented that although the map does not show deposits in Lake County east of Clermont between Lake Yale and Lake Griffin, there were good deposits there which now have houses on it. He commented that that this gives them information on that situation as well as the transportation issue.

FUTURE LAND USE PLAN

Mr. Steve Adams, President of LPG Environmental and Permitting Services, Inc. stated that they had met with the LPA and expressed their concerns with an element in the current Future Land Use Plan, especially the prohibition of mining in the Green Swamp where the resources are found and commented that without that, the expansion of existing mines or the future of the new mines is gone. He stated that they have allowed mining in the current version of the Future Land Use Element in urban and industrial areas, and that there was opposition from hundreds of people when trying to permit a mine in an urban area. He explained that the likelihood of getting the winning vote for mining in an urban area is extremely remote. He commented that they were concerned that some of the language limits mining areas even further in rural protection areas. A further concern was language relating to conservation elements in terms of significant recharge areas, and whether they remain the same, stating that they would not find out until they saw some LDRs unless there is some specific language put into the Comprehensive Plan and they were unsure if that would further limit their ability to mine. He commented that they were also concerned about the protective species issues and the priority of issues to go through in terms of avoidance, on-site and off-site relocation. He requested that direction be given to staff to work with them as a mining community to provide some alternative language to the Board for their consideration in these areas.

Commr. Renick asked Mr. Adams to explain the process in terms of mitigation.

Mr. Adams stated that they operate under rules from the Florida Department of Environmental Protection (FDEP), and obtain an Environmental Resource Permit (ERP) from the Bureau of Mine and Minerals Reclamation. He explained that there are certain reclamation standards in terms of sloping of lakes; creating littoral zones and that sort of thing, but the County's reclamation requirements are a little stricter in terms of reclamation type items such as planting of forested areas. He stated that the way the process works in the County is that they request a Conditional Use Permit (CUP), which in this case is a Mine Site Plan which is brought to the Planning and Zoning Commission and then to the Board for an

ultimate decision. At that point they get all of their permits, including Corps of Engineers Permit, DEP Permit, Industrial Waste Water Permit, Consumptive Use Permit and relocation permits. They then come back to the County for an operating permit which specifically designates things like hours of operation, reclamation plans, what was planted and those are staff approved. He stated that obtaining these permits is a two to three year process.

Commr. Stewart asked what they did with the land after they have finished mining and restored it.

Mr. Adams stated that there were several options after mining that included turning it into a mitigation bank, using it for development, using it as a tortoise farm to relocate tortoises, or giving leased land back to the landowner to do with as they wish. He related that currently the land reverts back to its original zoning and land use classification.

MINING

Ms. Tracy Bryant, Director of Central Florida Sand Mining Association (CSFMA) addressed the Board and stated that the CSFMA (referred to hereinafter at "the Association") is a not-for-profit training association formed for numerous purposes including coordinating the efforts of individual members of the industry. She explained that the Association works to solve common problems, provide for education of the public concerning the mining industry, and strives to establish and maintain high standards of business practices, customs and usage among its members. She noted that their member companies are all owners and operators of sand mining facilities within Lake County and they will be directly and adversely affected by the proposed Comprehensive Plan provisions related to mining. The Association has been actively participating in the development of the Comprehensive Plan and addressed the LPA during its deliberations. She pointed out that the products from the Association's members are of strategic importance to various types of construction including roads and other public infrastructure, and that costs for numerous goods and services would rise significantly without access to these mineral resources in our local economy. She believed the public interest is well served by allowing mining under reasonable conditions. She stated that the basic problems with the LPA draft is that they are particularly concerned about the LPA's arbitrary position against mining in Lake County in spite of sound scientific and economic data from the CFSMA to the contrary. She was concerned that the LPA is recommending that mining be banned in the Green Swamp, even though there is no credible scientific basis for this position, and mining does not adversely affect hydrology or water quality in the area. In fact, mining and subsequent reclamation provide valuable wildlife habitat as well as increasing the diversity of the habitats available. She was also concerned that the LPA ignored the critical need for sand products in Central Florida. She stated that legislation in 2009 confirmed legislative intent that mining products are of critical State importance. She stated that they would prefer to work with the Board and staff to develop a Plan that is balanced between environmental, social, and economic goals.

Commr. Cadwell mentioned that they had not had a mining case before the Board since the last one brought by the CFSMA. He mentioned that he believed the only reason the State has not passed the Bill, taking away their local ability to govern, is because the demand was down and nothing was being

built. He opined that this will rear its head and again and he wants the County to regulate as best they can and to do what is best for Lake County, but like the impact fees eventually the State will take that ability away from them. He commented that the State introduced some legislation through the Transportation Committee when Senator Baker was Chair which would basically take the County's rights away with regard to permitting sand mines and give it to the State.

Mr. Sandy Minkoff, County Attorney, stated that the Bill would have preempted local government from regulating mines.

Commr. Hill stated that the mines were a major contributor to the County's ad valorem revenue base and require very few services. She noted that they should look not just at permitting new mines, but the existing mines that want to expand.

Commr. Cadwell asked if any one had a problem with letting them work with staff to alter or to bring back some alternative language and put them side by side with each policy they have in question.

Commr. Renick stated that she would like to see anything they could come up with. She questioned whether the LPA considered any type of overlay district or delineated an area.

Commr. Cadwell stated there was a little bit in his District and most of it is was in hers.

Mr. Brian Sheahan, Planning Director, Planning and Community Design, stated that the LPA did not consider an overlay, and did not think it was necessary because they knew the location of the sand.

Commr. Cadwell directed staff to use a format allowing them to go through each policy side by side; that both the LPA is recommending and what the industry is recommending.

The Chairman asked if anyone from the public would like to comment on what they have heard this morning. No one responded.

REVIEW OF CHANGES MADE TO THE COMPREHENSIVE PLAN JUNE 9, 2009

Commr. Renick stated that the general direction of changes to the Comprehensive Plan was that they had made the timeline issue and the "should" or "shall" and "PUD" issues, therefore, they would not need to address those. In reference to Comment 3, she stated that she had a problem with the language referring to the settlement as a "policy" and continues to think it needs to be called a Settlement Agreement. She further stated that if they were placed under the Urban Land Use series, it would remain at the very beginning of the Comprehensive Plan and opined that there was still some work to be done on Comment 3. She referred to Comment 41, stating that she was unsure if they agreed on this, noting that they had discussed whether or not a "swale" was natural drainage and thought they agreed to include the word "swale."

Commr. Cadwell stated that he did not remember having a lot of concern one way or the other.

Ms. Amye King, Growth Management Director asked if the direction was to include the word "swale."

Commr. Renick responded, "yes."

COMPREHENSIVE PLAN WORKSHOP

COMMENT NUMBERS 90 - 204

Commr. Cadwell noted that any Comments that they would like to reconsider would be marked

with an asterisk (*).

DEFINITION OF PUBLIC FACILITIES - LIBRARIES

The Board selected Option A for Comment 90.

ENSURE CONCURRENCY

The Board selected Option A on Comment 91.

SOLID WASTE LEVELS OF SERVICE

Commr. Renick chose Option B on Comment 92 stating that she did not understand a portion of Option A. She stated that in reality they may have to cutback some of those services and did not want to state that they would have garbage pickup twice a week if they were unable to do so.

Ms. King stated that staff had an extra comment to this by striking the reference to yard waste. The Board agreed with Option B on Comment 92, striking the reference to yard waste pickup.

TRANSPORTATION LEVELS OF SERVICE

Commr. Renick thought Option A was good on Comment 93.

DEFINITION OF PUBLIC FACILITIES - PUBLIC SCHOOLS

Commr. Stewart thought Option A was good on Comment 94.

DEFINITION OF CAPITAL IMPROVEMENTS*

Commr. Renick stated that she would go with Option A on Comment 95, but referred to the language under the discussion portion which states, "The cost of capital improvement is generally nonrecurring and may require multi-year financing," and thought that was a point they may want to include. She referred to Option A asking for an example of a one year capital improvement would be opposed to five years.

Ms. King stated that this Comment came from the Budget office and they would ask them to readdress this at the next meeting.

Commr. Cadwell stated that he assumed that when they said the cost of the capital improvement it was the actual price, and it could be a one-year or multi-year expenditure but the item itself had to be \$25,000 in five years.

Ms. Cindy Hall, County Manager, stated that there were times when perhaps a piece of equipment might only have a useful life of a year and would not be expected to last for five years. She commented if they were over that dollar threshold they could be included in capital improvements.

Mr. Sandy Minkoff, County Attorney stated that he thought this was an accounting definition. He commented that the one-year expenditure is what makes it a capital asset and that in order to be eligible for sales tax it has to be a capital asset that has a life of at least five years.

Commr. Renick asked that they revisit this Comment.

Commr. Cadwell stated that there should be an asterisk by Comment 95 as they needed clarification.

CONSISTENCY OF CAPITAL IMPROVEMENTS

It was a consensus of the Board to choose Option A for Comment 96.

EVALUATING AND PRIORITIZING CAPITAL IMPROVEMENTS

Commr. Stewart thought Option A was good under Comment 97. She asked that a few words be changed in the second to last bullet to read "Locational needs based on planned growth patterns."

Commr. Renick agreed that when using the terminology "projected" growth patterns there are too many problems.

Commr. Cadwell stated that they would be setting their projections on what is planned.

Commr. Renick stated that she agreed on Option A.

ISSUANCE OF DEBT

Commr. Renick agreed with Option A for Comment 98.

DURATION OF FINANCING

Commr. Renick suggested going with Option B for Comment 99. She wanted to retain the words "but in no event to exceed thirty years" so it would read "All capital improvements financed through the issuance of debt shall be financed for a period not to exceed the useful life of the improvements, but in no event to exceed thirty years."

Mr. Minkoff stated that this Comment was his and noted that they were seeing financial instruments that go longer than thirty years. He explained that any financing would have to be approved by the Board and if left in, not only would it have to be approved, but the Comprehensive Plan would need to be amended which would probably take a year. He stated that this may be a financing tool that could be available to the Board if it was put in, or take it away from the Board.

Commr. Conner asked if financing issues were common on the Comprehensive Plan.

Commr. Cadwell asked if that was one of the requirements.

Mr. Sheahan stated that it actually was a requirement, but the passage of Senate Bill 360 postponed it to 2012.

Ms. King stated that it was still a requirement, but they have a longer period of time to accomplish it.

Commr. Cadwell agreed with Option A on Comment 99.

COMMUNITY DEVELOPMENT DISTRICTS (CDD)

Commr. Renick stated that Comment 100 was hard for her to understand and asked for an explanation.

Mr. Minkoff stated that the last sentence reads, "A CDD shall not be considered for approval if it provides for the funding of infrastructure that would otherwise be funded through traditional land development regulations." He commented that the entire purpose of the CDD generally is to fund the infrastructure and essentially the last sentence in the policy takes away the major purpose of a CDD.

Commr. Cadwell commented that people buying into new CDDs understand that they bought into a community that agreed to tax themselves for infrastructure.

Mr. Minkoff remarked that the other comment they had was that the sentence before which said "To be considered for approval, any proposed Community Development District (CDD) for residential development in Lake County must, at a minimum, provide for the financing of public recreation facilities and public schools." He stated that many times a CDD does not include schools or recreation

depending on the size and scope of it.

Commr. Renick commented that it may not include that it is age restricted.

Mr. Minkoff opined that their comment was that the policy restricts the statutory CDD type purposes.

Commr. Cadwell stated Option A was good.

FAIR SHARE COSTS

Option A was selected for Comment 101.

BUDGET REVISIONS

Option A was selected for Comment 102.

DEBT SUMMARY

Option A was selected for Comment 103.

BUDGET REVISIONS AND THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

Option A was selected for Comment 104.

CONCURRENCY

Option A was selected for Comment 105.

PRECEDENCE OF 2030 COMPREHENSIVE PLAN

Option A was selected for Comment 106.

Commr. Stewart stated that Option A or B was fine with her.

VESTED PROJECT CAPITAL IMPROVEMENTS

Option A was selected for Comment 107.

VESTING OF DEVELOPMENTS

Option A was selected for Comment 108.

SCHEDULE OF ROADWAY IMPROVEMENTS

Option A was selected for Comment 109.

Mr. Sheahan remarked that Comment 109 was still a recommendation of Option A except the wanted to strike the last part of the sentence that says "and update it annually." He stated that was too frequent.

Commr. Cadwell stated that they would choose Option A with the revision as stated.

TRANSPORTATION CONCURRENCY SYSTEM

Option A was selected for Comment 110.

CONCURRENCY REQUIREMENTS

Mr. Sheahan stated that at the previous workshop under Comment 87 staff had changed language that was almost identical to Comment 111 which said "or the level of service adopted by the municipality in whose utility area the proposed amendment is located." He commented that they had said that those "levels of services adopted by the municipality and the County under joint agreement" and they thought they needed to make that language consistent with the Board's previous direction.

Option A was selected for Comment 111.

CONCURRENCY IMPLEMENTATION AND MONITORING SYSTEM

Option A was selected for Comment 112.

IRRELEVANT MATERIAL

Option A was selected for Comment 113.

POLICY CONTAINS AN UNDEFINED ACRONYM

Option A was selected for Comment 114.

Commr. Renick stated that was handled by the Department of Environmental Protection (DEP).

CONCURRENCY IMPLEMENTATION AND MONITORING SYSTEM (CONT'D.)

Mr. Sheahan asked that they go back to Comment 112 and stated that there were a couple of word changes that came up since it was distributed. He discussed the change on page 88 where it says "The Land Development Regulations of the County shall provide that applications for development orders that are denied . . ." and the comment was that they should include the word "solely" because if the Comprehensive Plan Amendment is denied for other reasons, they want to make it clear they can only come back if it is denied for concurrency reasons, otherwise they are subject to all other requirements of the Plan.

POLICY MAY BE TOO LIMITING

Commr. Renick chose Option A on Comment 115, but did not understand where they crossed out "Mining activities shall be in conformance with the County mining ordinance." She asked if they needed some type of reference there as she did not know about totally removing that line.

Commr. Cadwell asked if this was one that would be classified as a mining industry and would offer language, or was it more widespread than mining.

Mr. Sheahan stated that this was more widespread and the reason the sentence had been stricken was because the Department of Community Affairs (DCA) has consistently held that they cannot defer a policy to the Land Development Regulations (LDRs), and they would call it inappropriate, and therefore, the Comment would come back. He explained that the policy is intact, but noted they would do this in the LDRs with those requirements.

Commr. Renick explained that there were a number of other places where they have referred to something being in the LDRs.

Mr. Sheahan commented that this said the Land Development Regulations "shall" ensure, so this does require them to comply. He explained that the last sentence was referring to another document.

POLICY MAY BE TOO VAGUE

Option A was selected for Comment 116.

POLICY MANDATES THE COUNTY DO SOMETHING IT MAY NOT BE CAPABLE OF DOING

Option A was selected for Comment 117.

Commr. Renick stated that there were a lot of things they would like to do, but it comes down to enforcement.

Commr. Stewart commented that instead of "establish airshed protection" the word should be

“encourage.”

Commr. Renick asked what would be done with it once they have airshed protection zones in place.

Ms. King explained that the reason any local government throughout the country would have an airshed protection zone was because they had lost their attainment status and some air quality. She stated that if they lost their attainment status in air quality, more particularly ozone or particulate matter based on the activities in Lake County, it would become a regional effort at which time they would have to incorporate the cities. She went on to say that at that point the Lake-Sumter Metropolitan Planning Organization (MPO) would probably be the proper agency to establish these zones, working with all the local governments on any regulation that comes with it. She commented that depending on what it is because it could be a variety of things such as gas nozzles and it depends on that particular air quality issue. She explained that the County was not close to breaching any kind of air quality status so there was no reason to establish airshed protection zones. She reported, however, that they monitor air quality on an annual basis and if there ever came a time to have airshed protection zones, they would have to update the Comprehensive Plan and the MPO would have to discuss it at regional meetings with elected officials that were affected, at which time it would come back to the Board. She stated that they have to look at the Plan often and there would be plenty of opportunities to amend this if necessary.

Commr. Renick opined that they delete Comment 117.

Commr. Stewart agreed.

POLICY CONTAINS EXTRANEIOUS LANGUAGE

Option A was selected for Comment 118.

PLAN FOR SAFE WITHDRAWAL RATES OF WATER

Option A was selected for Comment 119.

CONSERVE POTABLE WATER SUPPLIES

Commr. Renick had concerns with Comment 120 and stated that if the development was not in an area where they would have central services, water and sewer, then she opined it was sprawl, noting that a strictly rural area would not have either so it does not apply. She commented that the development needs to go where there is infrastructure. She remarked that was a “no” for her.

Commr. Conner asked what would be done about an area that was close to city utilities which might have water, but not sewer, and the city would not take sewer there.

Commr. Renick stated that if it was in an area that should be developed, she thought the city would want it and questioned why the County would want to do something right outside the city. She explained that if the Comprehensive Plan is about directing development into the cities where there is already infrastructure, what reason would the County have to set up a policy that would allow that development in any other area.

Commr. Cadwell asked if the County would ever plan on approving a development that would not go in the city.

Commr. Conner stated that they want communities built where there is infrastructure, and he

commented that there were some places in the County that may have central water from a city, but not central sewer. He thought this would basically strip people's property rights from them in areas where they cannot get city utilities. He remarked that most property owners would want utilities, but in those situations he did not think the County could say people falling in a certain area where the compatibility is close by have no right to do anything with their property.

Commr. Cadwell interjected that even in the staff's policy the last sentence could be argued, but he thought that was a good idea, "Require the installation of dual-water lines and meters and all new developments served by a central water and sewer system to distribute reuse water even if reuse water is not yet available." He opined that requesting someone to put in dual lines where sewer is not available seems onerous, unless there was some reasonable expectation that service would be there within five years of construction. He commented that he did not know the projected life of an underground pipe that is not being used. He remarked that if there was an expectation that a development would have water and sewer then they should require it. He explained, however, that they should not require someone to have dual lines if they were getting only water.

Commr. Stewart questioned the projected life of the pipes if they were put in fifteen years before they were needed.

Commr. Renick explained that if they know it is not likely going to happen for fifteen years, then they would not want to develop in the same way.

Commr. Cadwell stated that they would choose Option A for Comment 120 at this point.

Commr. Stewart agreed.

WATER CONSERVATION ORDINANCE

Commr. Stewart chose Option A for Comment 121.

Commr. Renick stated that Option A says that the County shall establish incentives to conserve water and wondered if someone reads the word "incentives" would they think it meant money. She questioned whether that should be worded differently because they may or may not have the money to do the type of incentives that might be suggested. She agreed with the title and would like to choose Option A, but considering their budget they may be putting themselves in a situation where they were in non-compliance with their own Comprehensive Plan.

Commr. Cadwell asked if there were non-monetary incentives in the industry.

Ms. King remarked that she did not know if there were non-monetary incentives and suggested strengthening the language, but keeping the option open to establish incentives. She stated that Mr. Gregg Welstead, Conservation and Compliance Director suggested using the language "the County shall consider incentives."

Commr. Cadwell commented that there may be incentives if they go above and beyond the landscape ordinance if adopted, and would then get a little more square footage or a little greater density in a certain area. He stated that was the kind of incentive he was thinking about.

Commr. Renick stated she was thinking of that type incentive as well, but if she is the only one who thinks it is confusing and the people might think incentives means money, then she is okay with

Option A.

Mr. Minkoff opined that it would include money, but there were any number of other things that they could come up with that would qualify as incentives.

Commr. Renick stated she was good with Option A.

Commr. Hill asked if they could strike the last sentence.

Commr. Cadwell stated they needed to leave that sentence in to let them know that was one of the ways they were going to do it.

Mr. Sheahan commented that there is a program in Nevada where they are actually paying the property owner up to \$1,000 per lot to Xeriscape, a copyrighted term, their lawns. He stated that the County was not in a position to do that now, but could be ten years from now.

POLICY MANDATES THE COUNTY DO SOMETHING IT MAY NOT BE ABLE TO DO

Commr. Renick stated that she did not like Option A or B and came up with Option C in Comment 122. She wondered if they could omit the "evaluate" portion but keep "monitoring," which is done now. She explained that this was the one they were talking about monitoring consumptive use permits. She expressed her appreciation to Mr. Welstead for doing that on his own. She thought perhaps the word "evaluate" would put them in an awkward position.

Commr. Stewart stated that her comments mirrored Commr. Renick's because Mr. Welstead was already doing it and they get some very interesting information when they receive his monthly reports. She commented that the information was actually something they should be aware of, they cannot regulate it but having it in the backs of their minds gives them a clear picture.

Commr. Renick referred to page 148, stating that the first would be okay, but the sentence that starts with "The County shall evaluate . ." should be removed from lines 20-22 and begin at "The County shall take appropriate . . ." and just eliminate the middle sentence.

Commr. Cadwell noted that would be okay.

Option C was selected by replacing the word "evaluate" with "monitor" in the second sentence.

SAFE POTABLE WATER

Option A was selected for Comment 123.

IMPACTS OF LAND USE ON GROUNDWATER

Commr. Renick suggested leaving Comment 124 as Option B.

Commr. Stewart concurred.

Commr. Cadwell stated that they would leave it as it is unless someone else had a comment.

IDENTIFY AQUIFER PROTECTION ZONES

Option A was selected for Comment 125.

GROUNDWATER RECHARGE*

Commr. Renick stated that under the discussion portion of Comment 126 it says "Reuse water is the only alternative source of water listed. There are other alternative sources such as stormwater." She stated that stormwater is actually starting to be a big discussion and she was looking for suggestions to change the language.

Commr. Stewart suggested adding "or stormwater."

Commr. Renick commented that the only concern she had was that whenever they see alternate water sources they start thinking of taking from the river and would like to come up with some different language. She asked if they could come back to Comment 126.

Commr. Cadwell stated that they could come back to this one.

POLICY NEEDS LDR IMPLEMENTATION DATE

Commr. Stewart and Commr. Renick chose Option A for Comment 127.

LANDSCAPING COUNTY FACILITIES

Commr. Renick commented that 36 months seems a little long in Comment 128.

Commr. Stewart suggested 24 months.

Commr. Cadwell stated that the 36 months probably includes fire houses and everything.

Commr. Conner asked if it would be more onerous on the County than it would be on everyone else, or would it bring them into compliance with what everyone else has to do.

Mr. Sheahan commented that this would be over and above what is generally required of the public.

Commr. Conner mentioned that he would agree to follow the same rules, but was unsure if he would agree to following different rules.

Commr. Cadwell gave an example stating that if someone had a string of shopping centers throughout the County they would not fall under this rule.

Commr. Conner asked what the cost would be in this instance.

Commr. Renick stated that cost was the reason they had the financial feasibility study prepared. She commented that they had changed a number of things in the study already, but as they go through it, if something had been addressed previously, then it would not be a concern.

Mr. Sheahan responded by stating that was true.

Commr. Renick inquired if the next meeting was regarding Financial Feasibility.

Ms. King replied that it was actually July 21 and noted that they still have a July 14 meeting scheduled which needs to be discussed. She explained that they had moved the July 7 meeting to July 14.

Commr. Cadwell suggested if there was a problem having Tuesday meetings they could have it on another day.

Commr. Conner stated that he did not understand why they would impose a rule on themselves that would cost money over and above what everyone else was required to do.

Mr. Minkoff remarked that this section does not require going back in 36 months and re-landscape everything, it just requires adoption of guidelines and the guidelines might say any time rehabilitation is done they would follow the rules. He did not think it mandates going back in and doing everything within three years.

Commr. Conner explained that he had misunderstood it.

Commr. Cadwell stated he did not have a problem taking the date out altogether as some think

the time is too long.

Commr. Renick chose Option B for Comment 128.

AQUIFER PROTECTION

Commr. Stewart suggested Option B for Comment 129 and referred to the sentence that states "County shall cooperate with the federal, state, regional and local agencies where saline ground water may be present." She suggested that after "may be present" the words "or may be vulnerable to saline or ground water" be added because they could be in locations which could be easily contaminated. She explained that instead of saying "Lake County shall prohibit" she suggested saying "Lake County shall discourage."

Mr. Sheahan commented that they have no authority in the permitting of wells.

Commr. Cadwell stated that under law they do not have the ability to site the wells, so staff is giving some language to work with them and try to determine the safety of placing the well, but at the end of the day they have no power.

Commr. Cadwell stated that he was comfortable with Option A.

POLICY IS REDUNDANT

Option A was selected for Comment 130.

POLICIES NEED LDR IMPLEMENTATION DATES

Option A was selected for Comment 131.

MONITORING GROUND WATER IMPACTS

Option A was selected for Comment 132.

REGULATE AND MONITOR SEPTIC TANKS

Commr. Renick stated that in Comment 133 she did not understand why the language ". and use of septic tank systems" was being removed if they thought they could have guidelines and standards to regulate the location in the LDRs.

Ms. King stated that this was regulated by the Department of Health (DOH).

Commr. Renick asked if the DOH also regulated the location.

Mr. Sheahan stated that they could actually have more strict standards in terms of setbacks and that in terms of waterfront, they require a higher setback than the DOH as far as location, but the County does not regulate the use. He commented that there are many types of septic tanks which require grease traps and they do not have the staff to handle that. He explained that the DOH has an excellent staff with expertise in this area and they support them wherever possible.

Commr. Renick stated that the other part they added about "In Rural Clustered Subdivisions private septic may be allowed on lots as small as one-half acre" and questioned whether the Lake County Health Department still let septic systems go on one-half acre lots.

Mr. Minkoff commented that they would allow them on one-quarter acre lots if they have central water; one-half acre if they have a well.

Commr. Renick asked if they could have a stricter guideline. She stated that development on one-half acre lots with septic systems proved to be a real problem in South Lake County.

Mr. Sheahan stated that this would be more strict than the DOH standard.

Commr. Cadwell noted that in Rural Clustered Subdivisions they would be using wells in most cases and stated that he was satisfied with Option A.

NON-POTABLE WATER DEMAND

Mr. Sheahan stated that staff had a remark on Comment 134 and would still like the Board to consider Option A except striking the addition on the fourth line that says "without impacting aquifer recharge". He stated that after going through some examples on this, even a cistern would affect aquifer recharge because the water is not allowed to percolate through and they would not like to get into that argument.

USE OF DRAINAGE WELLS*

Commr. Stewart remarked that Comment 135 says "Injecting or draining water into a well . . ." and questioned what they were draining and injecting into the well for aquifer recovery.

After some discussion it was determined they would come back to this item.

USE OF SPRINGS BMP MANUAL

Option A was selected for Comment 136.

WASTEWATER TREATMENT AND REUSE

Option A was selected for Comment 137.

SURFACE WATER

Option A was selected for Comment 138.

SURFACE WATER QUALITY RESTORATION

Option A was selected for Comment 139.

POLICY IV-2.2.4 STORMWATER MANAGEMENT SYSTEMS

Option A was selected for Comment 140.

LAKESHORE PROTECTION

Option A was selected for Comment 141.

Commr. Renick expressed her appreciation to staff for adding the Outstanding Florida Waterways (OFW) language.

POLICY IS OUT OF PLACE

Option A was selected for Comment 142.

Commr. Cadwell remarked that this item simply needed to be moved.

MOSQUITO AND AQUATIC PLANT CONTROL

Option A was selected for Comment 143.

WASTEWATER TREATMENT PLAN EFFLUENT DISCHARGES

Option A was selected for Comment 144.

OUT OF CONTEXT STATEMENT

Option A was selected for Comment 145.

UNNECESSARY AND REDUNDANT POLICY

Option A was selected for Comment 146.

PROTECTION OF WATERSHEDS

Option A was selected for Comment 147.

OUTSTANDING LAKE WATER PROGRAM

Option A was selected for Comment 148.

POLICY MAY BE CONFUSING

Option A was selected for Comment 149.

Commr. Renick noted that the Outstanding Lake Waters was changed in Comment in 148 so they need to be consistent.

SPRINGSHEDS

Option A was selected for Comment 150.

OPEN SPACE AND BUFFERS WITHIN SPRINGSHEDS

Mr. Sheahan stated that when staff wrote Comment 155 they did not realize that Policy IV 2.3.5 (Comment 151) and Policy IV 2.3.16 (Comment 155) were identical. He stated, however, the Policy in Comment 151 is the old one so they prefer that Policy be deleted and keep the Policy referencing Comment 155 with the newer language noting that it accomplishes the same change.

Commr. Cadwell stated that they were going to delete Comment 155 and move the language from Comment 151 to 155.

Mr. Sheahan stated that was correct.

ENVIRONMENTAL EDUCATION

Commr. Renick stated that she was in agreement with Option A, Comment 152, but wanted to know if they were being required to provide a program they may not be able to afford. She commented that it states that "The County shall establish environmental programs to educate the public. . . ." She explained that they do a lot of that now and definitely want to keep every environmental program they have, but when they include the language, "shall establish" it would mean revising the Comprehensive Plan if there were no funds available at that time.

Commr. Cadwell remarked that they were going to establish programs to educate the public which might simply be a Speaker's Bureau and thought they would be in compliance.

Ms. King commented that was what they did last week and it was free to the taxpayers.

REQUIRED USE OF BMPs FOR AGRICULTURE AND SILVICULTURE*

Commr. Renick stated that she would like to work on stronger language for Comment 153. She mentioned that Code Enforcement needs some level of authority, in writing, to respond more quickly. She remarked that there was a tendency to say that some problems fall under another organization's responsibility, but would need authority to respond if they had a problem.

Mr. Sheahan mentioned that he had several conversations with the Florida Department of Agriculture and Consumer Services (FDACS) Secretary's office that had been very cooperative and willing to work with them understanding that agriculture was very important to the County. He stated that FDACS made it absolutely clear that they very concerned with any policy that supersedes their authority. He commented that they could work with them on some language, but FDACS did not want

the County venturing into items that were within their statutorily reserved authority.

Commr. Renick commented that she understood, but if there was something going on and the County was right here, by the time they get someone from their office to arrive a lot of damage could be done. She explained that she was not looking at this as increasing the rules, but rather giving Code Enforcement the ability to respond. She remarked that she thought they should be appreciative for that assistance.

Mr. Welstead stated that they generally are appreciative.

Commr. Cadwell stated he did not like Option A because it included all agriculture.

Commr. Renick stated that she also had a question about the enforcement and that was her reason for going with Option B. She explained that she was not crazy about either Option so she wanted to work on some other language.

Commr. Cadwell questioned whether there was an acreage difference regarding a springshed.

Mr. Sheahan remarked that his conversation with FDACS was that they would love to cooperate with the County on springsheds, but they wanted that role to be more of making sure they have gotten their appropriate permits through them and not having another process.

Commr. Cadwell suggested this Comment would need to be brought back.

POLICY ON REGULATIONS OF LAND USE ACTIVITIES IS CONFUSING*

Commr. Renick stated that she had a problem with Comment 154 regarding the karst areas and thought they needed to say "prohibit" instead of "discourage" in order to strengthen the language. She commented that this was very serious and needed to look at prohibiting uses.

Commr. Stewart agreed and stated that she thought it was confusing because it says it will be directed by the LDRs and the County's LDRs are too critical to only use "discourage."

Commr. Cadwell suggested they come back to this Comment.

REDUNDANT POLICY

Option B was selected for Comment 155.

Mr. Sheahan remarked that this is consistent with Comment 151, which will be under Comment 155.

WATER QUALITY PROTECTION STRATEGIES FOR SPRINGSHEDS

Commr. Renick stated that she had a problem with the language in Comment 156 which states, "Require frequent and active street sweeping" noting that street sweeping is great but when using words such as "frequent" and "active" there is a definite cost involved. She commented that they may need to change the word "require."

Commr. Conner also remarked that he had a problem with the language and suggested using "encourage" rather than "require" which would solve the problem.

Commr. Renick asked if the County does street sweeping.

Mr. Fred Schneider, Engineering Director, Public Works, stated that they were street sweeping up until the end of last year; however, the Department of Environmental Protection (DEP) provided studies that showed street sweeping must be done on a weekly basis to be effective. He commented that

they were street sweeping only once a month at a cost of \$3,000 per mile, per year which is approximately \$70,000 annually for 26 miles, and that figure would be quadrupled for the same number miles if they continued so the cost for the benefit was not there.

Commr. Cadwell remarked that the only place street sweeping seemed beneficial was where people had minor drainage problems from dirt running into the road.

Mr. Schneider reported that they have only had one call since they discontinued street sweeping.

Commr. Renick stated that with the Total Maximum Daily Load (TMDL) program they receive credit for having certain programs, and street sweeping was one of those discussed.

Mr. Schneider stated that it was still an option if the Board wanted to do it in the future or change the language to make it an option.

Ms. King stated that they could remove this from the Comprehensive Plan or say "encourage frequent and active street sweeping programs as a BMP."

It was a consensus of the Board to remove the referenced sentence from the Comment and selected Option A with revisions.

GOLF COURSES IN SPRINGSHEDS

Option A was selected for Comment 157.

POLICY IS UNCLEAR AND TOO LIMITING*

Commr. Renick stated that Comment 158 was to be skipped and readdressed.

RECESS AND REASSEMBLY

At 2:40 p.m. the Chairman announced that the Board would recess until 2:50 p.m.

PROTECTING FLOODPLAINS

Commr. Renick thought that Comment 159 was a good addition.

Option A was selected for Comment 159.

FLOODPLAIN MANAGEMENT

Option A was selected for Comment 160.

POLICY EXCEEDS COUNTY AUTHORITY

Option A was selected for Comment 161.

CONFUSING LANGUAGE

Option A was selected for Comment 162.

CONFUSING AND REDUNDANT POLICY

Commr. Stewart selected Option B to Comment 163.

Commr. Renick stated that she would go along with Option A if some changes were made.

Commr. Stewart remarked that she would like to delete this Comment altogether because it is covered in other areas, but thought that if some changes were made in Option A she would agree.

Commr. Renick stated that if they left it Option A she would like to go back to Lake County "shall" require the protection of the 100 year floodplain and the preservation of floodplain corridors.

Commr. Cadwell stated that Option B was fine with him.

Mr. Sheahan stated that this was an attempt to make this policy work because wildlife corridors

exist everywhere; floodplain is where it occasionally floods. He commented that there were existing policies in the Plan elsewhere to deal with this and if the Board was not comfortable with the language, the easiest thing to do would be to go to Option B and delete it. He explained that these concerns are addressed in policies that cover wildlife corridors and setbacks from wildlife corridors, and there are requirements for those which would apply whether or not it was in a floodplain.

Option B was selected for Comment 163.

CONFLICTING POLICIES

Option A was selected for Comment 164.

WETLAND MAPPING

Commr. Stewart chose Option B for Comment 165.

Commr. Renick stated that she needed some explanation on this Comment.

Mr. Sheahan stated that the issue is that if they are required to maintain accurate wetland maps, which means they have to go out in the field to quality assurance those maps. He mentioned that almost all of the agencies they deal with use the most up-to-date aerial mapping for wetlands.

Commr. Stewart inquired as to the accuracy of those maps.

Mr. Sheahan explained that he had actually done some of this at the GIS level and would say the accuracy was plus or minus five feet and depended on the quality of the aerial photography, noting that they have very high quality aerial photography. He commented that this Policy makes it clear that they will do it from an aerial and when they receive a development proposal they require a site specific wetland delineation. He explained that a staff member would verify this.

Option A was selected for Comment 165.

WETLAND CLASSIFICATION SYSTEM

Option A was selected for Comment 166.

PROTECTION OF WETLANDS

Commr. Renick stated that Comment 167 comes back to whether or not they can be more restrictive.

Mr. Minkoff stated that he did not object to the Policy, but under federal law an individualized determination must be done to make sure that the impacts are equal to what is being prohibited.

Commr. Stewart requested a change in the Wekiva Ocala Area and asked if it should be the Wekiva Ocala Greenway Area.

Mr. Sheahan stated that he would need to refer to the Florida Forever list.

Option A was selected for Comment 167 as revised.

PROTECTION OF ISOLATED WETLANDS

Option A was selected for Comment 168.

WETLAND SURVEY AND DELINEATION*

Commr. Renick referred to the last line of Comment 169 where it states, "For developments consisting of twenty (20) acres or more the applicant. for wetland preservation or restoration" and questioned the density there. She wanted to know if someone in a rural area with a twenty (20) acre

parcel had to do a study, or someone with twenty (20) acres developing three (3) homes to the acre had to do a study.

Commr. Cadwell commented that it said the Policy would be applicable to a single family home in the discussion.

Commr. Renick stated that she saw a difference in preparing a study and what is done in terms of a site plan. She commented that the word "study" suggested a higher level of cost.

Commr. Cadwell suggested that they come back to Comment 169.

Ms. King noted that staff recommends striking that sentence in regard to the twenty (20) acres.

Commr. Renick stated that there was nothing wrong with the sentence it was just the twenty (20) acres and questioned whether they needed a higher density there.

Commr. Cadwell stated that Mr. Sheahan noted that no matter what the size of the property if they are in a wetland they would to have to do that study now.

Mr. Minkoff stated that development does not mean just houses; it is pretty much any type of activity on the property.

Commr. Conner stated that he would like to strike that line.

Option A was selected for Comment 169 but needed to be revisited.

WETLAND DELINEATION FOR SITE PLANS AND ESTABLISHMENT OF
BUFFER AREA*

Commr. Renick stated that she was okay with Option A on Comment 170 except that she thought the second bullet was a bad change.

Commr. Stewart stated that she had problems with that as well.

Commr. Cadwell asked if a problem would occur if that language was removed.

Mr. Sheahan stated that an example would be where someone is trying to site a single family house on a twenty (20) acre property and the property is more than 500 feet away from where the wetlands appear on the aerial. He explained that the real reason they need to field verify that line was because the potential development is sited so far away from the wetland. He commented that there were instances where it meets the 50 foot or 100 foot setback.

Commr. Cadwell stated that he would go with Option A.

Mr. Sheahan stated that they could always write more stringent LDRs and could say that if the development is proposed 300 feet away, then site verification is not necessary and they can actually put that requirement in the LDRs.

Commr. Renick commented that she did not understand and would like to come back to a portion of Comment 170.

MINIMIZE THE USE AND IMPACT TO WETLANDS*

Commr. Renick opined that they could be more restrictive with Comment 171 and if not, and they send it to DCA would they get that Comment back.

Ms. King stated that the DCA would not comment, but they would send it out to all the regional agencies that would report back. She explained that they would hear from the DCA, but she was

unaware if the DCA would find it as an objection.

Commr. Renick suggested leaving it as proposed.

Commr. Stewart had no problem with it.

Mr. Minkoff stated that if they leave it as proposed he would like to add "to the extent allowed by law," because there will be cases where someone only owns a wetland piece and is going to be allowed to do some dredge and fill in order to use it.

Commr. Cadwell stated they would need to come back to Comment 171.

Option B was selected with revision.

WETLAND IMPACTS AND MITIGATION

Commr. Renick suggested leaving Comment 172 as Option B because when they add "or approve with modifications," it opens a door.

Mr. Minkoff stated that the word there would be "may" in the following sentence: "The County shall, on a case by case basis, reserve the right to require the protection of wetlands on site and may deny" and commented that he had no problem with this one.

Commr. Renick mentioned that they had added "or approve with modification."

Mr. Minkoff stated that he did not think there would be a legal problem if they took it out.

WETLAND BEST MANAGEMENT PRACTICES

Option A was selected for Comment 173.

DEDICATION OF ENVIRONMENTAL LANDS

Option B was selected for Comment 174.

DEVELOPMENT ADJACENT TO CONSERVATION AREAS

Option A was selected for Comment 175.

IDENTIFICATION AND PROTECTION OF WILDLIFE AND HABITAT CORRIDORS

Option B was selected for Comment 176.

DESIGNATED SPECIES AND HABITAT PROTECTION

Commr. Renick commented that "designated species" should be called "listed species."

Mr. Sheahan stated that would be a general comment throughout.

Option A was selected for Comment 177.

WILDLIFE CONSIDERATIONS WITHIN DEVELOPMENT PROJECTS

Option A was selected for Comment 178.

CONSERVATION OF UPLAND PLANT COMMUNITIES

Option A was selected for Comment 179.

SITE SURVEY AND PROTECTION OF NATURAL UPLAND PLANT COMMUNITIES

Option A was selected for Comment 180.

FUNDING FOR CONSERVATION OF NATIVE UPLANDS*

Commr. Stewart chose Option C for Comment 181. She remarked that if they find it is not appropriate now, as in the Comprehensive Plan, it will be investigated again in the future.

Commr. Renick commented that she did not think they could come up with the rational nexus

and thought that it would have to follow Comment A.

Commr. Cadwell stated he could go with Comment A or B.

Option A was selected for Comment 181.

SUPPORT FOR THE NATURAL RESOURCES CONSERVATION SERVICE

Option A was selected for Comment 182.

COORDINATE LAND USE WITH SOIL DATA

Option A was selected for Comment 183.

PROHIBITIONS ON MINING IN ENVIRONMENTALLY SENSITIVE AREAS

Commr. Cadwell asked if they were going to wait until they offer their comments and then come back to the mining items with respect to Comment 184.

Commr. Renick stated that was what they had intended. She asked where in the Plan did they address mining for water, and more specifically, where were they going to deal with the bottling companies.

Ms. King stated that they reviewed that during the Future Land Use Element where they become conditional uses.

Mr. Sheahan commented that he did not believe the extraction of water is considered mining.

Commr. Cadwell asked what classification extracting water fell under.

Mr. Minkoff stated that the Water Management Districts will say that you cannot deny someone the right to take water out of the ground if they have been issued a CUP. He commented that would say they could not put requirements in the Plan in order to remove water. He commented that they included the location in the Land Use Plan by requiring that they have a CUP to get the zoning requirement, but he did not know if they could put restrictions on the CUP itself.

Commr. Cadwell stated that Comments 185, Incorrect Reference; and Comment 186, Mining Reclamation Plans, were also related to mining and would be discussed together.

SILVICULTURE SHOULD BE TREATED CONSISTENTLY THROUGHOUT THE PLAN

Commr. Stewart suggested Option A for Comment 187.

Commr. Renick referred to Policy IV.3.6.2 and questioned how they monitor a special management zone.

Mr. Sheahan stated that if they are large tract areas, they essentially map where those areas exist for silviculture so they know that particular activity is taking place on the property. He explained that they could do that by what is called the FLUC Code (Future Land Use Category) which would be the land use classification for that particular parcel.

Commr. Cadwell clarified that when Mr. Sheahan speaks of activity taking place that would mean harvesting.

PROMOTE ENERGY EFFICIENCY IN GOVERNMENT

Commr. Conner questioned whether Comment 188 required all government buildings to be LEED (Leadership in Energy and Environmental Design) certified.

Mr. Sheahan stated that it simply promotes it.

Mr. Minkoff stated that it is required by State law now.

Ms. King mentioned that not all County buildings have to be LEED certified, but they have to be certified to some nationally accepted standard. She stated that as an overall comment they needed to replace "LEED" with "any nationally accepted standard."

Commr. Renick commented that they would not replace LEED, but add to it the others they can use.

Commr. Cadwell asked what they would do if one comes up that is better. He questioned whether they would have to amend their Comprehensive Plan.

Commr. Renick remarked that they could say "such as LEED."

Ms. King stated that they could duplicate the language that everyone agreed on in the Green Building Ordinance.

Option A was selected for Comment 188.

OBJECTIVE IV-4.3 NOISE POLLUTION

Option A was selected for Comment 189.

LIGHT POLLUTION

Option A was selected for Comment 190.

ACQUIRE LAND FOR CONSERVATION

Option A was selected for Comment 191.

MISSING LANGUAGE

Option A was selected for Comment 192.

OUTDATED LANGUAGE

Commr. Renick stated that if they were going with Comment 193 where they put the whole language from the "Building Bridges For Economic Development" that is like one big change and she thought there were some changes within that. She commented that in the middle of page 140 where it says, "On an annual basis, Lake County shall evaluate the resources available" she stated that was unclear.

Commr. Cadwell asked if it was saying by law that they would always have an Economic Development Office.

Ms. Dottie Keedy, Director of Economic Growth and Redevelopment, stated that would be part of the budget process.

Commr. Renick commented that it did not read well and would like to go back and reword it. She also stated that under leadership it says, "Lake County shall pursue and maintain partnerships with leadership organizations" stating that they have been there before and they do not know what their budget will be in the future and this would tie the budget to pay an amount for those organizations. She remarked that if this is in the Comprehensive Plan and they do not comply with it, they would have to amend the text.

Commr. Cadwell suggested the following language, "Lake County shall pursue and maintain partnerships with Lake and regional leadership organizations."

Commr. Renick stated that sounded better. She referred to page 142 under Business Retention and Expansion where it says "Lake County shall be responsive to various issues affecting the profitability and . . ." she wondered if they could put some examples there rather than various issues or should it purposely be that vague.

Ms. Keedy commented that it was a general statement that could be made more specific and would give it some thought.

Commr. Stewart had a question on page 141, the third bullet under Policy V-1.4.1 Guiding Principles where it says, "Primarily encourage site locations . . . within incorporated communities" she wondered why it did not simply say "encourage site locations."

Commr. Cadwell replied by stating that there may be times when they would encourage other site locations, but primarily they were looking at sites near or within incorporated communities.

Commr. Renick referred to page 142, Policy V-2.2.1 regarding the language "within 24 months . . . shall formalize a business retention and expansion program." She remarked that the word "formalize" indicated commitment in terms of what they would be required to do.

Commr. Cadwell opined that they would always want to have that plan in place and it could be changed as it was not part of the Comprehensive Plan. He commented that they were simply saying by law they thought it was important enough to have a plan in place.

Commr. Renick expressed her concern about the words "within 24 months . . ." which suggests they would be doing something specific.

Commr. Cadwell commented that he did not think it mattered what it said in it as they would be giving themselves 24 months to have a plan and as time goes on that plan may change, but it will always be a plan.

Ms. Keedy explained that they were doing business retention and expansion as they are able, and thought that they could come up with a much more definite plan. She explained that it was more of a statistical and reporting system that would come out of their present visitation. She stated that they could say that they would bring back something to the Board within 24 months for consideration.

Commr. Hill stated that she understood it to say that every two years the plan would be updated, or every two years this is the set of goals.

Commr. Cadwell commented that it says within 24 months of this plan there should be a formalized business and retention program.

Commr. Renick stated that by saying they will formalize it and have a plan they were not committing themselves. She explained that they may not be able to do everything that is suggested in that plan. She called their attention to the bottom of page 142 under Financing, Policy V-2.3.2, and asked the definition of an angel investor network.

Ms. Keedy stated that an angel investor network is a group of investors specializing in start-up companies that are usually wealthy and willing to invest in companies that are unable to obtain regular funding, such as new technology companies.

Commr. Renick referred to the top of page 143 and commented that she did not know if they

wanted to include Metro Orlando EDC in the Comprehensive Plan.

Commr. Cadwell stated that they could use the same language used previously.

Commr. Conner commented that he thought the Metro Orlando EDC has exposure to assist Lake County and the funding issue is something separate.

Commr. Cadwell stated that if the Orlando Partnership changed they would actually have to change their Comprehensive Plan. He remarked that perhaps they could include language stating they would work with Metro Orlando EDC "or other reasonably based marketing groups."

Commr. Renick commented that they were in agreement, but if it was in their Comprehensive Plan and things got so bad they were cutting corners, they would not legally be able to cut them without changing their Comprehensive Plan.

Mr. Minkoff commented that he thought the suggested changes made sense. He mentioned that the Plan says "work" with and they cannot work with them without signing a contract and funding them. He explained it was safer to say "with them or any other"

Commr. Cadwell suggested including "with them or any other marketing entity . . to build . . ."

Commr. Conner opined that he did not want to be constrained on budget issues within the Comprehensive Plan.

Commr. Cadwell commented that a lot of the issues would be constraining the people that were going to be building, and would be their budget issues as well.

Commr. Renick referred to the middle of page 143, Objective V-3.1, Redevelopment and Revitalization, regarding Lake County's downtown areas and green space preservation purposes. He stated that it needed clarification.

Ms. Keedy stated that it could be rewritten, but the point was that by concentrating the density in downtowns they would be able to preserve the rural areas.

Commr. Renick referred to the bottom of page 144, under Higher Education where it says "shall support all levels of education and workforce training." She noted that this does not mean support in terms of money, it means any kind of support.

Ms. Keedy referred back to the first comment regarding V-1.2.1 regarding analyzing the resources annually and asked if they wanted to remove that.

Commr. Renick responded by saying she did not understand it as written and it would be rewritten.

Option A was selected for Comment 193 with revisions.

OUTDATED LANGUAGE

Option A was selected for Comment 194.

OUTDATED REFERENCE

Option A was selected for Comment 195.

OUTDATED REFERENCES AND LANGUAGE

Option A was selected for Comment 196.

OUTDATED LANGUAGE

Option A was selected for Comment 197.

ENERGY EFFICIENCY AND USE OF RENEWABLE ENERGY RESOURCES

Option A was selected for Comment 198.

UPDATE DATABASES

Option A was selected for Comment 199.

DEVELOPABLE LANDS MAP

Option A was selected for Comment 200.

REDUNDANT LANGUAGE

Option A was selected for Comment 201.

Mr. Sheahan stated that they had another glitch here and because of an earlier action of the Board they would like to make this consistent with Policy VII-2.4 which is in the Future Land Use Element, not covered in the Comments, but it is identical language.

UNCLEAR LANGUAGE

Option A was selected for Comment 202.

INCOMPLETE LANGUAGE

Option A was selected for Comment 203.

OUTDATED LANGUAGE

Option A was selected for Comment 204.

PUBLIC COMMENT

The Chairman asked for public comments.

Commr. Stewart remarked that before public comments she would like to advise them that they have recently sent a Resolution to the Department of Health and wanted to make sure that what they have in the Comprehensive Plan, in the Elements section, did not mean that they were obligating themselves financially with septic tank issues. She explained that she had discussed it with Mr. Sheahan who said that it did not hold them to any financial responsibility and that the State would still be responsible.

Mr. Donald Griffey, Griffey Engineering, Inc., addressed the Board and encouraged them, when going through the details of the Comprehensive Plan, to ask what problem they were trying to solve. He noted that the County has a Comprehensive Plan and LDRs that have been in place for approximately 15 years and that he is in the business of getting projects through these processes. He commented that there is a maze to go through for his projects. He referred to the Stormwater section of the Plan and explained that they were not addressing an element for stormwater today that is addressed in the Conservation section, specifically in regard to low impact developments. He referred to Comment 140 which states that "Traditional stormwater management systems do not always achieve both the flood protection and water quality treatment goals of the County." He stated that he did not agree with that assessment. He commented that for the last 30 years they have had effective stormwater management rules in place and there is not a public or private project that can get permitted and constructed without a stormwater management system. He explained that Lake County is fortunate to have very coarse soils so the

systems are designed conservatively, and that when there is a rainfall they hardly ever have a discharge. He noted that it is uncommon to have full ponds after a storm. He mentioned that he understood the concept of low impact development and stormwater management in that regard, but he thought this was an incremental enhancement, that a lot of protection is provided with the existing rules. He remarked that the way this was written all projects will have to be designed to meet these standards and that they exceed what is required by the Water Management District. He suggested that if they want to enhance treatment techniques they could do so with incentives, not monetary incentives. He noted that there were additional costs to the developer when these requirements are imposed as well as the additional effort they go through to get the project designed and permitted. He further stated that there would be an additional requirement imposed on the County staff by imposing these regulations. He questioned what problem the County was trying to solve by requiring everyone to do air quality studies.

Commr. Cadwell stated that they were removing the air quality study requirement.

Mr. John Pospisil addressed the Board regarding Comment 133, Regulate and Monitor Septic Tanks, noting that his concern was that they may be putting some people in a catch 22 situation. He opined that septic tanks should be permissible on a half-acre lot in a 1-1 rural transitional land use area, because of the area taken out by open space and roads. He stated that there was no distinction in this provision between the advanced septic and standard septic systems. He opined that if someone was going to the expense of putting in an advanced treatment system they would want the rules relaxed for them. He mentioned that Comment 151, Open Space and Buffers within Springsheds, currently requires 100 foot buffers set back from karst features, where an earlier edition required 50 foot buffers and suggested to the LPA two modifications in the 50 foot requirement. He explained that one modification was that in addition to the 50 feet they require a swale and berm physical barrier to keep water out of the karst feature; the second modification being that all requirements for buffering be limited to those portions of the land where deemed necessary to actually keep the water from flowing into the karst feature. He remarked that when specifying buffers, and to some degree it would be true for wetland buffers, they should require that there either be buffering or something like swale and berm to the extent needed to make sure that there was no surface contamination and provide flexibility.

Mr. Keith Schue, a resident of the Sorrento/Mt. Plymouth area, expressed his appreciation for the discussions today and that a number of the revisions made were excellent. He remarked that the Board discussed the policy related to Comment 141, Lakeshore Protection; however, there has been a revision made where they state the vegetated aspects of protection are limited to water bodies greater than 10 acres in size. He explained that the other provisions that precede that talk about other aspects of buffers, but in terms of the littoral zone protections and the vegetation being protected, they are basically cutting off the 10 acres, by saying that less than 10 acres are not to have any vegetative requirements. He suggested a smaller number than 10 acres to be a threshold. He referred to the second bullet on page 106 of the Staff Report where it says, "Clearance of nuisance" he remarked that when they use the word "nuisance" in the context of requiring clearance of nuisance plants, it was not clear. He stated that with regard to Comment 150, Springsheds, the objective itself says that "The County shall protect to

the maximum extent possible, adjacent to all springsheds, including springs, seeps,” and stated that springs, and seeps, are not springsheds themselves and for the future he would like it to say adjacent to all springsheds, springshed features, including, but not limited to those things that are identified. He also pointed out that in their discussions on Comment 153, for best BMPs, he understood that there was gravitation toward Option B which reduces the language.

Commr. Cadwell stated that Comment 153 was one they were going to come back to because of the agricultural language and no determination has been made on this Comment.

Mr. Schue commented that when reading that alternate language they were saying within springsheds and thought they would be doing those sets of things whether they were in springsheds or not. Under Comment 156, Water Quality Protection Strategies for Springsheds, he referred to the second bullet and recommended rewording it as it suggests that might be requiring things similar to, but not the same as, the Water Management District and thought that could be made clearer. He remarked that the last bullet from the bottom talks about the DOH and thought “whenever a parcel is sold” should be stricken because it is not clear if that will actually be a requirement, it may be that one could sell a property and not have to upgrade which is yet to be determined. He referred to Comment 158, Policy is Unclear and Too Limiting, he stated it referred to landscaping in the Wekiva Study Area (WSA) and the content relates to what he thought they would be doing everywhere, not just in the WSA, and questioned whether the title of the policy should just be Water Conservation Landscaping.

Commr. Renick explained that they did cross out the Wekiva Study Area and included Springsheds in the title.

Mr. Schue stated that under Comment 173, Wetland Best Management Practices, the current requirements are not clear. He suggested using the word “comply” in both the first and second sentences rather than “encourage” in one and “comply” in the other. He referred to Comment 175, Development Adjacent to Conservation Areas, and remarked that the last sentence says “All direct impacts” and suggested striking the word “direct.” With regard to Comment 177, Designated Species and Habitat Protection, he stated the language which says “Where viable habitat and designated species occurs on a site, and individuals are present . . .” could be problematic by saying “and individuals are present.” He suggested striking those words and replacing them with “. . . a management plan protecting this habitat and any designated species observed.” He referred to Comment 178, Wildlife Considerations Within Development Projects, and in the last sentence, “The County may limitif” it implies that if there is no Incidental Take Permits it would not affect protected measures on the site. He suggested striking the word “if” and leaving the remaining language in that sentence. Under Comment 190, Light Pollution, he referred to Adopting Lighting Ordinances and LDRs and thought that it should be based on principles promulgated by the International Dark Sky Association, removing “such as.” Within the Economic Element he stated that under Policy V-4.1.1, Lake-Sumter Community College, he suggested instead of using the word “northeastern Lake County” it should be “somewhere in Lake County or “north Lake County” and would remove the word “northeastern” altogether. Under Policy V-1.4.1, Guiding Principles, he suggested striking the word “primarily” in the third bullet.

Regarding Policy V-3.1, Redevelopment and Revitalization, as well as Policy V-3.1.2 under Prioritization, he stated that the LPA had expressed some concern about the potential for promulgating urban sprawl along any roadway corridor in the County including some major roads, and suggested making it clear that they are focusing economic growth hubs. He suggested that under Objective V-3.1 instead of saying "In addition to downtown. . . many areas along major transportation corridors are ripe . . ." he thought it was more accurate and more consistent to read ". . . certain transportation corridors within established urban areas."

Commr. Renick remarked that they had agreed to rewrite this Objective.

Ms. Peggy Belflower, a member of the LPA, expressed her appreciation for their hard work on the Comprehensive Plan and remarked that staff was asked by the Board to insure consistency, provide comments, and make recommendations on the Plan. She commented that in some cases entire elements have been rewritten and/or major policies have been changed since being addressed in the public hearing process by the LPA. For that reason, she asked that once the workshops have been completed, the Board consider holding a two-hour workshop with the LPA so they can, as a whole, give their input on those major policies and elements which were changed. She opined that this would also help to comply with the Ordinance which says that the LPA, as an Advisory Board, is responsible for the preparation of the Comprehensive Plan and its Amendments. She asked if they would have further workshops to review those Comments that were marked with asterisks.

Commr. Cadwell stated that they would have one day set aside for those items.

Commr. Renick stated that she originally thought a joint workshop with the LPA would be a good idea and that no-one really knew how this process would go, but found that the workshops were difficult and remarked that it would be more helpful to her to have the LPA's comments in writing. She asked that Ms. Belflower, and anyone else, go through the Plan and respond in writing in order for the Board to study them and make a good decision. She explained that she was not opposed to the LPA Workshop, but thought it would be more productive if she had the written remarks to review.

Ms. Belflower responded that she would address that at the next LPA Meeting and appreciated the idea.

Commr. Renick explained that they could do it as individual members.

Commr. Cadwell stated that once they were through with the review they would evaluate their next step.

Ms. Belflower stated that she wanted to make she understood and remarked that the Board was not asking for the LPA to take what might have been a workshop and turn those into comments, but instead any individual members could do that.

Commr. Cadwell noted that they already have the collective LPA comments.

Ms. Belflower explained that they were requesting making comments on staff's recommendations.

Ms. Leslie Campione, Attorney, referred to Objective V-1.4, Guiding Principles, on page 141, and encouraged the Board to leave the word "Primarily" in the third bullet because when it comes to

economic development, flexibility is of key importance.

FUTURE MEETINGS

Ms. Amey King stated that the next meeting scheduled is Parks and Recreation, Transportation, Public Utilities, Public Schools and a Map Overview which was originally scheduled for July 14, but she understood there was a conflict. She suggested that they move that material to July 21, 2009, along with Financial Feasibility and asked that they schedule an additional workshop to review all remaining items.

Commr. Cadwell stated that they would cover Comment Nos. 205 - 284 on July 21, 2009, together with the Financial Feasibility Presentation and the Intergovernmental Coordination Element.

ADJOURNMENT

There being no further business to be brought to the attention of the Board, the meeting was adjourned at 4:10 p.m.

WELTON G. CADWELL, CHAIRMAN

ATTEST:

NEIL KELLY, CLERK