

**MINUTES OF THE SPECIAL MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
January 20, 2010**

The Special Meeting of the Lady Lake Town Commission was held in the Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida with Mayor James Richards presiding. The meeting convened at 6:00 p.m.

- A. **CALL TO ORDER:** James Richards, Mayor /Commissioner
- B. **INVOCATION:** Moment of Silence
- C. **PLEDGE OF ALLEGIANCE:** James Richards, Mayor /Commissioner
- D. **ROLL CALL:** Tony Holden, Commissioner Ward 2
Ty Miller, Commissioner Ward 3
Paul Hannan, Commissioner Ward 4
Ruth Kussard, Commissioner Ward 1
James Richards, Mayor/Commissioner Ward 5

STAFF MEMBERS PRESENT: Kristen Kollgaard Interim Town Manager/Town Clerk; Derek Schroth, Town Attorney; Chief Ed Nathanson, Police Department; Lt. Vernon Wherry, Police Department; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; Thad Carroll, Senior Planner; Judi Jankosky, Town Planner; and Jayne York, Staff Assistant to Town Clerk

E. **CONSENT:**

1. **Minutes**

Special Meeting – January 4, 2010 (on file in the Town Clerk’s office)

Regular Meeting – January 4, 2010 (on file in the Town Clerk’s office)

2. **Consideration for the Lady Lake Area Chamber of Commerce and the Parks & Recreation Department to Host Our Spring “Art in the Park” on February 6th and 7th**

The background summary for this agenda item is on file in the Town Clerk’s office. It states that the Lady Lake Area Chamber of Commerce and the Parks & Recreation Department are once again seeking permission to host a crafts show at the Lady Lake Log Cabin. T-N-T Events Inc. will coordinate the planning for the event while paying a percentage of the proceeds to the Chamber of Commerce. T-N-T Events Inc. will take care of security, set-up, cleaning and arranging of parking. The Parks & Recreation Department and the Police Department will assist in security and logistics for the event.

Commissioner Kussard pointed out that, in the January 4th Regular Commission Meeting minutes on Page 7, the names of the Commissioners making and seconding the motion for Item #I-8 were omitted. The correction should read “Upon a motion by Commissioner Holden and seconded by Commissioner Miller.....”

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved Consent Items #1(As Corrected) and #2, by a vote of 5 to 0.

F. OLD BUSINESS

3. Direction Regarding the Intersection at Avenida Central and Del Mar Drive Revisited from the July 20, 2009 Meeting (C.T. Eagle)

The background summary for this agenda item is on file in the Town Clerk’s office. It states that this concern has been addressed in previous Town Commission meetings, the last being July 20, 2009. At that time, it was the consensus of the Commission to try the proposed additional signage plan at the intersection for a period of 6 months to see if it was effective. A brief history of the concern was included in the Commissioners’ packets. Staff has recommended three options if the Commission wishes to take additional measures for the intersection of concern. It was also noted that this item is currently not in the budget.

Interim Town Manager Kris Kollgaard stated that the VCCDD installed the additional signage for this intersection but those signs were stolen shortly thereafter. She spoke with Janet Tutt, VCCDD District Manager, recently and they have intentions of putting the signs back up in a way that they can’t be removed easily. Ms. Kollgaard also stated that she discussed with Ms. Tutt the possibility of the Commission making that intersection a 4-way stop at a cost of \$25,000 and Ms. Tutt indicated that the VCCDD was not interested in sharing that cost with the Town.

Commissioner Hannan suggested that, if the additional signage is installed again by the VCCDD, there should be another 6-month trial period since it wasn’t effective because the signs were not up very long before they were stolen.

Commissioner Kussard stated that the signs were only up for a short period of time when they were stolen and so these signs may be stolen again if put back up. She was hoping that this signage would work; although she is not completely happy with having a 4-way stop with right turn lanes, she realizes that residents want something done now. This is a dangerous situation and the perfect solution would be stoplights; however at a cost of \$300,000, this is not feasible at this time. She recommended a 4-way stop.

Commissioners Holden and Miller both stated that they agreed with Commissioner Kussard.

Mayor Richards asked about the accident history in the months since the signs were installed.

C.T. Eagle, Public Works Director, thought that it was less than 6 accidents. He added that the Del Mar gate was changed to a push button rather than using the card to access. He also stated that the actual functionality of the intersection has not changed; it is the same as it was 6 months ago. During peak events is when there are problems in the intersection; in normal daily function, traffic comes and goes. Mr. Eagle stated that, since the option of installing a stoplight is cost-prohibitive, the option of a 4-way stop with the channelization method also meets all of the criteria for a 4-way stop as well as the signalization but costs a lot less to do.

Ms. Kollgaard stated that GMB Engineers did a full study back in June 2009 and those findings and recommendations are included in the Commissioners' packets. At this point, Staff does not feel the need to do another study.

Commissioner Hannan made a motion to extend the trial period another 6 months once the signage is back up. The motion failed due to the lack of a second.

Commissioner Hannan stated that he feels the 4-way stop is a needless expense to the taxpayers and he is baffled by the constant use of the word "dangerous" by Commissioner Kussard and her friends. He stated that he has visited this intersection on many occasions (day and night and also while events are being held) and can't figure out why this intersection is considered dangerous. Where there is an automobile, golf cart, pedestrian, bicycle, motorcycle, truck, sidewalk, curb, step or a stone in the street – these are all potentially dangerous. He doesn't think that the Town should spend any tax dollars to repair something that is not broken.

Mayor Richards stated that the Avenida Central/Del Mar intersection does meet the criteria, in accordance with the Manual on Uniform Traffic Control Devices, for a 4-way stop and for signalization. He feels that there is a problem at this intersection and would be in favor of a 4-way stop.

Mayor Richards asked for public comment.

- Ruth Truttschel, 1227 Santos Place, stated that she has lived here for 18 years and has seen the situation at this intersection grow worse and worse. A few years ago, she had an accident there and in is favor of a 4-way stop to make this intersection a lot safer.
- Terry Haley, 1218 Santos Place, stated that he was a former traffic manager for the City of Halifax and he feels that this intersection is a "death trap." He stated that the Del Mar gate is an impediment to traffic and asked why The Villages is allowed to put up an impediment to traffic; if the gate was taken down, the traffic could proceed. He added that the gate is not a safety or security factor because all you have to do is push a button and the gate goes up. He asked if the Town could reverse that and suggested that the gates be taken down.
- Judy Glassel, 1121 Ricardo in Chula Vista, stated that the gates help control the traffic in order to merge the golf carts and cars together. Right now the traffic is worse because of the winter season and many times she has difficulty getting out

of the Chula Vista Villas because of the back up of traffic. She was also concerned because golf carts will pull up along the side of the cars which also causes a visibility problem for the cars headed east on Del Mar.

Chief Ed Nathanson stated that he checked on the number of accidents at the Avenida Central/Del Mar intersection and that there was 1 reported accident at this intersection in the last 11 months and that was on February 17, 2009; this was prior to the original study.

Mayor Richards confirmed with the Chief that there have not been any reported accidents in the last 6 months and that was correct.

Janet Tutt, District Manager VCCDD, stated that if the Commission takes action to install the stop signs, she would like to hold up their signage from being ordered (duplicates of the original signage) and to work with Town Staff in case the signs need to be reconfigured or located differently or need different wording so the VCCDD doesn't spend \$1,400 to replace the signs and then find out later that there would have been a better way to configure them.

- Bill Calhoun, Lady Lake, stated that he frequently uses this intersection and has experienced a lot of the difficulties that most of the other people have so he is in favor of a 4-way stop.
- Phil Mathias questioned the \$25,000 cost of a 4-way stop.

Ms. Kollgaard stated that channelizing and the engineering is what run the costs up.

Commissioner Holden stated that 6 months ago when this issue came up, it was his position that the Del Mar gate should be removed and the golf cart lane opened up all the way out to Avenida Central. He thinks doing that along with stop signs would be enough and doesn't think that the Town needs to get into the expense of channelizing the lanes.

Mr. Eagle stated that there will be too many confused people at the intersection if the lanes are not channelized; that is why GMB recommended the channelizing and he agrees with that. If the Commission so wishes just to install 4-way stop signs without the channelizing, they can do the warning signs and the crosswalks.

Commissioner Kussard made a motion to approve the 4-Way Stop Implementation of Avenida Central and Del Mar Drive to be Designed by GMB Engineers for a Total Project Cost Not-to-Exceed \$25,000.

Mayor Richards asked Mr. Eagle if there were funds in the Public Works budget for this.

Mr. Eagle and Ms. Kollgaard both stated that this is not a budgeted item.

Commissioner Kussard amended the motion by adding "With the Funds Coming From the Reserves." Commissioner Miller seconded the motion which passed with a vote of 3 to 2 (Hannan and Holden opposed).

G. NEW BUSINESS

4. Consideration for Simplex Grinnell Inspection Plus Proposal for Town-Wide Facilities (C.T. Eagle)

C.T. Eagle, Public Works Director, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the current contract with Simplex Grinnell expires January 31, 2010. In an effort to save future funds associated with aging equipment replacement costs and service calls, Staff and Simplex Grinnell have negotiated a full-service contract that encompasses all of the existing Town facilities. The proposed contract will include 24/7 service and warranties the existing equipment and wiring, which the existing contract does not include. Equipment to be covered will include security cameras, control panels, smoke detectors, emergency lighting and all other devices connected to the monitoring system. A total cost for Simplex Grinnell's service in FY 2009 was \$21,438.49 with no major equipment being replaced. Significant savings to the Town should be seen as the costly aging equipment will be replaced at no additional cost as a part of this proposed contract.

Mr. Eagle noted that representatives from Simplex Grinnell were present to answer any questions. He also stated that almost all of the departments were involved with this and he thanked Staff for their efforts.

Mayor Richards asked if these funds would be coming out of the Public Works operational budget.

Mr. Eagle stated that the funds would be coming out of each department's budget.

Upon a motion by Commissioner Miller and seconded by Commissioner Kussard, the Commission approved the Simplex Grinnell Inspection Plus Proposal for a Total Annual Price of \$23,820.76 With the Option of Renewal at the End of the Contract Term With No Additional Increase in Pricing, by a vote of 5 to 0.

5. Consideration for Ms. Miller's Request to Pave on the Town of Lady Lake's Right-of-Way and Also to Have the Right-of-Way Utilization Permit Fees Waived for the Paving and Improvements Along the Front Parking Lot of Ye Olde Thrift Shoppe (C.T. Eagle/Judi Jankosky/Effie Miller)

C.T. Eagle, Public Works Director, stated that representatives from Ye Olde Thrift Shoppe were present to answer any questions. Mr. Eagle gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that this site is located on the south side of W. Lady Lake Blvd. The existing water runoff falls towards the business location and is currently diverted west on Lady Lake Blvd. via an asphalt berm previously installed by Public Works crews to alleviate water ponding issues for the site. As requested, Public Works Staff has investigated the request received from Ms. Effie Miller regarding potential paving of the town's right-of-way and the area between the two existing businesses. Ms. Miller also requested the waiving of the Right-of-Way utilization permit fees. Staff has noted potential water ponding issues in the Staff Summary that is included in the Commissioners' packets.

Commissioner Kussard asked if Ms. Miller was the owner of the property.

Mr. Eagle stated that Ms. Miller is not the owner but the owner has given permission and will supply any needed documentation in regards to that permission since the thrift shop is funding the project.

Ms. Kollgaard stated that the owner will have to fill out the permit and the applications on this.

Mr. Eagle stated that the owner has been notified of this and has agreed to that.

Ms. Kollgaard stated that this organization is a 501-C corporation and they are requesting that the Town waive the Right-of-Way Utilization Permit but they will still have to pay the Minor Modification Site Plan Fees and will also have to pay for engineering to be sure there won't be any additional problems due to the paving of the driveway and the right-of-way.

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the Requests to Allow Ye Olde Thrift Shoppe to Pave the Right-of-Way in Front of the Shop on W. Lady Lake Blvd. Provided Ye Olde Thrift Shoppe Submits a Storm Water Drainage Plan for Approval to the Town of Lady Lake at Ye Olde Thrift Shoppe's Expense and to Also Waive the Right-of-Way Utilization Permit Fees, by a vote of 5 to 0.

6. Consideration of Authorization for the Lady Lake Police Department to Partner with KOVA Corporation to Assist in Seeking Federal Stimulus Funds to Purchase a Verint Audio Recordings Solution System (Ed Nathanson)

The background summary for this agenda item is on file in the Town Clerk's office. It states that the Town of Lady Lake Police Departments requests that Chief Nathanson be authorized to partner with KOVA Corp. to secure funding and, if successful, purchase a Verint (Audiolog Recording Solutions) System. KOVA Corp. will assist the Town in identifying funding sources as well as submitting requests for these funds. In a recent e-mail, KOVA Corp. Representative Kevin Hooper stated that there is no obligation for matching or to even use these funds if approved.

Chief Ed Nathanson stated that the concept is that KOVA Corp will write the stimulus funds request and if they are successful, the Town will just agree to use them as the vendor. They will then give the Town a turn-key operation including the maintenance. Toward the end of that agreement, they will want to renew the Town's agreement so it will be incumbent upon them to seek more money in order to continue their partnership with the Town. Chief Nathanson commented that if they are not successful, the Town has no obligation and can walk away from it – the Town has everything to gain and nothing to lose.

Kris Kollgaard, Interim Town Manager, asked if the federal stimulus grant would go to KOVA Corp. or to the Town; the Town has to process it and do all of the requirements on reporting to the State.

Kevin Hooper with KOVA Corp. stated that this is not a grant; this is federal stimulus monies that have been set aside for this and the monies would come directly to the Town.

Ms. Kollgaard wanted to clarify that, if the monies are distributed from the federal government to the Town, there are then reporting regulations that the Town has to follow and things that the Finance Dept. has to do.

Commissioner Hannan asked the real value of this product.

Chief Nathanson stated that it is valued at \$200,000.

Commissioner Hannan asked if the Town purchased something very similar to this within the last several years.

Chief Nathanson stated that the Town bought a piece of equipment called Stancil in coordination with the County for the 911 system and that the County paid for half of it. He also commented that this piece of equipment went down for 2 hours this day and that the Police Department keeps having problems with this system so they are looking for an alternative means to do a checks and balances that will benefit the community. His concern is that, during an outage period, there is no proof of what was said/not said or done/not done. Chief Nathanson stated that the Police Department would keep the Stancil equipment because it is already paid for and introduce the KOVA system as well because it won't cost the Town anything; also, this system has other recording capabilities such as flipping a switch and the Chief's telephone line can be recorded.

Commissioner Hannan asked if there was a guarantee that this Verint System would not go down.

Chief Nathanson stated that there are no guarantees but the likelihood of both systems going down simultaneously would be rare.

Commissioner Hannan stated that this would be back-up to the system that the Town already has and that it would cost the Town a lot of time and money to apply for the American Recovery and Reinvestment Act of 2009 and thinks that the Commission needs to speak with the Finance Director and get all the details before making a decision on this.

The tape was changed at 6:45 p.m.

Mr. Hooper stated that he understands that this has already been approved for 4 or 5 different Public Safety Answering Points (PSAPs) or counties or police departments and that the Town would receive a check from the federal government. What is being proposed is to obtain stimulus dollars, which they have done elsewhere, at absolutely no cost to the Town. If they don't get those dollars, it will cost the Town nothing; if they get those dollars, the Town could walk away from the dollars. Mr. Hooper also stated that the true value is that this is a recording system that provides next-generation 911 technology that will include texting, receiving of videos and any number of communication methods. This system also provides everything that the Stancil system

does in addition to recording for radio which State 911 dollars do not cover. It further provides Silent Partner, which is cellular recording and would be used for criminal investigations. Not counting the Stencil, they are going to implement 2 complete systems should they receive the funding for the Town; they are going to install the equipment and train the employees on how to use the equipment and will maintain the equipment on site for 3 years at no cost to the Town. This system will provide screen recordings where it can be seen what the call-taker was doing at the time of the call and it will also include advanced speech analytics in order to spot trends (who's calling, why are they calling).

Mr. Hooper stated that the process is that they submit a document; if it is approved, they would then provide a quote to the Town, design a system and implement it in the Town's timeframe. He stated that the cost may be \$200,000 but they are going to shoot for the sky and try to get fully redundant systems. The end result will be that citizens are safer at no cost to them.

Chief Nathanson stated that after 3 years, it is going to be beneficial to KOVA to try to find the Town more monies in order to continue to operate this system; if there are no more monies available, the Town can then sever relationships with them at no expense to the Town. He added that the Town is not going to sever its relationship with Lake County 911 so that system will always be there and the Town can fall back on it.

Bruce Thornburg, former Lake County Communications Systems Director for 23 years, stated that he brought this concept to the attention of 4 cities and towns in Lake County. He stated that the Town is now involved in the implementation of a county-wide IP network that he designed for the enhanced 911 system. It is next-generation complied as far as the protocols that are available today. The hardware will be installed within the next 6 months so all of the hardware and network will be in place for something that the existing voice recorder cannot handle. The reason for bringing this forward is he believes this is a benefit to the citizens and taxpayers as it will provide a platform that far exceeds anything, in his opinion, that is out there today.

Mayor Richards stated that knowing analytically where the calls are coming from is something that he has been interested in and it sounds like calls could be quantified as to where they are coming from or what type of calls or the busiest days, etc.

Mr. Thornburg stated that is absolutely correct and explained that during the 2004 and 2007 emergency events in this area, that kind of data was requested by FEMA and was not available; but that data would be available with this system and the report writing could be done by the Police Department Staff.

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the Request for the Police Department to Partner with KOVA Corp. to Assist in Seeking Federal Stimulus Funds to Purchase a Verint (Audiolog Recording Solutions) System, by a vote of 4 to 1 (Hannan opposed).

7. Consideration to Authorize the Lady Lake Police Department to Partner With Global Mesh Technologies Service to Secure a CAMMS "Mesh" System Through Grant Monies (Ed Nathanson)

The background summary for this agenda item is on file in the Town Clerk's office. It states that the Town of Lady Lake Police Department requests that Chief Nathanson be authorized to partner with Global Mesh Technologies Service in securing funding for purchasing and implementing Global Mesh's Interoperable Communications CAMMS Software and other Interoperable Communication equipment. This system is state-of-the-art and would automatically interface and link not only with the Town but with any agency that is also utilizing this same equipment. Global Mesh Technologies Service would write this grant and when awarded, LLPD would authorize Global Mesh Technologies Service to execute funding on LLPD's behalf. However, if the grant is denied, then there is absolutely no obligation or any costs whatsoever incurred by the Town of Lady Lake.

Chief Ed Nathanson stated that this is another innovative way of obtaining some enhanced equipment for the Police Department while saving taxpayers the expense of it. He stated that he was approached recently by representatives of the Lake County Sheriff's Department who are going with this system and explained that this is funding assistance that is available to the Town in a unified effort with the County. This is a mobile management system from anywhere and the system would know when anyone implemented with this equipment is within the realm of an event or crime scene because GPS is tracking the equipment. He added that this technology is state-of-the-art and very costly.

Chief Nathanson stated that he is bringing the concept to the Town Commission for direction and will pursue on the Town's behalf, if the Commission so desires. He added that the technology and the continuation of the interoperability and the coordination with surrounding communities (he understands that most Lake County communities are going to go to this) is the way of the future. Global Mesh Technologies Service will help the Town pursue this grant and if they are not successful, the Town owes them nothing. Chief Nathanson did note that the Police Department would have to monitor this system but that that would be a small price to pay.

Chief Nathanson stated that this will be a much secured laptop which will automatically read and interface; the user will have to be authorized. One of the benefits is that Staff will know where every police vehicle is at any given moment.

Commissioner Hannan stated that the police department is only one segment of the whole "Mesh" system and that the Town should be looking at the whole system understanding everything it has to offer before selecting just a small piece of it.

Chief Nathanson stated that the funding source that is being offered to the Police Department is being offered to the Town in a law enforcement capacity for homeland security. It is not available Town-wide yet; that component may come out in the future. He has been told that it is available to police, fire and EMS at this point; it is not available to Public Works and other aspects at the moment.

Commissioner Hannan asked if Global Technologies has given any indication what the price tag might be.

Chief Nathanson stated that Global Mesh Technologies Services have indicated that they can come in and help the Town get set up for a period of time and it will be on homeland security funds; if at the end of that time, the Town can't afford it, the Town can walk away from it. They will design it, install it and maintain it – the price tag can't be determined because it is not known how many laptops will have to be added.

Mayor Richards stated that years ago it made a difference when computers were put in the police cars and that he would be in favor of moving forward with this.

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the Request for the Lady Lake Police Department to Partner with Global Mesh Technologies Service to Secure a CAMMS “Mesh” System Through Grant Monies, by a vote of 5 to 0.

8. Discussion/Consideration Regarding Installation of Red Light Cameras (Ed Nathanson)

Chief Nathanson gave an update of the red light camera project with American Traffic Solutions (ATS). He stated that he met with ATS earlier in the month and that they had done some surveys. Although the Town cannot access the desired locations on northbound and southbound on US Hwy 27/441 at this point, ATS's surveys still show that the eastbound and westbound in several locations is still viable for them to move forward. If the project is continued forward, the next meeting is scheduled for February 24, 2010 and there are a number of questions to be addressed including acquisition of land and/or partnership where ATS has to rent the land. Any acquisition of land will be funded by ATS and not the Town. Should the Town continue forward and everything comes to fruition and the legislation changes where the cameras are allowed to be placed on the four-lane highway, then Lady Lake would be one of the primary towns where ATS would go back and get access to the north and southbound side before they hook up any new town.

Chief Nathanson also noted that the Town has the red light camera ordinance in place and is ready to move forward and that there are seven other municipalities in Lake County that are also in the process. One of the biggest benefits of having these cameras in the other municipalities is that these cameras are constantly recording. Should there be an accident in one of the intersections, that recording can be supplied by ATS at no cost. Also, the system can be queried to see if a certain vehicle has passed through any intersection and the photo used in the case of law enforcement trying to track the vehicle. There is no cost to the Town; and the system will be monitored by Town Staff. This is not about the money; it is about safety. The blue confirmation lights have been put up to remind people to stop for the red lights but if they don't voluntarily, then the camera is going to catch the vehicles.

Mayor Richards stated that nothing has really changed since ATS made their original proposal and the Commission always knew that they could not put the cameras on the state highway right-of-way. He stated that he understood that ATS was going to negotiate with private owners to be able to mount the cameras so that they could get them north and southbound on US Hwy 27/441.

Chief Nathanson stated that the primary locations that they wanted were not accessible at this time. He stated that the only thing that has really changed is the fact that they did their trip counts and the east and west will warrant the traffic cameras as well and ATS is willing to go forward with that.

9. Consideration to Award Bid to ER Contracting for the Demolition and Salvage of Mobile Homes, Accessory Structures, Fences and Miscellaneous Debris (Judi Jankosky)

Judi Jankosky, Town Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). She stated that, as directed, the demolition and salvage of the mobile homes, accessory structures, fences and miscellaneous debris located on five (5) Town-owned parcels in Skyline Hills was put out for bid. The lowest bid was submitted by ER Contracting for \$6,440, second lowest by Reese Cason for \$9,575 and third lowest by CarribConn Development, Inc. for \$10,000. Copies of the three bids were included in the Commissioners' packets.

Ms. Jankosky also commented that Growth Management remains in contact with Lake County and Habitat for Humanity regarding potential stimulus funds that may be available to Habitat for Humanity in the near future in order to purchase and rebuild these properties.

Ms. Jankosky stated that, in talking with the Finance Director, there was \$10,000 budgeted in the OGS Budget for the properties' taxes; those monies were not needed so that money is available to use for this. She also noted that Mike Burske has worked with ER Contracting in the past with the demolition of the old Parks & Recreation Building.

Upon a motion by Commissioner Holden and seconded by Commissioner Miller, the Commission approved the Request to Award the Bid to ER Contracting for the Demolition and Salvage of the Mobile Homes, Accessory Structures, Fences and Miscellaneous Debris, by a vote of 5 to 0.

10. Consideration of Minor Modification to the Rolling Acres Sports Complex – Installation of 5 Ft. Chain Link Fence (Wendy Then/Judi Jankosky)

Kris Kollgaard, Interim Town Clerk, stated that this item has been tabled until the February 17, 2010 Commission meeting.

H. TOWN ATTORNEY'S REPORT:

Derek Schroth, Town Attorney, stated that Circuit Court Judge Singletary ruled in the Town's favor on the injunction issue regarding Mr. Hendricks. In a few days, Judge Singletary will sign the injunction order prohibiting Mr. Hendricks from entering Town property. In addition to that, after the hearing, Mr. Hendricks indicated that he was willing to drop his lawsuits against the Town and asked if the Town would be inclined to not pursue the damages phase of a trial, which has not occurred yet, in exchange for him releasing the Town and dismissing his lawsuits against the Town. Mr. Schroth stated that

he was seeking direction from the Commission on what approach the Commission would like for him to take at this time.

Kris Kollgaard, Interim Town Clerk, stated that she and Mr. Schroth discussed earlier that this may actually cost the Town more money to try to go after damages than what the Town might actually collect from Mr. Hendricks.

Mayor Richards asked what the judge was waiting for when he reserved his judgment.

Mr. Schroth stated that evidence has to be presented at an evidentiary hearing and the Town would likely need the Finance Director and Chief Nathanson present at an evidentiary hearing. The first phase was just the injunction portion of the hearing and the next phase would be damages.

Mayor Richards stated that the Town has spent approximately \$10,000 fighting Mr. Hendricks' various frivolous lawsuits and asked how much more it could cost.

Mr. Schroth stated that it wouldn't cost much more to conduct the damages portion of the trial; the expense that the Town would get into would be collecting the judgment. While Mr. Hendricks was incarcerated, he told Mr. Schroth that he stopped paying the mortgage on his second home and he has homestead protection on his other home which means the Town would not be able to execute and sell the home to pay the Town's damages. Mr. Schroth stated that this is all subject to verification – it is based on what Mr. Hendricks told him and who knows if it is correct or not. Mr. Hendricks also told Mr. Schroth that he has a military pension and social security, which both of those are usually exempt from garnishment. He could have some money in the bank and in that case, it could be garnished; if not the case, the money the Town spends to collect the judgment could exceed what is collected from him depending on a variety of factors – what he owns, what is exempt, what is mortgaged, what has liens on it already. Mr. Schroth stated that he has not been asked to perform that investigation yet but can if the Commission wants him to head in that direction.

Commissioner Hannan stated that if the Town was the first lienholder on his property, the Town could collect.

Mr. Schroth stated that it would have to be on his non-homesteaded property.

Commissioner Hannan stated that the Town has expended \$10,000 already and asked if it could be double that if the Town pursued this or less than \$20,000.

Mr. Schroth indicated that it would certainly be less than the \$20,000.

Commissioner Hannan stated that, for the pain and suffering and fear that Mr. Hendricks has caused the Staff, he is in favor of pursuing this.

Mr. Schroth stated that one of the issues with Mr. Hendricks is that when the Town initially brought the suit against him, it was to basically obtain the injunction for safety reasons because he entered the Library with a knife. The Town got the injunction and

now there is a court order that will stay in place. The other concern was Mr. Hendricks looking at suing the Town as a retirement hobby as stated in one of his psychological evaluations – pro se litigation filing lawsuits; but, hopefully, he has learned that he probably can't do that any more against the Town.

Mayor Richards asked how long this would remain open before the judge needs the documentation and back-up as far as the damages are concerned if the Commission decides to do nothing at this time.

Mr. Schroth stated that the Court has, in the rules of civil procedure, required that there be activity in a case for one year; if the case is inactive for one year, the Court can dismiss it on its own accord. So "wait and see" would also be an option; then closer to the end of the one-year period, he could come back to the Commission to see how the Commission wants to proceed.

Commissioner Hannan stated that he would like to proceed with pursuing the collection of damages legally and not delay. He thinks that there is a lot of fear in the Town employees with him around here and that he has to pay for it.

Mr. Schroth stated that Mr. Hendricks served approximately 5 months for trespass in regards to the incident where he had the knife at the Library. He stated that if the Commission wants him to proceed, he could probably get a hearing with Judge Singletary within the next 2 weeks provided the Finance Director and the Police Chief are available to testify during that time.

Commissioner Hannan stated that he would be in favor of that.

Commissioner Miller and Mayor Richards also agreed.

Commissioner Kussard stated that this has been dragging on for so long and now so close to the end.

Mr. Schroth stated that the Town could have Mr. Hendricks consent to an order that he is prohibited from suing the Town in the future and if he consents to it voluntarily, then that would be enforceable but the Town wouldn't get its money back; that is an option if the Commission is interested in a court order prohibiting Mr. Hendricks from suing the Town. Mr. Schroth also added that Mr. Hendricks has filed lawsuits against Citizens Bank and the Villages in the past and that, historically, he has taken these pro se cases to trial. He thinks that Mr. Hendricks has lost all of them but it is still expensive to go forward with the process.

Mayor Richards stated that before the Town makes a decision, that might be the way to go just to see if he is serious about that since the Town can always go back and proceed with the court order.

Commissioner Kussard stated that she is in favor of this as the Town has expended enough money on this. She stated that you "can't get blood from a turnip" if Mr. Hendricks doesn't have any assets.

Commissioner Hannan stated that he probably does have the money.

Mr. Schroth stated that an asset search could be done through an investigator.

Mayor Richards stated that Mr. Schroth could conduct an asset survey and at the same time, make the offer to see if he would be willing to not sue the Town in the future.

Commissioner Holden asked about the cost of an asset search.

Mr. Schroth stated that the asset search usually costs about \$300 or \$400. He also stated that he could e-mail Mr. Hendricks the offer of the court order if that is what the Commission wants him to do.

Commissioner Hannan asked Mr. Schroth if this could be turned around in 2 weeks.

Mr. Schroth replied yes.

All of the Commissioners agreed to this.

Mr. Schroth confirmed that he is doing an asset search and also seeing if Mr. Hendricks is willing to entertain an offer of the court order.

Ms. Kollgaard asked if this asset search will also show if there are any other liens against Mr. Hendricks; she noted out that if other agencies that have been sued by Mr. Hendricks have gone back for damages from him, they could also be in line to collect from him.

Mr. Schroth responded that other agencies could be in line if they have obtained a judgment and recorded it.

Ms. Kollgaard pointed out that the Town would then be below the others.

11. Ordinance No. 2010-01 – First Reading – Annexation – Virginia P. Cullison – 38.08± Acres of Property Located on the West Side of County Road 25, North of Marion County Road (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

Thad Carroll, Senior Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the Applicant, Cullison-Wright Construction, has filed an application on behalf of Virginia Cullison to annex property located on the west side of CR 25, North of Marion County Road, which includes 38.08 ± acres currently in unincorporated Lake County.

Mr. Carroll stated that the subject property is contiguous to the existing municipal boundary on the northern, southern and western boundary lines. He also noted that no Town utilities serve the subject property at the present time.

Mr. Carroll stated that the annexation application was received on December 1, 2009 and that it has been reviewed and determined to be complete satisfying the necessary criteria as required for annexation under Florida Statute 171.0413. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan and is ready for transmittal to the Town Commission.

Mr. Carroll stated that notices to inform the surrounding property owners within 150' of the proposed annexation were mailed on December 28, 2009 and that the property was also posted on December 28, 2009.

Mr. Carroll stated that the Technical Review Committee (TRC) reviewed the application on January 5, 2010 and determined the application to be complete and ready for transmittal to the Planning & Zoning Board with a vote of 5-0. There were several residents who spoke against this application at the January 11, 2010 Planning & Zoning Board meeting but the Board recommended approval of the ordinance with a vote of 3-1; the Second/Final Reading before the Town Commission will be pending the DCA review process that is concurrent with this application.

Mayor Richards asked if, once the property is annexed, the property then falls under Lady Lake's LDRs as far as zoning and changing the land use.

Mr. Carroll stated that is correct. If the property is not annexed and doesn't become a part of the municipal limits of the Town of Lady Lake, the Commission does not have the authority to assign Land Use designations or the rezoning designation. Once the land gains entitlement under the Future Land Use and the rezoning that is applied to that property, the property owners are afforded all rights that are within those designations. The site plan can be a little bit different and negotiable but as far as what they do and how they can utilize that property, that is set forth in the land use as well as the rezoning.

Mayor Richards asked if there was any public comment.

- JoAnn Eagan, St. Andrews Blvd., stated that the plans call for a buffer around the property boundaries but she would like a privacy fence as she is concerned that the dumpster(s) will be placed to the rear the property which will be next to her property.

Upon a motion by Commissioner Holden and seconded by Commissioner Miller, the Commission approved Ordinance No. 2010-01 – First Reading – Annexation – Virginia P. Cullison – 38.08± Acres of Property Located on the West Side of County Road 25, North of Marion County Road, by the following roll call vote:

HOLDEN	YES
MILLER	YES
HANNAN	YES
KUSSARD	YES
RICHARDS	YES

12. Ordinance No. 2010-02 – First Reading – Large Scale – Virginia P. Cullison – 38.08± Acres of Property Located on the West Side of County Road 25, North of Marion County Road (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

The tape was changed to Tape #2 at 7:30 p.m.

Thad Carroll, Senior Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the Applicant, Cullison-Wright Construction, has filed an application on behalf of Virginia Cullison to amend the Future Land Use designation of property located on the west side of County Road 25 and north of Marion County Road, which includes 38.08± acres currently in unincorporated Lake County, from Lake County Urban to Lady Lake Other Institutional Facility.

Mr. Carroll stated that the Large Scale Future Land Use Map Amendment application was received on December 1, 2009 and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan and is ready for transmittal to the Town Commission.

Mr. Carroll stated that notices to inform the surrounding property owners within 150' of the property were mailed on December 28, 2009 and the property was also posted on December 28, 2009.

Mr. Carroll stated that the property is proposed to be developed as an Assisted Living Facility or similar use (i.e., Skilled Nursing, Independent Living, Memory Care Facility) with the potential of medical support offices and/or other uses.

Mr. Carroll stated that the Applicant would be required to file a site plan(s) for any structures and obtain all necessary permits from outside agencies provided the large-scale comprehensive plan is approved for the property.

Mr. Carroll stated that the application has been reviewed and determined to be complete. The Applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Town Commission. Additionally, the application was reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan in accordance with the sought designation. A justification statement has also been included as part of the Large Scale Comprehensive Plan Amendment Application, which the Applicant submitted for justifying why the Future Land Use should be amended for the development proposed.

Mr. Carroll stated that the Technical Review Committee (TRC) reviewed the application on January 5, 2010 and determined the application to be complete and ready for transmittal to the Planning & Zoning Board with a vote of 5-0; on January 11, 2010, the Planning & Zoning Board recommended approval of the ordinance with a vote of 3-1; the Local Planning Agency approved the ordinance earlier this evening with a vote of 5 to 0;

the Second/Final Reading before the Town Commission will be scheduled after the Florida Department of Community Affairs (DCA) has reviewed the transmitted amendment.

Mr. Carroll announced that there is a sign-in sheet on the table if anyone was interested in receiving the Notice of Intent from the DCA after their review.

Commissioner Hannan stated that Kimley-Horn gave an excellent presentation of this project at the Planning & Zoning Board meeting and he feels that this project will be an asset to the Town.

Commissioner Kussard stated that the developer is planning to extend the water and sewer from Griffin Ave. to the project and she asked if they would also consider doing the reuse and then seek recapture for the impact fees.

Richard Busche, with Kimley-Horn & Associates, stated that they do intend to be a party to the extension of the utilities from Griffin Ave. This project is not likely to break ground this year but they have on their Bubble Plan that they are going to connect to the Town of Lady Lake water and sewer utilities. There is a lot of work in coordination with Public Works between now and the time they break ground to figure out exactly how that works. With regards to the reuse, they are willing to continue to work through that with Town Staff; they are several options to that and they are not certain that their utility impact fees would in fact cover the extension of a reuse line in addition to water and sewer for the distance which is almost 3 miles. Mr. Busche stated that they will continue those discussions with the Public Works Staff.

Commissioner Kussard asked if Mr. Busche could answer the question regarding the placement of the dumpster.

Mr. Busche stated that they have put forth a wide and thick vegetated landscape buffer to the west and feel that is the most appropriate buffer. There are numerous residents who live along that western boundary line and they have proposed a Type "B" buffer that is a thick buffer in addition to a 50' building setback. He stated that they want to be a good neighbor and may revisit that issue after hearing public comment.

Mr. Busche stated that, relative to the dumpster locations, they have not gotten to that level of detail yet. Typically, the dumpster associated with these buildings is around the back corner because there is a service entrance to the kitchen in the rear. They have a 50' building setback on their plans and depending on the orientation of the building, the dumpster could be much further away than that. With several buildings in a campus like this, there is also the possibility that there may be a use that serves more than one building located somewhere different. There will not be a dumpster allowed within the building setback and he believes that the Town's LDRs require screening of any and all dumpster facilities.

Commissioner Hannan asked how close the reuse is to this project at this point.

C.T. Eagle, Public Works Director, stated that reuse is currently at Sam's and that Sam's did bore the road and install it to get it across US Hwy 27/441. From there, Public Works would have to figure out the best route to get it to Griffin Ave.

Mayor Richards stated that sometimes there is just not enough reuse available so they may not want to run it out that far since the reuse could be used up before it reached that location.

Commissioner Hannan stated that the Town has to look ahead; it could be installed and not used until the need is there. He thought it would be less expensive to install while the road is opened up for the installation of water and sewer lines and that should be considered.

Mr. Eagle stated that the feasibility and cost of reuse will be included in the discussions between Staff and Kimley-Horn.

Commissioner Kussard stated that by putting those pipes in the ground now, even though there is not enough reuse right now, the developer would be able to recoup a lot of the impact fees expense as development proceeds along CR 25. She asked Mr. Busche if this is something that they would definitely be thinking about.

Mr. Busche responded that water and sewer are a given and that he doesn't think that this project, on its own, will generate enough impact fees to cover the cost of reuse. However, he suggested that while they have an engineer, surveyor and contractor, the Town might join up and save money and have some type of joint project which is very common and they are more than willing to continue discussions with Public Works about that.

Commissioner Kussard confirmed with Mr. Busche that they would be willing to work with the Town and Mr. Busche replied that they would.

- Yolanda Buchanan, Lakes of Lady Lake, asked if the water and sewer pipes will be laid in the ditch that runs along CR 25 and the Lakes of Lady Lake community. She was concerned about the repair of the Lakes of Lady Lake driveway if the pipes were laid along there.

Mayor Richards stated that the driveway would have to be repaired to both County and Town standards if they go through it.

- Phil Mathias, Lakes of Lady Lake, stated that the development he lives in is going to be almost surrounded by commercial businesses. He was concerned about the water usage of 1.2 million gallons per day for the proposed development.

Thad Carroll, Senior Planner, stated that the water consumption for this project is in the range of about 44,000 gallons per day; the figure of 1.2 million is approximately the Town's CUP capacity with the St. John's River Water Management District.

- Mr. Mathias stated that, in looking at the developments that have been approved as of 2005, the Town has committed a whole lot of water to various developers and asked where the water would be coming from. He stated that growth has to be stopped because there is not enough water and that the Town has to seriously look at this. He is not in favor of this project.
- Ed Davidson, owner of the property directly to the east of the proposed development, stated that he remembers when there was nothing around here but added that you “can’t stop progress.” If the people coming from the north want to pay \$4 a bottle for water, they will have to pay it; if you want to stop them, a fence is going to have to be put up at the Florida/Georgia line. The people from the north are going to keep coming and progress is going to proceed one way or another, sooner or later. Everybody has to work together to figure out a solution to the problems because progress is going to continue.

Upon a motion by Commissioner Kussard and seconded by Commissioner Hannan, the Commission approved Ordinance No. 2010-02 – First Reading – Large Scale Comprehensive Plan Amendment – Virginia P. Cullison – 38.08± Acres of Property Located on the West Side of County Road 25, North of Marion County Road, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>MILLER</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

13. Ordinance No. 2010-03 – First Reading – Rezoning – Virginia P. Cullison – 38.08± Acres of Property Located on the West Side of County Road 25, Rezoning Subject Property From Lake County Agriculture (A) to Lady Lake Public Facilities District (PFD) (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

Thad Carroll, Senior Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the Applicant, Cullison-Wright Construction, has filed an application on behalf of Virginia Cullison to amend the zoning designation of property located on the west side of County Road 25 and north of Marion County Road, which includes 38.08± acres currently in unincorporated Lake County, from Lake County Agricultural (A) to Lady Lake Public Facilities District (PFD).

Mr. Carroll stated that the subject property is proposed to be developed as an Assisted Living Facility or similar use (i.e., Skilled Nursing, Independent Living, Memory Care Facility) with the potential of medical support offices and/or other uses permissible under the PFD designation. The Applicant would be required to file a site plan(s) for any additional structures not already approved by Lake County and obtain all necessary permits from outside agencies provided the rezoning ordinance is approved for the property. Permitted Uses and restrictions of the property will be governed by those

outlined on the Bubble Plan and MOA (Exhibit “C” of the ordinance) as required by the PFD rezoning process per Chapter 5 of the Land Development Regulations.

Mr. Carroll stated that the rezoning application was received on December 1, 2009 and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan and is ready for transmittal to the Town Commission.

Mr. Carroll stated that notices to inform the surrounding property owners within 150’ of the property were mailed on December 28, 2009 and that the property was also posted on December 28, 2009.

Mr. Carroll stated that a change to the MOA has occurred as a result of the Planning & Zoning Board Meeting. This change includes expanding the side yard setback along the northern property boundary to 50’. This setback was formerly 20’ but was increased to 50’ as a result of concerns brought forth at the public meeting. This setback is also a sufficient distance to accommodate the location of ingress/egress easement, also known as Hidden Meadows Lane.

Mr. Carroll stated that the Technical Review Committee (TRC) reviewed the application on January 5, 2010 and determined the application to be complete and ready for transmittal to the Planning & Zoning Board with a vote of 5-0; on January 11, 2010, the Planning & Zoning Board recommended approval of the ordinance with a vote of 3-1; the Second/Final Reading before the Town Commission will be scheduled after the Florida Department of Community Affairs (DCA) has reviewed the transmitted Large Scale Amendment (Ordinance No. 2010-02).

Richard Busche, with Kimley-Horn & Associates, stated that there is an existing meandering dirt road along the northern boundary of this property from CR 25 back; this dirt road is mostly on the Lolly property to the north and provides access to 2 residences (Lolly and Ratliff). He stated that Kimley-Horn is searching for an easement that may be some 75 or 80 years old and that any easement that exists on their northern property line will be reconciled and will be shown on their Bubble Plan by the time of the Second Reading. They don’t know exactly where to put the property line yet but they are working hard on that. Along the northern property line, a Type “A” 10’ buffer had originally been proposed but that has been increased to a Type “B” buffer. The property owner and the Lollys have been discussing how to properly buffer that road from the development and Mr. Busche stated that he wanted to enter into the record an option to have a Type “A” buffer along the road if a fence (not a wall) was included; the material of the fence would be governed by the Town’s PFD zoning standards and Ms. Lolly was very much in agreement with that. That is one change that he would like to propose to the Bubble Plan – go back to a Type “A” buffer which is half the width and half the plantings on the northern side but include a fence. He stated that they are not sure what is going to happen with that driveway and roadway; it adds a complication to their property line and so this may be a good idea.

Commissioner Hannan asked Mr. Busche what type of fence he was thinking of.

Mr. Busche stated that they are not certain yet and that Thad Carroll has let them know that wood is not allowable by the PFD Zoning Standards but other materials are. He noted that this would be an opaque fence.

Mr. Busche also stated that the existence of the easement is not the problem but where they should put the property line and that should all be straightened out before the Second/Final Reading.

Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the Commission approved Ordinance No. 2010-03 – First Reading – Rezoning – Virginia P. Cullison – 38.08± Acres Located on the West Side of County Road 25, North of Marion County Road, Rezoning from Lake County Agriculture (A) to Lady Lake Public Facilities District (PFD), by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>MILLER</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

14. Ordinance No. 2010-04 – First Reading – Amending Cure Plan Ordinance No. 2009-08 – Chapter 3, Sections 16-17 (Judi Jankosky)

Derek Schroth, Town Attorney, read the ordinance by title only.

The background summary for this agenda item is on file in the Town Clerk's office. It states that on May 18, 2009, the Lady Lake Town Commission adopted Ordinance No. 2009-08 to establish a process of Eminent Domain Relief through the creation of the "Cure Plan" procedure. This process was put in place in recognition that expansion of rights-of-way in the Town of Lady Lake are certain to occur and that by the right-of-way acquisition process, certain properties may be affected to the extent that their operation would be forced to desist based on non-conformities with the Town's Land Development Regulations.

Prior to the adoption of Ordinance No. 2009-08, James Ellicott of the Florida Department of Transportation (FDOT) had contacted Growth Management Staff in December of 2008 to determine if the Town would be interested in adopting an ordinance regarding eminent domain takings in the Town of Lady Lake. It was conveyed that such an ordinance would give assurance to property owners that they would still be able to operate once a taking has occurred, even in the event that a non-conforming situation had arisen from the taking (given that public safety had not been compromised to an unacceptable degree).

Since the time that Ordinance No. 2009-08 was adopted, the FDOT as well as Lake County has been contacting the Town of Lady Lake to utilize this procedure in their eminent domain proceedings. To date, there have been no complications; however, the takings to date have been minor relative to what we are beginning to see regarding right-of-way acquisitions on US Hwy 27/441.

As the ordinance presently stands, it is not clearly stated that property owners subject to property takings need to be notified when FDOT or another governmental agency is approaching the Town to seek a “Cure Plan” adoption. In addition, under Ordinance No. 2009-08, the adopted “Cure Plan” would be deemed binding regardless of whether or not the land owner consented to the plan’s approval. In hindsight, Staff and the Town Attorney have realized that these two items as adopted in the original ordinance may result in undesirable legal concerns for the Town if the Town Commission adopted such a “Cure Plan” without notification or consent of the land owner. While the new ordinance allows such plans to be adopted without the land owners consent, it does provide for a notification to the land owner or other party (condemning authority) when applications are filed. In addition, such plans adopted by the Town Commission without the land owners consent shall be deemed non-binding.

Given that these two areas of the prior ordinance (Ordinance No. 2009-08) are being amended, the new language should provide for a more legally defensible document going forward. Other language in Ordinance No. 2009-08 has been amended as well, such as the timeframe tied to the issuance of the Development Order after a “Cure Plan” has been adopted. This was removed, realizing that ROW acquisition may occur well before improvements commence; thus, a fixed timeframe for the Development Order would not be desirable for such procedures. Other language has also been amended and provided in strikethrough-underline format for the Commission’s review. The number of changes to Ordinance No. 2009-08 is to the degree that it was the Town Attorney’s opinion that Ordinance No. 2010-04 shall serve to replace the affected sections of the Land Development Regulations, Sections 16 and 17 of Chapter 3, in their entirety.

Judi Jankosky, Town Planner, stated that one of the substantial changes is “notice.” Currently, the ordinance does not specifically require notice be given to the other party. This revision includes the requirement of the applying party, condemning authority or the land owner to provide written notice to the other party of such application and that they provide at least 10 days notice of the scheduled public hearings.

Ms. Jankosky stated that the next part is “binding” and currently the ordinance, upon approval of the Town Commission, adopts and binds the cure plan without notice or consent of the landowner and a development order is issued. Revisions separate the condemning authority applications as non-binding applications; they are essentially looking for Town recognition as one of possibly several cures to the site and Commission feedback on the proposal to ascertain that the proposal does not adversely affect the health, safety and welfare of the general public. If the landowner provides authorization and consent to this admitted condemning authority cure plan, then Commission does have the authority to formally adopt it and the landowner would have to follow that cure plan. If the landowner submits a cure plan with themselves, upon notice of the public hearing to the condemning authority, the Town Commission may formally adopt also and then set up a timeline specific for the completion of the requirements of that cure plan.

Ms. Jankosky stated that the third change is the “public hearing forum.” The revision is to move the public hearing from the Regular Commission Meeting to the Special Commission Workshop that meets the third Tuesday of every month at 3:00 p.m. The Workshop meeting is still an open public hearing and there would be notice given to the

owner or the condemning authority. Staff felt this was a better forum to review a plan of this conceptual nature that affects already developed properties and due to a shorter agenda, allows more time for questions and answers between Staff, the condemning authority and the landowner.

Ms. Jankosy stated that the Planning & Zoning Board reviewed this ordinance on January 11, 2010 and recommended approval and forward to the Town Commission with a vote of 4-0.

Mayor Richards stated that he has great difficulty with this because, in eminent domain, it all gets down to money, which is the value of the land so he doesn't see how the Town's cure would be affecting the landowner.

Derek Schroth, Town Attorney stated that when the condemning authority makes their offer to the owner, they are going to take into account that the Town will allow waivers because if they didn't, then the landowner would argue that he could no longer use his business because he can't get a setback waiver from the Town. The condemning authority would already have in place a plan with the Town for those waivers so if the property owner refuses that, then they would argue a trial to the jury that there was a reasonable way for them to get more use out of their land and that they could have obtained a waiver because the condemning authority actually had a plan with the Town but the property owner decided against it. He thinks that it goes into the damages calculation of what the reasonable use of the property could be after the taking. The other taking entities think that they will be able to reduce the damage to the owner.

Mayor Richards stated that the whole idea behind the cure is that the land could still be used but it sounds like in the verbiage here that the Town still has to get the agreement of the property owner or the fact that the Town is allowing a waiver.

Mr. Schroth stated that he doesn't think that the Town can take action on a piece of real property without the owner's consent – that is how it was worded before and he thinks that it is problematic.

Mayor Richards stated that the Town would not be taking action on the property; it would be taking action on its development standards.

Mr. Schroth added “without notice to the owner” which is a due-process issue.

Mayor Richards stated that the Town is trying to do this to cut down on the expense to say that the owner can still use the property the way it was always intended which is the whole thing that they are not harmed. This was done in the public's interest in order to get the roads or facilities built. He stated that he is confused because the landowner could hold it up.

Mr. Schroth stated that if the landowner does not consent, the condemning authority would be able to argue that the landowner unreasonably refused consent. The property owner could not say that his property has been devalued because he can't use it. The condemning authority would say that they have a cure plan process in place and the

landowner unreasonably refused to consent to it but the landowner can use his property; all the landowner has to do is consent to the cure plan.

Mayor Richards stated that he doesn't see where this ordinance has affected any of the rights at all. He doesn't see that they should have the ability to pre-approve of the changing in their land development regulations to allow it or to give them the waiver.

Mr. Schroth stated that he sees problems if action is taken on a property without the owner's consent. He stated that the Town has been dealing with the Department of Transportation and he doesn't think that they have objected to the Notice provision; there are some municipalities or counties that do have a notice provision to the property owner so from DOT's perspective, it is not something that will thwart their efforts to obtain the lowest price for the property. Mr. Schroth stated that the Town requires that the ultimate action taken on the land be approved by the owner.

Mayor Richards stated that you might as well not have it – you could do that anyway. They were just trying to speed the process up ahead of time and trying to get it so that properties could be used for their intended purpose; that they would allow the waiver as a means of getting the road through.

Mr. Schroth stated that he thinks that DOT still has the argument and that is why they have not objected to the language because “the ball is in the owner's court; if the owner refuses to get the waivers and the cure plan, that is the owner's problem. It's not the Town preventing the property owner from using his property; it's the property owner preventing himself from using the property.” The condemning authorities are agreeable to it. Arguably, this could delay things for the condemning authority because the property owner could say that they are looking at it and will maybe consent at a later date. He thinks that due-process requires that the owner receive notice.

There were no questions or comments from the public.

Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the Commission approved Ordinance No. 2010-04 – First Reading – Amending Cure Plan Ordinance No. 2009-08 – Chapter 3, Sections 16-17, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>MILLER</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

15. Ordinance No. 2009-28 – Second/Final Reading – Annexation – Lady Lake Assisted Living Facility, 600 County Road 466, West of Rolling Acres Road (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

Thad Carroll, Senior Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the Applicant, Cullison-Wright Construction, has filed an application on behalf of WRYP, LLC to annex property located approximately 2,000 feet west of Rolling Acres Road on Highway 466, which includes 9.56± acres currently in unincorporated Lake County.

Mr. Carroll stated that, in accordance with the language specified in the Sewer and Water Utility Agreement executed on July 3, 2009 by the Town Commission, the Applicant is required to annex into the Town due to the fact that the property is now contiguous to the existing municipal boundary. The subject parcel is currently under construction and received entitlements for construction through Lake County, Florida.

Mr. Carroll stated that the annexation application was received on November 19, 2009 and has been reviewed and determined to be complete satisfying the necessary criteria as required for annexation under Florida Statute 171.0413. All material was found to be in compliance with the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan.

Mr. Carroll stated that notices to inform the surrounding property owners within 150' of proposed annexation were mailed on November 25, 2009 and the property was also posted on December 7, 2009.

Mr. Carroll stated that the Technical Review Committee (TRC) reviewed the application on December 1, 2009 and determined the application to be complete and ready for transmittal to the Planning & Zoning Board with a vote of 4-0; on December 14, 2009, the Planning & Zoning Board recommended approval of the ordinance with a vote of 5-0; on January 4, 2010, the Town Commission approved the First Reading of the ordinance with a vote of 4-0.

The tape was changed to Side "B" at 8:15 p.m.

There were no questions or comments from the Commission or the public.

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved Ordinance No. 2009-28 – Second/Final Reading – Annexation – Lady Lake Assisted Living Facility, 600 County Road 466, West of Rolling Acres Road, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>MILLER</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

16. Ordinance No. 2009-29 – Second/Final Reading – Small Scale Comprehensive Plan – Lady Lake Assisted Living Facility, 600 County Road 466, West of Rolling Acres Road (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

Thad Carroll, Senior Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the Applicant, Cullison-Wright Construction, has filed an application on behalf of WRYP, LLC to amend the Future Land Use designation of property located approximately 2,000 feet west of Rolling Acres Road on Highway 466, which includes 9.56± acres currently in unincorporated Lake County, from Lake County Urban Expansion to Lady Lake Other Institutional Facilities.

Mr. Carroll stated that the subject property is currently under construction and received entitlements for construction through Lake County, Florida. The Applicant has commenced construction of a 145-bed assisted living facility consisting of approximately 75,000 square feet and intends to construct a future second building of similar use within the proposed property as allowed per the Land Development Regulations. The Applicant would be required to file a site plan(s) for any additional structures not already approved by Lake County and obtain all necessary permits from outside agencies provided the Small-Scale Comprehensive Plan Amendment is approved for the property.

Mr. Carroll stated that the application was received on November 19, 2009 and has been reviewed and determined to be complete. The Applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs). Additionally, the application was reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan. A justification statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the Applicant submitted for justifying why the Future Land Use should be amended for the development proposed as well as citing consistencies with the objectives of the plan.

Mr. Carroll stated that notices to inform the surrounding property owners within 150' of the property were mailed on November 25, 2009 and the property was also posted on December 7, 2009. The Small-Scale Amendment will be transmitted to DCA pending approval.

Mr. Carroll stated that the Technical Review Committee (TRC) reviewed the application on December 1, 2009 and determined that the application was complete and ready for transmittal to the Planning & Zoning Board with a vote of 4-0; on December 14, 2009, the Planning & Zoning Board recommended approval of the ordinance with a vote of 5-0; on January 4, 2010 meeting, the Local Planning Agency voted to approve the ordinance with a vote of 4-0; on January 4, 2010, the Town Commission approved the First Reading of the ordinance with a vote of 4-0.

Mr. Carroll noted that this application will be submitted to the Department of Community Affairs.

There were no questions or comments from the Commission or the public.

Upon a motion by Commissioner Miller and seconded by Commissioner Holden, the Commission approved Ordinance No. 2009-29 – Second/Final Reading – Small Scale

Comprehensive Plan – Lady Lake Assisted Living Facility, 600 County Road 466, West of Rolling Acres Road, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>MILLER</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

17. Ordinance No. 2009-30 – Second/Final Reading – Rezoning – Lady Lake Assisted Living Facility, 600 County Road 466, West of Rolling Acres Road (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

Thad Carroll, Senior Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the Applicant, Cullison-Wright Construction, has filed an application on behalf of WRYP, LLC to amend the zoning designation of property located approximately 2,000 feet west of Rolling Acres Road on Highway 466, which includes 9.56± acres currently in unincorporated Lake County from Lake County Community Facilities District (CFD) to Lady Lake Public Facilities District (PFD).

Mr. Carroll stated that the application was received on November 19, 2009 and has been reviewed and determined to be complete. The Applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs). Additionally, the application was reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan.

Mr. Carroll stated that the property is currently under construction and received entitlements for construction through Lake County, Florida. The Applicant has commenced construction of a 145-bed assisted living facility consisting of approximately 75,000 square feet and intends to construct a future second building of similar use within the proposed property as allowed per the Land Development Regulations. The Applicant would be required to file a site plan(s) for any additional structures not already approved by Lake County and obtain all necessary permits from outside agencies provided the rezoning ordinance is approved for the property.

Mr. Carroll stated that the Assisted Living Facility is in character with adjacent uses; primarily, the property to the east which is the location of a proposed Skilled Nursing Facility. The Applicant has provided a Memorandum of Agreement (Exhibit “B”) which outlines the permitted uses as well as a Bubble Plan (Exhibit “C”) as required by the PFD rezoning process per Chapter 5 of the Land Development Regulations.

Mr. Carroll stated that notices to inform the surrounding property owners within 150’ of the property were mailed on November 25, 2009 and that the property was also posted on December 7, 2009.

Mr. Carroll stated that the Technical Review Committee (TRC) reviewed the application on December 1, 2009 and determined that the application was complete and ready for transmittal to the Planning & Zoning Board with a vote of 4-0; on December 14, 2009, the Planning & Zoning Board recommended approval of the ordinance with a vote of 5-0; the Town Commission approved the First Reading of the ordinance on January 4, 2010 with a vote of 4-0.

There were no questions or comments from the Commission or the public.

Upon a motion by Commissioner Holden and seconded by Commissioner Miller, the Commission approved Ordinance No. 2009-30 – Second/Final Reading – Rezoning – Lady Lake Assisted Living Facility, 600 County Road 466, West of Rolling Acres Road, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>MILLER</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

I. TOWN MANAGER’S REPORT:

18. Updated Information Regarding Street Lights on County Road 466 from Rolling Acres Road to the Sumter County Line (Kris Kollgaard/C.T. Eagle)

Kris Kollgaard, Interim Town Manager, gave the background summary from the agenda item cover sheet (on file in the Town Clerk’s office). She stated that, at the December 21, 2009 Town Commission meeting, Staff was directed to obtain estimated costs for a Lighting Coverage Study for the corridor. She stated that SECO does not offer these services and recommended that the Town use an engineering firm to do the study. After contacting the Town’s engineering firms on the Continuing Services Contracts, a rough estimate for the study would be in the \$5,000 - \$6,000 range which does not include the installation of the lights or poles. To do the minimum lights on the 19 poles, it was previously estimated at a little more than \$4,000 so the minimum cost for this project would be \$9,000. Her recommendation at this time would be that the Commission wait and as the developers come in, the Town can require them to put lighting up because they are going to want their development lit up anyways; that way, the Town may get this accomplished through the future developments.

All of the Commissioners agreed with the Town Manager’s recommendation.

- Bill Calhoun stated that the only street light at the entrance to the La Zamora gate on CR 466 is inside the gate and not out on the highway so in approaching that gate at night from either direction, you are almost on top of it before the gate can be seen. He recommended that the Town consider putting a pole light in the median on CR 466 at the location of the La Zamora gate so drivers will know that is a turning area and there will be sufficient lighting for cars turning in as well as going out.

Mayor Richards asked C.T. Eagle, Public Works Director, to check with Lake County on this since this is a county road.

Ms. Kollgaard stated that she has had a good chance to take a look at Town Staff for the last 3 months to see what is needed; currently, the Town has a very professional group of people that know their jobs but she did have a change for Commission's consideration. She stated that she would like to post a job opening for the position of Growth Management Director. That is a large department that also includes building and code enforcement and a director is needed to effectively manage that department. She recommended posting in-house for a Growth Management Director and promoting from within for that position and not hiring anyone else – that person would take on the Director's duties as well as some of the duties he/she already had and also redistribute some of the other duties.

Ms. Kollgaard stated that she had another recommendation and that was in regards to the Human Resources Department. The duties in this department have been divided so that Tia O'Neal is handling all personnel issues including the HR manual and Deanna Cox is handling all benefits and risk management; both are doing fantastic at it. At this point, the Town has 101 employees and she doesn't really see a need for a 3rd person in that department as a HR Director. Currently, the Town is saving \$143,000 from Mr. Vance's salary after payment of the 6 months severance and from the previous HR Director's position. She stated that she would like to take a small portion of that savings because in the Growth Management Department, that person would be going up to the Director's position so there would be an increase in that person's salary and then for the HR Department, doing a slight increase for both of those employees because they do have more responsibilities.

All of the Commissioners agreed with both of these recommendations.

Ms. Kollgaard also made the recommendation that the Commission, at this point, advertise for a Town Manager. She stated that she is enjoying this position but she still has the same worry that she did previously; she has been with the Town for 16 years and would really like to retire from the Town. Historically, Town Managers are in 4 or 5 years and then they are gone which is usually not by their choice. She would like for the Commission to seriously look at taking applications for the Town Manager position; it is a long process and she doesn't want the Commission to feel rushed. She stated that still leaves her the option of applying and asking to be considered along with everybody else. In regards to the Town Manager position, she threw out an idea for the Commission to consider and that was for the Town to have a Town Manager (who would handle political/residential issues and the budget) and also an Assistant Town Manager/Dept. Head (who would handle the employee issues and direction of the department heads). She commented that this is being done in other cities so this would be an opportunity to take a look at this and make changes if the Commission would like.

Commissioner Hannan asked what towns or cities have this type of organization.

Ms. Kollgaard stated that Leesburg, Mount Dora and Eustis are set up this way and that she will get a list of other towns and cities.

- Sadie Woolard had a comment but it was inaudible on the tape.

The Mayor called for a 5-minute break at 8:30 p.m. and the meeting resumed at 8:35 p.m.

Commissioner Kussard commented that she thinks that Ms. Kollgaard is doing a wonderful job as Interim Town Manager and that the employees feel very comfortable with her being in that position.

It was the consensus of the Commission to go ahead and advertise for a Town Manager.

Ms. Kollgaard suggested posting this on the Town's website and also advertising through the Florida League of Cities.

J. MAYOR/COMMISSIONERS' REPORT:

19. Lady Lake Charter Committee (Commissioner Hannan)

Commissioner Hannan stated that in 1987, the Commission adopted the Town Charter that has served as the cornerstone of this town government; but now 22 years later, he feels that it needs change. He recommended that the Commission create a group of citizens to meet and review this document; in addition, he suggested that the committee meet once a month and present their recommendations for changes to the Commission at the October 4, 2010 meeting in order to create a referendum for the November election. He also recommended a number of volunteers who have been an asset to this town in the past including John Brandeburg, Peter Chaisson, Bill Vachon (?), Henryka Presinzano, Herb Gibson, Joseph Quinn, Judy Schell and Rev. Paul Harsh; he has contacted all of these citizens and they are all willing to serve. He believes that a committee of 5, 7 or 9 members would be ideal and that the other Commissioners could also make some recommendations as to committee members. He also thinks that Kris Kollgaard should be the Town liaison for each meeting as she is the most knowledgeable in regards to the Town Charter. He stated that if the Commission approves of this, he will call the first meeting on January 25, 2010 at 4:00 p.m. at Town Hall.

Commissioner Kussard stated that she would like to know if all of the people mentioned for the committee are registered Lady Lake voters.

Commissioner Hannan stated that John Brandeburg lives in Fruitland Park but owns an extensive development in the Town of Lady Lake and he also thinks that Judy Schell is not a resident of Lady Lake but is a business owner and a member of the Chamber of Commerce. He also mentioned that all of these people that he has been in contact with all have resumes above and beyond the Commissioners' resumes; they are highly skilled in engineering, traffic safety, education and one is an attorney.

Commissioner Kussard stated that she would like to know exactly what part of the charter Commissioner Hannan would like changed.

Commissioner Hannan stated that there are many parts of the charter that need change but he wanted to have the committee recommend the changes to the Commission; he added that the Commission does not have to accept the committee's recommendation.

Commissioner Kussard stated that she has read the entire Charter and finds that it is an excellent document; she believes that the Charter is the foundation of the Town government. She also emphasized that Commissioner Hannan is expecting people from out of Lady Lake to work on the Town's charter who have absolutely nothing to do with Lady Lake; they are not registered voters.

Commissioner Hannan stated that the other Commissioners can recommend people for this committee and if all Lady Lake residents are wanted, that can be recommended. He was just saying that these people were willing to participate on this committee because they are citizens who work in this community and are also an asset to the community.

Mayor Richards also asked what items are wrong with the Charter.

Commissioner Hannan stated that he is not going to recommend any changes at this point. He stated that the Interim Town Manager has suggested some changes and thinks that the Commission should let this committee recommend the changes to the Charter.

Kris Kollgaard, Interim Town Clerk, stated that Commissioner Hannan had asked her if there were any changes that she would want if the Charter was opened up. The only thing she had said was that the committee may want to consider would be the terms of the Commissioners – this was brought up a few years ago, it went to a referendum vote and was voted down.

Mayor Richards stated that he has no problem with the current terms of the Commissioners.

Commissioner Kussard stated that this would be a long process; first, the Town would have to advertise for registered voters who are willing to serve on the committee – they are not hand-picked. Then, 15% of registered voters' signatures would be needed, which for the November 2009 election would have been 1,536 signatures, in order for the referendum to be placed on the voting ballot. Then there is the cost of putting the referendum on the ballot. She stated that she is opposed to spending taxpayers' money unnecessarily; she believes that this is an excellent document and that it doesn't need to be changed. She added that she has never heard a resident complain about the Charter or come to the Commission and say that it is not working.

Commissioner Holden stated that he is in favor of not changing anything and thinks that a 2-year Commissioner term is fine.

Commissioner Miller stated that he thinks that a 3 or 4-year term might be better than a 2-year term.

Mayor Richards stated that he is always interested in new ideas but that he hasn't heard any new ideas yet and that he hasn't heard about anything that doesn't work other than

the terms of the Commissioners. He feels that a 2-year term is just fine. If the Commission is going to make changes, there needs to be something that is not working and he doesn't see it.

Commissioner Hannan asked, with what the Commission learned with the past Town Manager, if there were any changes needed in the Town Charter to protect the Commission against what he had done as far as checks and balances; he suggested that maybe some changes are needed in regards to the Town Manager. He stated that when you get to looking at each paragraph and a half dozen people discussing it, you can come up with some very valid changes; but if consensus does not want to touch it because they want the current document, so be it.

Mayor Richards stated that until he sees something that doesn't work, he is okay with a strong Town Manager form of government.

Commissioner Hannan stated that as another citizen presented to this Commission several weeks ago, it was suggested that the Town have an elected Mayor and not have a Mayor appointed basically as a popularity contest so that is another issue that can be discussed.

Mayor Richards stated that all Commissioners are equal – they can put anything on the agenda – and that the Mayor just presides over the meeting.

Commissioner Hannan stated that he is just taking bits and pieces from different citizens in what they have suggested.

Commissioner Holden stated that the 2-year terms are not the problem; it's getting qualified people to run for the office. He also stated that the Town runs very well the way it is now and sees no reason to change.

Commissioner Kussard stated that she agrees.

It was the consensus of the Commission not to proceed with creating a Town Charter Committee.

Commissioner Hannan also addressed the issue of Christmas Toys for Tots and stated that he would like to see the Chief's program brought back into the Town of Lady Lake. He believes there should be a volunteer committee created to work with Chief Nathanson and his Staff to make it a success as it was.

Ms. Kollgaard stated that she will meet with Chief Nathanson to discuss this with him and will come back to the Commission. She pointed out that over the years, this program has grown and there are now other entities that are involved.

- Sadie Woolard had a comment but it was inaudible on the tape.

Commissioner Kussard asked if the Energy Audit has been done on the Scout Hut.

Ms. Kollgaard stated that she doesn't think that the audit has been done yet but that Parks & Director Mike Burske has contacted Progress Energy.

Commissioner Holden stated that he would like to comment on the water supply; whenever the cheap water runs out, the Town will be forced to pipe in additional water which will be very expensive.

Mayor Richards commented that the water issue will kind of take care of itself because there will be enormous impact fees which will be for the construction costs of the new water and that in itself will deter development.

Mayor Richards stated that there has been some concern in the past with utility trench repairs especially in The Villages and the Town being notified so the patching could be inspected to be sure it was done correctly.

C.T. Eagle, Public Works Director, stated that this is a current issue and Public Works just received clarification from the VCCDD that they want the Town to go ahead and do the utility patching. Right now, there are 5 patching situations that were sent to The Villages and they in turn indicated that they wanted the Town to care of them and invoice the VCCDD for that work.

Ms. Kollgaard stated that this will be a test run to see how this works and then the Town will tweak anything that needs to be.

Mr. Eagle stated that this will work out well because the Public Works Department will see that the patching is done correctly.

K. OPEN FORUM:

- Sadie Woolard had a comment but it was inaudible on the tape.
-
- Bill Calhoun stated that he understands that opening up the Town Charter can be a very dangerous situation because that gives any group of voters the opportunity to press for certain changes that may not be in the Town's best interest at this point in time. It's not just a matter of cleaning up the language or extending the terms, etc.; it's exposing the Town to things it make not want and, to him, that is the biggest issue.
- Phil Mathias stated that there is nothing wrong with the Town Charter; it works.

L. ADJOURN: There being no further discussion, the meeting was adjourned at 9:05 p.m.

Kristen Kollgaard, Town Clerk

James Richards, Mayor