

SEMINOLE COUNTY, FLORIDA

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



Meeting Minutes

Tuesday, November 14, 2023

9:00 AM

BCC Chambers

Board of County Commissioners

Call to Order

Present: Chairman (District 4) Amy Lockhart
Vice Chairman (District 5) Andria Herr
Commissioner (District 1) Bob Dallari
Commissioner (District 2) Jay Zembower
Commissioner (District 3) Lee Constantine

Additional Attendees: County Manager Darren Gray, County Attorney Kate Latorre, Clerk of Court & Comptroller Grant Maloy, and Deputy Clerk Kyla Farrell.

Invocation

Pastor Andy Searles, Our Church Together, Casselberry, gave the Invocation.

Pledge of Allegiance

Pastor Searles led the Pledge of Allegiance.

AWARDS, PRESENTATIONS AND PROCLAMATIONS

1. Proclamation - Proclaiming Lance Corporal Bradley William Sokoly, [2023-1179](#)
United States Marine Corps as Seminole County's November Veteran of the Month. (Lance Corporal William Sokoly, United States Marine Corps)

Motion by Commissioner Zembower, seconded by Commissioner Constantine, to adopt the Proclamation proclaiming Lance Corporal Bradley William Sokoly, United States Marine Corps, as Seminole County's November Veteran of the Month.

Districts 1, 2, 3, 4, and 5 voted AYE.

2. Seminole County Vision Zero Action Plan (Tony Nelson, P.E., County Engineer and Megan Ferguson, P.E., AICP, with HDR, Inc.) [2023-1176](#)

Mr. Nelson addressed the Board and noted staff from HDR and MetroPlan Orlando are here in support. He stated MetroPlan Orlando applied for a grant from the Federal government. The grant was an 80/20 split, and the cost to the County was 20%. However, MetroPlan fronted that cost so there is no cost to the County. He introduced Ms. Ferguson who reviewed the Vision Zero Action Plan presentation. There were few Board comments and questions.

3. County Investment Advisor Report (Scott McIntyre, CFA - Senior Portfolio Manager, Managing Director Hilltop Securities Asset Management) [2023-1222](#)

Mr. McIntyre presented the County Investment Advisor Report. He advised he would like to continue to move further out the curve with their investment choices in anticipation of the idea that rates will be lower in the future. They've had some good opportunities, and the Clerk's Office has good relationships with the banks. They are looking at a two-year CD right now, but they've held off so that they could present the opportunity to the Board until the policy can be changed. He stated there's a Resolution coming before the Board in the near future from Resource Management which asks for the policy to be extended.

Motion by Commissioner Zembower, seconded by Commissioner Dallari, to approve the implementation of the purchase recommendations of the Board's Financial Advisor

based upon the report submitted today and recommend the Clerk implement said Board recommendations.

Under discussion, Vice Chairman Herr advised this recommendation goes outside the policy so she cannot support the motion. Discussion ensued regarding policy. County Manager Darren Gray advised staff plans to bring the policy amendment Resolution to the Board in December.

Districts 1, 2, 3, and 4 voted AYE.

District 5 voted NAY.

Motion passed 4 to 1.

CONSENT AGENDA – PUBLIC PARTICIPATION

Mr. Gray announced Agenda Item 9, Release of Lien at 600 Shadowmoss Circle, Lake Mary, is being pulled from the agenda; and add-on Consent Agenda Item 17a, Disposition of AC Pipe. For the benefit of the public, Item 34, Tri State Towing PD Rezone, the Applicant will be requesting a continuance during the afternoon portion of today's Public Hearings.

Chairman Lockhart announced she must recuse herself from voting on Agenda Item 18, Amendments to State Legislative and Governmental Lobbying Services Agreements, due to a conflict.

With regard to public participation, no one spoke, and public input was closed.

Motion by Commissioner Constantine, seconded by Vice Chairman Herr, to approve Consent Agenda Items 4 through 27, including add-on Item 17a, and excluding Items 9 and 18; and the Constitutional Officers' Consent Items 28 and 29.

Under discussion, Commissioner Dallari noted he supports add-on Item 17a but asked if the County Manager would be bringing back at a later date the overall policy and standards regarding the disposition of AC pipe for Board review. Mr. Gray responded they will bring back the manual to be updated in about six months.

Districts 1, 2, 3, 4, and 5 voted AYE.

County Manager's Consent Agenda (Items No. 4 - 29)

County Manager's Office

4. Approve and authorize the Chairman to execute a tourism grant agreement with Sanford Main Street, Inc. in the amount of \$30,000 for the FY2023/24 funding allocation for marketing and advertising. Countywide (Guilherme Cunha, Administrator) [2023-1190](#)
5. Approve and authorize the Chairman to execute a tourism grant agreement with Florida Goldsboro Main Street, Inc. in the amount of \$20,000 for the FY2023/24 funding allocation for marketing and advertising. Countywide (Guilherme Cunha, Administrator) [2023-1192](#)

Community Services

6. Approve and accept the HOME and NSP monthly report for October 2023 pursuant to Seminole County Resolution No 2015-R-51, and No 2013-R-61. Countywide (Stacey Smithwick, Community Development Division Manager).end [2023-1178](#)
7. Adopt and authorize the Chairman to execute a Resolution amending certain fees set forth in Section 20.26 of the Seminole County Administrative Code pertaining to fees and charges for services provided by the Seminole County Health Department. Countywide (Allison Thall, Community Services Director) [2023-1193](#)

Resolution #2023-R-124**Development Services**

8. Approve and authorize the Chairman to execute the Fiscal Year 2023/2024 Service Funding Agreement in the amount of \$11,794,422 by and between Seminole County, Florida, and Central Florida Regional Transportation Authority (LYNX). Countywide (Doug Robinson, Project Manager) [2023-1093](#)
9. Consider the request for a Release of Lien for a vacant property located at 600 Shadowmoss Circle, Lake Mary, Parcel No. 03-20-29-5PG-FB00-0000, that was attached due to a Code Enforcement Special Magistrate lien of \$232,500.00 for Case # 17-91-CESM, filed against Magnolia Golf Club Holding LLC (Magnolia Golf Club Holding LLC, Applicant) District5 - Herr (Liz Parkhurst, Project Manager) [2023-1160](#)

This item was pulled from the agenda.

Environmental Services

10. Approve and authorize the Chairman to execute a Certificate of Public Convenience and Necessity for Orlando Waste Paper Company, Inc. effective from October 1, 2023 through September 30, 2024. Countywide (Oliver Bond, Solid Waste Division Manager) [2023-1219](#)
11. Approve and authorize the Chairman to execute a Certificate of Public Convenience and Necessity for Trademark Metals Recycling, LLC effective from October 1, 2023 through September 30, 2024. Countywide (Oliver Bond, Solid Waste Division Manager) [2023-1220](#)
12. Approve and authorize the Chairman to execute a Certificate of Public Convenience and Necessity for Recycling Services of Florida, Inc., effective from October 1, 2023 through September 30, 2024. Countywide (Oliver Bond, Solid Waste Division Manager) [2023-1221](#)

Management and Budget

13. Approve and authorize the Chairman to execute a grant agreement from the State of Florida Department of Environmental Protection in [2023-1090](#)

acceptance of \$11,250,000 (\$10,250,000 new grant funding and \$1,000,000 existing State appropriation) for the Wekiva Septic to Sewer Conversion Phase I; and to execute a Resolution implementing Budget Amendment Request (BAR) #24-003 in the net amount of \$13,500,000 through the Environmental Grant Fund and Water & Sewer fund to recognize the grant revenue, establish necessary interfund transfers, and move County match funds from reserves into the project. Countywide (Timothy Jecks, Budget Director) Requesting Department - Utilities

Resolution #2023-R-125

BAR #24-003

14. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #23-053 in the amount of \$23,628,220.45 through the 11937 ARPA Special Revenue Fund; 00112 Special Project Fund; and 00100 General Fund appropriating projects under the Seminole County Recovery Plan as general government services where applicable. Countywide (Timothy Jecks, Budget Director)

[2023-1110](#)

Resolution #2023-R-126

BAR #23-053

15. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #23-072 in various County Funds in the amount of \$3,950,315.42 to amend the Fiscal Year 2022/23 budget to appropriate Opioid Settlement revenues; increase transfer to the Article V Fund; and transfer from MSBU Street Lighting reserves for increased utility costs. Countywide (Timothy Jecks, Budget Director)

[2023-1188](#)

Resolution #2023-R-127

BAR #23-072

Public Works

16. Approve and authorize the Chairman to execute First Renewal to Lease Agreement with Addiction Recovery and Treatment Center (AdventHealth Hope & Healing Center) to run through December 31, 2024. District4 - Lockhart (Jean Jreij, Public Works Director)

[2023-1164](#)

17. Authorize Chairman to execute the Traffic Signal Maintenance Agreement between ECA Buligo Red Willow Partners, LP and Seminole County for the maintenance of the traffic signal at Red Bug Lake Road and Red Willow Plaza. District1 - Dallari (Jean Jreij, P.E., Public Works Director)

[2023-1202](#)

- 17 a Consideration by the Board of County Commissioners to establish and approve means and methods for the disposition of AC pipe by utilizing any of the three methods: (1) Open Trenching; (2) Close Tolerance Pipe Slurrification (CTPS); (3) Cap and Grout in Place as the approved disposition method for AC Pipe that is to be taken out of service. District2 - Zembower and District4 - Lockhart (Tony Nelson, County Engineer)

[2023-1257](#)

Resource Management

18. Approve Amendments to RFP-603224-18/BJC - State Legislative and Governmental Lobbying Services Agreements with Ronald L. Book, P.A., Hollywood, FL and The Southern Group of Florida, Inc., Tallahassee, to extend the term of the agreements one (1) additional year and authorize the Purchasing and Contracts Division to execute the Amendments. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department/Division - County Manager's Office [2023-1095](#)
- This item was pulled for a separate discussion/vote.***
19. Approve the proposed mediated settlement of an auto liability/bodily injury lawsuit (Henry Jones vs. Seminole County, Florida, Case No. 2022CA001281) related to an automobile crash that occurred on May 26, 2020, for the total amount of \$95,000, inclusive of attorney's fees. Countywide (Bill Telkamp, Risk Manager) [2023-1159](#)
20. Approve the proposed negotiated settlement of all workers' compensation claims by a retired firefighter, which includes a 2006 back injury claim (Claim #358438) and a 2020 hearing loss claim (Claim #1014581) for the total amount of \$103,500, inclusive of attorney's fees and costs. Countywide (Bill Telkamp, Risk Manager) [2023-1161](#)
21. Award IFB-604626-23/MHH - Purchase and Delivery of Sodium Hypochlorite to Allied Universal Corporation, Miami, and authorize the Purchasing and Contracts Division to execute the Agreement. The estimated annual amount is \$1,545,600.00. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department -Utilities [2023-1162](#)
22. Award RFP-604605-23/LAS- Disaster Recovery Consultant Services to Carlisle Thompson LLC, Georgetown, TX, as the main Consultant and Disaster Program & Operations, Inc., Ponte Vedra, FL, ICF Incorporated, L.L.C., Reston, VA, Innovative Emergency Management, Inc., Morrisville, NC, and Tetra Tech, Inc., Maitland, as additional Consultants, on an as-needed basis. Approve and authorize the Purchasing and Contracts Division to execute the Agreements. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department - Office of Management and Budget [2023-1173](#)
23. Award CC-4727-23/GCM - Sand Lake Road at SR434 & Sand Lake Road at West Lake Brantley Road Intersection Improvements to Southland Construction, Inc. of Apopka, in the amount of \$2,781,977.24 and authorize the Purchasing and Contracts Division to execute the Agreement; and approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #24-008 to transfer \$1,517,786.00 from 2014 Infrastructure Sales Tax reserves; \$6,000.00 from West Collector Impact Fee Fund reserves; and to appropriate funding in the amount of \$612,000.00 from Public Works Grant Fund. District3 - Constantine (Diane Reed, Purchasing and [2023-1174](#)

Contracts Division Manager) Requesting Department - Public Works Engineering

Resolution #2023-R-128

BAR #24-008

24. Award RFP-604608-23/LNF - Term Contract for Generator Services and Repairs to Accurate Power and Technology, Inc., Eustis, Genstar Service LLC, Sanford, and Ring Power Corporation, St. Augustine, and authorize the Purchasing and Contracts Division to execute the agreements. Countywide (Diane Reed - Purchasing and Contracts Division Manager) Requesting Department - Fleet and Facilities. [2023-1177](#)
25. Approve and authorize the Chairman to execute a Mutual Termination of Agreement and a new funding agreement with Rescue Outreach Mission of Central Florida, Inc. (ROM). Countywide (Lorie Bailey-Brown, CFO/Resource Management Director) [2023-1203](#)

Utilities

26. Approve and Authorize the Chairman to execute the Customer Agreement for Reclaimed Water Rates, including a General Use Permit with Addendum, with the Florida Department of Transportation. District5 - Herr (Johnny Edwards, Utilities Department Interim Director) [2023-1094](#)
27. Review and Authorize the Chairman to execute the FDEP Consent Order District5 - Herr (Johnny Edwards, Utilities Department Interim Director) [2023-1097](#)

Constitutional Officers – Consent Agenda

Items 28 and 29 were approved with the Consent Agenda.

28. Approval by the Board of County Commissioners (BCC) to appropriate from the Sheriff's Office Fiscal Year 2022/23 General Fund Budget closeout: (1) \$6,200,725.22 in purchase commitments for items not received by 9/30/2023 and (2) \$500,000.00 in budget savings requested to fund a portion of our agency's Mobile Command Vehicle Replacement; and approve and authorize the Chairman to execute a Resolution implementing a Budget Amendment Request (BAR) # 24-009 in the General Fund to transfer \$6,700,725.22 from reserves for the re-appropriation of the Sheriff's purchase commitments and Mobile Command Vehicle. (Lisa Spriggs, Chief of Administrative Services) [2023-1195](#)
- Resolution #2023-R-129**
BAR #24-009
29. Expenditure Approval Lists dated October 11, 18, and 25, 2023; and Payroll Approval Lists dated October 12 and 26, 2023. (Jenny Spencer, CPA, CGFO, and CFE, Director, Comptroller's Office) [2023-1217](#)

Items Pulled for Separate Discussion/Vote

18. Approve Amendments to RFP-603224-18/BJC - State Legislative and Governmental Lobbying Services Agreements with Ronald L. Book, P.A., [2023-1095](#)

Hollywood, FL and The Southern Group of Florida, Inc., Tallahassee, to extend the term of the agreements one (1) additional year and authorize the Purchasing and Contracts Division to execute the Amendments. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department/Division - County Manager's Office

Motion by Commissioner Constantine, seconded by Commissioner Zembower, to approve the amendments to RFP-603224-18/BJC - State Legislative and Governmental Lobbying Services Agreements with Ronald L. Brooke, P.A., Hollywood, FL and The Southern Group of Florida, Inc., Tallahassee, to extend the term of the agreements one (1) additional year; and authorize the Purchasing and Contracts Division to execute the amendments.

Districts 1, 2, 3, and 5 voted AYE.

District 4 abstained from voting and submitted a voting conflict form (received and filed).

REGULAR AGENDA

30. Approve and authorize the Chairman to sign the Jobs Growth Incentive (JGI) Funding Agreement with ExamRoom.AI Corp. for the creation of one-hundred sixty-two (162) new Seminole County jobs providing Local Financial Support (LFS) of \$1,000 per job, for a total of \$162,000 (ExamRoom.AI Corp). District4 - Lockhart (Guilherme Cunha, Economic Development Administrator) [2023-1214](#)

Mr. Cunha addressed the Board and introduced Amanda Jayakeerthi, ExamRoom.AI, who discussed the ExamRoom.AI business and why they've requested the funding agreement. Mr. Cunha presented the item as outlined in the agenda memorandum. There were Board questions, comments, and discussion.

Motion by Vice Chairman Herr, seconded by Commissioner Zembower, to approve and authorize the Chairman to execute the Jobs Growth Incentive (JGI) Funding Agreement between ExamRoom.AI Corp. and Seminole County, providing an incentive of \$1,000 per job, for a total Local Financial Support of \$162, 000 for the creation of one hundred sixty-two (162) new jobs.

Under discussion, Commissioner Constantine shared why he cannot support the JGI. He also recommended the Board look at the policy for JGIs because he does not believe it is doing what they intended. Discussion ensued.

Districts 1, 2, 4, and 5 voted AYE.

District 3 voted NAY.

Motion passed 4 to 1.

Chairman Lockhart recessed the meeting at 10:22 a.m., reconvening at 10:36 a.m.

31. Seminole Forever Update (Rick Durr, Parks and Recreation Director) [2023-1223](#)

Mr. Durr addressed the Board and presented the Seminole Forever Update as outlined in the agenda memorandum.

Motion by Commissioner Dallari, seconded by Commissioner Zembower, to approve the seven (7) nominations to the Acquisition and Restoration Council (ARC) as presented (David Bear, Beverly Evans, Tim Jackson, Dr. Jay Exum, Gabbie Milch, Phyllis Hall, and Janette Schreiber).

Districts 1, 2, 3, 4, and 5 voted AYE.

COUNTY MANAGER AND STAFF BRIEFING

32. ARPA Update (Tricia Johnson, Deputy County Manager) [2023-1236](#)

Ms. Johnson presented the ARPA Update as outlined in the agenda memorandum. There were few questions and comments from the Board.

33. Spring Valley Farms Bridle Path Easement Staff Briefing. District3 - Constantine (Rebecca Hammock, Development Services Director) [2023-1189](#)

Ms. Hammock addressed the Board and presented the item as outlined in the agenda memorandum.

With regard to public participation, Bill Miller spoke in support; no one else spoke, and public input was closed.

Public Comment Form was received and filed.

There were minimal Board questions and comments.

Motion by Commissioner Constantine, seconded by Vice Chairman Herr, to direct staff to administratively vacate the bridle path easements in the Spring Valley Farms Subdivision sections 4 through 7; and refund the application fees to two applications as noted in Ms. Hammock's presentation.

Districts 1, 2, 3, 4, and 5 voted AYE.

Request to Revise FY23/24 Holiday Schedule

Item not on the agenda.

Mr. Gray presented Request to Revise Seminole County's FY23/24 Holiday Schedule handout (received and filed) and explained why he is requesting the revisions.

Motion by Vice Chairman Herr, seconded by Commissioner Constantine, to approve the holiday schedule as presented by Mr. Gray.

Under discussion, Commissioner Zembower stated he doesn't disagree with this for one year, but he would like staff to look at it for future years and see an economic impact statement and what the associated costs would be and services that may fall through the cracks. Mr. Gray

advised he will provide that to the Board.

Districts 1, 2, 3, 4, and 5 voted AYE.

Recess BCC Meeting Until 1:30 P.M.

Chairman Lockhart recessed the meeting at 11:07 a.m.

Reconvene Meeting at 1:30 P.M.

Chairman Lockhart reconvened the meeting at 1:30 p.m.

Public Hearing Agenda

ACCEPT PROOFS OF PUBLICATION

Motion by Commissioner Dallari, seconded by Commissioner Zembower, to authorize the filing of the proofs of publication for this meeting's scheduled public hearing into the Official Record.

Districts 1, 2, 3, 4, and 5 voted AYE.

PUBLIC HEARINGS - QUASI-JUDICIAL

All Districts submitted ex parte communications (received and filed).

34. Tri State Towing PD Rezone - Consider a Rezone from A-1 (Agriculture) to PD (Planned Development) for a proposed warehouse/office and tow yard on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point; (Z2023-010) (Brian Taylor, Applicant) District1 - Dallari (Annie Sillaway, Project Manager) [2023-1099](#)

Ms. Sillaway advised the Applicant has requested a continuance to the December 12 meeting to meet with the owner of the Oviedo Commerce Center which is directly north of the subject site, so staff recommends a continuance of this request.

With regard to public participation, no one spoke; and public input was closed.

Motion by Commissioner Dallari, seconded by Commissioner Zembower, to continue to December 12, 2023, the request to adopt the proposed Ordinance enacting a Rezone from A-1 (Agriculture) to PD (Planned Development); and approve the associated Master Development Plan and Development Order for approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point; Brian Taylor, Applicant; as described in the proof of publication.

Districts 1, 2, 3, 4, and 5 voted AYE.

35. Board of Adjustment Appeal - Appeal of the Board of Adjustment decision to deny the request for: (1) a side yard (west) setback variance from ten (10) feet to two and one-half (2½) feet; and (2) a rear yard setback variance from thirty (30) feet to three (3) feet for an existing shed in the R-1AA (Single Family Dwelling) district, and more particularly known as 149 Academy Oaks Place; (Julius John, Applicant) District3 - Constantine (Angi Gates, Project Manager) [2023-1124](#)

Ms. Gates addressed the Board and presented the item as outlined in the agenda memorandum. Staff recommends the Board uphold the decision of the Board of Adjustment to deny the request for: (1) a side yard (west) setback variance from ten (10) feet to two and one-half (2½) feet; and (2) a rear yard setback variance from thirty (30) feet to three (3) feet for a shed in the R-1AA (Single Family Dwelling) district.

Julius John, Appellant, addressed the Board and shared his comments regarding the history of an existing shed on his property and the BOA decision. There were few questions for Mr. John.

With regard to public participation, Mitchel Krause spoke in support of overturning the BOA decision and Travis Ray (photos received and filed) spoke in opposition to overturning the BOA decision.

Public Comment Forms were received and filed.

Chairman Lockhart advised what they're here for today is an appeal of the setback variance. Mr. John rebutted some of the public comments. There were Board questions and comments.

Motion by Commissioner Constantine, seconded by Commissioner Zembower, to uphold the decision of the Board of Adjustment to deny the request for: (1) a side yard (west) setback variance from ten (10) feet to two and one-half (2 1/2) feet; and (2) a rear yard setback variance from thirty (30) feet to three (3) feet for a shed in the R-1AA (Single Family Dwelling) district; Julius John, Appellant; as described in the proof of publication.

Under discussion, Commissioner Zembower shared why he supports the motion.

Districts 1, 2, 3, 4, and 5 voted AYE.

Chairman Lockhart asked Ms. Gates to work with Mr. John to see what his options may be for applying for a different variance.

PUBLIC HEARINGS - LEGISLATIVE

36. Adopt Ordinance to create the Rice Lake Lake Management Municipal Services Benefit Unit [MSBU]; Adopt the associated preliminary capital assessment roll and the initial variable rate assessment roll required for funding the requested public services. District 5 - Herr (Michael A. Eason Jr., MSBU Program Manager)

[2023-1061](#)

Ordinance #2023-27

Tameka Morton, MSBU, addressed the Board and presented the item as outlined in the agenda memorandum. There were few Board questions.

With regard to public participation Matias Gomez and George Calvi spoke in support. No one else spoke, and public input was closed.

Public Comment Forms were received and filed.

Minimal discussion ensued.

Motion by Vice Chairman Herr, seconded by Commissioner Zembower, to adopt Ordinance #2023-27 creating the Rice Lake Lake Management Municipal Services Benefit Unit (MSBU); the preliminary Capital Assessment roll for Phase 1 MSBU services; and the initial Variable Rate Assessment roll for Phase II MSBU services; as described in the proof of publications.

Under discussion, Vice Chairman Herr thanked the community for their help with this item.

Districts 1, 2, 3, 4, and 5 voted AYE.

COUNTY ATTORNEY'S REPORT

37. SunRail Transition Update (Paul Chipok, Deputy County Attorney) [2023-1234](#)

Mr. Chipok addressed the Board and provided an update regarding the SunRail Transition. He advised the backup information for this item is what will be presented at the upcoming CFCRC meeting. At the November 16 CFCRC meeting, FDOT will be requesting formal direction from the CFCRC board regarding endorsement by that board of the concept to pursue the operations phasing agreement for the transition of SunRail from FDOT to the CFCRC. Staff at FDOT and local government partners have been working jointly over several months on this project already; but there's been no formal approvals from the CFCRC and FDOT hasn't made a formal commitment either. FDOT wants to make the arrangement more formal so that all of the work effort is legitimate and moves forward. He reviewed some of the threshold issues. The operating agreement must be approved by each of the local government partners and the CFCRC board prior to LYNX being installed as the operating entity. If terms cannot be reached, then they need to look for other alternatives; but they need to commence work on that agreement with LYNX at this point in time to know how an operating agreement would work and find out what they don't know today. He noted a series of public meetings FDOT is holding to discuss the Transit Concept and Alternative Review (TCAR) for the Sunshine Corridor (east/west connection from the airport to south I-Drive).

There was Board discussion, questions, and comments. The main topic of discussion was in regard to operational time of the last section of SunRail (Volusia County) and how it correlates to the agreement date.

Chairman Lockhart confirmed with Mr. Chipok that staff is asking for approval to modify and update the existing agreement. Mr. Chipok added primarily to remove the existing maximum operating deficit and also other minor cleanups because if they're doing the phase-in agreement, transitioning from FDOT to the operating entity may be inconsistent with some of the language in the current operating agreement. They want to make sure the agreements run parallel to one another.

Chairman Lockhart asked if there was Board direction to direct staff to modify and be a part of updating the existing agreement as stated by Mr. Chipok and discussion ensued. Mr. Chipok advised he wants to confirm that the direction staff has previously received is still the direction the Board approves of because as they go further into the negotiations, things get more granular. He wants to make sure there are no misconceptions that staff's negotiations are divergent from the Board's direction.

Motion by Commissioner Zembower, seconded by Commissioner Herr, to give staff direction and support to continue to negotiate with their partners and return to the Board whatever information they glean from the continued negotiations.

Motion by Commissioner Dallari to call the question.

Under discussion, Chairman Lockhart asked if there was any input from the County Manager or County Attorney before they voted. Mr. Gray advised as they go through this, they will be updating the Board on each step of the process. Ms. Latorre stated immediately after the last Board meeting there were additional meetings with the steering group, and things do start to get more granular, so they want to make sure the Board understands they will need to be amending the existing operation documents with regard to the deficit numbers and continuing to negotiate with the presumption that LYNX is going to be the operating partner.

Districts 1, 2, 3, 4, and 5 voted AYE.

COUNTY MANAGER'S REPORT

Mr. Gray thanked the Board for their support of the additional holiday time off. He introduced the new Fleet and Facilities Director Chad Wilsky.

DISTRICT COMMISSIONER REPORTS (3, 5, 1, 2 and 4)

District 3: Commissioner Constantine announced recent and future events and meetings. He asked the County Attorney about the annual Ethics training, and Ms. Latorre advised the training has yet to be determined but she will keep the Board updated.

District 5: Vice Chairman Herr announced recent and future events and meetings and discussed the following: LYNX ridership, lobbying solicitations to euthanize a minimum number of animals (which Seminole County is already doing), and the cons of the County Attorney's Office providing Ethics training.

Motion by Vice Chairman Herr, seconded by Commissioner Zembower, to appoint Brenda Urias to the Tourism Development Council (TDC) effective November 16, 2023, through December 31, 2024, replacing Elizabeth Brown who resigned.

Districts 1, 2, 3, 4, and 5 voted AYE.

District 1: Commissioner Dallari advised the Oviedo Women's Club had their 49th Great Day in the Country event. He asked if the County could do either a resolution or proclamation next year for their 50th. He briefly discussed the Best Friends Animal Society regarding

euthanasia. The Commissioner announced recent and future events.

District 2: Commissioner Zembower announced a few events. He brought up an email he received from Gary Huttman, Executive Director, MetroPlan Orlando, which discussed trouble reaching a quorum for their meetings.

Motion by Commissioner Zembower, seconded by Commissioner Dallari, to appoint Jeannine Ellenson for a two-year term to the Library Advisory Board on January 1, 2024; Bryan Wilson to the Animal Control Board for a two-year term beginning January 1, 2024; John Egger to the Contractor Examiner Board for a one-year term beginning January 1, 2024; Richard Jerman to the Planning and Zoning Commission for a four-year term beginning on January 1, 2024; Lourdes Aguirre to the Planning and Zoning Commission for a four-year term beginning January 1, 2024; and Matt Criswell to the Seminole County Port Authority (SCOPA) for a three-year term beginning January 1, 2024.

Under discussion, Chairman Lockhart announced she is not comfortable with the appointment of Mr. Jerman; and Commissioner Zembower stated he will amend the motion to remove the appointment of Mr. Jerman so they can vote on that appointment separately.

Districts 1, 2, 3, 4, and 5 voted AYE.

Motion by Commissioner Zembower, seconded by Commissioner Dallari, to appoint Richard Jerman to the Planning and Zoning Commission for a four-year term beginning on January 1, 2024.

Under discussion, Chairman Lockhart stated she cannot support the motion because of the multiple communications from the public about Mr. Jerman's demeanor on the board. She feels that there may be some conflicts. Vice Chairman Herr agreed and stated those boards are a reflection of the Commission.

Districts 1, 2, and 3 voted AYE.

Districts 4 and 5 voted NAY.

Motion passed 3 to 2.

Motion by Commissioner Zembower, seconded by Commissioner Dallari, to send Walter Grundorf a Letter of Appreciation for his service on the Planning and Zoning Commission.

Districts 1, 2, 3, 4, and 5 voted AYE.

CHAIRMAN'S REPORT

Motion by Chairman Lockhart, seconded by Commissioner Dallari, to appoint Josh Gunderson to the Tourism Development Council replacing Erik Ducharme.

Districts 1, 2, 3, 4, and 5 voted AYE.

The Chairman discussed a Letter of Support that was requested for the NCAA to host their

tennis championships at Sanlando Park. They were on a time crunch to get it done, so she had it drafted and signed. With the Board's consensus, it will go back to Tourism staff for submission.

Motion by Commissioner Zembower, seconded by Vice Chairman Herr, to approve the Letter of Support be sent on behalf of the Chairman.

Districts 1, 2, 3, 4, and 5 voted AYE.

Chairman Lockhart announced recent and future events and meetings. She discussed her service on the Canvassing board and suggested the County Attorney and County Manager talk to the Board at some point about the possibility of adopting, as part of the Administrative Code, how the Board handles the Canvassing board. She explained why she believes the Board should support the suggestion. There was consensus of the Board for staff to start formulating an amendment to the Code.

The Chairman brought up the County Attorney and County Manager annual reviews. The last time they did reviews was in 2020, so they may want to look at new metrics. Mr. Gray and Ms. Latorre have been provided with copies of the metrics of the past. She has asked them to put down what they've already accomplished and their goals, and she will add her comments so that there's an evaluation of some sort on the record. The next Chairman can decide what to do moving forward. Commissioner Dallari noted he has sat down with both the County Attorney and County Manager to review them, and he would like to address compensation. Discussion ensued, and Commissioner Dallari reiterated their compensation needs to be addressed.

COMMUNICATIONS AND/OR REPORTS

1. Certified Letter received November 13, 2023, from the City of Casselberry Community Development Department, notifying the County that David Drive LLC, owner of Parcel ID# 26-20-30-5AR-0D00-055B is voluntarily annexing said property into the City limits of Casselberry.
2. Certified Letter received November 13, 2023, from the City of Casselberry Community Development Department, notifying the County that Plumstead Common LLC, owner of Parcel ID# 33-21-30-300-007B-0000 is voluntarily annexing said property into the City limits of Casselberry.

PUBLIC COMMENT (Items not Related to the Agenda)

There were no public comments.

BOARD REORGANIZATION

38. Election of Chairman and Vice Chairman

[2023-1232](#)

Chairman Lockhart passed the gavel to County Attorney Kate Latorre to act as temporary Chairman to the BCC. Ms. Latorre explained the rules of the Board reorganization and opened the floor for nominations for the Chairman of the BCC.

Commissioner Herr nominated Commissioner Zembower for Chairman. Ms. Latorre

called for any additional nominations.

Motion by Commissioner Dallari to close nominations. Ms. Latorre reminded the Board that a second is not required and called the question.

Districts 1, 2, 3, 4, and 5 voted AYE.

Ms. Latorre opened the floor for nominations for Vice Chairman.

Commissioner Dallari nominated Commissioner Herr for Vice Chairman.

Motion by Commissioner Lockhart to close nominations. Ms. Latorre called the question.

Districts 1, 2, 3, 4, and 5 voted AYE.

Chairman Lockhart mentioned, as Chairman of the BCC, she serves on the Canvassing Board for this round of elections. She will no longer be the Chairman of the BCC serving on that board. Commissioner Zembower asked Ms. Latorre if it is acceptable to request that Chairman Lockhart continues her service on the Canvassing Board. Ms. Latorre explained the statute requires that the Chairman of the BCC serves on the Canvassing Board; and if the Chairman is not willing or able to serve, they must appoint another member of the BCC. Essentially, they need approval for Chairman Lockhart to continue serving on the Canvassing Board for the current election. Commissioner Zembower stated he is unable to serve due to prior commitments, so he would request that the Board support Chairman Lockhart continuing her service. For clarification, Ms. Latorre noted it is Commissioner Zembower's appointment and not the Board's.

Chairman Lockhart stated because of the conversations and things that are going on with the Canvassing Board issue, if they could make it a priority to get whatever needs to be in place because the presidential preference primary will be upon them before they know it. Commissioner Zembower advised sooner rather than later they need to understand legally from the County Attorney where they need to be in that process before they get there.

39. Affirm the Standards of Conduct for Seminole County Commissioners [2023-1233](#)

Ms. Latorre advised the Board's policies and procedures state that the new Chairmanship takes over at the conclusion of the next meeting, so Chairman Lockhart will still execute all documents approved at today's meeting.

Motion by Commissioner Constantine, seconded by Commissioner Dallari, to affirm the Standards of Conduct for Seminole County Commissioners.

Districts 1, 2, 3, 4, and 5 voted AYE.

ADJOURN BCC MEETING

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 3:32 p.m., this same date.

APPROVED by the BCC:

Chairman

Date

ATTEST:

Clerk of Court and Comptroller
AS Clerk to the BCC