

# **SEMINOLE COUNTY, FLORIDA**

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



## **Meeting Minutes**

**Tuesday, January 9, 2024**

**9:30 AM**

**BCC Chambers**

**Board of County Commissioners**

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**I. CALL TO ORDER**

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

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**

Kurt Slafkovsky, SGTV Senior Video Coordinator, Office of Communications, gave the invocation. Jeremiah Robinson, IT Services, led the Pledge of Allegiance.

**III. AWARDS, PRESENTATIONS AND PROCLAMATIONS**

1. Presentation - Coyotes and Bobcats (Jayne Johnston, Sr Wildlife Assistance Biologist, Florida Fish and Wildlife Conservation Commission) [2023-1441](#)  
Ms. Johnston addressed the Board and presented the Coyotes and Bobcats Wildlife Assistance Program presentation. There were few Board comments, suggestions, and questions.
2. Quarterly Report - Soil and Water Conservation District (Gabrielle Milch) [2023-1440](#)  
Ms. Milch addressed the Board to present the Quarterly Report for the Soil and Water Conservation District. There were few Board comments, suggestions, and questions.

**IV. CONSENT AGENDA – PUBLIC PARTICIPATION**

County Manager Darren Gray announced the deletion of Agenda Item 12, Corridor Partnership Agreement with UCF Research Foundation and associated Budget Amendment Request, and advised it will be brought back at a later date.

Commissioner Lockhart requested to pull Agenda Item 10, Memorandum of Understanding with Spay N Save, for a separate vote.

Motion by Vice Chairman Herr, seconded by Commissioner Dallari, to approve Constitutional Officer's Consent Agenda Item 3 and County Manager's Consent Agenda Items 4 - 10, and 13 - 17.

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

*(The Consent Agenda motion was reconsidered before the Regular Agenda.)*

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

3. Expenditure Approval Lists dated November 29, December 6 and 13, 2023; Payroll Approval List dated December 7, 2023; and the BCC Official Minutes dated November 14, 2023. (Jenny Spencer, CPA, CGFO, and CFE, Director-Comptroller's Office) [2023-1439](#)

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**County Manager's Consent Agenda (Items No. 4 - 17)****Community Services**

4. Approve and authorize the Chairman to execute the Recovery Connections, Inc. Community Mental Health and Substance Use Disorder Services Agreement Amendment in the amount of \$200,000 to provide recovery focused mental health and substance use disorder services to engage Seminole County residents who are seeking recovery, in recovery, or in need of recovery focused support services. Countywide (Kelly Welch, Community Health Division Manager) [2023-1289](#)

**Development Services**

5. Approve 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](#)
6. Authorize the Chairman to execute a Satisfaction of Lien in the amount of \$2,934.99 associated with the property located at 305 Sweetwater Club Circle, Longwood, FL 32779; filed against Ruth A. McAdams; District3 - Constantine (Mary Robinson, Planning and Development Project Manager). [2023-1337](#)
7. Approve the Final Plat for the Carneal's Addition to Chuluota Subdivision containing one (1) lot on 16.07 acres zoned A-5 (Rural), located on the east side of Lake Mills Road, approximately one (1) mile north of Curryville Road; (Robert Carneal, Applicant) District1 - Dallari (Annie Sillaway, Planning and Development Project Manager) [2023-1405](#)
8. Adopt the Resolution approving the operation of the Housing Finance Authority of Volusia County in Seminole County to issue its multifamily Housing Revenue Bonds in one or more series to provide funds to finance Riverbend Landings Apartment Homes Phase II (Atlantic Housing Partners, Applicant); Countywide (Rebecca Hammock, Development Services Director and Allison Thall, Community Services Director). [2023-1421](#)

**Resolution 2024-R-1****Emergency Management**

9. Approve and authorize the Chairman to execute a Memorandum of Understanding (MOU) between Tuskawilla United Methodist Church and Seminole County to act as an emergency shelter during a state or local emergency. Countywide (Alan Harris, Emergency Management Director) [2023-1372](#)

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10. Approve and authorize the Chairman to execute the Memorandum of Agreement with Spay and Save Inc. for support with the Trap Neuter Vaccinate Return (TNVR) program. Countywide (Alan Harris - Emergency Management Director) [2023-1430](#)

***Pulled for separate discussion/vote.***

### **Innovation and Strategic Initiatives**

11. Approve and authorize the Chairman to execute the Seminole County Government - the National Entrepreneur Center Master Services Agreement in the amount of \$45,000 for the purpose of providing small businesses and entrepreneurs access to professional business assistance, quality educational programming, and practical industry expertise in Seminole County. Countywide (Guilherme Cunha, Economic Development & Tourism Administrator) [2023-1344](#)

12. Approve and authorize the Chairman to execute the Seminole County Government - 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; and approve and authorize the Chairman to execute a Resolution implementing the Budget Amendment Request (BAR) #24-020 to appropriate an interfund transfer from the General Fund to the Economic Development Fund. Countywide (Guilherme Cunha, Economic Development & Tourism Administrator) [2023-1348](#)

***Pulled from the agenda.***

### **Management and Budget**

13. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #24-015 in the MSBU Program Fund to transfer \$100,000 from reserves for Rice Lake Lake Management Municipal Services Benefit Unit (MSBU) Phase I (capital) restoration services. Countywide (Timothy Jecks, Director of Management & Budget) [2023-1412](#)

**Resolution #2024-R-2**

**BAR #24-015**

### **Public Works**

14. Authorize Chairman to execute the Decorative Sign Agreement between Markham Meadows Homeowners Association, Inc., and Seminole County. District5- Herr (Jean Jreij, P.E., Public Works Director) [2023-1367](#)

### **Resource Management**

15. Approve the ranking list and authorize staff to negotiate rates in accordance with Section 287.055, Florida Statutes, the Consultants Competitive Negotiation Act (CCNA), and authorize the Purchasing and Contracts Division to execute two (2) Master Service Agreements (MSA's) [2023-1275](#)

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for PS-5135-23/TAD - Professional Engineering and Architectural Services for Solid Waste Management Division Including Municipal Solid Waste Landfill and Transfer Station. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department - Environmental Services

16. Approve ratification from the Board for the submittal of the FEMA Flood Mitigation Assistance grant applications for three Seminole County homeowners that experienced flooding from Hurricane Ian in 2022; and authorize the County Manager or designee to execute any documents associated with the grant applications. Countywide (Alan Harris, Emergency Management Director) Requesting Department - Emergency Management [2023-1429](#)
17. Approve and authorize the Chairman to submit the Emergency Medical Services (EMS) Trust Grant Resolution and Application in the amount of \$63,897.50 from the State of Florida Department of Health to be used for the purchase handheld point-of-care (POC) lactate monitors for emergency medical services providers; and to execute a Budget Amendment Request (BAR) #24-018 through the EMS Trust Grant Fund in the amount of \$63,897.50; and authorize the County Manager or designee to execute all future documents associated with the grant. Countywide (Timothy Jecks, Management and Budget Director) Requesting Department- Fire Department [2023-1431](#)

**Resolution #2024-R-3**  
**Resolution #2024-R-4**  
**BAR #24-018**

### **Items Pulled for Separate Discussion/Vote**

#### **Emergency Management**

10. Approve and authorize the Chairman to execute the Memorandum of Agreement with Spay and Save Inc. for support with the Trap Neuter Vaccinate Return (TNVR) program. Countywide (Alan Harris - Emergency Management Director) [2023-1430](#)

Commissioner Lockhart asked staff to discuss the progression of the TNVR program. Mr. Harris addressed the Board and discussed the program at the Commissioner's request. Commissioner Lockhart confirmed with Mr. Harris that the only group that has asked to partner with the County regarding spaying and neutering is Spay N Save.

Motion by Commissioner Lockhart, seconded by Commissioner Constantine, to approve and authorize the Chairman to execute the Memorandum of Agreement with Spay N Save, in support of the TNVR program.

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

**Reconsideration of Consent Vote**

Chairman Zembower asked for reconsideration on the original Consent Agenda vote to approve Agenda Items 3 - 10 and 13 - 17. Agenda Item 11 was not included in the motion, and Agenda Item 10 had been requested to be pulled for separate discussion and vote.

Motion by Commissioner Constantine, seconded by Commissioner Dallari, to reconsider the Consent Agenda motion.

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

Motion by Vice Chairman Herr, seconded by Commissioner Constantine, to approve Consent Agenda Item 11 as follows: approve and authorize the Chairman to execute the National Entrepreneur Center Master Services Agreement in the amount of \$45,000 for the purpose of providing small businesses and entrepreneurs access to professional business assistance, quality educational programming, and practical industry expertise in Seminole County.

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

**V. REGULAR AGENDA**

18. Consider a request to reduce a Code Enforcement Special Magistrate lien, from \$84,300.00 to \$4,000.00, for Case # 18-23-CESM, on the property located at 3451 Dawn Court, Lake Mary, Tax Parcel ID: 02-20-29-503-0000-0120, (Ahmad Mohammed, Applicant); District5 - Herr (Liz Parkhurst, Planning and Development Project Manager) [2023-1423](#)

Ms. Parkhurst addressed the Board and presented the item as outlined in the agenda memorandum. It was determined that the Applicant was present, and Ahmad Mohammed addressed the Board to discuss the history of the property. There were questions from the Board for the Applicant and staff.

Motion by Vice Chairman Herr, seconded by Chairman Zembower, to deny the request for reduction of the Code Enforcement Special Magistrate lien, from \$84,300.00 to \$4,000.00, for Case #18-23-CESM, on the property located at 3451 Dawn Court, Lake Mary, Tax Parcel ID: 02-20-29-503-0000-0120, owned by Ahmad Mohammed, Applicant; require payment of the lien in the amount of \$84,300.00; and authorize the Chairman to execute the Release of Lien upon payment in full.

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

19. Wekiva Island Paint Out and Spring Fling Special Event Permit - Consider a Special Event Permit for the Wekiva Island Paint Out and Spring Fling on Sunday, February 25, 2024 through Thursday, March 21, 2024; with the exception of the following days: March 8, 9, 15, and 16, 2024, which will have normal business operations and are not a part of the Special Event request, located at 1014 Miami Springs Dr. Longwood; (Mary Sue Weinaug, Applicant) District3 - Constantine (Mary Robinson, Planning and Development Project Manager) [2023-1313](#)

Rebecca Hammock, Development Services Director, addressed the Board and

presented the item as outlined in the agenda memorandum. There were no questions. Applicant Mary Sue Weinaug addressed the Board and clarified that the auction is Wednesday, February 28, so there will be amplified sound under the solar array that day; and the gala is Saturday, March 2, and will also have amplified sound.

With regard to public participation, Jeff Stammer spoke in support of the Special Event Permit. No one else spoke, and public input was closed.

Public Comment Form was received and filed.

Motion by Commissioner Constantine, seconded by Commissioner Lockhart, to approve the Wekiva Island Paint Out and Spring Fling Special Event Permit for Sunday, February 25, 2024, through Thursday, March 21, 2024, with the exception of the following days: March 3 through 9, and 15 through 16, 2024, which will be under normal business operations and are not a part of the Special Event request, located at 1014 Miami Springs Dr., Longwood; Mary Sue Weinaug, Applicant.

Under discussion, Commissioner Dallari asked about the conflict of dates for amplified sound. Ms. Hammock advised staff's speaking notes had the dates incorrect, and Ms. Weinaug was correcting the dates for the record.

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

## **V1. WORKSESSION**

The Chairman recessed the meeting at 11:01 a.m., reconvening at 11:15 a.m.

20. Traffic Calming Update Presentation. Countywide (Charlie Wetzel, County Traffic Engineer) [2023-1305](#)

Mr. Wetzel and Fire Chief Matt Kinley addressed the Board and presented the Traffic Calming Update presentation. The Board asked several questions to staff and shared their comments. Board direction was for staff to circle back with the Commissioners to work out the details before the item goes on an agenda for approval.

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

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

The Chairman recessed the meeting at 11:52 a.m.

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

Chairman Zembower 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.

**VII. PUBLIC HEARING AGENDA****Accept Proofs of Publication**

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

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

**Public Hearings - Quasi - Judicial**

No ex parte communications were submitted.

21. Advanced Autobody Small Scale Future Land Use Map Amendment - [2023-1404](#)  
Consider a Small Scale Future Land Use Map Amendment from Commercial to Industrial for an existing autobody shop on approximately 0.62 acres, located on the west side of S Ronald Reagan Boulevard, approximately 1/2 mile south of North Street; (Z2023-01/07.23SS.01) (JHR Consultants, Applicant) District4 - Lockhart (Annie Sillaway, Planning and Development Project Manager).

**Ordinance #2024-1**

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

The Chairman determined the applicant was in attendance but had no comments to make.

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

Motion by Chairman Lockhart, seconded by Commissioner Dallari to adopt Ordinance #2024-1 enacting a Small Scale Future Land Use Map Amendment from Commercial to Industrial for an existing autobody shop on approximately 0.62 acres, located on the west side of S. Ronald Reagan Boulevard, approximately 1/2 mile south of North Street; as described in the proof of publication; JHR Consultants, Applicant.

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



**Public Hearings - Legislative**

22. Land Development Code Rewrite and Associated Comprehensive Plan Amendments -Consider the second reading of an Ordinance amending Chapter 1 - General Provisions, Chapter 5 - Administration, Chapter 35 - Subdivisions, Chapter 40 - Site Plan Approval, Chapter 60 - Arbor, and Chapter 80 - Construction, and a Repeal and Replace of Chapter 2 Definitions and Chapter 30 - Zoning of the Seminole County Land Development Code and consider adoption of an Ordinance amending the Introduction and Future Land Use Element of the Comprehensive Plan. Countywide (Rebecca Hammock, Development Services Director)  
end [2023-1403](#)

**Ordinance #2024-2****Ordinance #2024-3**

Ms. Hammock addressed the Board to present the item as outlined in the agenda memorandum (presentation received and filed). She advised this is the second reading of an ordinance amending the Land Development Code and the adoption hearing for the associated Comprehensive Plan Amendments. She reviewed staff's request and noted the first reading of the ordinance and transmittal was on October 24, 2023; and that staff did not receive any comments or objections after transmittal to the State and regional review agencies for the associated Comprehensive Plan Amendment. So, they are bringing those back to the Board for adoption in conjunction with the Land Development Code. She then reviewed the Code rewrites. Upon inquiry by Commissioner Constantine for the record, Ms. Hammock confirmed this is a living document and can be changed at any time if they recognize the need.

With regard to public participation, the following spoke in support: Grey Wilson, on behalf of The Friends of the Wekiva River; and George Sellery. Both complimented staff on all of their efforts.

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

Public Comment Forms were received and filed.

Motion by Commissioner Constantine, seconded by Vice Chairman Herr, to adopt Ordinance #2024-2 amending Chapter 1 - General Provisions, Chapter 5 - Administration, Chapter 35 - Subdivisions, Chapter 40 - Site Plan Approval, Chapter 60 - Arbor, and Chapter 80 - Construction, and a Repeal and Replace of Chapter 2 - Definitions and Chapter 30 - Zoning of the Seminole County Land Development Code; and Ordinance 2024-3 amending the Introduction and Future Land Use Element of the Comprehensive Plan; as described in the proof of publication.

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

**IX. COUNTY ATTORNEY'S REPORT**

No report.

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

23. Quarterly Budget Update - (Timothy Jecks, Management and Budget Director) [2023-1452](#)

Mr. Gray indicated he felt it was important, as they start kicking off the budget process for this next fiscal year, to bring up to the Board and to the public, on a quarterly basis, where they are and what the status of their revenues and expenditures are. He added the Board will be able to view this once their Dashboards are up and running, which should be very soon.

Mr. Jecks addressed the Board to give a quick update of the first quarter revenues and expenditures (presentation received and filed). He mentioned the first quarter is 25% of the year, but a lot of their revenues come in delayed, so it is not expected they will see exactly 25% for each category.

Mr. Jecks reviewed Major Revenues, Base Budget Expenditures, Personnel Lapse and Project Budgets (presentation received and filed).

Commissioner Lockhart commented that Mr. Jecks mentioned that their gas taxes support transportation and she said their gas taxes are a drop in the bucket toward supporting transportation and roads. She thinks it is worth noting that a lot of these taxes that they collect do not come close to funding the actual needs that they support, and they often must supplement with General Fund dollars a great portion of the things that these other taxes are supposed to fund. She thinks moving forward this Board is going to have to have some candid conversations about this.

Commissioner Dallari agreed with Commissioner Lockhart's comments. He addressed Mr. Jecks stating that if they look at the Tourism Tax for October from year to year, they are actually down by \$140,000, and he asked if there was a reason for that. Mr. Jecks responded that his understanding is that the FY23 October collection was reflective of more people coming to Florida. If you look at the prior years, you see FY22 with \$422,000; so he thinks it was more of a reflection at the beginning of FY23 being ahead of where they normally are.

Commissioner Dallari stated when he looks at the Gas Tax, the Gas Tax from year to year and month to month is actually almost \$200,000 higher than last year. He thought that Tourism and the Gas Tax would go somewhat hand in hand. He just wants to see what the correlation is, so he is hoping Mr. Jecks will have additional information he could share with the Board at a later date. Mr. Jecks replied he absolutely would.

Vice Chairman Herr stated she thinks it is fabulous that this information is going to end up on a Dashboard.

Chairman Zembower specified he would like to see a percentage change comparison to the previous fiscal year. He thinks it would be helpful for the Board members to understand where they are trending as compared to the historical data from the previous year. Mr. Gray said they have that information and can provide that to the Commissioners.

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

## **X. DISTRICT COMMISSIONER REPORTS**

### **District 5 - Vice Chairman Herr**

Vice Chairman Herr reported she attended the Animal Control Board meeting in Allen Harris' absence, and it was a pleasure to be there with all the volunteers to share her appreciation of all of the work they do.

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

Commissioner Dallari advised at the last MetroPlan Orlando meeting, they received a handout of the Top 30 High-Injury Network Roads designations for Seminole, Orange and Osceola counties, and he has asked staff to share that with the Commissioners.

As the alternate, he attended the last CALNO meeting, and at the end of the meeting, a couple of individuals and mayors from some of the different cities asked what Seminole was doing with the funding they are getting from the "opioids." He assured them that their County Manager would be speaking with their city managers about that because they are trying to figure out how they can all partner together. He expects there will be an update at a later date from Mr. Gray regarding this. Mr. Gray indicated Chairman Zembower and he have a Mayors and Managers meeting next week, and that is on the agenda to discuss.

Commissioner Dallari reported he attended the ECNL Girls games last weekend and stated it was truly amazing. They have held this event for many years at the Lake Sylvan fields and Orlando Soccer fields, but because of the rain, they had to switch to the Boombah Sports Complex by the Sanford Airport. He commented that moving an event of this size and magnitude was truly amazing. Everyone was so thankful to have the facility and staff handled it flawlessly. They moved it back to Sylvan Lake on Sunday and he said staff did a phenomenal job with preparing those fields.

Commissioner Dallari commented he was at the Wekiva Island Winter Wonderland and that Santa's Workshop was truly "Disney-esque."

#### 24. Board Appointments

[2023-1482](#)

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 Ioppolo 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 said he is very much looking forward to the new Fire Station #11 opening up on the 19th. He noted that was the first station that went with consolidation with

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Seminole County helping them to be the "Class 1" that they are today when they merged with Altamonte Springs.

The Commissioner advised the Florida Association of Counties' Legislative Day is on the 17th. It is the first day of the Legislative Session today and SB1184 concerns the rural boundary that they need to be looking at, and there is a "glitch" bill going through today at 4pm at the Community Affairs Committee concerning the Live Local Act, which is going to be an improvement with a lot of the concerns they had about industrial height and a few other things like that. One thing they do have to worry about is an alternative mobility fee bill that has been filed.

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

Commissioner Lockhart stated she had an opportunity to work with the County Attorney's Office in connection with the Canvassing Board. There was a question about the timing with this being in 2024, whether the Chairman would be allowed to have her continue to serve on the Canvassing Board for the Presidential Preference election in March, even though she plans on actively supporting Amy Pennock and potentially others for Supervisor of Elections on the August 2024 ballot. So the question is, if she is supporting someone publicly in 2024, can she still serve on the Presidential Preference primary in March, and the answer was, "yes," because the way the law is written, you cannot be actively supporting someone on the ballot with which you are canvassing. She wanted to put everyone on notice that she will not be able to serve in August, so the Chairman will have to start the process of finding someone else to serve in that role for 2024 because of her decision to support someone on that ballot. (Written communications regarding this received and filed.)

In connection with fiber optics and WOW, Commissioner Lockhart thanked staff who is continuing to try to work with them. She stated they continue to wreak havoc in her district and the types of damage that is being done include water lines being torn up and then roads failing because of the water. It is an absolute disaster. She knows Kristian Swenson, Assistant County Manager, is continuing to work with them trying to get things together, but they are still really struggling.

Commissioner Lockhart mentioned she will be attending the Scottish Highland Games and the FAC Legislative Conference.

Commissioner Lockhart advised they received a letter dated December 29, 2023, but it was not included in the Chairman's Submissions, so she will give it to the Clerk for that purpose (received and filed). The letter came from a resident in her district talking about the WMCA on Longwood/Lake Mary Road. She opined they are going to be in these situations regularly now where community members think that when something private decides to close, that it will be the Government's responsibility to buy it and keep it open, or repurpose it in some way, shape or form. She acknowledged they do have a Joint Use Agreement with the Lake Mary High School Swim Team and they use that for practices, so there is a public purpose currently being served there. She advised she has a meeting set up with executive team members of this "Y" and Amy Pennock, and noted this is also Ms. Pennock's School Board District, to talk about what the ramifications could be and what options there may be. She said she will let the Board know how that meeting goes.

**District 2 - Chairman Zembower**

Chairman Zembower talked about "Martin Luther King Day" and the activities and events to take place.

Chairman Zembower noted that some proclamations are on the agenda as presentations and some are just listed in the Consent portion. He would like staff to get with the Commissioners to see what they prefer and then put it in the Code or put something in there so it carries forward.

He advised he has also been in contact with Wide Open West (WOW), the internet company. There are issues in his district right now because of some of the things that have been going on in the news media and social media. He thinks staff is on top of all of this. He has actually looked into this and learned there have certainly been mistakes made by the vendor and their subcontractors, but there have also been problems with the marking of the lines, the locator services who are a third party that come in and mark lines, and for whatever reason have not always marked them right. They also discovered in other parts of the county and in certain cities, there is no historic documentation of where certain HIP structure actually is. He advised he has spoken to the CEO of WOW, and they have assured him that they will take care of each and every problem and put it back the way it is supposed to be. Staff now has contact information to reach the CEO.

Commissioner Constantine stated the Cities had put together a task force and Seminole is now a part of that and they are all working together. He pointed out that it also involves other companies like AT&T. He noted the County does not have control over this because it is a state legislative requirement that they have the right to use the public right-of-way. The County can help the neighbors in contacting WOW and the others to get in there and fix the problems. This is the problem that happens when they take away local control of public right-of-way.

**25. Board Appointments**[\*\*2023-1484\*\*](#)

Motion by Chairman Zembower, seconded by Vice Chairman Herr, to appoint Andre F. Hickman to the Tourism Development Council for a three-year term replacing Jamie Ross who has termed out.

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

**XI. CHAIRMAN'S REPORT****CORRESPONDENCE AND/OR REPORTS**

1. Letter dated January 5, 2024 from Chairman Zembower to The Sharing Center in support of grant funding for the Five Points Village affordable housing project.
2. Letter dated December 29, 2023 from Mark Kamrath, Longwood citizen, to Commissioner Lockhart requesting consideration by the County to partner with other municipalities or entities to keep the J. Douglas Williams YMCA in Lake Mary from closing. cc: Warren Yon, WMCA; David Mealor, Mayor, City of Lake Mary; and Seminole County Commissioners.

3. Letter dated December 12, 2023 from BCC Chairman Jay Zembower to Terri Porter, VAB Clerk, regarding Commissioners selected to serve on the Value Adjustment Board effective May 1, 2024. cc: Board of County Commissioners and County Commission Records.

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

Michael Hagerty addressed the Board stating he is passionate about helping animals. He spoke of his support for Best Friends Animal Sanctuary in Utah as a donor and a friend. He also supports other animal charities including Pet Alliance in Seminole County and Orlando. He said he attended a recent Animal Control Board meeting and expressed his concern that the next meeting will not be held until March, because he thought there may be another 300 to 400 animals put down by then. He suggested they consider a task force that moves things along quickly. He recommended they change the name of the Animal Control Board to the Animal Welfare Board.

Robert Warner addressed the Board and advised he is the campaign manager for Change Saves Seminole. He shared a personal story about growing up in foster care and bullying that he endured by other children. He found solace in a large black Labrador named Buddy. He opined with the combined efforts of the community and the support of Best Friends Animal Society and the collaboration with shelter leadership and the Board, he believes they can make a difference.

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

Public Comment Forms were received and filed.

Vice Chairman Herr stated she would like Mr. Harris to speak to get fact on the record. The insinuation that hundreds of animals are going to die between now and March is offensive and completely inaccurate. She added the name of the department in the county is Animal Services and it expands well beyond kennels.

Alan Harris, Director of Emergency Management which includes Animal Services, addressed the Board stating he has with him today Steven Lerner, who is currently the Interim Animal Services Division Manager.

Mr. Harris addressed the facts in connection with animal services in the county including the definition of no-kill shelters. He noted that on the website of the campaign that Mr. Warner talked about, it states that Change Saves Seminole is a community movement to end the unnecessary killing of healthy and/or treatable dogs and cats at local shelters. Mr. Harris advised they are an open shelter that took in 6,779 animals last year, and that they get all types of animals and they are not all in wonderful conditions. He said zero is the number of euthanized animals due to space in their shelter, due to breed, and due to length of stay. All animals that needed to be euthanized were assessed by their medical team and then determined they were not going to make it or their quality of life was going to be so bad. He relayed a recent story where one of their vet techs, Nicole, stayed up all night with a dog that was badly burned rubbing ointment on it throughout the entire night to help keep it soothed,

even though the emergency vet thought the animal might not make it through the weekend. Mr. Harris advised their primary purpose at Animal Services is the welfare of the animals and the public's safety, and he explained the instances when they would have to euthanize any animal.

Commissioner Lockhart stated she will be very candid because they have entertained this specific "volunteer" group's interest in providing this County support now for many months. She is not interested in entertaining it anymore. This group created the "Change Saves Seminole" Facebook group complete with logo before they had ever even reached out to the County's Emergency Management team, and that is documented. They created the page on October 2, 2023, and Mr. Harris received the first email from that group asking to have contact with them after that date. So Seminole was already identified as a target, a logo had already been created, and it didn't really matter what information the County had. The decision was made; it was a solution looking for a problem.

Commissioner Lockhart indicated she had looked at this group's 990. The last one on the IRS webpage is from 2020; she did find their 2021 on another webpage. They have over \$100 million in assets, including a hotel in the Virgin Islands. She said if they would like to come and rescue all of the animals in Seminole County and give them wonderful homes and buy a piece of property here and do the wonderful thing they are doing in Utah here in Seminole County to save all the animals here, that they have the assets and the resources to do that. As a donor, someone can look at their 990 because it is a public record.

Commissioner Lockhart advised that she, along with the County Attorney, Mr. Harris and Mr. Lerner, attended a meeting via electronic media and what she would describe the tone to be was, "You will accept our offer to help, or else." She never got to what the "or else" was, but the clear implication to her is that this bombardment of a social media campaign and everything they have invested their time, energy and resources into that is focused on Seminole County is for their own purposes. She does not desire to work with an organization as a "partner" that behaves this way.

Commissioner Constantine noted that Seminole was the first county to do reports on greyhound injuries, and even had to go to court in connection with those races; one of the first in the state to adopt a backyard chicken ordinance, one of the first - if not the first county - to try to eliminate puppy mills. They have a rule of having no exotic animal shows, and were the first in the state to adopt an urban bear ordinance. They have a no-sale rule, only adoption, in all of their pet stores, which other counties tried to do and could not. They have a registry of animal abusers. The Humane Society awarded Seminole for all of the things they have done in connection with the protection of animals and commented they are leader in that. Commissioners Dallari and Herr listed a few more stating that the list goes on and on.

Commissioner Constantine advised he has observed the activity that Mr. Warner's organization has undertaken and opined it is nothing short of attempted extortion by an entity trying to raise money from its donors under the false pretense that this county is not doing good work and not doing the people's work. The group continues to endeavor upon this extortion campaign from their donors all over the country, from places that do not even know where Seminole County is located. He offered if their organization wants to come here, they will help with the permitting process and finding a location. They can set up their own shelter

and they can handle all the animals they desire, or they can fly one of their lavish jets into Orlando Sanford International Airport and load animals up and take them to Utah. This Board has no interest in doing business with this organization, and their extortion campaign is a shame and a crime on the taxpayers of this county for the amount of time that this has taken away from individuals who are trying to help the same entities that they claim are not being helped.

Vice Chairman Herr wanted to put it on the record that Mr. Hagerty is a volunteer speaking out on behalf of animals and they appreciate him caring that much to be here.

**XIII. ADJOURN BCC MEETING**

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 2:35 p.m., this same date.

**APPROVED by the BCC:**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

**ATTEST:**

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