

**Lake County
Board of County Commissioners
Workshop
BCC Chambers
July 21, 2009
1:30 P.M.**

I. 2030 Comprehensive Plan

1. Financial Feasibility Presentation
2. Review of changes discussed on June 16, 2009
3. 2030 Comprehensive Plan Departmental Comments 215 to 239: Parks & Recreation and Transportation
4. Public Comment

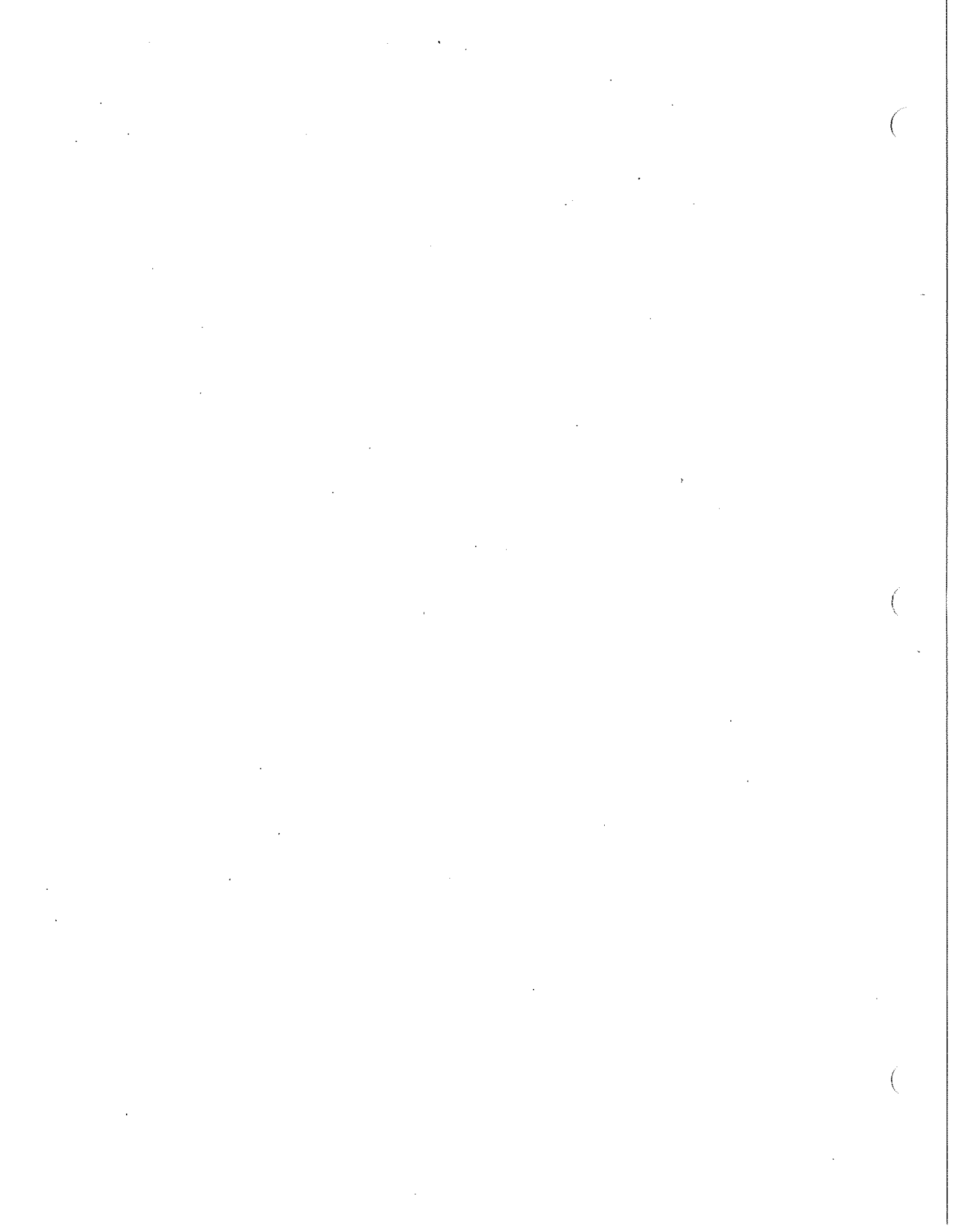
II. Tentative Future 2030 Comprehensive Plan Workshops:

August 4th at 1:00 in Chambers

1. Inter Governmental Coordination Element (Comments 205 to 214)
2. Public Facilities and Public Schools Element (Comments 240 to 284)
3. Economic Development Examples
4. Presentation on Alfred Street Corridor
5. Mining Policy Direction.

August 25th at 1:00 in Chambers

1. Any additional or added comments
2. Map Overview



Commr. Cadwell related that he talked to Mr. Bobby Bonilla, Parks and Trails Director, a little about it, who thought that there may be some tourism and economic development advantage to that project in the future, but he commented that they needed to be careful as they went through the process.

Commr. Renick summarized that since there was interest in hearing the presentation, the Board would let Ms. Hall and Ms. Keedy get something together for them.

REPORTS – COMMISSIONER STEWART – DISTRICT 4
FOOD PANTRY DONATIONS

Commr. Stewart mentioned that the Lake Cares Food Pantry in Mount Dora has not been able to keep up with their increased demand for food and needed as soon as possible for the month of August 500 cans of vegetables; common items such as boxed macaroni and cheese, spaghetti, spaghetti sauce, canned potatoes, dried beans, soups, Chef Boyardee Products, flour, cooking oil, coffee, ketchup, maple syrup, and Manwich cans; and non-food items such as toilet paper, dish detergent, feminine products, toothbrushes, razors, and shaving cream. She specified that they were asking the public to bring their donations to the Morningside Drive entrance any weekday between 10 a.m. and 2:00 p.m. or on Saturdays from 9 a.m. to 12:00 p.m. She added that monetary donations were always extremely useful.

ARTICLE IN MONEY MAGAZINE REGARDING LAKE COUNTY

Commr. Stewart presented an article to the Board that was featured in Money Magazine and the CNN Money.com website stating that Lake County was rated Number 15 for best for job growth among all other cities nationally. The article mentioned that in recent years service sector and health care industries have shown major development within the County.

RECESS AND REASSEMBLY

At 12:00 p.m., the Chairman announced that they would recess and would reconvene at 1:30 p.m.

COMPREHENSIVE PLAN WORKSHOP

Ms. Amye King, Growth Management Director, informed the Board that they would begin this workshop by briefing them on what they would be going over, which were the Transportation element and the Parks and Recreation elements, Comments 215 through 239. She began by reviewing the changes that were discussed on June 16 to get direction from the Board.

After reviewing the memorandum that Ms. King handed out containing the summary of the options that the Board chose for each comment at the prior workshop, Commr. Cadwell commented that it looked like it reflected the Board's direction.

The Board chose Option A, which was to revise the policy in Comment 217 as advised by staff, by deleting the acronym RPA and adding the phrase "in order to help assure the provision of adequate recreational facilities where they are needed" in Policy VIII-1.3.1.

Commr. Renick thought that the revision recommended by staff in Comment 218 was awkward and that it would be simpler and less confusing to say "park or recreation space" rather than "Developed, or Open for Public Use land."

Mr. Jim Stivender, Public Works Director, explained that they wanted to get the total acreage

included in the numbers, because currently there was some vacant land that would be on the books as part of the total acreage, but if they use just their improved land, that number would go down.

Commr. Renick stated that if they called it a generic recreation space or park, even if it was not developed yet, they were talking about how many acres of park per 1000 people.

Mr. Stivender stated that they were trying to be all inclusive of the developed and non-developed acreage that they have purchased rather than just the developed fields.

Mr. Minkoff asked why the phrase "in unincorporated Lake County" was added, since he felt that makes it unclear whether the land has to be in unincorporated Lake County or for the number of people.

Commr. Renick responded that it was modifying people.

Commr. Stewart agreed that the phrase "Developed, or Open for Public Use" sounded awkward.

Commr. Renick asked if they could change it to "park land (developed or undeveloped)."

The Board chose Option A for Comment 219, which was the staff recommendation to change "open space" to "land" in Policy VIII-1.4.5, as well as the staff recommendations for the revisions in Option A for Comments 220 regarding the trails program, greenways and blueways; 221 regarding guidelines for trail development, maintenance and operation; and 222 (correcting inconsistent and redundant language).

Commr. Renick stated that she had a problem with the part of Comment 223 which stated, "encourage trip capturing developments." She commented that in theory that sounded good, but she just wanted to make sure that this language would not cause problems in the future by forcing them to have residential in a development when that was not what they necessarily wanted to do. She further explained that when they were pushing for mixed-use type development, if they have an area that was already heavy on residential and wanted to bring in other types of development, they would not want to have any language that would somehow justify that they must have a residential component within that.

Ms. King responded that she believed that the last sentence in that section that read "Such balancing shall consider both built and approved," would achieve that, and she did not think it would unintentionally force residential components into nonresidential projects.

Commr. Renick also had a concern about the phrase "limiting gated communities" in that Comment. She noted that the Central Florida Regional Planning Council was pushing for the County to no longer have those, and they were trying to prevent the gated communities that did not have the roadway connections. She suggested that they use the word "prohibiting" rather than "limiting."

Mr. Sheahan responded that he was always cautious about prohibition, because there may be a circumstance that would be appropriate due to location, or the intended use may be suitable for a gated community. He explained that the reason the word limiting was used was because it would allow someone to get a variance.

In regard to Comment 224, Mr. Stivender explained that they were leaning toward Option A3, mainly because if they restrict the expansion of roads from a two lane to a four lane, they would really accomplish the same thing. He stated that anything else with width is more of a safety issue and what

kind of amenities they wanted along the roadway, and just restricting the number of lanes a road should have in the future is a key way to manage traffic.

Mr. T. J. Fish, Executive Director of the Lake-Sumter MPO (Metropolitan Planning Agency), added that some of the text, especially the transportation element, was written three years ago, and the MPO adopted a policy that the County has an opportunity to incorporate restricting the maximum number of lanes. He was starting to see that they were getting away from an A, B, C, and D level of service and getting more finite into the actual number of vehicles per day or per peak hour that could actually be supported. He opined that he thought the A3 hybrid was the best choice for this policy, which looked at maximum number of lanes inside a corridor and then on top of that to utilize the concurrency management system that was already in place.

Commr. Cadwell asked if the list of roadways that the Board would approve will be part of this or a policy document.

Mr. Fish responded that it could be referenced as a source document.

Commr Renick commented that they would go with Option A3.

Mr. Stivender added that there may be three lanes in an intersection with a turn lane, or there may be design criteria or safety concerns which would necessitate extra lanes.

Mr. Minkoff pointed out that he did not think they would be able to adopt by reference, because changing the reference would change the Comp Plan, which would violate Chapter 163, so there would have to be a specific list.

Ms. King wanted to correct the wording in A3 to read "adopt maximum number of lanes and LOS standards" rather than "adopt lane width."

Regarding Comment 225, Mr. Stivender explained that since a road may travel in and out of the city limits, Option A1 basically dealt with the area and traffic pattern of a segment of road and not necessarily the city or urban boundaries.

Mr. Fish explained that the reason they went with the additional recommendation of A2 for the Board to consider was that the MPO already has an adopted map of state and federal roads that has urban and rural but also official transition designation. They withheld action on county roads because there was still some question about how that would be handled, and this may be an opportunity to utilize the official transitioning designation. He stated that what they were to consider was whether they were comfortable with one mile from corporate limits or did they officially designate a map that showed where the transitioning was throughout the County.

Mr. Stivender commented that Mr. Fish's option contained a lot of detail, but he thought that amount of detail would become a problem in the future. He mentioned that they were looking at the details being in the LDR's and that this would be the more general principle.

Commr. Cadwell commented that way would make it easier to change if there was a problem that presented itself in the future. The Board decided to go with Option A1.

Regarding Comment 226, Commr. Renick asked why they took out the language that stated, "that is sensitive to the local dynamics of the County," in Option B.

Mr. Stivender responded that to him the most important addition would be the addition of the word "cities" in Option A, because the cities with or without the other factors play the local role to work together with the County on collectors and local classifications.

Commr. Renick noted that they did not have an option that added the word cities as well as took the aforementioned phrase out.

The Board chose Option A, which both Mr. Stivender and Mr. Fish were comfortable with.

The Board decided on Option A, which was the revision recommended by staff, for Comments 227 (trip capturing development), 228 (transportation system and demand management), and Comment 229 (access management on state and local roads).

Commr. Renick asked what the major difference was between Option A1 and Option A2 under Comment 230A.

Mr. Stivender pointed out that the first paragraph in Option A1 that states "the impacts of such development, subject to State law," was different than Option A2, which stated "The Lake Sumter MPO shall serve as the administrator of the Transportation Concurrency Management System." He was concerned about the definition of administrator in that phrase, and this would imply that they have some jurisdiction over the management system of what can and can not be put on highways.

Commr. Cadwell commented that it was currently a good thing, and the County had a contract with Mr. Fish to do that. However, he pointed out that if they did not want to do that in the future, they would have to go back and change the Comp Plan, so he did not think they needed the language of Option A2 in there.

The Board gave consensus to choose Option A1 for Comment 230A and Option A, the revision recommended by staff, for Comment 230B, which was regarding the requirement for bicycle and pedestrian facilities being too broad.

Commr. Renick clarified that the phrase "a design exception may be approved by the Board" in Option A1 was not available in Option A-2.

Mr. Stivender stated that public input had a lot to do with how they designed roads, and he noted that they have been putting wide shoulders and bike lanes on roads since 1991, but there were exceptions depending on the situation.

Commr. Renick stated that they were getting to the point where bike lanes and other nice amenities has been their standard when building roads, but because of the money situation they were currently in, they were not always going to be available. She clarified that Option A1 gives them the opportunity to discuss and make decisions on the design, but A2 was more restrictive.

Mr. Fish added that the Board would need some flexibility to deal with issues such as financial feasibility and not having sufficient right of way for those facilities.

Commr. Renick stated that she thought they should go with A1 because of the reality of the economic conditions which they were dealing with.

There was consensus to select Option A for Comment 232, which adds the Black Bear State Scenic Roadway to the list of scenic roads in Transportation Policy IX-1.7.2, and Comment 233, which

adds an implementation date to Transportation Policy IX-1.9.2.

Commr. Renick expressed concern regarding Comment 233A that she thought that the noise barriers were unsightly, as well as being a huge expense.

Mr. Stivender related that the definition of a sound wall is a 20-foot wall, but they were trying to use a common sense approach to adapt to the geography of the area, using other alternatives such as lower walls, vegetation, and berms. He also pointed out that a 20-foot wall does not work at all where there were any driveways, because there had to be a continual link of wall. He stated that the buffer could be placed where economically and properly feasible.

Commr. Cadwell commented that the language was more feasible and more appropriate in the policy that was provided, and he was fine with Option A for Comment 233A.

Option A was chosen for Comment 234, which was the staff recommendation to move Transportation Policy IX-2.1.2 under the corridor protection section.

Commr. Renick stated that they could designate Option A for Comment 235 regarding public transit policies, but that the language was still a little awkward, and she directed Ms. King to work on that.

The Board selected Option A for both Comment 236 regarding coordination and public input in Goal IX-3 and Comment 237 regarding a lack of project prioritization of transportation capital improvements in Policy IX-4.2.2.

Commr. Stewart opined that the third bullet down on Comment 238 regarding constrained corridors which read "spread demand for transportation capacity" should be changed to say "create regional high density nodes to spread demand."

Mr. Fish explained that the network part was the key to it rather than the notes, especially on roads where there was no place to spread out the project and disburse it at all. He suggested that they change the word "spread" to "disburse" demand.

Mr. Stivender added that they could maximize their side roads to balance against the major roads.

The Board selected Option A for Comment 239, which revised the tables TRAN-4 and TRAN-5 regarding road standards.

Public Comment

Ms. Keith Schue, a member of the LPA, stated that under Comment 218, Recreation Levels of Service, he understood that the Board made the decision that the adopted level of service shall be four acres of public land and had the word park added to that.

Commr. Cadwell thought they changed that to developed or undeveloped.

Commr. Renick stated that it would be park whether it was passive or active, but the issue was that they did not want to have to develop every inch of land that they had.

Mr. Schue stated that regarding Comment 223 under the transportation element, he thought Policy IX-1.10.7 contained good specific plan enhancements, but he suggested that the fifth bullet which

encouraged increasing the number of roadway intersections may cause an increase in pollutant emission levels, depending on what the situation was. He pointed out that in the tenth bullet down regarding protecting existing railroad corridors, he thought they would want to make clear that they were talking about having central hubs of activity for those commercial or industrial sites. He suggested that they add the words "at central hubs" after the phrase, "protecting busy railroad corridors, encouraging and facilitating the location of industrial and commercial employment centers." He noted that the extra text following both Policies IX-1.3.4 and 1.3.5 in Comment 229 which were referring to access management for state and local roads were the exact same text, and he thought that the way they would handle a county-maintained road could be different than how they would handle a state road in regard to things such as curb cuts.

Mr. Stivender pointed out that there would be more specifics on the LDR's regarding the distances and the criteria.

Commr. Cadwell directed staff to work on that.

Mr. John Pospisil stated that he was concerned that a section of Comment 223 would be written in a way that would suggest that the intent was to prohibit all gated communities, and he suggested that they add to that policy, "limiting those gated communities which prevent existing or future roadway interconnections." He stated that some gated communities could be designed in such a way that there could be right of way going through them. He was also initially concerned that the final bullet on that page appeared to contradict Policy IX-1.6.7 under Comment 231 regarding bicycle, pedestrian, and recreation trails, but his concern was assuaged when he was informed of the new wording in the updated, amended version of the workshop Comments.

Mr. Fish commented that the direction that the Board gave staff regarding Comment 225 to go with Option A could cause some problems for the MPO. He informed the Board that his Technical Advisory Committee has already started the work on the map evolving beyond the state road designations, and they were going to bring back the Transitioning Map, which was the Functional Classification Map, in August. He pointed out that since the Board did not go with a map that was consistent with the MPO and FDOT (Florida Department of Transportation), they would have to revisit that. He stated that the committees and the MPO went through the process of putting transitioning on the map for all the county corridors that was consistent with county and city land use plans.

Commr. Cadwell directed staff to continue to work on that and to bring that item back on August

4.

RECESS AND REASSEMBLY

The Chairman announced at 1:25 p.m. that they would recess until 6:00 p.m.

PUBLIC HEARING

Mr. Bob Eggleston, the architect for the Judicial Center project, opined that the courthouse was the cornerstone of the community. He noted that when they started designing the courthouse expansion in 2004, they had a needs assessment done to determine what the projections and case loads were and to determine how much extra space would be needed, and then they came up with a space program that

defined individual spaces that would go into the building. After that was done, they looked at three concept options, including an L-shaped building that fronted on Main Street, which was the option that was ultimately selected. The other two options they looked at created a small courtyard out front, resulting in the building being set back further from the road. He noted that all of the options included ways to expand the building in the future, but they moved forward with design on the first option because the other two options had some crossing conflicts due to secure circulation needs, especially with inmates. Due to budget concerns that came up in January, they looked at how they could possibly reduce some space by cutting off the north wing, which was the second option that was before the Board. He emphasized that there was growth built into Option 1, with the high-traffic function of the Clerk of Court on the first floor; inmate holding on the second floor; the Courts on Floors 3, 4, 5, and 6; and the Judicial Chambers on the north wing on Floors 3, 4, and 5. He explained that with Option 2, since they had to consolidate space, there was no growth built into the expansion, with the same court deployment, but with the Chambers being in the south wing along Main Street. He showed some 3-D images which included a new secure entry checkpoint, the elevator lobby on the upper court floors, public corridor with courtroom entries, and the plaza view.

Commr. Cadwell opened the public hearing, and he commented that the two decisions the Board had to make that night were whether there was a need for additional space and whether there was a need to borrow any money to build.

Ms. Patricia Sullivan, a resident of Eustis, commented that the architecture of the building that they were just shown was beautiful, but noted that in her own family's budget they have had to cut back, since it would be unwise for her family to incur debt in the current economic situation. She encouraged the County to exercise fiscal responsibility and to use the funds that they already had without incurring any debt. She had everyone that was part of the North Lake Tea Party let the Board know by a show of hands who they were and that they were in agreement with the views she had expressed.

Mr. Vance Jochim, a resident of Tavares, opined that the arguments were emotional on both sides and that he could not find a good, logical explanation to justify this building with large, wide atrium areas and other amenities.

Commr. Cadwell responded that he could look at the original space study that was done.

Mr. Robert Ebert, Jr., a resident of Eustis, opined that debt was a form of slavery and that compounding interest could work against them. He commented that elected officials felt that if they had some money saved, they would have to spend it, but he thought they needed to prepare for things such as providing more police officers to protect them during bad times, which he believed would cause more crime due to an inverse relationship. He concluded by stating that taxes contributed to lawlessness and that they spend more than they make.

Mr. Rich Dunkel, a resident of Mount Dora, informed the Board that he has been working on the DOE (Department of Energy) grant, and he related that one of the primary points of that is job creation. He specified that one of the things they were looking at was how they could take industries and businesses that were in Lake County and create other jobs and industries that they could work into, and

one of them was courthouses and court procedures. He stated that there were some companies in Lake County that digitize documents for the health industry and do video conferencing for the medical industry that have indicated an interest in doing something for the courthouse. He suggested that they think of ways to use the opportunity to build a new courthouse to help develop jobs and new industry that they could export to other areas.

Mr. Greg Tighe, a resident of Umatilla, was concerned about the tax impact of this decision and the increased debt service, especially if interest rates sharply rise. He opined that the distribution of millage rates would be inappropriate for this, and he did not see the necessity for this expansion, since he never had a problem with waiting times or getting in or out of the judicial center, even during busy court times. He emphasized that he did not think Lake County needed any more debt in the present or the future.

Mr. Ralph Smith, a business owner and resident of Mount Dora, conveyed his appreciation for the Board's service in the past and present and opined that he did not think that this was one of the more difficult decisions that they had to make. He commented that with unemployment and foreclosures as high as it has been in 17 years, now was not the time to incur any more debt. He did not think they would need 300,000 more square feet during a time when the County has laid off employees and reduced its work force. He admitted that some renovations, more space for the Clerk, and several more courtrooms may be justified, but they had \$47 million set aside to do that. He commented that he would much rather have a Commission which made a dignified decision to not saddle every family in Lake County with an additional \$700 expense for future taxes than to have an attractive, exquisite edifice. He concluded by urging the Board to acquire no more debt.

Mr. David VonGunten, a resident of Eustis, commented that the last six months have proven that they could not spend themselves into prosperity, especially with borrowed money. He stated that he did not want to see Lake County keeping the county going with IOU's, and he was concerned that they would get themselves into that situation if they incur debt.

Ms. Kathy Sutch, a resident of Groveland, stated that she was taught that when things got tough, they should not go beyond their means, but to make due with what they have until times got better. She commented that the County had a substantial amount of money already for this project, and she urged the Board to do with it what they could. She asked if it was necessary to provide the planned amenities of the new courthouse, and she believed that they needed to come up with some better options than the two options that they had.

Mr. Bill Soriero, a business owner and resident of Tavares, stated that even though building the courthouse would be good for him personally, he was still against it. He commented that they were in a situation where they could not afford to spend that money right now. He indicated that he disagreed with the architect that the cornerstone of the community was the courthouse, since he believed the cornerstone was the people of the community.

Ms. Marilyn Bainter, a resident of Eustis, pointed out that property taxes levied had increased 127 percent since 2001, but spending had increased 161 percent. She stated that the Board approved

many expansion projects in 2006 during a time of prosperity, but there was now a time of recession which could last well into the future. She opined that the project manager, consultant, and architect on this project had a biased view of the need of the expansion, because their salaries were based on the cost of the project, and she believed that the County needed an architect that was familiar with the area. She also urged the Board to match their spending for infrastructure to the average income of the taxpayers they were representing, which was below the state and national level. She emphasized that the burden of additional taxes is something she did not want the taxpayers of Lake County to be burdened with in these hard economic times. She concluded by asking the Board to reject the options for the project that were before them and start over with a plan that they could justify.

Mr. Mike Endres, a resident of Tavares, mentioned that he was an engineer, a scientist, and an economist and commented that he was not against building a new courthouse, since he thought that sooner or later Lake County would need what was being proposed. He emphasized, however, that he did not think now was the right time, and he suggested that they take the \$47 million they already had or a lesser amount and minimize the project by determining what was the least that everyone could cope with. He indicated that they may be able to use the existing courthouse for about a year to two years, and then bring it back for review.

Ms. Evelyn Logas, a resident of Mount Dora, stated that Lake County currently has a debt of \$151 million, including the incinerator costs, and pointed out that there were fees, taxes, and interest payments on that debt, which were passed on to the citizens of Lake County. She was concerned about a pending bill in Washington D.C. that would increase fuel and energy costs, and she was further concerned that other federal policies would result in further loss of small businesses, jobs, and less money for taxes. She concluded that this was not the financial or political climate for Lake County government to undertake a \$90 million project, and she asked the Commissioners to exercise common sense and re-evaluation of their true needs.

Mr. D. J. Morrow stated that he was a representative of the Constitution party of Lake County and expressed concern about the money that was spent on illegal aliens in the State of Florida. He stated that the ad valorem tax for the 68 counties in Florida was over \$8 billion in 2007 and that the school tax was over \$13 billion. He was also concerned that since he was retired and his income did not change from year to year, if the ad valorem taxes went up, the County could take his house away from him. He asked the Board to stop spending until the economy got better and they were able to get back on their feet again.

Mr. Robert Buckert, a resident of Royal Highlands in Leesburg, mentioned a newspaper article that was in the Sunday edition of the Lake Sentinel which spoke about the size of the judicial suites and comparing this project with Marion County's courthouse expansion project. He commented that at this time, he could not see the County spending any money, and he asked the Board to restrain themselves and live with what they have for now. He also opined that the courts were not that busy on Thursdays and Fridays.

Mr. Scott Strong, a former member of the Lake County School Board, commented that he

thought it was important to recognize the over 300,000 people that supported the project but were not present at that hearing, and he thought the County Commission had a responsibility to represent those individuals as well. He also noted that the Board has had numerous meetings on this subject that would give a fuller picture of what was needed. He stated that his company would be one of the individual companies that would benefit, and this project would help with the unemployment problem during a difficult time for the small businesses in their community. He opined that this was the type of project that needed to be built and that now was the time to build it, since costs of construction are some of the lowest they have been in over a decade. He urged the Board to support this facility, and he opined that government should engage in reasonable, responsible debt.

Mr. Robert Foley, a resident of Montverde, pointed out that there were a lot of needs in other parts of the County. He related that he has gone into the middle schools through the Junior Achievement Program to talk about personal economics, including discussion and real-life exercises looking at the designation of wants and needs. He pointed out that all of the students understood the lesson, and he hoped that the Board would also understand those ideas.

Mr. Johnny Smith, President of Lake Mechanical Contractors in Eustis, commented that there were times when they had to go into debt and that he thought the County Commission has done a great job in prudent, efficient, practical, and proper examination of what should be built there during a process that started in 2004 and ended in 2007. He noted that the architects and designers took practical approaches such as knocking off a floor and paring the project down in a lot of ways in order to take off another 31,000 gross square feet. He pointed out that this was the best time to do construction, and he opined that they would save taxpayers \$31 million by going through with the project at this time. He pointed out that Lake County was paying \$260 per gross square foot, compared to Marion County's price of \$280 per square foot for their project. He emphasized that if the County waited a few years to do this project, the price could go up substantially. He believed that the County could use infrastructure sales tax to pay for this project, and he stated that this would be an important economic stimulus. He asked the Board to think about and support this effort.

Mr. Jeff Hall, a resident of Leesburg, asked if they had an out-of-state competitively bid efficiency expert take a look at this project to see if they could more efficiently use their space, considering options such as night court, which could at least give them some time to come up with more money. He commented that they were having a debate over a deficit expenditure that they believe would lead to a tax increase, but if the debate were over an actual tax increase, he felt a lot more people would show up and there would be a lot more input. He believed in deficit spending only in times of an emergency. He opined that going into debt at this time and potentially running a risk of having to pay more money later to have money now was a bad idea.

Ms. Gail Boettger, a resident of Howey-in-the-Hills, commented that she lives within her means and related that she has been building her house for 12 years. She stated that they were becoming informed about how their money was being spent, and she complained about how much her tax bill has gone up over the years. She emphasized that they should spend their own money, and she asked the

Commissioners to do the right thing.

Mr. Joe Rudderow of Leesburg conceded that the price of construction was cheaper today than it will be in the future, and he predicted that there would be inflation, which would cause more foreclosure, job losses, and further slowdown of the economy, making it harder to satisfy this debt. He believed that this would cause the taxes to creep up along with inflation. He thought this was a time in their economy that they could not apply the type of rationale that had been applied in the past. He suggested that they utilize any available space that they had.

There being no one else who wished to address the Board, the Chairman closed the public hearing.

Commr. Renick clarified that the issue was whether or not they could handle taking on more debt. She commented that she has never been comfortable with Option 1; she was struggling with Option 2; and she thought there could be a third option. She also stated that she has been uncomfortable with the current debt service since she began her term as Commissioner, even though the economy was not bad at that time. She has had discussions about other projects in the last few weeks that were needed in the County and how they would pay for them, and she was concerned that even if they chose Option 2, everything else would come to a standstill. She suggested as an Option 3 that they keep as a cushion part of the \$11 million in the general fund and use only part of the \$48 million, and they would go back and re-evaluate it.

Commr. Stewart pointed out that the County made a commitment to the Judicial Center five years ago and that a lot of misconceptions have been given to the public in the last few weeks about this issue. She commented that because of the way the legal system works, sometimes it was unavoidable to have days in which the courtrooms were empty. She stated that she realized that if they did not act today, it was going to cost them more in the future, but she believed that taking on more debt at this time would be too risky and disingenuous to the citizens. She also commented that this has not been an easy decision, because she knows that the people at the Judicial Center needed the space.

Commr. Conner commented that he has had angst about this project since December, because of the changing economic times and concern about the debt. He opined that Mr. Neil Kelly, Clerk of the Court, was a great steward of the space and the limited resources that he has. He saw that they had space needs in the foreseeable future at the Judicial Center, and noted that they had money budgeted now. He emphasized that he would not support any more debt, and he thought that they should establish a budget for this project. He did not believe in building replacement courtrooms, but he would support building about four new courtrooms, and he thought that they needed to bring the Public Defender back into the main building in secured quarters. He concluded that they could meet their needs without borrowing any money and still take advantage of the economic environment.

Commr. Hill explained that the reason for the expansion project was that the Supreme Court of Florida charged the County with providing space for the judicial system and determined by caseload how many judges would be in each county, and it was the responsibility of the legislature to fund that. She pointed out that there have been two judges that have already been allocated to Lake County, but

they did not have the funding, and there were probably four more that were going to be allocated due to their increased caseload. She also noted that they looked at security for the jury system very closely, and there was separation of different functions which could not be mixed. She explained that due to 911, they had showers for hazmat purposes, and they derived a lot of their data from the National Center of State Courts and U.S. Court design guidelines. She emphasized that they tried every way they could to leave the existing courtrooms in, but because of the security and flow of people from one destination to another, the building currently was too dysfunctional to do that. She did, however, state that those courtrooms were the last to be retrofitted and that they might stay as they were. She reported that Marion County had already spent over \$300 per square foot for their fourth courthouse construction since the early 1990's, which was over their original calculations. She gave assurances that there was currently sufficient non ad valorem revenue to cover the debt, and no property tax was going towards this project. She commented that providing this space was the core function of county government. She also noted that this project would also help local companies and provide jobs for local residents, which would promote economic health and growth.

Commr. Cadwell commented that even though he has been a proponent of job creation and not neglecting their future needs, he realized that times were different than when they started this project in 2006. He thought they should make a motion to use the current funds available without incurring any more debt and to go back and redesign the project for that amount of money.

Commr. Conner stated that he wanted the architects to understand that they need to report directly to the Commission. He also thought that the Board should have an agreement among themselves about how many courtrooms they would build.

Commr. Hill opined that they were not addressing the need if they build something that was inadequate, and she suggested that they do not build right away and revisit it when they were able to build the full project that was planned.

Commr. Renick agreed that the stakeholders might tell them that instead of doing something that they find inadequate, they may want to wait until they were in a financial situation to do it the way they wanted, but she stated that they needed to see what happens. She also commented that she has agonized over this, because she knew this was a good time to build because of low construction prices and this would get many people back to work. However, she did not feel comfortable taking the risk to take on more debt during these times.

Commr. Cadwell stated that he thought they needed to talk to the users and explain to them that that was how much money was available.

Commr Conner commented that it was not the decision of the constitutional officers when to build or how to manage the County's money. He stated that if the stakeholders had the attitude that they did not want to build anything unless they would get their 12 new courtrooms, then they were never going to get a building from his vote. He pointed out that he wanted to build something at this time while the prices of construction were lower before they increased, and he did not want to regret in the future that they did not have the courage or the wisdom to move forward a little bit.

Commr. Stewart was concerned about the cost to redesign something that was within their means, and she believed that they needed to speak with the stakeholders.

Commr. Cadwell assured her that the discussion with the stakeholders would take place. He also believed that the stakeholders would try to work with them to go through the process to satisfy some of their needs and move forward.

Commr. Conner added that they could ultimately come to do nothing.

On a motion by Commr. Conner, seconded by Commr. Renick and carried by a vote of 4-1, the Board denied voting for either Option 1 or Option 2 or to incur any more debt for this project and decided to downsize this project to between the price of about \$35 million to \$47 million that was currently allocated and look into what could be built for that or if they would build at all at this time.

Commr. Hill voted "no."

ADJOURNMENT

There being no further business to be brought to the attention of the Board, the meeting was adjourned at 7:30 p.m.

WELTON G. CADWELL, CHAIRMAN

ATTEST:

NEIL KELLY, CLERK

