

# **SEMINOLE COUNTY, FLORIDA**

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



## **Meeting Minutes**

**Tuesday, February 27, 2024**

**9:30 AM**

**BCC Chambers**

**Board of County Commissioners**

**I. CALL TO ORDER**

**Present:** Chairman Jay Zembower  
Vice Chairman Andria Herr  
Commissioner Bob Dallari  
Commissioner Lee Constantine  
Commissioner Amy Lockhart

***Commissioner Lockhart was absent for the morning session but was present for the afternoon session.***

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

**II. INVOCATION & PLEDGE OF ALLEGIANCE**

Bonnie Hall, Central Florida Freethought Community, gave the invocation. Deputy County Attorney Paul Chipok led the Pledge of Allegiance.

**III. AWARDS, PRESENTATIONS AND PROCLAMATIONS**

1. Proclamation - Proclaiming Sergeant Donald L. Smith, United States Air Force as Seminole County's February Veteran of the Month. (Sergeant Donald L. Smith, United States Air Force) [2024-0147](#)

Motion by Commissioner Constantine, seconded by Commissioner Dallari, to adopt a Proclamation proclaiming Sergeant Donald L. Smith, United States Air Force, as Seminole County's February Veteran of the Month.

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

**ADDITIONS TO MANAGEMENT TEAM**

County Manager Darren Gray announced the following new employees: Adam Leath, Animal Services Division Manager; Steve Koontz, Purchasing and Contracts Division Manager; Mandy Salazar, Parks and Recreation Division Manager; Owen Reagan, Roads and Stormwater Division Manager; Deputy Fire Chief Matthew Hettler, Administration, Fire Department; and Dale Hall, Planning and Development Division Manager.

**III. AWARDS, PRESENTATIONS AND PROCLAMATIONS CONT'D**

2. County Investment Advisor Report (Scott McIntyre, CFA - Senior Portfolio Manager, Managing Director Hilltop Securities Asset Management) [2024-0148](#)

Mr. McIntyre presented the Economic Outlook and Portfolio Strategy PowerPoint.

Motion by Commissioner Dallari, seconded by Vice Chairman Herr, to implement recommendations of the County's financial advisor based on the report submitted today; and recommend the Clerk implement said Board recommendations.

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

**IV. CONSENT AGENDA – PUBLIC PARTICIPATION**

Mr. Gray announced Agenda Item 17, Foundation for Seminole County Schools Partnership Agreement, has been pulled from the Agenda.

Commissioner Dallari requested Agenda Item 28, St. Johns River Water Management District FY25 Cost-Share Grant, be pulled for a separate discussion.

Commissioner Constantine requested Agenda Item 18, Central Florida Regional Workforce Development Board (dba CareerSource Central Florida) Partnership Agreement, be pulled for a separate discussion.

Commissioner Constantine advised he just has a quick question regarding Agenda Item 18. He's a board member of CareerSource, and he wants to make sure it's not a conflict for him to participate in the vote. County Attorney Kate Latorre stated because he is not compensated, there is no conflict. Commissioner Constantine withdrew his request to pull Agenda Item 18.

In regard to Agenda Item 28, Commissioner Dallari stated they have had issues in the past with lawsuits. He wants to make sure that in the grant document, if they're brought into a lawsuit, any and all partners that funded the pilot program are involved in it so the County is not left alone. Ms. Latorre responded she can keep that in mind going forward, but today is just approval of the grant application. She will watch when it comes back in the form of a grant agreement that the concerns are addressed. Commissioner Dallari withdrew his request to pull Agenda Item 28.

With regard to public participation, Mark Britton, Evelyn Britton, and Charles Mullins spoke in opposition to Agenda Item 13, Public Nuisance at 4280 Tangerine Avenue. No one else spoke, and public input was closed.

Public Comment Forms were received and filed.

There were brief Board comments and questions for the speakers. Vice Chairman Herr acknowledged everyone is in agreement that this property has been under Code Enforcement Board review for a long time. Ms. Latorre, at the request of the Vice Chairman, explained to the citizens exactly what is being voted on today.

Motion by Commissioner Constantine, seconded by Commissioner Dallari, to approve Constitutional Officer's Consent Agenda Item 3 and the County Manager's Consent Agenda Items 4 - 16, and 18 - 31.

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

### **Constitutional Officers – Consent Agenda (Item No. 3)**

3. Approve Expenditure Approval Lists dated January 31 and February 7, 2024; and Payroll Approval List dated February 1, 2024. (Jenny Spencer, CPA, CGFO, and CFE, Director - Comptroller's Office) [2024-0130](#)

### **County Manager's Consent Agenda (Items No. 4 - 31)**

#### **County Attorney's Office**

4. Approve and authorize the Chairman to sign a Resolution approving, solely for the limited purposes of Section 147(f) of the Internal Revenue [2024-0153](#)

Code, the issuance by the Housing Finance Authority of Volusia County, Florida of its multifamily housing revenue bonds (Riverbend Landings Apartments Project) for the purpose of providing additional financing for a multifamily residential rental project to be located at 3750 E. State Road 46, Sanford, further described in the Resolution, which is located in the County; and providing an effective date. Countywide (Kate Latorre, County Attorney)

**Resolution #2024-R-16**

**County Manager's Office**

5. Approve and authorize the Chairman to sign a Proclamation proclaiming March 17- 23, 2024, National Agriculture Week in Seminole County, FL. Countywide (Morgan Pinkerton, Extension Agent) [2024-0149](#)
6. Approve and authorize the Chairman to sign a Proclamation proclaiming March 3- 9, 2024, Women in Construction Week in Seminole County, FL. Countywide (Monarcha Marcet, Pre Construction Consultant) [2024-0150](#)
7. Approve and authorize the Chairman to execute a Proclamation for Flood Awareness Week, March 4 -10, 2024 in Seminole County. Countywide (Alan Harris, Emergency Management Director) [2024-0072](#)
8. Approve and authorize the Chairman to sign a Proclamation proclaiming February 10 - 17, 2024 as National Entrepreneurship Week in Seminole County, FL. Countywide (Gui Cunha, Tourism and Economic Development Administrator) [2024-0141](#)
9. Approve and authorize the chairman to sign a Resolution recognizing the 70th anniversary of the All Souls Catholic School in Seminole County, FL. Countywide (Kimberly Walker, All Souls Catholic School) [2024-0151](#)

**Resolution #2024-R-17**

**Community Services**

10. Approve and accept the HOME and NSP monthly report for January 2024 pursuant to Seminole County Resolution No 2015-R-51, and No 2013-R-61. Countywide (Stacey Smithwick, Community Development Division Manager).end [2024-0146](#)

**Development Services**

11. Approve and authorize the Chairman to sign Resolutions releasing a Seminole County Development Order and Cross Access Easement Agreement related to a ROW Utilization Permit at 1101 E. Broadway Street, Oviedo (Applicant - Dave Axel on behalf of Khov RE Holdings Inc.). District2 - Zembower (Rebecca Hammock, Development Services Director) [2023-1287](#)

**Resolution #2024-R-18**

**Resolution #2024-R-19**

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12. Approve and authorize the Chairman to execute the Satisfaction of Lien for Code Enforcement Board Case No. 21-58-CEB, at 238 Jones Avenue, Sanford, Tax Parcel No. 12-20-30-509-0000-0170, previously owned by Jeffrey D. McNair; currently owned by RESI Prestige Worldwide LLC. District5 - Herr (Liz Parkhurst, Project Manager) [2024-0017](#)
13. Issue a determination that the unoccupied structures located at 4280 Tangerine Avenue, Sanford, are a Public Nuisance and authorize the Building Official to: (1) serve notice of this determination, pursuant to Sections 168.5 and 168.6, Seminole County Code; and (2) set a date of April 23, 2024 for a "Show-Cause" public hearing, as prescribed in Sections 168.5-168.7, Seminole County Code. District5 - Herr (Liz Parkhurst, Project Manager) [2024-0065](#)
14. Approve and authorize the chairman to sign the Interlocal Agreement between Seminole County and Orange County regarding the permitting of an additional educational building crossing the county line at an existing private school located on the south side of Aloma Ave, Winter Park, (Richard Baldocci, Applicant). District1 - Dallari (Hilary Padin, Project Manager) [2024-0103](#)

### Fleet and Facilities

15. Approve and authorize the Chairman to execute the Sixth Addendum to Seminole State College of Florida Heathrow Center Lease with maturity date of March 31, 2032 and current annual rent of \$55,683.80. Both parties mutually agree to add 922 square feet of additional leased space for \$1.00/year. District5 - Herr (Chad Wilsky, Fleet and Facilities Director on behalf of Andrea Wesser-Brawner, Chief Strategy & Innovation Officer) [2024-0104](#)

### Innovation and Strategic Initiatives

16. Approve and authorize the Chairman to execute the Corridor Master Services Agreement in the amount of \$300,000 for the purpose of providing an industry cluster initiative crucial for fostering collaboration and innovation within the high-tech ecosystem in Seminole County. Countywide (Andrea Wesser-Brawner, Chief Strategy & Innovation Officer) [2024-0122](#)
17. Approve and authorize the Chairman to execute the Foundation for Seminole County Schools Partnership Agreement in the amount of \$50,000 for the purpose of hosting a one-day Career Fair at an indoor/outdoor location in Seminole County for over 6,000 Seminole County Public Schools students. Countywide (Guilherme Cunha, Economic Development & Tourism Administrator) [2024-0123](#)
- Pulled from the agenda.***
18. Approve and authorize the Chairman to execute the Seminole County Government - Central Florida Regional Workforce Development Board, Inc. (dba CareerSource Central Florida) Partnership Agreement in the [2024-0126](#)

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amount of \$50,000 for the purpose of providing a year-round youth workforce development program for Seminole County students. Countywide (Guilherme Cunha, Economic Development & Tourism Administrator)

### Management and Budget

19. Approve and authorize the Chairman to execute a grant agreement with the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA) passed through from Florida Division of Emergency Management (FDEM) to cover FEMA allowable reimbursement of services during the time period for Hurricane Nicole; and authorize the County Manager or designee to execute all related documents, forms and Modifications to this contract. Countywide (Timothy Jecks, Management & Budget Director) [2024-0102](#)
20. Approve and authorize the Chairman to execute a Resolution implementing the Budget Amendment Request (BAR) #24-034 in the Water and Sewer Fund to transfer \$1,410,000 from reserves for the purchase of a new Hach Sampler; water analysis & treatment; and project management costs. Countywide (Timothy Jecks, Management & Budget Director) Requesting Department - Utilities [2024-0139](#)
- Resolution #2024-R-20**  
**BAR #24-034**
21. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #24-028 in the 2014 Infrastructure Sales Tax Fund to transfer \$289,489 from reserves for additional funding of the EE Williamson Trail Project. District4; Lockhart (Timothy Jecks, Management & Budget Director) - Requesting Dept: Public Works [2024-0106](#)
- Resolution #2024-R-21**  
**BAR #24-028**
22. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #24-029 in the 2014 Infrastructure Sales Tax Fund to transfer \$290,288 from reserves for additional funding of the Jacobs Trail Outfall Project (CIP#01785340). District1; Dallari (Timothy Jecks, Budget Director) - Requesting Dept: Public Works [2024-0107](#)
- Resolution #2024-R-22**  
**BAR #24-029**
- ### Public Works
23. Approve and authorize the Chairman to execute an Amendment to the MetroPlan Orlando Interlocal Agreement. The proposed Amendment affects the makeup of the MetroPlan Orlando Board by adding the City of St. Cloud as a single (1) voting member and by providing Orange County with an additional representative to serve as a voting member. [2024-0069](#)

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Countywide (Jean Jreij, P.E., Public Works Director)

24. Approve and authorize the Chairman to execute a Locally Funded Agreement, Off System Construction and Maintenance Agreement, and Three-Party Escrow Agreement between The State of Florida Department of Transportation (FDOT) and Seminole County in the amount of \$245,510 for the construction of a northbound right turn lane along Airport Boulevard, at the intersection of State Road 46 and Airport Boulevard. The turn lane will be constructed in conjunction with the State Road 46 milling and resurfacing project from east of County Road 15 / Upsala Road to French Avenue (FPN 447103-1-52-01). District5 - Herr (Jean Jreij P.E., Public Works Director) [2024-0134](#)

***Resolution #2024-R-23***

**Resource Management**

25. Award IFB-604672-23/LAS- Term Contract for Grounds Maintenance at Rolling Hills Park to AmeriScapes Landscape Management Services LLC, Orlando, FL, at an estimated annual amount of \$256,740.00 and authorize the Purchasing and Contracts Division to execute the agreement. Countywide (Lorie Bailey Brown, Interim Purchasing and Contracts Division Manager) Requesting Department - Parks and Recreation [2024-0094](#)
26. Award RFP-604684-23/MHH - Water Safety Consultant Services to Swim Life, Inc., Sanford, and authorize the Purchasing and Contracts Division to execute the Agreement. The total cost is \$115,000.00. Countywide (Lorie Bailey Brown, Interim Purchasing and Contracts Division Manager) Requesting Department - Community Services [2024-0051](#)
27. Award CC-5306-23/TAD Yankee Lake Water Reclamation Facility Renewal and Replacement - Phase II to Ovation Construction Company, Inc. of Oviedo, FL in the amount of \$2,909,291.89 and authorize the Purchasing & Contracts Division to execute the Agreement. Countywide (Lorie Bailey Brown, Interim Purchasing and Contracts Division Manager) Requesting Department - Utilities Department [2024-0091](#)
28. Ratify the application for the St Johns River Water Management District FY25 Cost Share grant requesting up to \$3,812,500 for the Yankee Lake Surface Water Treatment Plant Aquifer Recharge Exploratory Well & Feasibility study and authorize the County Manager or designee to execute any documents associated with the grant application. Countywide (Lorie Bailey Brown, Resource Management Director) Requesting Departments - Utilities and Environmental Services [2024-0101](#)
29. Approve Amendment #2 to SS-603851-20/BJC - Maintenance Agreement with Motorola Solutions, Inc., Schaumburg, IL in the amount of \$3,400,000.00 for County-Wide Communications System to include Microwave Upgrade to Towers for Radio Communication, and authorize the Purchasing and Contracts Division to execute the Amendment; and [2024-0108](#)

approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #24-032 in the Major Projects Fund to transfer \$3,400,000.00 of existing ARPA Broadband budget to support this amendment. (Lorie Bailey Brown, Interim Purchasing and Contracts Division Manager) Requesting Department - Emergency Management

**Resolution #2024-R-24**  
**BAR #24-032**

30. Approve the proposed mediated settlement of a general liability/bodily injury lawsuit (Mary Jean Leva v. Seminole County, Florida, Case No. 2022CA001100) related to an incident that occurred on June 27, 2020, for the total amount of \$165,000, inclusive of attorney's fees. Countywide (Bill Telkamp, Risk Manager) [2024-0121](#)
31. Award BID-604667-23/LAS- Direct Capture Exhaust System for Fire Station 11 to SafeAir Corporation, Sarasota, FL at an estimated amount of \$176,334.65 and authorize the Purchasing and Contracts Division to execute the agreement. Countywide (Lorie Bailey Brown, Interim Purchasing and Contracts Division Manager) Requesting Department - Fire [2024-0124](#)

Chairman Zembower recessed the meeting at 10:22 a.m., reconvening at 10:34 a.m.

## **V. WORKSESSION**

32. Park System Master Plan, Deer Run Master Plan (Rick Durr, Parks and Recreation Director) [2024-0152](#)

Mr. Durr reviewed the Parks & Recreation System 2024 Master Plan PowerPoint. Chairman Zembower reminded that this is a living document that can change over the next ten years. There were Board comments. Mr. Gray noted one of the commitments that he has made, as things advance, is that he will bring forward the operating and maintenance plan of how it will be funded. They will see more of that this summer.

Motion by Vice Chairman Herr, seconded by Commissioner Constantine, to adopt the updated Park System Master Plan as required in the agency accreditation program.

With regard to public participation, Daryl Carter yielded his time to speak; and Charles Honaker, Seminole Audubon Society, spoke in support of the presentation.

Public Comment Forms were received and filed.

Under discussion, Chairman Zembower shared his comments on the presentation.

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

Motion by Vice Chairman Herr, seconded by Commissioner Dallari, to direct staff to initiate the due diligence process starting with the traffic study on the "WB Equestrian" property; and return to the BCC at a future date for further consideration.



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

Chairman Zembower asked when the WB Equestrian piece will be brought back, and Mr. Durr asked for a maximum of 90 days.

Mr. Durr then reviewed the Deer Run Park Update and Conceptual Master Plan PowerPoint along with Pete Sechler, GAI Consultants.

Mr. Durr asked for comments/direction from the Board regarding the Next Steps slide. Discussion ensued and the Commissioners shared their comments. Commissioner Dallari requested additional information on the BMAP and TMDLs. There was consensus to move forward with the next steps as outlined in the presentation.

### **Recess BCC Meeting Until 1:30 P.M.**

Chairman Zembower recessed the meeting at 12:03 p.m.

### **Reconvene Meeting at 1:30 P.M.**

Chairman reconvened the meeting at 1:30 p.m.. with all Commissioners and other Officials, with the exception of Clerk Maloy and Deputy Clerk Kyla Farrell who was replaced by Deputy Clerk Terri Porter, who were present at the opening session.

## **VI. PUBLIC HEARING AGENDA**

### **Accept Proofs of Publication**

Motion by Commissioner Dallari, seconded by Commissioner Constantine, 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).

33. Sanford Avenue Small Scale Future Land Use Map Amendment - [2023-1486](#)  
Consider a Small Scale Future Land Use Map Amendment from Public, Quasi-Public to Medium Density Residential on approximately 0.37 acres, located on the east side of Sanford Avenue approximately 800 feet north of S Ronald Reagan Boulevard; (Habitat for Humanity Seminole Apopka, Applicant) District4 - Lockhart (Joy Giles, Project Manager)

### **Ordinance #2024-4**

Ms. Giles addressed the Board to present the item as outlined in the agenda memorandum (presentation received and filed).

With regard to public participation, no one spoke in support or opposition, and public input was closed.

Motion by Commissioner Lockhart, seconded by Commissioner Constantine, to adopt Ordinance #2024-4 enacting a Small Scale Future Land Use Map Amendment from Public, Quasi-Public to Medium Density Residential on approximately 0.37 acres, located on the east side of Sanford Avenue, approximately 800 feet north of S. Ronald Reagan Boulevard; as described in the proof of publication; Habitat for Humanity Seminole Apopka, Applicant.

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

34. Trinity Prep Special Exception - Consider a Special Exception for an additional educational building at an existing private school in the A-1 zoning district on 90.19 acres, located on the south side of Aloma Avenue at Trinity Prep Lane; BS2023-03 (Richard Baldocchi, Applicant) District 1 - Dallari (Hilary Padin, Project Manager) [2024-0099](#)

**Approval D.O. #23-3000003**

Rebecca Hammock, Development Services Director, addressed the Board to present the item as outlined in the agenda memorandum (presentation received and filed).

Richard Baldocchi, with Avcon, Inc. in Orlando on behalf of the Applicant, addressed the Board stating he has a presentation but does not think it is necessary to present. He noted he has a couple of items to clarify.

He thanked staff saying they were very helpful and stated this was very complicated because the property straddles both Orange and Seminole counties. They are good with the recommendation as long as staff and the Board agrees with the 1,200 cap; the development order right now has a lower cap, which is actually their existing population. They would like some ability to grow without having to come back to this Board. Obviously if they build a building or something like that, they will have to come back. He noted the Headmaster of the school is in attendance.

Mr. Baldocchi noted the other item that staff mentioned was that Orange County required some additional parking spaces, and those happen to be in Seminole County. He checked with Orange County yesterday and they are okay with those spaces not being paved. The unpaved parking spaces actually exist today, so they would like to confirm that those can remain as grass spaces.

Chairman Zembower asked whether staff was okay with what was stated by Mr. Baldocchi. Ms. Hammock responded they normally do require any commercial uses to have paved parking, but if it is a condition of the development order for the special exception, that is something that Public Works Engineering can consider during the site plan process.

With regard to public participation, no one spoke in support or opposition, and public input was closed.

Commissioner Lockhart asked whether it was possible to put that intent in the

development order rather than wait for staff to make that decision when the time may come.

County Manager Darren Gray said if that is the request of the Board, he suggested they do that now, because when it goes through site plan review and if that's a requirement and there is a variance to it or something like that, it would have to come back to the Board.

Commissioner Lockhart stated that one of the things that was highlighted during this process is whether or not they have a requirement to put a cap on enrollment in their schools. In reading through the P&Z minutes and in talking to the Applicant, there seems to be a different definition of the word "required" and asked if this is a practice to say it is a requirement, because she thinks, unless something has changed, the last time she talked to the County Attorney there was nothing in any of their Codes that required them to cap enrollment.

Ms. Hammock noted there are special exception criteria in the Code, and a school is a special exception use in the A-1 zoning district, so it is not an outright permitted use; it has to go through the special exception process and has to demonstrate compliance with the special exception criteria. In order to do that, you have to show that it is compatible with the surrounding area, show its impact on the infrastructure, and they have to make sure that the infrastructure there is to support the use. And in order to define the intensity of the use for schools, they have always required a student population cap, because depending on the size of the property, depending on the location of the property and the size of the school, will depend on whether it is an appropriate use for that specific location.

Commissioner Lockhart inquired as to whether applicants are provided that information as a part of the process so they are aware of that from the beginning. Ms. Hammock replied that they usually should be; in this case, she believes it may have been an oversight because it was an existing school and had been there since the late '60s, so the population cap didn't come up until unfortunately the P&Z stage of the process. But they had to be consistent because all of their other schools that require special exception approval have a student population cap; for example, the Master's Academy, Galileo, City Church, One School of the Arts, Orangewood Christian School, Champion Prep School and the Rock Academy.

Commissioner Dallari questioned how they came up with the 1,200 number and whether it should be higher. Ms. Hammock explained that Orange County does have a cap on the student population of 888 and she confirmed that with Orange County staff. But their cap is based on their parking calculation. Seminole's parking calculation is different; it is one per four seats in the auditorium. The 1,200 was requested by the Applicant and that is based on the auditorium seats, and when staff looks at the amount of stacking room that they have on the site and the existing improvements on Aloma, staff does not have any objection to the 1,200.

Vice Chairman Herr said when she was briefed on this last week by staff, she objected to the cap because they didn't have a cap before and this County's rules have

changed. At that point, they were not sure there was an Orange County cap or not. She now wants to understand how that works. She questioned if the 1,200 was sort of null and void, because the lowest of the two is 888. She wants to know what the impact of this is.

Ms. Hammock indicated if they modify their development order for 1,200 and the School wishes to exceed 888, they would not have to come in and amend Seminole's development order, but they would likely be required to go back to Orange County and amend the development order with them, so they would handle that separately from this process.

Rebecca Wilson, Lowndes Law Offices, addressed the Board to explain that Orange County does not adopt special exceptions with a development order. She thinks they are struggling a little bit with the fact that they have two different systems. So there is no development order in Orange County; there is a special exception with a site plan stapled to it. And the backup for approval of that site plan included a parking analysis that included the current student population at 888, so there is no explicit maximum number in Orange County. Implicitly, they may say they considered this when they were doing the parking calculations, on the other hand, that parking is not in Orange County. But if and when they exceeded that amount and Orange County said something, then maybe they go back and change that special exception in Orange County; they just would not have to come back here. And candidly, she has already tried to figure out how they get out of one county and into another. Moving forward, they are going to try to figure out a way to make this easier on Seminole and make this easier on Trinity, because she thinks they all believe it is a great school doing great things and want to encourage them to continue to responsibly serve both Orange and Seminole counties.

Vice Chairman Herr then said she does not see any sense to them putting a cap on this on top of what is already there. Commissioner Dallari agreed.

Upon inquiry by Commissioner Lockhart regarding doing student enrollment counts during the school year, Byron Lawson, Trinity School Headmaster, addressed the Board to advise they report to the board with their counts at the beginning of the school year, approximately three weeks in.

Commissioner Constantine noted he does not think it is important to put a cap on it, and Commissioner Dallari said he'd rather not include a cap and asked the County Attorney if it was a requirement. Ms. Latorre stated no, she does not see it as being an affirmative requirement in their Code.

Chairman Zembower said he felt this is an example of something that should not be at the staff level. He believes staff should bring the evidence and their best argument of why or why not there should be some kind of cap, but he thinks that is a legislative decision based on everything he has looked at in the Code. He asked that the County Manager look into that and get with staff to find out what the best method is for them to get beyond that in a process so that when these applicants are moving through the process, they are not blindsided at the last minute. If it needs to be in the Code, they

should then put it in the Code.

Commissioner Dallari stated that in the development order, it states the number of students should not exceed 888. He would like to strike out (2)d totally, so there is no cap, and he wants included in the D.O. the additional parking that is required by Orange County to be either grass or stabilized earth.

Motion by Commissioner Dallari, seconded by Vice Chairman Herr, to adopt the associated Development Order for a Special Exception for an additional educational building at an existing private school in the A-1 zoning district on 90.19 acres, located on the south side of Aloma Avenue at Trinity Prep Lane, with the two changes he noted including striking out (2)d from the Approval D.O. totally, and approving the additional parking that can be either grass or stabilized earth; as described in the proof of publication; Richard Baldocchi, Applicant.

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

## **VII. COUNTY ATTORNEY'S REPORT**

County Attorney Latorre stated she would like the Board to indulge her for a moment while she recognizes Deputy County Attorney Paul Chipok. Today is his last Board of County Commissioners meeting since he is retiring on February 29th, and she noted he started with the County nine years ago on February 29th, Leap Day. She added he will be missed by her office for his calm, even-tempered manner, his institutional knowledge and expertise on land use and development matters, but mostly for his mentorship and his kindness to the other attorneys. His door is always open and he is always willing to be a sounding board for everyone else in the office. She thanked him for his patience and graciousness as she started working for the County about six months ago.

All Commissioners expressed their sentiments and thanks.

## **IX. COUNTY MANAGER'S REPORT AND STAFF PRESENTATIONS**

Darren Gray, County Manager, also expressed his thanks and appreciation to Paul Chipok.

Mr. Gray reported he has held the position now of County Manager for a year. He thanked the Commission and county staff, and talked about changes, challenges and opportunities along the way.

## **IX. DISTRICT COMMISSIONER REPORTS**

Chairman Zembower asked Commissioner Lockhart to share what happened on behalf of the citizens of Seminole County in the federal court system.

Commissioner Lockhart reported on the United States v. Michael Courtney Shirley (Case No. 22-CR00123). She noted Mr. Shirley was convicted of the crimes he was accused, and the sentencing process started last week and rolled over into today. She then read aloud the letter drafted by the County Attorney that was sent by the Board to Judge Gregory A. Presnell in connection with the case (received and filed). She noted the Judge referenced it today during sentencing and read parts of it in the courtroom as a part of the basis for his decision.

Mr. Shirley was sentenced to 87 months in federal prison and has another two years of supervised probation, and restitution was ordered for \$537,000 and change to the County. She noted the judge also stated that never in his 30-some, odd years of being on the bench has he seen a defendant so completely lacking in remorse or acknowledgement of any type of wrongdoing.

#### **District 4 - Commissioner Lockhart**

Commissioner Lockhart gave a shout-out to their Public Works team that was working on cleaning up a drainage ditch on Bougainvillea Drive in Winter Park. She noted that citizens wrote in to her office saying what a great job they did.

She reported on the Seminole State Dream Gala held this last weekend and talked about the Canvassing Board's possible upcoming meeting, the upcoming State of the County meeting, and other upcoming events.

#### **District 5 - Commissioner Herr**

Vice Chairman Herr talked about the Rescue Outreach Mission upcoming event. She gave a shout-out to staff for their investigation of the Bookertown Community Center building and the possibilities there.

She also gave a shout-out to the County Manager and noted she received exceptional comments from citizens about changes he has made, and commended staff who has accepted doing things a bit differently.

#### **District 1 - Commissioner Dallari**

Commissioner Dallari advised he toured a company that just did a major expansion in the Longwood/Aloma area called ITI Engineering. They do a lot of data transfer and data storage for fighter planes.

He also toured Howell Creek and thanked those that gave him the tour; he was amazed at all the erosion that had taken place and said that is being addressed.

He attended the MPO luncheon and they had a contingency of elected officials from southeast Florida, and there was a presentation about mobility and transit. He noted it was interesting that they started talking about how the cities and this county work so well together; they were amazed at that.

Motion by Commissioner Dallari, seconded by Commissioner Constantine, to reappoint Don Peterson to the Code Enforcement Board for a three-year term beginning January 1, 2024; Anne "Sheeba" West to the Library Advisory Board for a two-year term beginning January 1, 2024; and the appointment of Brandy Loppolo to the Planning and Zoning Commission due to Stephen Smith's resignation, which was due to a conflict; and Cindy Harkins to Parks and Preservation Advisory Committee for a two-year term beginning January 1, 2024.

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

**District 3 - Commissioner Constantine**

Commissioner Constantine commended the County Manager and staff for all their efforts and work saying they are definitely a premier county, not only in this state but throughout the country.

He attended the OBJ Business of Sports and mentioned that Danny Trosset, Tourism, did a great job as one of the members of the panel. They brought out the positive things happening and the niche that Seminole has created for themselves in the business of sports.

He reported on the Regional Planning Council awards event and noted there are some things that Seminole does that should be put forth next year, because he did not think any of their programs were submitted, and believes they have a very good chance of winning.

He further talked about the Wekiva Parkway and the Community Fest that was held, the Wekiva Island Paint Out that is happening this week, the Lake Mary Festival of Arts, Opening Day of Eastmonte Park Spring Babe Ruth League, and The Sharing Center Good Samaritan Luncheon and Fundraiser.

Commissioner Constantine advised that, unfortunately and once again, Sunshine Utilities had another sewage spill. There were 2,500 gallons that went into the Wekiva River in the Springs community.

**District 4 - Commissioner Lockhart (Cont'd)**

Commissioner Lockhart stated she forgot two shout-outs. So, a shout-out to their Extension Services team and volunteer master gardeners and everyone who put together the Garden Expo. The Water Conservation team was also out there.

And she also gave a shout-out to the City of Sanford for holding the Porch Fest event.

**District 2 - Chairman Zembower**

Chairman Zembower noted today is National Spay Day and National Strawberry Day. He reported he toured the facility of .decimal (Dot Decimal LLC) manufacturing and it is a very unique 3-D printing operation. He talked about the connection to treatment of cancer patients, his late wife being one of them.

He reported on the Medical Examiners meeting, the dedication ceremony for Eugene Gregory Memorial Highway noting he was an officer killed in the line of duty in the Geneva area, the Kiwanis Club Open House of Oviedo/Winter Springs, the Dirty Jobs event with the Fire Department, and the Seminole County Prayer Breakfast.

Motion by Chairman Zembower, seconded by Commissioner Dallari, to appoint James Dick to the PPAC board, replacing Pasha Baker, to a term ending December 31, 2025.

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

Motion by Chairman Zembower, seconded by Commissioner Dallari, to appoint Chris

Willenbring to the MPO Citizen Advisory Committee, replacing Patricia Mascott who is no longer able to serve, to a term ending December 2028.

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

34 a. Board Appointments

[2024-0219](#)

### **X. CHAIRMAN'S REPORT**

Motion by Chairman Zembower, seconded by Commissioner Lockhart, to appoint Detective John Monk and Kris Buchanan to the Animal Control Board for a term starting January 1, 2024 thru December 31, 2025; and Shannon Young to the Committee on Aging - Housing Industry) for a term starting January 1, 2024 and ending December 31, 2026.

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

Chairman Zembower ended his report with commenting about the County Manager's first year at the helm stating he appreciated the patience of folks allowing Mr. Gray and his team to collaborate with them in making the County a much better place, because many staff have been here at the County for the last 20 or 30 years.

Chairman Zembower announced that a Board Retreat is scheduled for April 1, and Mr. Gray will notify everyone when a venue has been secured and who the facilitator will be.

### **COMMUNICATIONS AND/OR REPORTS**

1. Letter dated February 7, 2024, from Angela Apperson, City Clerk, City of Altamonte Springs, re: Notice of Public Hearing to consider Ordinance #1811-24 to annex property containing one commercial building located at 385 S. SR 434. cc: County Manager Darren Grey
2. Letter dated February 15, 2024, from BCC Chairman Jay Zembower to James Yarborough notifying the family of the name change of the Ed Yarborough Nature Center to The Ed and Imogene Yarborough Nature Center. cc: Board of County Commissioners; County Manager Darren Gray; and Parks and Recreation Director Rick Durr
3. Letter dated February 15, 2024, from BCC Chairman Jay Zembower to Congressman Cory Mills thanking him for assistance in securing the \$180M Infrastructure for Rebuilding America (INFRA) grant funding for the Central Florida I-4 Truck Parking Facilities. cc: Board of County Commissioners; County Manager Darren Gray; Deputy County Manager Tricia Johnson; Assistant County Manager Kristian Swenson; Assistant County Manager Meloney Koontz; and Public Works Director Jean Jreij, P.E.
4. Letter dated February 20, 2024, from James Stansbury, Chief, Bureau of Community Planning and Growth, Florida Commerce, to BCC Chairman Jay Zembower re: Review of Seminole County Comprehensive Plan Amendment #23-01ESR (Ordinance #2024-2). cc: Development Services Director Rebecca Hammock; and ECFRPC Executive Director Tara McCue



5. Letter dated February 16, 2024, from BCC Chairman Jay Zembower to Senator Jason Brodeur re: Public Safety Issues related to the City of Winter Springs' fire hydrant conditions, testing and maintenance. cc: Board of County Commissioners; County Manager Darren Gray; Deputy County Manager Tricia Johnson; Assistant County Manager Kristian Swenson; and Seminole County Fire Department Chief Matt Kinley
6. Letter dated February 21, 2024, from Pastor John Murphy, PhD, Harvest Time International, to Board of County Commissioners re: Resignation from the CSBG Advisory Board. cc: Carrie Longsworth, Community Assistance Division

35. Board Appointments

[2024-0164](#)

**XI. PUBLIC COMMENT (Items not Related to the Agenda)**

1. Matt Morgan, Deputy Mayor of the City of Longwood, addressed the Board to extend an invitation to the City of Longwood's Second Annual Walk for Autism Awareness and Inclusion event to be held in Reiter Park (flyer received and filed). He talked about his autistic son and the many services provided by Seminole County and Central Florida.

Chairman Zembower asked that staff coordinate these types of things with their cities to have them posted to the County's social media calendar of events.

2. Tawra Lundy addressed the Board to talk about her concerns with the intersection of Celery and Brisson and fatal car accidents that have occurred there, including one that occurred yesterday due to someone speeding through a stop sign at this intersection. She mentioned that there were no sidewalks off of Brisson and the fact that Midway is comprised of mostly African Americans. She is requesting a traffic light be installed.

Chairman Zembower asked that staff reach out to the Sheriff's Office and Sanford City's police. Vice Chairman Herr noted this is located in her district and they are in receipt of the email trails that have gone on about this. She advised they have been in touch with the Sheriff's Office, the Sanford Police Department, and the County's Public Works. She noted there are a lot of things that can and cannot happen out there. The light at the end of Brisson will not stop the speeding on Brisson, and that is not necessarily the solution. There have been requests for speed bumps, but that is also a problem because of the Fire Department's ability to reach emergencies in time. It is simply a situation of the result of the growth that is happening out there, and a result of a bunch of repeat offenders. It is a straight-shot road, and it is just ripe for this.

Vice Chairman Herr stated they need enforcement to address this, and their Public Works Department has looked at this. There needs to be more coordination between Sanford and the County with regard to the developments that are going on out there and how it is that it grows together nicely. She appreciates Ms. Lundy coming forward and advised they are engaging about this over and over again.

Commissioner Lockhart indicated it is occurring in neighborhoods all over this county, and they really need to have some type of expectation set of what the process is that when their staff or offices hear there is a habitual problem with speeding, that first step in working with the Sheriff's Office on enforcement is so critical, because what they hear time and time again

is that enforcement changes behavior. She asked that they find out from the Sheriff's Office how many traffic units they have on the road to catch those that are speeding. She does not know that they have a clear understanding of what the Sheriff has available that can be deployed given the constant complaints that they have about speeding in neighborhoods. She would like a better understanding and the County Manager indicated to the Chairman he would get a handle on this.

Commissioner Constantine commented that many of the speeding tickets given out in a community are to those that live there.

Vice Chairman Herr noted she wanted to revisit the conversation of enforcement and used one example saying it is very well known that you do not speed on International Parkway. They all know that because an officer from the City of Lake Mary would always sit there and he moves that car up and down that road. And now they have even lowered it to 25 mph on the top end of it, even though it is a collector road and they don't like to lower it to even 30 mph on a collector road. She added there are text strings for those businesses that are there and the texts go out to all their co-workers that say "P" is on the road. She does not care if she gets calls from constituents that they received a ticket, because the answer is then "slow down!" She said they spend a lot of resources and this is "blocking and tackling" that they need to have happen.

3. Michael Hagerty addressed the Board to follow up on some of the animal services he talked about before. He visited the shelter with Alan Harris (Emergency Management Director) and said it was in great condition and the people were very pleasant and care about the work that they do. He looks forward to working with them to achieve great success.

He said he wanted to talk about the last meeting he attended (January 9, 2024 BCC) and felt that there were certain disparaging comments that were made about Best Friends [Animal Society]. He understands that the Commission does not want to work with them, but he wanted to make some comments. He asked that they look at Charity Navigator where Best Friends has a 99% rating and is a four-star charity. He added they rank number 70 out of 9,000 in the country.

Mr. Hagerty said he wanted to address individual comments that were made during the last meeting he attended. He opined Commissioner Lockhart criticized the fact that Best Friends had assets over \$100M, although he does not understand what that meant because the Humane Society has assets of \$361M. He said she stated that Best Friends used donor money to build a hotel in the Virgin Islands. He noted that he talked to the CEO who said there is no hotel located there. He advised the investment referred to is a single hedge fund investment of 3% of their assets.

He addressed Vice Chairman Herr saying she accused Best Friends of being a "solution looking for a problem." He opined that Seminole County is killing way too many animals that could be saved. He said she was offended but he was right noting on average 318 animals are killed in a three-month period.

He then addressed Chairman Zembower stating that his comment was to claim the Best Friends' campaign was nothing but a fundraising scam, and, in fact, extortion was the word

that was used.

Chairman Zembower thanked Mr. Hagerty for being here today and said he is entitled to his opinion but opined Mr. Hagerty would not want him to state facts in public that he knows about this organization, its beginnings, its travels, and all the things that are in plain view.

Commissioner Lockhart said she will ensure, for the Clerk’s benefit, that her actual words that she stated are in the previous minutes, because misrepresenting her public comments is unfortunate when there is a public record that exists and a video. She advised the hotel does exist, and she did not suggest that they were using money that was donated for animals to purchase a hotel; she was talking about the assets that would be available, that if this organization wanted to actually help the situation in Seminole County by adopting animals or creating their own shelter here, that they had the assets to do it without continuing to badger, belittle and otherwise misrepresent what this County does. Commissioner Lockhart submitted for the record the Best Friends Animal Society’s 2020 Tax Return, 2021 Form 990 and 990-T, 2018 Form 990, 2019 Form 990 and 990-T, and 2020 Form 990-T (received and filed).

Public Comment Forms were received and filed.

**XII. ADJOURN BCC MEETING**

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 3:15 p.m., this same date.

**APPROVED by the BCC:**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Clerk of Court and Comptroller  
AS Clerk to the BCC