



**SEMINOLE COUNTY
GOVERNMENT
Minutes - Final**

COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468

Board of County Commissioners

Tuesday, January 24, 2012

9:30 AM

BCC Chambers

CONVENE BCC MEETING AT 9:30 AM

Present: 4 - Commissioner Bob Dallari; Commissioner John Horan; Vice Chairman Carlton D. Henley and Chairman Brenda Carey

Absent: 1 - Commissioner Dick Van Der Weide

(Please silence all cell phones and electronic devices)

OPENING CEREMONIES

Invocation

Pledge of Allegiance

AWARDS AND PRESENTATIONS

- 1 [2011-001](#) **Resolution** - Recognizing Fire Inspector, Daniel J. Spak for 11 years of service to Seminole County Government and its citizens, upon his retirement from the Department of Public Safety on January 17, 2012.

 Adopted

- 2 [C-0001-12](#) **Presentation** - Update on Seminole HEART presented by Pastor John Murphy, President of Seminole HEART, and Emily Furlong.

 For informational purposes only

Recess as the Board of County Commissioners and convene as the U.S. Highway 17-92 Community Redevelopment Agency.

- 3 **A-0008-12** **US HWY 17-92 CRA** - Consider approval of an updated, revised Corridor Redevelopment Master Plan for the US 17-92 Community Redevelopment Agency (CRA). (Nicole Guillet)

A motion was made by Commissioner Bob Dallari, seconded by Vice Chairman Carlton D. Henley, that this Agenda Item be Approved. The motion PASSED by an unanimous vote. (4 - 0) Commissioner Dick Van Der Weide - Absent

Adjourn as the U.S. Hwy 17-92 Community Redevelopment and reconvene as the Board of County Commissioners.

PUBLIC PARTICIPATION

All agenda items, excluding public hearings, may be presented to the Board of County Commissioners following Awards and Presentations and prior to Consent Agenda Items. Public comment on issues on the agenda shall be limited to three (3) minutes.

CONSENT AGENDA

County Manager’s Consent Agenda (Items No. 4 - 24)

Approval of the Consent Agenda

A motion was made to Approve the Consent Agenda, including Item 24A, the County Attorney’s Agenda item. The motion CARRIED by the following vote:

Aye: 4 - Commissioner Bob Dallari; Commissioner John Horan; Vice Chairman Carlton D. Henley and Chairman Brenda Carey

Absent: 1 - Commissioner Dick Van Der Weide

County Manager's Office

Purchasing & Contracts Division

- 4 [A-1762-11](#) Approve Amendment #1 to IFB-600562-09/GMG - Term Contract for Pavement Management Program with P & S Paving Inc., Daytona Beach, and authorize the Purchasing & Contracts Division to execute the Amendment. Countywide (Ray Hooper) Requesting Department - Public Works/Roads-Stormwater

Approved
- 5 [A-1742-11](#) Approve Sole Source Procurement SS-601338-12/LJS for the renewal of annual user license and subscription fee for TargetSolutions on-line Risk Management program with TargetSolutions (formerly TargetSafety), San Diego; and authorize the Purchasing and Contracts Division to issue annual Purchase Orders. Countywide (Ray Hooper) Requesting Department/Division - Public Safety/Fire Rescue

Approved
- 6 [A-1746-11](#) Award CC-7117-11/DRR-2011 Landfill Gas Expansion Construction in the amount of \$480,000.00 to COMANCO Environmental Corporation of Plant City, Florida; and authorize the Purchasing and Contracts Division to execute the Agreement. Countywide (Ray Hooper) Requesting Department/Division - Environmental Services/Solid Waste Management Division

Approved

- 7 [A-1739-11](#) Award CC-7202-11/JVP - Lincoln Heights Stormwater Improvements in the amount of \$2,416,137.00 to Marcobay Construction, Inc., of Lakeland, Florida; and authorize the Purchasing & Contracts Division to execute the Agreement. Countywide (Ray Hooper) Requesting Department/Division - Public Works/ Engineering

Approved

Environmental Services

Utilities Engineering

- 8 [A-1719-11](#) Approve the Partial Release of Utility Easement between Seminole County and the City of Lake Mary for the area known as Flagg Lane. (Carol Hunter)

Approved

Solid Waste Division

- 9 [A-1659-11](#) Approve and authorize the Chairman to execute a Certificate of Public Convenience and Necessity for USA Services of Florida, Inc. Countywide (William (Johnny) Edwards)

Approved

Fiscal Services

Business Office – Fiscal Services

- 10 [A-1757-11](#) Approve and authorize the Tax Collector's Office to publish the 2011 Notice of Tax Certificate Sale in the Sanford Herald newspaper at the quoted rates. Countywide (Cecilia Monti)

Approved

- 11 [A-0013-12](#) Approve and authorize the Chairman to execute a replacement Hazard Mitigation Grant Program Agreement for the seven fire stations wind retrofit project with an ending performance period date of January 26, 2012. Countywide (Sabrina O'Bryan)
- Approved

Budget Division

- 12 [A-1718-11](#) Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #12-029 through the EMS Trust Fund (\$258,537) and Fire Protection Fund (\$59,500) in the amount of \$318,037 to recognize and allocate the FY 2011/12 EMS Trust Fund Award and establish the EMS Simulation Lab Project (#00561998W). Countywide (Lin Polk)
- Approved
- 13 [A-1714-11](#) Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #12-031 through the 2001 Infrastructure Sales Tax Fund in the amount of \$651,798 to increase funds for the construction of the Lincoln Heights Drainage project. District5 - Carey (Lin Polk)
- Approved
- 14 [A-1735-11](#) Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #12-036 through the Public Works Grants Fund in the amount of \$120,000 to reduce grant revenue and the project budget for the First Amendment to the Little Wekiva River Watershed Management Plan. District3 - Van Der Weide (Lin Polk)
- Approved

- 15 [A-1738-11](#) Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #12-037 through the Public Works Grants Fund and the 2001 Infrastructure Sales Tax Fund in the amount of \$1,360,754 to fund the construction of the Cassel Creek Regional Stormwater Facility and Kewanee Trail Bridge and to recognize offsetting grant revenue in the amount of \$808,846. District4 - Henley (Lin Polk)

Approved

- 16 [A-1740-11](#) Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #12-038 through the 2001 Infrastructure Sales Tax Fund in the amount of \$93,200 to increase funds for the final design of the SR 46 Gateway Sidewalk project. District5 - Carey (Lin Polk)

Approved

Leisure Services

Tourism-CVB Division

- 17 [A-1750-11](#) Approve and authorize the Chairman to execute an agreement with Florida Collegiate Summer League, Inc in the amount of \$8,887.00 for the 2012 Florida League High School Baseball Invitational to be held March 19-23 and 26-30, 2012. Countywide (Sharon Sears)

Approved

- 18 [A-1751-11](#) Approve and authorize the Chairman to execute an agreement with The Central Florida Sports Commission, Inc based on an annual amount of \$101,340.00 for the term of February 2012 to September 2014, with two (2), one (1) year term renewal options. Countywide (Sharon Sears)
Approved
- 19 [A-1753-11](#) Approve and authorize the Chairman to execute an agreement with Spring Break Sports, Inc in the amount of \$15,500.00 for the Spring Break Tennis event held February 15 - April 8, 2012. Countywide (Sharon Sears)
Approved
- 20 [A-1755-11](#) Approve and authorize the Chairman to execute an agreement with The Score Tournaments in the amount of \$16,952.04 for the Score at the Shore Soccer Showcase to be held February 18-20, 2012. Countywide (Sharon Sears)
Approved

Public Works

Engineering Division

- 21 [A-1264-11](#) Adopt a Resolution and authorize the Chairman to execute a County Subordination Agreement in conjunction with improvements by the Florida Department of Transportation to State Road 15/600 (US Highway 17/92) from Shepard Road north to Lake Mary Boulevard. The subject parcel, identified by FDOT as Parcel Number 101.4R, is located at the northwest corner of State Road 15/600 (US Highway 17/92) and Ronald Reagan Boulevard. District4 - Henley (Brett Blackadar)
Approved

- 22 [A-1268-11](#) Adopt a Resolution and authorize the Chairman to execute a County Subordination Agreement in conjunction with improvements by the Florida Department of Transportation to State Road 46 from Mellonville Avenue east to just east of State Road 415. The subject parcel, identified by FDOT as Parcel Number 104.4R, is located on the north side of State Road 46, just west of Cameron Avenue and approximately 1/2 mile east of Beardall Avenue. District5 - Carey (Brett Blackadar)

Approved

- 23 [A-1716-11](#) Adopt a Resolution and authorize the Chairman to execute a Subordination of County Utility Interests in conjunction with improvements by the Florida Department of Transportation to State Road 400 (Interstate 4) from Central Florida Parkway to North of State Road 434. The subject parcels, identified by FDOT as Parcel Numbers 107 and 130.2R, are located at the corner of State Road 400 (Interstate 4) and State Road 434 on the west side of State Road 400 (Interstate 4). District3 - Van Der Weide (Brett Blackadar)

Approved

- 24 [A-1717-11](#) Adopt a Resolution and authorize the Chairman to execute a Subordination of County Utility Interests in conjunction with improvements by the Florida Department of Transportation to State Road 400 (Interstate 4) from Central Florida Parkway to North of State Road 434. The subject parcel, identified by FDOT as Parcel Number 120, is located on the east side of State Road 400 (Interstate 4) in the Raymond Oaks Subdivision. District3 - Van Der Weide (Brett Blackadar)

Approved

County Attorney's Agenda**County Attorney's Office (A. Bryant Applegate) (Item 24A)**

- 24A [A-0037-12](#) **ADD-ON** - Motion Amending Board Action of January 10, 2012 pertaining to the Approval of the Negotiated Collective Bargaining Agreement between Seminole County and Bargaining Unit 3254 International Association of Firefighters A Unit. (A. Bryant Applegate)
- Approved

Constitutional Officers Consent Agenda**Clerk's Office (Maryanne Morse, Clerk of the Court)
(Item No. 25)**

- 25 [A-1760-11](#) Approval of Expenditure Approval Lists dated December 27, 2011 & January 3, 2012; and Payroll Approval List dated December 22, 2011; BCC Minutes; Clerk's Received and Filed; and Clerk's Briefing. (Jenny Spencer)
- A motion was made by Commissioner Bob Dallari, seconded by Vice Chairman Carlton D. Henley, to Approve the Clerk's Consent Agenda item. The motion PASSED by an unanimous vote. (4 - 0) Commissioner Dick Van Der Weide - Absent

REGULAR AGENDA

- 26 [A-1728-11](#) **Code Enforcement Board Lien** - Consider reduction of the Code Enforcement Board lien, from \$16,500.00 to \$0.00, for Case # 11-41-CEB on the property located at 437 E. Highland Street, Altamonte Springs - Federal National Mortgage Association (owner), (Thomas L. Dumolt) District3-Van Der Weide (Joy Williams)
- A motion was made by Vice Chairman Carlton D. Henley, seconded by Commissioner Bob Dallari, to Deny the reduction of penalty of the Code Enforcement Board lien. The motion PASSED by an unanimous vote. (4 - 0) Commissioner Dick Van Der Weide - Absent

COUNTY MANAGER AND STAFF BRIEFINGS

- 27 [A-0027-12](#) **Qualified Target Industry (QTI) Quick Action Closing Fund (QACF)** - Consider approval of a Resolution recommending that Genesis 10 Corp., located at 260 Wekiva Springs Rd, Longwood, be approved as a Qualified Target Industry Business (QTI) agreeing to local financial participation (\$30,000); consider approval of a Resolution agreeing to local financial participation in a Quick Action Closing Fund (QACF) (\$65,000); approve and authorize the Chairman to execute the Agreement between Seminole County and Genesis 10 Corp. for the QACF. (Genesis 10 Corp.) District3 - Van Der Weide (Bill McDermott)
- A motion was made by Commissioner Bob Dallari, seconded by Commissioner John Horan, to Approve this Agenda item as presented. The motion PASSED by an unanimous vote. (4 - 0) Commissioner Dick Van Der Weide - Absent
- 28 [A-1731-11](#) **Final Informational Budget Amendment Status Report FY 2010/11.** Countywide (Lin Polk)
- For informational purposes only
- 29 [A-0015-12](#) **Legislative Update** - Countywide (Susan Dietrich and Sabrina O'Bryan)
- For informational purposes only
- 29A [A-0050-12](#) **ADD-ON** - Approve re-appointment of Tony Matthews, Principal Planner, Seminole County Growth Management Department, Planning and Development Division, for a second term as the primary staff representative to the Wekiva River System Advisory Management committee; and approve appointments of Shannon Wetzel, Principal Environmental Scientist, Seminole County Public Works Department, Roads-Stormwater Division, as alternate member to the Committee. (Jim Hartmann)
- A motion was made by Vice Chairman Carlton D. Henley, seconded by Commissioner Bob Dallari, to Approve this Agenda item. The motion PASSED by an unanimous vote. (4 - 0) Commissioner Dick Van Der Weide - Absent

ADD-ON - The Senator at Big Tree Park -

A motion was made by Commissioner Bob Dallari, seconded by Vice Chairman Carlton D. Henley, to Approve staff's recommendations to Preserve the site around the tree, including the stump in memorium, along with interpretive signage; Relocate remains of the Senator to a secure location by authorizing the County Manager to enter into an insured Hold Harmless Indemnification Agreement to store the remains in a facility that is not a public facility, and keeping them secure during the investigation; Commission the services of an artist, artisan or woodworker to preserve portions of the tree. The tree should not be commercialized. If any sale of portion of the tree is made, the funds should be used to memorialize the site and tree for future educational purposes. Provide pieces of the tree to local museums, schools and public places; Provide pieces of the tree to State level museums and archives such as the Museum of Natural History; Provide pieces of the tree to National level museums such as the Smithsonian. The motion PASSED by an unanimous vote.

ADD-ON - Confirmation of an Appointemnt of John Krug as Economic Development Director, effective February 27, 2012.

A motion was made by Vice Chairman Carlton D. Henley, seconded by Commissioner John Horan, to confirm the Appointment of John Krug as Economic Development Director. The motion PASSED by an unanimous vote. (4 - 0) Commissioner Dick Van Der Weide - Absent

COUNTY ATTORNEY BRIEFING

- Recess BCC Meeting until 1:30 P.M.

- Reconvene BCC Meeting at 1:30 P.M.

- Public Hearing Agenda

- Accept Proofs of Publication

A motion was made by Vice Chairman Carlton D. Henley, seconded by Commissioner Bob Dallari, to Accept the Proofs of Publication. The motion PASSED by an unanimous vote. (4 - 0) Commissioner Dick Van Der Weide - Absent

- Chairman's statement of Public Hearing Rules and Procedures

PUBLIC HEARINGS:

- 30 [2011-0306](#) **Appeal of the Board of Adjustment Decision re: 967 Finrod Way** - Requesting that the Board of County Commissioners overturn the approval of two variances for: (1) a side street setback variance from twenty-five (25) feet to fifteen (15) feet six (6) inches for a fence; and (2) a maximum fence height variance from six (6) feet six (6) inches to eight (8) feet in the R-1A (Single-Family Dwelling) district for property located on the southeast corner of Finrod Way and Mallorn Way, more particularly known as 967 Finrod Way; BV2011-66 (Sentry Management Inc., Appellant) District1 - Dallari (Ian Sikonia)

A motion was made by Commissioner Bob Dallari, seconded by Commissioner John Horan, to UPHOLD the Board of Adjustments decision of Approval on the two variances. The motion PASSED by an unanimous vote. (4 - 0)
Commissioner Dick Van Der Weide - Absent

- 31 [2011-0308](#) **Appeal of the Board of Adjustment Decision re: 1365 North CR 426** - Requesting that the Board of County Commissioners overturn the denial of the request for a side yard (west) setback variance from ten (10) feet to zero (0) feet for two sheds in the A-1 (Agriculture) district for property located on the south side of N. CR 426, approximately 250 feet west of Oklahoma Street, more particularly known as 1365 North CR 426; BV2011-77 (Abel Gaibort, Appellant) District2 - Horan (Denny Gibbs)

A motion was made by Commissioner John Horan, seconded by Commissioner Bob Dallari, to UPHOLD the Board of Adjustments decision of Denial on the setback variance. The motion PASSED by an unanimous vote. (4 - 0)
Commissioner Dick Van Der Weide - Absent

Chairman's Report

Chairman Brenda Carey requested Approval of a letter regarding the Lake Mary Post Office to be sent to the Federal Delegation and the Federal Lobbyist with all commissioners' signatures. A motion was made by Commissioner Bob Dallari, seconded by Vice Chairman Carlton D. Henley to approve the letter. The motion PASSED by an unanimous vote.

Re: Charter County Transit Tax - The County's Lobbyist is working with the School Board's Lobbyist, and Chairman Carey requested language be added to say "If the jurisdiction chose to include the School Board for bus transportation, it would be an allowable use. A motion was made by Commissioner Bob Dallari, seconded by Commissioner John Horan, to Approve the language. The motion PASSED by an unanimous vote.

Chairman Carey asked for Board consensus to sign and send a Letter of Congratulations to Beth McGee as she retires from her position as CEO of the Home Builders Association of Metro Orlando. Consensus was given.

Chairman Carey requested Approval of a Letter of Support for the Geneva Elementary School to request funding from FEMA for a roof repair. A motion was made by Commissioner Bob Dallari, seconded by Vice Chairman Carlton D. Henley, to Approve the request for a Letter of Support. The motion PASSED by an unanimous vote.

District Commissioner’s/Committee Reports – 2, 3, 4, 5 and 1

District 2 - Commissioner John Horan requested Approval to reappoint Charles Lippoldt to the Contractors Examiner Board for a 1-yr term ending January 1, 2013. A motion was made and PASSED by an unanimous vote.

District 3 - Commissioner Dick Van Der Weide - Absent

District 4 - Commissioner Carlton D. Henley requested the following Board Appointment by Resolution: Bernard Johns to the Board of Adjustments for a 4-yr term ending January 1, 2016. A motion was made and PASSED by an unanimous vote.

District 5 - Commissioner Brenda Carey - No District Report

District 1 - Commissioner Bob Dallari requested the following Board Appointment by Resolution: Steve Young to the Contractors Examiner Board for a 1-yr term ending January 1, 2013. A motion was made and PASSED by an unanimous vote.

Commissioner Bob Dallari requested the following Board Appointment by Resolution: Deborah Schafer to the Code Enforcement Board for a 3-yr term ending January 1, 2015. A motion was made and PASSED by an unanimous vote.

Commissioner Bob Dallari requested the following Board Appointment by Resolution: Jeff Ebers to the Parks and Preservation Advisory Committee for a 2-yr term ending January 1, 2014. A motion was made and PASSED by an unanimous vote.

Commissioner Bob Dallari requested the following Board Appointment by Resolution: Jennifer Finch to the Animal Control Board for a 1-yr term ending January 1, 2013. A motion was made and PASSED by an unanimous vote.

County Manager’s Report

No Report

County Attorney’s Report

No Report

Items for future Agenda – Commission, Staff, or Citizens

ADJOURN BCC MEETING

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES, ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7941.

FOR ADDITIONAL INFORMATION REGARDING THIS NOTICE, PLEASE CONTACT THE COUNTY MANAGER'S OFFICE, AT 407-665-7219. PERSONS ARE ADVISED THAT, IF THEY DECIDE TO APPEAL DECISIONS MADE AT THESE MEETINGS/HEARINGS, THEY WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, THEY MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 286.0105, FLORIDA STATUTES.