

REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION

DATE: Monday, July 7, 2014
TIME: 6:00 p.m.
PLACE: Town Hall Commission Chambers
409 Fennell Blvd., Lady Lake, Florida

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

AGENDA*

- A. CALL TO ORDER:** Mayor Ruth Kussard
- B. PROCEDURAL:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*
- C. PLEDGE OF ALLEGIANCE:** Mayor Ruth Kussard
- D. INVOCATION¹:** Joan Hutchens of the Bahai Faith
- E. ROLL CALL**
- F. PUBLIC COMMENTS²**
- G. PRESENTATIONS:**
1. Police Department Promotions (Chris McKinstry)
 - Sergeant Robert Tempesta promoted to Lieutenant
 - Acting Corporal Thomas Sarakinis promoted to Sergeant
 - Officer Pandelis (Paul) Perdikes promoted to Corporal
- H. CONSENT³:**
2. Minutes – June 16, 2014 – Regular Commission Meeting
– June 16, 2014 – Fair Housing Workshop Meeting

3. Budget Amendment to Decrease Communication Services Tax Revenue by (\$269,465) Due to a Significant Drop in our Monthly Revenue (Jeannine Michaud)
4. Budget Amendment to Increase Building Other Contractual and Motor Pool Wages (Jeannine Michaud)
5. Consideration of Abatement for Case No. 09-1761 – Letton K. & Chantal Herlong – 127 Hidden Oaks Drive –Town of Lady Lake Code of Ordinance Ch. 8-26 – Business Tax Receipt Needed (Cindy Diemer)
6. Consideration of Abatement for Case No. 09-1763 – Letton K. & Chantal Herlong – 127 Hidden Oaks Drive – Town of Lady Lake Code of Ordinance Ch. 17-26(b) – Commercial Vehicle Parked in a Residential Neighborhood and Land Development Regulations – Ch.17-7(a) – Commercial Signs on Garage Door (Cindy Diemer)
7. Consideration of Disposal of Surplus Property in Accordance with Florida State Statutes, Town Ordinances, and Current Contractual Agreements (Chris McKinstry)

I. OLD BUSINESS:

J. NEW BUSINESS:

8. Consideration to Approve a Donation from the Town Forfeiture/Law Enforcement Trust Fund to Assist Funding for the Florida's Missing Children's Day (Chris McKinstry)
9. Consideration and Approval for the Lady Lake Police Department to Partner with Target and Co-Host a National Night Out for the Town of Lady Lake on August 5, 2014 from 4 p.m. to 8 p.m. (Chris McKinstry)
10. Consideration to Approve a Subscriber Agreement with LexisNexis Risk Solutions FL Inc., for the Purposes of Conducting Law Enforcement Investigations (Chris McKinstry)
11. Consideration of Surveys for Public and Employees Regarding the Current Hours of Operation (Kris Kollgaard)

K. TOWN ATTORNEY'S REPORT:

12. Ordinance No. 2014-04 – Second/Final Reading – Amending the Town of Lady Lake Land Development Regulations (Ordinance No. 94-08); Chapter 1, Article III – Regarding Merging the Parks & Recreation and Tree & Beautification Boards into the Parks, Recreation and Tree Advisory Committee; and Changes to the Technical Review Committee (TRC), Economic Development Advisory Committee, and Special Magistrate (Thad Carroll)
13. Resolution No. 2014-109 – First/Final Reading – KM Reynolds Enterprises, LLC – Pursuant to Chapter 17, Section 17-3, (E), (4), of the Town of Lady Lake Land Development Regulations; Granting a Special Permit Use for an Electronic Message Board/Marquee Sign to be Located on a Freestanding Sign Proposed on

the Property Owned by KM Reynolds Enterprises, LLC– Located at 117 N. Hwy 27/441 (Thad Carroll)

14. Resolution No. 2014-110 – First/Final Reading – KM Reynolds Enterprises, LLC – Variance Pursuant to Chapter 17, Section 17-3).e).4).D).2). to Allow for an Increase in Size from 14 Sq. Ft. to 30 Sq. Ft. on a Proposed Electronic Message Board/Marquee Sign to be Installed on an Existing Freestanding Sign – Located at 117 N. Hwy 27/441 (Thad Carroll)
15. Resolution No. 2014-111 – First/Final Reading – KM Reynolds Enterprises, LLC – Variance Pursuant to Chapter 17, Section 17-3).e).4).D).4). to allow Multi-Color Text Display on a Proposed Electronic Message Board/Marquee Sign to be Installed on an Existing Freestanding Sign – Located at 117 N. Hwy 27/441 (Thad Carroll)

L. TOWN MANAGER’S REPORT:

16. Consideration of Working Out an Agreement with Fruitland Park to Possibly Treat Their Daily Flow Wastewater at the Lady Lake Wastewater Treatment Facility Via a System Interconnection (Kris Kollgaard)

M. MAYOR/COMMISSIONER’S REPORT:

N. PUBLIC COMMENTS⁴

O. ADJOURN

***Back up for agenda items is available on the Town’s website at www.ladylake.org or contact the Town Clerk at (352) 751-1571.**

This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact the Clerk’s Office at least two (2) days prior to the meeting and an interpreter will be provided. To access a Telecommunication Device for Deaf Persons (TDD), please call (352) 751-1565. Any handicapped person requiring special accommodations at this meeting should contact the Clerk’s Office at least two (2) days prior to the meeting.

Advice to the Public: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he may need a verbatim record of the proceedings including the testimony and evidence, a record of which is not provided by the Town of Lady Lake. (F.S. 286-0105)

Please be advised that one or more members of any other Town Board or Committee may be in attendance of this meeting.

NS/Word/Town Clerk/Agendas - Commission Meeting – 07-07-2014

¹ Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

² This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.

³ All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

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G-1

**There Is No
Packet Item
For G-1**

1
2 Police Chief Chris McKinstry stepped up to the podium to announce that the Police Department
3 has hired a new officer, Charles Gehrsitz. He introduced him, and stated he is an Ocala native
4 and has a background in the United States Secret Service and government service in the Middle
5 East. Everyone welcomed Officer Gehrsitz.

6
7 Chief McKinstry also announced that two police officers have received promotions effective
8 today. He introduced Lauren Cashner, who has been promoted to Corporal; and Shane Barrett,
9 who has been promoted to Sergeant after placing number one on the sergeant's test. Chief
10 McKinstry asked that Corporal Cashner's and Sergeant Barrett's families come up to pin their
11 new badges on them. Pictures were taken and the officers were congratulated on their
12 promotions.

13
14 Mayor Kussard asked if anyone in the audience would like to speak on any item. There were no
15 comments.

16
17 **G. CONSENTⁱⁱⁱ:**

18
19 Mayor Kussard explained to the public that consent items are considered routine by the
20 Commission. She asked if any consent items needed to be pulled for discussion, and no items
21 were pulled.

22
23 **1. Minutes – May 19, 2014 – Regular Commission Meeting**

24
25 **2. Budget Amendment to Establish Budgets for Various Grants, the Avenida Central**
26 **Resurfacing Project, and Line Item Adjustments (Jeannine Michaud)**

27
28 The background summary for this agenda item (on file in the Clerk's Office) states that this
29 amendment appropriates a FY 2014 budget for three grants (Alternative to Pursuit, Electronic
30 Message Crime Life Protection, and Bullet Proof Vest) and Police Education 2nd Dollar expense.
31 This amendment will increase the revenue and expenses for Village Fire Assessment, and will
32 move money from Contingency to Facilities Maintenance, and appropriate money from Reserves
33 for the Avenida Central Resurfacing Project. The Commission approved the grants, lobby
34 modification, and Avenida Central project at prior Commission meetings on 11/18/13, 3/17/14,
35 5/5/14, and 5/19/14.

36
37 **3. Budget Amendment to use the Library Impact Fees to Pay the Library Loan**
38 **Instead of Special Revenue (Jeannine Michaud)**

39
40 The background summary for this agenda item (on file in the Clerk's Office) states that the
41 Town's auditor recommended that the Town use its Library Impact Fees to help make a library
42 loan payment as the Library Impact Fees are restricted funds and can only be used on the library.
43 This will free up Special Revenue which can be used to pay off the last wastewater loan payment
44 due in FY 2015 in FY 2014. This will free up Special Revenue in FY 2015. This amendment
45 requires Commission approval because it involves increasing revenues and expenditures and
46 increases the bottom line budget.

47
48 *Upon a motion by Commissioner Richards and a second by Commissioner Hannan, the*
49 *Commission approved Consent Item #G-1 through #G-3, by a vote of 5 to 0.*

1
2 **H. OLD BUSINESS:**
3

4 **4. Consideration and Approval of Replacement of HVAC Systems for the Town Hall**
5 **Server and UPS Rooms (John Pearl)**
6

7 I.T. Director John Pearl gave the background summary for this agenda item (on file in the
8 Clerk's office). He stated that the current climate control systems in the Town Hall server room
9 are undersized. These systems have not been able to maintain an adequate or consistent cooling
10 set point, and this has created several operational and management challenges.
11

12 Mr. Pearl stated this project will provide a redundant, properly sized three-ton cooling capacity
13 for the Town Hall server room and an additional two ton system for the Town Hall UPS room.
14 He stated that the Town will "piggy-back" on the Duval County Public Schools RFP No. 3-
15 12/LG, dated August 16, 2011, and that the complete RFP documentation is available for
16 viewing in the Clerk's office upon request. Mr. Pearl noted that the cost for this project has been
17 included in the FY 2014 budget.
18

19 *Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the*
20 *Commission approved the Request for Replacement of HVAC Systems for the Town Hall*
21 *Server and UPS Rooms, by a vote of 5 to 0.*
22

23 **I. NEW BUSINESS:**
24

25 **5. Review/Discussion of Draft Ordinance Pertaining to Regulations and Prohibitions of**
26 **Medical Marijuana Dispensaries, Non-Medical Marijuana Sales, and Cannabis Farms in**
27 **the Town of Lady Lake (Thad Carroll)**
28

29 Growth Management Director Thad Carroll gave the background summary for this agenda item
30 (on file in the Clerk's Office). He stated that a draft ordinance was included in the packet for
31 consideration by the Town Commission pertaining to the regulation and prohibition of medical
32 marijuana dispensaries, non-medical marijuana sales, and cannabis farms in the Town of Lady
33 Lake. Mr. Carroll stated the ordinance provides for the following:
34

- 35 • Defines the terms necessary for regulation; these amendments will be reflected in Chapter
36 2 of the Land Development Regulations, "Definitions and Interpretations".
37
- 38 • Contains language that prohibits the production of medical marijuana within all zoning
39 districts of the Town; these amendments will be reflected in Chapter 5 of the Land
40 Development Regulations, "Zoning District Regulations".
41
- 42 • Provides for the dispensing of Medical Marijuana in the Heavy Commercial (HC) zoning
43 district as a Special Exception Use (SEU).
44
- 45 • Defines the criteria which must be satisfied to qualify as an appropriate location to
46 establish a medical marijuana dispensary in the Heavy Commercial zoning district as a
47 Special Exception Use (SEU); this language will be reflected in Chapter 6 of the Land
48 Development Regulations, "Conditional Uses and Special Exceptions".
49

1 Mr. Carroll stated that Exhibit C of this ordinance defines all of the criteria that would have to be
2 met under the special exception use.

3
4 Mr. Carroll commented that at this time, no formal actions are being requested of the Town
5 Commission, the draft document has been provided as a matter of discussion. A synopsis of
6 House Bill 843/Senate Bill 1030 has also been provided, as well as a copy of the enrolled bill SB
7 1030. The Town's regulations would be ancillary to the measures provided in the bill. He turned
8 the discussion over to the Town Attorney for any questions.

9
10 Commissioner Hannan stated he assumed this is a working document and not the final draft.

11
12 Town Attorney Derek Schroth replied affirmatively and stated he had suggested to the Town
13 Manager that the Town have a moratorium if the referendum passes. He stated there are two
14 issues: Bill 1030 allows for the "Charlotte's Web" version of marijuana, which is a low THC
15 type only used for medical purposes. He stated the background information on this was included
16 in the packet and that it is different from what is happening in November. Mr. Schroth stated
17 that the amendment to the constitution is a referendum to allow medical marijuana without any
18 restrictions in the language that is provided. He stated the Town Manager passed this out to the
19 Commissioners prior to the start of the meeting.

20
21 Mr. Schroth stated that he thinks this draft ordinance is fine to address the legislation, and that no
22 nursery would comply with the current regulations, and as such, is no threat to the Town. He
23 stated he would suggest the Town enact a moratorium for up to a year if the referendum passes to
24 prohibit any type of marijuana under the referendum, not the "Charlotte's Web" under Bill 1030.
25 He stated this would give the Town time to enact the proper regulations to deal with it after
26 November.

27
28 Commissioner Richards asked if the House and Senate would still have to pass legislation to
29 establish all the parameters and have them signed by the Governor before it became law if the
30 amendment passes.

31
32 Mr. Schroth replied that the legislature would intervene to enact legislation to the extent that they
33 can to be consistent with the amendment.

34
35 Commissioner Hannan asked if the Governor would be able to overrule the amendment if he
36 chose to.

37
38 Mr. Schroth replied that the Governor would have veto power, but if it was a mandate from the
39 people, that would go through the courts. He stated he does not envision a scenario of the
40 Governor using his veto power, because any constitutional amendment needs to have consistent
41 legislation. Mr. Schroth stated he believed it will go through the courts, and that the best thing
42 for the Town would be to have a moratorium to see how it hashes out with the legislature and
43 how other cities will be challenged on what they enact.

44
45 Commissioner Vincent stated he agrees with Mr. Schroth and that he would not like the Town to
46 be a spearhead for this legislation and that it is better to be prepared with this draft ordinance.

1 Town Manager Kris Kollgaard reminded the Commissioners that there are two issues: the
2 Charlotte's Web bill that has passed both the House and the Senate, waiting on the Governor,
3 and the amendment coming up.

4
5 Mayor Kussard stated that it appears there is a vast difference between the bills that have passed
6 the House and Senate and what is going to be on the ballot. She stated the ballot summary seems
7 to be very open and without regulations. She stated she is concerned that it has been written very
8 broadly; stopping short of ensuring strong regulatory oversight.

9
10 Ms. Kollgaard asked if the Commission would like staff to move forward with this ordinance.

11
12 *It was the consensus of the Commission to move forward with this ordinance.*

13
14 **6. Consideration of Renewing the Town Manager's Employment Contract, and if**
15 **Renewed, Consideration of Annual Evaluation and COLA/Merit Performance Adjustment**
16 **(Kris Kollgaard)**

17
18 Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the
19 Town Clerk's office). She stated her current employment contract for the Town Manager
20 position expires June 21, 2014. She stated if it is the pleasure of the Commission to renew this
21 contract, she would be agreeable to renewing the contract under the existing terms for another
22 two years. According to the Town Manager's contract with the Town of Lady Lake, an annual
23 evaluation must be done by the Town Commission on the Town Manager's performance, and if
24 it is the Commission's desire, a performance merit adjustment can be made to the base salary.

25
26 Ms. Kollgaard stated that she would like to move forward with the employment contract and
27 annual evaluation, but put the merit performance adjustment on hold at this time as staff is still
28 working on the budget. She stated that the Town has had a loss in revenue, and the budget may
29 not allow for increases this year, and that she normally receives the same increase as the general
30 employees.

31
32 Commissioner Hannan stated that he can only rate the Town Manager as exceeding expectations
33 under the financial category, regarding the budget. He suggested that the Town's department
34 heads should be able to evaluate the Town Manager because the Commission is not privy to the
35 interactions between them. He commented that they found out about on-going problems with the
36 previous Town Manager back in 2009, and he was eventually let go.

37
38 Ms. Kollgaard stated that she has opened up communication between the department heads and
39 the Commissioners, and that they feel free to contact department heads if they have questions.
40 She stated it would probably put the department heads in an uncomfortable position to be
41 evaluating their supervisor.

42
43 Commissioner Hannan stated it could be done anonymously, and that although he sees no
44 problem with his interaction with the Town Manager, he does not know how she interacts with
45 staff.

46
47 Mayor Kussard stated that she has never heard of a company or government office that has
48 employees rate their boss, and she does not think it is a good situation. She stated the
49 Commission should not get involved with the Town Manager's management of staff as this is

1 what she was hired for. Mayor Kussard stated she has never had a problem asking a question of
2 any department head, staff member, or the Town Manager.

3
4 Commissioner Holden stated that Commissioner Hannan is speaking of a deficiency within the
5 system, but that there is an intimidation factor. He stated that if department heads had a problem
6 with the Town Manager, they could contact a Commissioner to privately discuss it.

7
8 Commissioner Richards stated he understands where Commissioner Hannan is coming from with
9 the previous Town Manager, but that it just does not work that way, and that indications would
10 come from interactions with the Town Manager and sensitive emails, etc. He stated "*It is hard*
11 *to soar like an eagle when you're working with turkeys.*" Commissioner Richards stated that the
12 finished product is a good indication of how things are going, and people appear to be happy,
13 which is a good sign.

14
15 Ms. Kollgaard agreed that the department heads can contact the Commissioners, and the
16 Commissioners can contact the department heads at any time; although she stressed that any
17 direction should come from her, not the Commissioners.

18
19 Commissioner Richards stated he is more than happy with Ms. Kollgaard's service and
20 professionalism, and that he would be glad to see her receive any increase that the general
21 employees get, if any.

- 22
23 - Joe Quinn of 633 Rainbow Blvd. stated his undergrad and graduate work was in Human
24 Resources. He stated that any time he has seen ratings come from the bottom up, it has
25 been a dismal failure. He stated the citizens of Lady Lake should be able to rate the
26 Town Manager, and she gets his vote.

27
28 The Commissioners turned in their evaluations of the Town Manager for filing in the Clerk's
29 Office.

30
31 *Upon a motion by Commissioner Richards and a second by Commissioner Hannan, the*
32 *Commission approved the renewal of the Town Manager's contract for another two years, by*
33 *a vote of 5 to 0.*

34
35 **J. TOWN ATTORNEY'S REPORT:**

36
37 **7. Ordinance No. 2014-04 – First Reading – Amending the Town of Lady Lake Land**
38 **Development Regulations (Ordinance No. 94-08); Chapter 1, Article III – Regarding**
39 **Merging the Parks & Recreation and Tree & Beautification Boards into the Parks,**
40 **Recreation and Tree Advisory Committee; and Changes to the Technical Review**
41 **Committee (TRC), Economic Development Advisory Committee, and Special Magistrate**
42 **(Kris Kollgaard/Thad Carroll/Mike Burske)**

43
44 Derek Schroth, Town Attorney, read the ordinance by title only.

45
46 Growth Management Director Thad Carroll gave the background summary for this agenda item
47 (on file in the Clerk's office). He stated that the attached ordinance, Ordinance No. 2014-04,
48 amends Chapter 1, Article III (Ord. No. 94-08) of the Town of Lady Lake Land Development
49 Regulations, merging the Parks & Recreation Advisory Board and the Tree & Beautification

1 Advisory Committee into one board – the Parks, Recreation and Tree Advisory Committee.
2 Changes to the Technical Review Committee (TRC) include cessation of regularly scheduled
3 meetings; allowing the TRC to consider applications at any time. Minor changes were also made
4 to Section 1-83, deleting Code Enforcement Board; now referred to as the Special Magistrate.
5

6 Mr. Carroll explained that there were issues with obtaining a quorum at some of the meetings of
7 the Parks & Recreation Advisory Board and the Tree & Beautification Advisory Committee,
8 along with a similarity of agenda items for the boards, staff felt combining the boards would
9 alleviate quorum issues, and reduce the number of meetings. He stated this was proposed to the
10 boards at their meetings in March, 2014 and both boards were in favor of merging into one
11 board.
12

13 Mr. Carroll stated that changes to the Economic Development Advisory Committee were
14 originally drafted last November, and staff held off making the changes so all the changes to
15 Article III could be made at the same time. He stated the changes to the Economic Development
16 Advisory Committee include having quarterly meetings instead of monthly, and reducing the
17 number of members to five, with a member of the Growth Management staff acting as liaison
18 rather than as a board member. Mr. Carroll stated that by removing Growth Management staff
19 (himself) from the committee, constraints of the "Sunshine Law" which currently limit
20 communication between staff and committee members, will no longer impede discussions and
21 the relay of information with staff regarding matters being considered by the committee. He
22 stated that at the November meeting of this board, members were in favor of these changes, with
23 the proviso that the chair could call a special meeting if it was their desire.
24

25 Mr. Carroll explained that one of the biggest changes was regarding the Technical Review
26 Committee (TRC). He stated it is made up of staff meeting twice a month in the Chambers as a
27 publically noticed meeting, with the Clerk's office providing support for minutes. He stated they
28 meet to discern whether applications are complete and should advance to the next step in the
29 process, but that usually they know this information prior to the meeting and the applicant(s)
30 sometimes travel distances to attend the meeting. Mr. Carroll stated that this change will involve
31 the application circulating to Public Works, the consulting engineer, and the Planning
32 Department. He stated once the first review is complete, the applicant would be notified whether
33 the application was complete and what meetings follow. If not complete, the application would
34 undergo a second submittal. Mr. Carroll stated this change to the TRC will streamline the
35 process of written comments that would go with the application as it advances through the public
36 hearing process, and reduce meetings that take up staff time.
37

38 Mr. Carroll explained that the Town does not have a Code Enforcement Board, although it has a
39 Code Enforcement division, and a Special Magistrate presides over those meetings. Language
40 has been corrected under Section 1-83 to provide for accuracy in designating the Special
41 Magistrate as the authority.
42

43 Mr. Carroll asked if there were any questions.
44

45 Commissioner Richards asked who will be the contact for the Technical Review Committee.
46

47 Mr. Carroll replied that the Town Planner in Growth Management would be the contact or TRC
48 coordinator.
49

1 Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the
2 Commission approved Ordinance No. 2014-04 – First Reading – Amending the Town of Lady
3 Lake Land Development Regulations (Ordinance No. 94-08); Chapter 1, Article III –
4 Regarding Merging the Parks & Recreation and Tree & Beautification Boards into the Parks,
5 Recreation and Tree Advisory Committee; and Changes to the Technical Review Committee
6 (TRC), Economic Development Advisory Committee, and Special Magistrate, by the following
7 roll call vote:
8

HOLDEN	YES
VINCENT	YES
HANNAN	YES
RICHARDS	YES
KUSSARD	YES

9
10
11
12
13
14
15 **8. Resolution No. 2014-112 – First/Final Reading – Authorizing the Town Manager to**
16 **Execute and Sign the State of Florida Department of Transportation (FDOT) Traffic**
17 **Signal Maintenance and Compensation Agreement (C.T. Eagle)**
18

19 Derek Schroth, Town Attorney, read the resolution by title only.
20

21 Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in
22 the Clerk's office). He stated that the State has programs that allow the maintaining agency
23 (Town of Lady Lake) to be reimbursed for a portion of the cost to maintain highway traffic
24 signals. A previous agreement was entered into by the Town in 2002 via Resolution No. 2002-
25 103. Staff is requesting the authorization to enter into this agreement. The resolution authorizes
26 the Town Manager to execute and sign said agreements.
27

28 Commissioner Richards asked how close the F.D.O.T.'s fee is to the County's for maintaining
29 the traffic signals.
30

31 Mr. Eagle stated it is close, with the range being 50-60% for the maintenance.
32

33 ***Upon a motion by Commissioner Richards and a second by Commissioner Vincent, the***
34 ***Commission approved Resolution No. 2014-112 – First/Final Reading – Authorizing the Town***
35 ***Manager to Execute and Sign the State of Florida Department of Transportation (FDOT)***
36 ***Traffic Signal Maintenance and Compensation Agreement, by the following roll call vote:***
37

HOLDEN	YES
VINCENT	YES
HANNAN	YES
RICHARDS	YES
KUSSARD	YES

38
39
40
41
42
43
44 **K. TOWN MANAGER'S REPORT:**
45

46 Town Manager Kris Kollgaard thanked the Commission for renewing her contract, and stated
47 she is glad to be staying for another two years.
48

1 Ms. Kollgaard reported a new library director has been hired and she will be starting on June 23,
2 2014. She stated that her name is Marsha Brinson, and that she has over 14 years of library
3 experience, with 10 years as a branch supervisor, and a Bachelor of Science degree in education
4 and philosophy. Ms. Kollgaard stated that the current library director will stay on for a few
5 weeks to train her, and Ms. Brinson will be introduced at the next Commission meeting.

6
7 **L. MAYOR/COMMISSIONER'S REPORT:**

8
9 Mayor Kussard asked if the Commissioners had anything to report.

10
11 Commissioner Hannan asked the Town Attorney if there are any laws regarding harassing
12 emails.

13
14 Town Attorney Derek Schroth stated he had received Commissioner Hannan's email regarding
15 this, and that it depends on the nature of the emails; whether they are threatening or inappropriate
16 materials are being sent, and that a stalking statute could apply.

17
18 Commissioner Hannan stated that he believes Mr. Kusky has been harassing Town staff for
19 information needed to feed his obsession, and that it needs to stop. He asked if the Town
20 Manager could be asked to stop communicating with him, and that communications from him
21 should be directed to the attorney and he could be charged attorney's fees.

22
23 Mr. Schroth asked if the Commissioners remembered Richard Hendrick from a few years ago.
24 He reminded them that Mr. Hendricks repeatedly communicated with the Town, and would often
25 bring lawsuits against the Town, The Villages, Starbucks, Office Depot, etc. He stated the Town
26 was able to have him determined to be a vexatious litigant, but that Mr. Kusky does not appear to
27 have crossed that line and he has a right to ask for public records, and even if it went through the
28 attorney, he could not be charged attorney's fees. Mr. Schroth stated if the Town felt staff time
29 was being wasted, they could make a policy that only the Town Manager responded to public
30 records requests as required under FS 1-19.

31
32 Ms. Kollgaard stated that Mr. Kusky's questions are not constant, and that the questions she has
33 received recently are different than before and that she has replied to them.

34
35 Commissioner Holden stated that he believes he is just a nuisance and he has marked his emails
36 as spam.

37
38 Commissioner Richards stated that "no" is the strongest word in the English language and it is an
39 answer.

40
41 Commissioner Vincent stated that Mr. Kusky is still a citizen and his requests should be given
42 consideration.

43
44 Ms. Kollgaard stated that anything that takes a lot of research time would be considered a public
45 records request, but that she has always been accessible to the public for questions.

46
47 Mayor Kussard agreed that a taxpayer has a right to ask the Town for information he needs, no
48 matter that it might be an irritant.
49

1 Commissioner Richards commented that there was a speeding problem on the road that Mr.
2 Kusky has been concerned about, and that the Police Department has taken care of that problem.
3

4 **M. PUBLIC COMMENTS^{iv}**

5
6 Mayor Kussard asked if anyone had any further questions or comments. There were no
7 questions or comments.
8

9 **N. ADJOURN**

10 There being no further discussion, the meeting was adjourned at 6:43 p.m.
11
12
13
14
15

16 Kristen Kollgaard, Town Clerk

17 Ruth Kussard, Mayor

18 Minutes transcribed by Nancy Slaton, Deputy Town Clerk

ⁱ Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

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^{iv} This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.

1 The Town or its appointed board shall immediately investigate the complaint. Within 30 days
2 from the date of the receipt of the complaint, the Town or its appointed board shall establish a
3 written report with findings of fact. If the Town deems the complaint justified, the Town may
4 ask the State Attorney to look into prosecuting the person or persons the complaint is made
5 against.
6

7 Additionally, the Town, if necessary, will evaluate all local ordinances and the practices of the
8 local lending institutions, realtors, and apartment complexes to ensure all are in compliance with
9 State and Federal Fair Housing laws.
10

11 Ms. Fox noted that a copy of the Fair Housing Ordinance (No. 95-02) is available for viewing at
12 this meeting and is kept on record in the Clerk's Office. She asked if anyone had any questions
13 about the Fair Housing ordinance or fair housing practices of the Town of Lady Lake, and as
14 there were no questions, the workshop was concluded.
15

16 **The workshop was adjourned at 5:48 p.m.**
17
18
19

20
21 _____
22 Kristen Kollgaard, Town Clerk
23

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

**TOWN OF LADY LAKE
BUDGET TRANSACTION FORM FY2014**

TO: Town Manager

DATE: 6/23/2014

FROM: Finance

TRANS NO : BT14-018

FUND	ACCOUNT	DEPT	ACCT DESCRIPTION	INCREASE	(DECREASE)
REV					
001	0000-315-1000		Communications Service Tax		\$269,465
001	0000-XXX-XXXX		See Attached	\$58,273	
EXP					
001	XXXX-XXX-XXX: XXXX		See Attached		\$211,192

JUSTIFICATION: Various Budget Adjustments to cover decreased revenues in Communications Service Tax

Required Authorization/Approval

Town Commission Action Required
 From Fund Balance
 Transfer of Budget Between Funds
 Transfer of Budget Between Departments - Anything
 Within Department - Capital
 Increasing/decreasing total revenue and expenditure bottom-line budget

Town Manager
 Transfer of Budget Within Department
 - Operating & Personal Services

Department Heads
 Transfer of Budget Within Operating
 - Not Capital or Personal Services
 - With Town Manager Approval

TOWN COMMISSION ACTION:
 Approved
 Disapproved **DATE:** _____
Agenda Item # _____

Jeannine Michaud
 Department Head Signature and Date

 Town Manager Signature and Date

Finance Dept. Action:
 Amendatory Required
 Disapproved
 Approved **Finance Director** **Date**

DATA ENTRY ACTION:
 Accounting Period: _____
 Posted by: _____
 Data Entry Date: _____

FY2014 Department 2% Cuts - Budget Amendment

Revenue		Increase	Decrease
001-0000-315-1000	Communications Service Tax		269,465
001-0000-311-2000	Delinquent Ad Valorem	7,775	
001-0000-322-1100	Re-Inspection Fees	3,100	
001-0000-329-1500	Tree Permit Fees	1,123	
001-0000-329-3000	Site Plan Review Fees	1,550	
001-0000-329-3500	Subdivision Fees	21,795	
001-0000-342-9000	Other Public Safety Chgs	1,996	
001-0000-344-9000	Other Rd & St Revenue	2,118	
001-0000-354-1000	Animal Control Citations	445	
001-0000-354-3000	Code Enf - Lot Clearing	3,400	
001-0000-362-3100	Tower Rental	7,481	
001-0000-365-1000	Proceeds Material & Scrap	3,800	
001-0000-369-5000	Refund of Pr Year Exp	3,690	
Expenses		58,273	
PW	Department 2% Budget Cuts	Increase	Decrease
4101-541-4310	Admin Elect		5,000
4102-541-1200	Rd&St Regular Pay		11,000
4102-541-5210	Rd&St Gen Operating		10,000
P&R			
7201-572-6410	Capital Equipment		8,000
7201-572-4620	Repairs & Maint		4,570
HR			
1302-513-4930	Employee Programs		2,956
COMM			
1101-511-4800	Promotional Activities		400
1101-511-5210	Gen Operating		100
IT			
1601-516-3110	Other Prof Svc		1,000
1601-516-5500	Training		1,500
1601-516-6410	Capital Equipment		2,000
FIN			
1301-513-3200	Accounting & Auditing		4,950
1301-513-4700	Printing & Binding		800
1301-513-5100	Office Supplies		500
1301-513-5210	Gen Operating		500
1301-513-4000	Travel & Per Diem		675
GM			
1501-515-5210	Gen Operating		600
1501-515-3110	Other Prof Svc		9,550
1501-515-4000	Travel & Per Diem		500
1501-515-5500	Training		500
PD			
2101-521-1200	Regular Pay		72,124
Library			
7101-571-1200	Regular Pay		50,000
OGS			
1901-519-6200	Building		23,967
		211,192	

COMMUNICATION SERVICE TAX DISTRIBUTION

	Nov Pmt	Dec Pmt	Jan Pmt	Feb Pmt	Mar Pmt	Apr Pmt	May Pmt	Jun Pmt	Jul Pmt	Aug Pmt	Sep Pmt	Oct Pmt	TOTAL
LADY LAKE	November DIST	December DIST	January DIST	February DIST	March DIST	April DIST	May DIST	June DIST	July DIST	August DIST	September DIST	October DIST	TOTAL
FY2014	\$105,999	\$99,083	\$108,960	\$41,771	\$41,982	\$41,509	\$39,231	\$44,791					\$523,327
FY2013	\$98,214	\$135,050	\$103,447	\$109,336	\$108,941	\$111,216	\$118,281	\$108,116	\$107,782	\$100,953	\$103,091	\$100,148	\$1,304,575
FY2012	\$83,804	\$93,580	\$91,833	\$91,278	\$105,626	\$108,851	\$111,805	\$110,272	\$102,145	\$99,083	\$97,961	\$93,526	\$1,189,762
FY2011	\$66,848	\$69,233	\$72,456	\$69,693	\$74,699	\$74,658	\$77,016	\$77,341	\$72,612	\$66,523	\$67,777	\$68,696	\$857,551
FY2010	\$64,134	\$65,310	\$69,309	\$71,717	\$72,766	\$67,782	\$75,585	\$73,836	\$68,209	\$65,717	\$64,023	\$65,097	\$823,485
FY2009	\$67,365	\$68,200	\$68,200	\$73,632	\$74,822	\$71,876	\$68,577	\$73,207	\$67,045	\$64,049	\$65,560	\$64,371	\$826,903
FY2008	\$62,726	\$64,494	\$66,797	\$67,765	\$69,559	\$69,546	\$67,738	\$69,164	\$68,918	\$70,080	\$66,856	\$65,558	\$809,202
FY2007	\$57,436	\$63,281	\$63,711	\$63,441	\$65,221	\$65,420	\$66,322	\$67,141	\$62,549	\$62,249	\$61,519	\$62,165	\$760,453
FY2006	\$47,942	\$51,443	\$55,771	\$42,282	\$70,517	\$58,523	\$57,017	\$58,624	\$57,525	\$55,830	\$56,459	\$55,946	\$667,878
FY2005	\$44,242	\$45,724	\$47,985	\$48,618	\$50,829	\$52,627	\$53,535	\$55,461	\$48,702	\$51,204	\$50,993	\$49,801	\$599,719

Below 45,000

45,000-60,000

60,000-80,000

80,000-100,000



TOWN COMMISSION AGENDA ITEM

H-4

REQUESTED REGULAR COMMISSION MEETING DATE July 7, 2014

SUBJECT: Budget Amendment to increase Building Other Contractual and Motor Pool Wages.

DEPARTMENT: Finance Department

RECOMMENDED MOTION: Staff recommends approval of BT14-019 to increase Building Other Contractual \$107,400 and Motor Pool Wages \$10,088.

SUMMARY: Amendment BT14-019 increases Building Other Contractual to cover Nova Engineering monthly expenses. This is offset by an increase in revenue by the Building Dept. Currently all four revenues have surpassed the original budget plus more revenue is expected in FY2014.

The amendment also increases the Motor Pool Wage line items. The budget was artificially low due to a calculation error. The employee's hourly wage was incorrect. This will correct the error to cover the wages being earned. This will be covered by Contingency which has \$102,689.

FISCAL IMPACT: GF Increase \$107,400 [X] Personal Budget [X] Operating Budget [] Other Capital Outlay

ATTACHMENTS: [] Ordinance [] Resolution [X] Budget Resolution

[X] Other (Budget Transaction FT14-019)

[] Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD	<i>JRM</i>	Submitted	Date	6/26/14
FINANCE DEPARTMENT	<i>JRM</i>	Approved as to Budget Requirements	Date	6/26/14
TOWN MANAGER	<i>YK</i>	Approved Agenda Item for:	Date	7/7/14 6/30/14

COMMISSION ACTION: [] Approved as Recommended [] Disapproved

[] Tabled Indefinitely [] Continued to Date Certain

[] Approved with Modification

Reviewed by: *[Signature]*

**TOWN OF LADY LAKE
BUDGET TRANSACTION FORM FY2014**

TO: Town Manager

DATE: 6/26/2014

FROM: Finance Director

TRANS NO : BT14-019

FUND	ACCOUNT	DEPT	ACCT DESCRIPTION	INCREASE	(DECREASE)
REV					
001	0000-322-1000	Bldg	Building Permits	\$88,750	
001	0000-329-0500	Bldg	Bldg Plan Review Fees	\$7,100	
001	0000-329-0600	Bldg	Fire Insp/Rev/Plan Fee	\$9,850	
001	0000-322-1200	Bldg	Bldg Permit Admin Fee	\$1,700	
EXP					
001	2401-524-3410	Bldg	Other Contractual	\$107,400	
001	1903-519-1200	Mtr Pool	Regular Pay	\$9,300	
001	1903-519-2100	Mtr Pool	FICA	\$275	
001	1903-519-2200	Mtr Pool	ICMA	\$480	
001	1903-519-2375	Mtr Pool	L/T Disability	\$33	
001	1901-519-9900	OGS	Contingency		\$10,088

JUSTIFICATION: Increase Bldg Other Contractual for Nova Engineering. Offset by Revenues being earned by Building Dept.
Increase Motor Pool wages. Budgeted too low, hourly wage for an employee was incorrect in the calculations. Contingency =\$102,689

Required Authorization/Approval

Town Commission Action Required
 From Fund Balance
 Transfer of Budget Between Funds
Transfer of Budget Between Departments - Anything
 Within Department - Capital
 Increasing total revenue and expenditure bottom-line budget

Town Manager
 Transfer of Budget Within Department
 - Operating & Personal Services

Department Heads
 Transfer of Budget Within Operating
 - Not Capital or Personal Services
 - With Town Manager Approval

TOWN COMMISSION ACTION:
 Approved
 Disapproved **DATE:** _____
Agenda Item # _____

Jeanine Michael 6/26/2014
 Department Head Signature and Date

Town Manager Signature and Date

Finance Dept. Action:
 Amendatory Required
 Disapproved
 Approved **Finance Director Date**

DATA ENTRY ACTION:
 Accounting Period: _____
 Posted by: _____
 Data Entry Date: _____

TOWN OF LADY LAKE

May 31, 2014

YTD BUDGET REPORT SUMMARY - EXPENSES

May=67%

Actual

Original Budget Transfrs/ Adjstmts Revised Budget YTD Expended YTD Encumb Available Budget % Expended % Used

GENERAL FUND	Original Budget	Transfrs/ Adjstmts	Revised Budget	YTD Expended	YTD Encumb	Available Budget	% Expended	% Used
1101 TOWN COMMISSION	47,970		47,970	32,135	8	28,998	67.0%	67.0%
1201 TOWN MANAGER	209,104		209,104	128,984	0	80,120	61.7%	61.7%
1202 TOWN CLERK	106,614		106,614	63,571	0	43,043	59.6%	59.6%
1203 ELECTIONS	8,000		8,000	2,682		5,318	33.5%	33.5%
1301 FINANCE	370,602		370,602	227,432	6,464	136,706	61.4%	63.1%
1302 HR/RISK MANAGEMENT	147,803		147,803	88,039	0	59,764	59.6%	59.6%
1401 TOWN ATTORNEY	120,000		120,000	47,572	1,535	70,893	39.6%	40.9%
1501 GROWTH MANAGEMENT	246,137	31,700	277,837	181,081	533	96,223	65.2%	65.4%
1601 INFORMATION TECHNOLOGY	224,647	40,430	265,077	169,256	271	95,550	63.9%	64.0%
1901 OTHER GOVT SERVICES	469,007	162,387	631,394	411,739	9,824	209,831	65.2%	66.8%
1902 FACILITIES MAINTENANCE	94,915	4,413	99,328	65,624	0	33,704	66.1%	66.1%
1903 MOTOR POOL	119,169	1,300	120,469	90,520	1,529	28,420	75.1%	76.4%
2101 POLICE DEPARTMENT	3,459,673	20,110	3,479,783	2,152,017	91,633	1,236,133	61.8%	64.5%
2102 VILLAGES DETAIL	146,048		146,048	99,723	1,213	45,112	68.3%	69.1%
2201 VILLAGES FIRE PROTECTION (PASS THRU)	715,884	14,318	730,202	722,414	0	7,788	98.9%	98.9%
2401 BUILDING	207,344		207,344	186,491	5,803	15,050	89.9%	92.7%
2901 CODE ENFORCEMENT	57,263		57,263	31,093	1,350	24,820	54.3%	56.7%
4101 PUBLIC WORKS - ADMIN	232,300	31,700	264,000	169,197	4,130	90,673	64.1%	65.7%
4102 ROAD & STREET	1,021,533	1,510,000	2,531,533	685,474	692,792	1,153,267	27.1%	54.4%
7101 LIBRARY	806,959		806,959	464,192	11,807	330,960	57.5%	59.0%
7201 PARKS & REC ADMIN	603,909	530,379	1,134,288	668,489	191,869	273,930	58.9%	75.9%
7501 COMMUNITY BUILDING	14,306		14,306	3,820	2,680	7,806	26.7%	45.4%
FUND 001 TOTAL GENERAL FUND	9,429,187	2,346,737	11,775,924	6,691,545	1,023,441	4,074,109	56.8%	65.5%

** Expenditures do not include depreciation

UTILITY FUND	Original Budget	Transfrs/ Adjstmts	Revised Budget	YTD Expended	YTD Encumb	Available Budget	% Expended	% Used
3301 WATER	1,197,287	160,000	1,357,287	728,124	82,195	546,968	53.6%	59.7%
3402 SOLID WASTE	354,764		354,764	206,533	107,184	41,047	58.2%	88.4%
3503 SEWER	1,456,429	182,846	1,639,275	1,040,689	96,965	501,621	63.5%	69.4%
FUND 400 TOTAL UTILITY FUND	3,008,480	342,846	3,351,326	1,975,346	286,344	1,089,636	58.9%	67.5%
				208,006		Water Depreciation		208,006
				467,888		Sewer Depreciation		467,888
	3,008,480	342,846	3,351,326	2,651,240	286,344	413,742	79.1%	87.7%

Radio Meters
By Pass Pump & WW
Mstr Pln & Addtl
Loan Pmt

Wage Need BA

Glocks, Grants

Need BA

Durango

CDBG, Avenida

FDOT, Shade

Durango

CDBG, Avenida

FDOT, Shade

Durango

CDBG, Avenida

FDOT, Shade

TOWN OF LADY LAKE
EXPENDITURE DETAIL
MAY 2014 66.67% OF BUDGET YEAR

ACCOUNT	ACCOUNT DESCRIPTION	FY2014 BUDGET	FY2014 ACTUAL	CURRENT ENCUMB	UNPOSTED	FY2014 EXPENSES	BUDGET VARIANCE	% OF SPENT
	BUILDING							
2401-12-00	REGULAR PAY	31,595	19,916	0	2,430	19,916	11,679	63.04
2401-21-00	FICA TAXES	2,426	1,509	0	184	1,509	917	62.20
2401-22-20	GE ICMA 401 CONTRIBUTIONS	1,896	1,158	0	146	1,158	738	61.08
2401-23-10	TERM LIFE	80	52	0	7	52	28	65.00
2401-23-20	HEALTH INSURANCE	6,441	4,294	0	537	4,294	2,147	66.67
2401-23-25	DENTAL INSURANCE	247	165	0	21	165	82	66.80
2401-23-75	L/T DISABILITY	117	74	0	9	74	43	63.25
2401-24-00	WORKERS COMPENSATION	57	48	0	0	48	9	84.21

*	PERSONAL SERVICES	42,859	27,215	0	3,334	27,215	15,644	63.50
2401-34-10	OTHER CONTRACT. SVC.	158,960	156,697	4,865	0	161,562	2,602	101.64
2401-41-00	TELEPHONE, CELL, PAGERS	708	409	0	54	409	299	57.77
2401-44-00	RENTALS & LEASES	2,042	879	568	0	1,447	595	70.86
2401-46-20	REPAIRS & MAINTENANCE	0	316	316	0	632	632	.00
2401-47-00	PRINTING & BINDING	1,375	300	54	0	354	1,021	25.75
2401-51-00	OFFICE SUPPLIES	900	444	0	0	444	456	49.33
2401-52-10	GENERAL OPERATING	250	98	0	0	98	152	39.20
2401-52-51	CONVENIENCE FEE COSTS	0	15	0	14	15	15	.00
2401-54-10	BKS,PUB,SUB, MEM	150	117	0	0	117	33	78.00
2401-55-00	TRAINING	100	0	0	0	0	100	.00

*	OPERATING EXPEND/EXPENSES	164,485	159,275	5,803	68	165,078	593	100.36
**	BUILDING	207,344	186,491	5,803	3,402	192,294	15,050	92.74

322,1000
Permits 193,037
24,000 INV X 41 = 96,000
B.T. 28,552
124,552

Need Budget Amendment

File Edit Commands Help
SUNGARD PUBLIC SECTOR
 NavLine

801-2401-524.34-10
 Account miscellane
 Budget miscellane
 Encumbrances
 Pre-encumbrances
 Transactions
 Detail by date
 Detail by code
 Detail by year & r
 Pending by date
 Pending by code
 Pending by year
 Procurement car

Account information
 OTHER CONTRACTUAL SVCS OTHER CONTRACT. SVC.
 Fiscal year: 2014 DF
 Budget: 158,960.00
 Committed: 157,512.95
 Balance: 28,552.95- *Negative*

Project Data
 Project Entry Optional

Account Balance by Period

Month	Balance	Total
06 March	24,178.42	79,886.78
07 April	51,978.81	131,857.59
08 May	24,839.80	156,697.39
09 June	26,610.92	183,308.31
10 July	.00	183,308.31
11 August	.00	183,308.31
12 September	.00	183,308.31

Payment information
 Vendor (* indicates pending) Total
 SUNGARD PUBLIC SECTOR INC 3,390.00
 NOVA ENGINEERING AND ENVIRONME 180,008.31

Encumbrances

PO #	Vendor	Balance
140023	SUNGARD PUBLIC SECTOR	4,204.64

Pre Encumbrances

Type	Req/PO	Project	Balance

Segment/Balance Details

Fund	001	GENERAL FUND	Original Budget	.00
Department	24	BUILDING	Revised Budget	158,960.00
Division	01	BUILDING	Current expenditures	26,610.92
Activity basic	52	PUBLIC SAFETY	YTD expenditures	156,697.39
Sub activity	4	PROTECTIVE INSPECTIONS	Unposted expenditures	.00
Element	34	OTHER CONTRACTUAL SVCS	Encumbrances	4,204.64
Object	10	OTHER CONTRACT. SVC.	Unposted encumbrances	.00

Print
 Cancel
 Exit
 Previous acc...
 Next account
 2013
 2015
 Account activi...
 Pending trans...
 Images
 Budget alloca...

PREPARED 06/26/2014, 9:47:42
 PROGRAM GM3621A
 TOWN OF LADY LAKE

GENERAL LEDGER ACTIVITY LISTING

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEGINNING BALANCE	DEBITS	CREDITS	ENDING BALANCE
001-0000-322.10-00	BUILDING PERMITS / BUILDING PERMITS	.00	245.00	193,282.01	193,037.01CR

21,000 per month
 64,000

Budget
 168,562

Excess
 24,720 REV
 64,000 Expected REV
 88,720

88,750.00 + Bld Permits
 18,650.00 + other Revenues

002 107,400.00G+

PREPARED 06/26/2014, 9:49:04
 PROGRAM GM3621A
 TOWN OF LADY LAKE

GENERAL LEDGER ACTIVITY LISTING

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEGINNING BALANCE	DEBITS	CREDITS	ENDING BALANCE
001-0000-329.05-00	BLDG PLAN REVIEW FEES	.00		26,960.43	26,960.43CR
001-0000-329.06-00	FIRE INSP/REV/PLAN FEE	.00		23,166.36	23,166.36CR
001-0000-329.12-00	BLDG. PERMIT ADMIN FEE	.00		3,720.00	3,720.00CR
	FUND TOTAL			53,846.79	53,846.79CR

Budget
 20,425
 15,333
 2,783

Excess Rev: 6,535
 7,833
 937
 15,305

Expected Rev: 500
 2,000
 750
 3,250

18,555

1700
 9879
 050
 2100

ACCOUNT	ACCOUNT DESCRIPTION	FY2014 BUDGET	FY2014 ACTUAL	CURRENT ENCUMB	UNPOSTED	FY2014 EXPENSES	BUDGET VARIANCE	% OF SPENT
	MOTOR POOL							
1903-12-00	REGULAR PAY	60,403	46,491	0	5,820	52,311	8,091	76.97
1903-14-00	OVERTIME	4,300	1,313	0	267	1,313	2,987	30.53
1903-21-00	FICA TAXES	4,867	3,437	0	419	3,855	1,011	70.62
1903-22-20	GE ICMA 401 CONTRIBUTIONS	3,804	2,868	0	365	3,437	430	75.39
1903-23-10	TERM LIFE	152	117	0	14	117	35	76.97
1903-23-20	HEALTH INSURANCE	12,881	9,962	0	1,551	9,962	2,919	77.34
1903-23-25	DENTAL INSURANCE	494	309	0	41	309	185	62.55
1903-23-75	L/T DISABILITY	223	169	0	21	189	33	75.78
1903-24-00	WORKERS COMPENSATION	2,178	1,811	0	0	1,811	367	83.15

*	PERSONAL SERVICES	89,302	66,477	0	8,498	66,477	22,825	74.44
1903-31-10	OTHER PROFESSIONAL SERVIC	150	0	250	0	250	100	166.67
1903-40-00	TRAVEL & PER DIEM	50	0	0	0	0	50	.00
1903-41-00	TELEPHONE, CELL, PAGERS	1,368	576	0	71	576	792	42.11
1903-43-10	ELECTRICITY	3,000	1,565	0	134	1,565	1,435	52.17
1903-46-10	VEHICLE REPAIRS	500	104	0	0	104	396	20.80
1903-46-20	REPAIRS & MAINTENANCE	1,500	993	145	27	1,138	362	75.87
1903-47-00	PRINTING & BINDING	50	0	0	0	0	50	.00
1903-49-10	OTHER CUR. CHG.	25	81	0	0	81	56	324.00
1903-51-00	OFFICE SUPPLIES	100	228	0	0	228	128	228.00
1903-52-10	GENERAL OPERATING	7,300	6,058	1,134	25	7,192	108	98.52
1903-52-60	GAS & DIESEL EXPENSE	3,200	2,940	0	0	2,940	260	91.88
1903-52-70	UNIFORM EXPENSE	1,200	898	0	9	898	302	74.83
1903-55-00	TRAINING	700	599	0	102	599	101	85.57

Need Budget Amendment

425 x 3 = 1275
350 x 3 = 1050

22 x 3 = 66

\$ 271 OK Needed

45 ok

+ 9300

+ 275

+ 480

+ 33

ACCOUNT	ACCOUNT DESCRIPTION	FY2014 BUDGET	FY2014 ACTUAL	CURRENT ENCUMB	UNPOSTED	FY2014 EXPENSES	BUDGET VARIANCE	% OF SPENT
* 1903-62-00	OPERATING EXPEND/EXPENSES BUILDINGS	19,143	14,042	1,529	368	15,571	3,572	81.34
		2,055	0	0	0	0	2,055	.00
1903-64-10	EQUIPMENT	9,969	10,001	0	0	10,001	32-	100.32
* **	CAPITAL OUTLAY MOTOR POOL	12,024	10,001	0	0	10,001	2,023	83.18
		120,469	90,520	1,529	8,866	92,049	28,420	76.41

5800 PIR Per Month
x 3

17,400
- 8091 Balance

9,309

File Edit Commands Help

GENERAL PUBLIC SECTOR

naviLine

001-1903-519.12-00

Account miscellaneous
Budget miscellaneous
Encumbrances
Pre-encumbrances
Transactions
Detail by date
Detail by code
Detail by year & month
Pending by date
Pending by code
Pending by year
Procurement contract

Account information

OGS- ADMINISTRATION / REGULAR PAY
Fiscal year: 2014 Dr

Budget: 60,403.00
Committed: 52,311.22
Balance: 8,091.78

Project Data

Project Entry Optional

Account Balance by Period

Month	Budget	Balance
03 March	5,745.60	33,596.03
07 April	5,745.60	41,341.63
08 May	5,149.59	46,491.22
09 June	5,820.00	52,311.22
10 July	.00	52,311.22
11 August	.00	52,311.22
12 September	.00	52,311.22

Payment information

Vendor	(* indicates pending)	Total

Encumbrances

PO #	Vendor	Balance

Pre Encumbrances

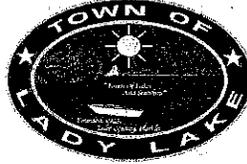
Type	Req/PO	Project	Balance

Segment/Balance Details

Fund	001	GENERAL FUND	Original Budget	60,403.00
Department	19	OTHER GOV SERVICE	Revised Budget	.00
Division	03	MOTOR POOL	Current expenditures	5,820.00
Activity basic	51	GENERAL GOVERNMENT	YTD expenditures	46,491.22
Sub activity	9	OGS- ADMINISTRATION	Unposted expenditures	.00
Element	12	REGULAR PAY	Encumbrances	.00
Object	00		Unposted encumbrances	.00

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TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: July 7, 2014

SUBJECT: Consideration of an Abatement Order for Case No. 09-1761 – Letton K & Chantal Herlong – 127 Hidden Oaks Drive – Town of Lady Lake Code of Ordinances Ch. 8-26 – Business Tax Receipt needed

DEPARTMENT: GROWTH MANAGEMENT

RECOMMENDED MOTION:

Staff Recommends approval of the attached, recommended Abatement Order from the Town of Lady Lake's Special Magistrate for Code Enforcement, dated June 24, 2014. The Town Commission reserves the right to approve, deny or modify the recommended Abatement Order.

SUMMARY:

Case was originally heard by the Special Magistrate on July 27, 2009, for operating a business "Herlong and Sons, Inc" in a residential neighborhood without a business tax receipt. The Special Magistrate ordered that the business tax receipt be obtained in thirty (30) days or a fine of \$150 per day would begin to accrue plus the payment of the \$65 administrative fee to be paid in ten (10) days.

The property was re-inspected and evidence of the business still operating, while the business tax receipt had not been obtained nor the administrative fee paid. As a result, the Order of Enforcement was recorded as a lien on the property on 9/09/2009 in Book 03816 Pages 1052-1054.

The business name was Herlong and Sons, Inc, which had been documented by corporate documents to be in business since June 2006. It is unknown if the business was operated at the residential location prior to this case being created in June 2009. The lien had accrued on a daily basis until it was learned that the business had been dissolved according to State of Florida Sunbiz documents on 9-23-2011. As such the lien was adjusted to reflect those dates, for a daily fee accrual of 757 days at \$150 per day resulted in \$113,550 plus the \$65 administrative fee to total \$113,615. The Town's Lien was recorded prior to the Notice of Lis Pendens recordation on December 28, 2009; therefore, the lien has a valid standing. A representative from Arrow Realty, Melanie

**TOWN OF LADY LAKE
SPECIAL MAGISTRATE
ABATEMENT ORDER - RECOMMENDATION**

Date: June 24, 2014

Property Owner: Letton K & Chantal Herlong (former owners)
Federal National Mortgage Association (current)

Violation Address: 127 Hidden Oaks Drive, Lady Lake

Case: CE 09-1761

Case Summary: Case was originally heard by the Special Magistrate on July 27, 2009, for operating a business "Herlong and Sons, Inc" in a residential neighborhood without a business tax receipt. The Special Magistrate ordered that the business tax receipt be obtained in thirty (30) days or a fine of \$150 per day would begin to accrue plus the payment of the \$65 administrative fee to be paid in ten (10) days.

The property was re-inspected and evidence of the business still operating, while the business tax receipt had not been obtained nor the administrative fee paid. As a result, the Order of Enforcement was recorded as a lien on the property. The business name was Herlong and Sons, Inc, which had been documented by corporate documents to be in business since June 2006. It is unknown if the business was operated at the residential location prior to this case being created in June 2009. The lien had accrued on a daily basis until it was learned that the business had been dissolved according to State of Florida Sunbiz documents on 9-23-2011. As such the lien was adjusted to reflect those dates, for a daily fee accrual of 757 days at \$150 per day resulted in \$113,550 plus the \$65 administrative fee to total \$113,615.

The Special Magistrate heard the request for a lien abatement on June 24, 2014 and issued the Abatement Order – Recommendation, which is attached for the Town Commission's consideration.

The Town's lien was recorded prior to the Notice of Lis Pendens' recordation on 12-23-2009, so the lien has a valid standing.

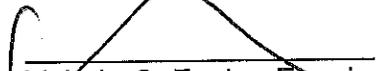
The lien was recorded at Lake County on 9-9-09 BK 03816 Pgs 1052-1054.

FNMA obtained the Certificate of Title on 12-5-2013. A representative from Arrow Realty, Melanie Romeyn, has requested the abatement hearing on behalf of FNMA and will be present at the meeting.

It is the Recommended Order of the Special Magistrate that the accrued lien for the above detailed case, which totals \$ 113,615.00 be reduced or abated to \$ 5,000.00, which would be due and payable in 30 days following the action of the Town Commission.

DONE AND ORDERED, this 24 day of June, 2014


Julia Wolfe
Assistant to Town Clerk


Valerie C. Fuchs, Esquire
Special Magistrate

COMMISSION ACTION: Date: _____

- Approved as recommended Approved with modifications
 Disapproved

ACTION TAKEN in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida this _____ day of _____, 2014.

HONORABLE Ruth Kussard, MAYOR
Town of Lady Lake, Florida

ATTEST:

Nancy Slaton
Deputy Town Clerk

Derek Schroth
Town Attorney

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**REGULAR MEETING
OF THE SPECIAL MAGISTRATE
TOWN OF LADY LAKE, FLORIDA**

June 24, 2014

The regular meeting of the Special Magistrate was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 10:30 a.m.

TOWN STAFF PRESENT: Cindy Diemer, Senior Code Enforcement Officer; Donald Hoos, Code Enforcement Officer; Thad Carroll, Growth Management Director; Christie Gosneigh, Growth Management Technician; and Julia Wolfe, Staff Assistant to the Town Clerk

Also Present: Commissioner Dan Vincent

CALL TO ORDER: Valerie Fuchs, Special Magistrate, called the meeting to order at 10:40 a.m. (Ms. Fuchs stated for the record that no one from the public was there and left because the meeting started late.)

Approval of May 21, 2014 Minutes

Special Magistrate Valerie Fuchs accepted the May 21, 2014 meeting minutes into the record as presented.

PLEDGE OF ALLEGIANCE: All present stood to recite the Pledge of Allegiance.

Explanation of Procedure

Special Magistrate Valerie Fuchs explained to the public that this is a quasi-judicial hearing, which means that she has not seen or heard any evidence or testimony from staff or outside parties, other than cases that have been continued from a public meeting, as this would be a violation of ex-parte rules. She stated that if any pictures or other evidence are presented this morning, the interested party will be able to review it in order to accept or refute it and be able to present their own evidence and testimony prior to the Special Magistrate making her ruling.

The Special Magistrate also explained that Code Enforcement staff would present their case and testimony, then the owner or interested party will be able to present their testimony or evidence. After that, staff will have the opportunity to rebut or refute any evidence that is presented. The Special Magistrate will then ask any questions that she deems appropriate and relevant during the testimony of each party before making her ruling. The order will be entered and the interested party will receive a copy of the order whether it is dismissed, or time granted in order to come into compliance, and whether a fine or lien will be imposed.

SWEARING IN: Special Magistrate Valerie Fuchs requested that anyone present who planned to speak at today's meeting stand and be sworn in.

Special Magistrate Valerie Fuchs asked staff if there were any changes to today's agenda.

1 Senior Code Enforcement Officer Cindy Diemer reported that one case on this morning's agenda
2 has come into compliance prior to the meeting: Item #4, Case No. 14-4759.

3
4 **OLD BUSINESS:**

5
6 **1. Case No. 13-4321 – 552 S. Hwy 27/441 – BBC Investments II LLC – Town of Lady Lake**
7 **Code of Ordinances Ch. 7-47 – Fire and Safety Hazards**

8
9 Please see below.

10
11 **2. Case No. 13-4294 – 552 S. Hwy 27/441 – BBC Investments II LLC – Town of Lady Lake**
12 **Land Development Regulations Ch. 13-1 through 13-11 – Sediment and Erosion Control;**
13 **Land Development Regulations Ch. 13-51 through 13-56 – Storm Water Pollution Control**

14
15 Senior Code Enforcement Officer Cindy Diemer requested that Item #1, Case No. 13-4321 and
16 Item #2, Case No. 13-4294 be tabled to the Special Magistrate meeting scheduled for July 16,
17 2014.

18
19 *Special Magistrate Valerie Fuchs asked if anyone present had any objections regarding the*
20 *requested motion to table the two cases. As there were no objections, Ms. Fuchs granted the*
21 *request to table Case No. 13-4321 and Case No. 13-4294 to the July 16, 2014 meeting at 10:30*
22 *a.m. *Please see page 4 below.*

23
24 **ABATEMENT**

25
26 The Special Magistrate explained that the abatements have been recorded as a lien. She stated
27 she no longer has jurisdiction to make the final decision regarding reducing, waiving or lowering
28 the accrued fines or liens associated with them since they have been recorded as a lien. She
29 stated that runs in favor of the Town and the Town has the ultimate decision whether or not to
30 reduce, waive or eliminate any accrued fines or liens. Ms. Fuchs also stated since she is familiar
31 with the case, she will hear testimony and evidence today and the Town will consider her
32 recommendation seriously because she is familiar with the facts. She stated she will hear what
33 they have to say and make a recommendation to consider their circumstances and potentially
34 recommend reducing, waiving or eliminating the fine, but the final abatement amount will be
35 determined by the Town Commission at a public meeting.

36
37 **7. Case No. 09-1761 – 127 Hidden Oaks Drive – Letton K. & Chantal Herlong – Town of**
38 **Lady Lake Code of Ordinance Ch. 8-26 (a) – Business Tax Receipt Required**

39
40 Senior Code Enforcement Officer Cindy Diemer presented the background on this case. She
41 stated this case was originally heard by the Special Magistrate on July 27, 2009 for the violation
42 of operating a landscaping business called "Herlong and Sons, Inc." without a business tax
43 receipt. She stated the Special Magistrate ordered that the business tax receipt be obtained
44 within 30 days or a fine of \$150 per day would begin to accrue, plus a \$65.00 administrative fee.

45
46 Ms. Diemer stated a re-inspection showed evidence of the business still operating while the
47 business tax receipt had not been obtained, nor the administrative fee paid. As a result, the Order
48 of Enforcement was recorded as a lien on the property. She stated the business name was
49 Herlong and Sons, Inc., and was documented by corporate documents to be in business since

1 June 2006. Ms. Diemer stated it was unknown if the business was operated at the residential
2 location prior to this case being created in June 2009. She stated the lien had accrued on a daily
3 basis until it was learned that the business had been dissolved according to State of Florida
4 Sunbiz documents on September 23, 2011. As such, the lien was adjusted to reflect those dates,
5 for a daily fee accrual of 757 days at \$150.00 per day adding up to \$113,550, plus the \$65.00
6 administrative fee, for a total of \$113,615.

7
8 Ms. Diemer stated the Town's lien was recorded prior to the notice of lis pendens recordation on
9 December 23, 2009, so the lien has a valid standing. She reported the lien was recorded on
10 September 9, 2009 in OR Book 3816, Pages 1052-1054.

11
12 Ms. Diemer stated that Federal National Mortgage Association (FNMA) obtained the Certificate
13 of Title on December 5, 2013. She stated Melanie Romeyn from Arrow Realty is representing
14 FNMA and has requested the abatement hearing on their behalf and is present at this meeting.

15
16 The Special Magistrate clarified that the property was taken over in 2013, and she asked when
17 the Herlong's dissolved the company.

18
19 Ms. Diemer replied she did not know when the Herlong's dissolved the company.

20
21 Melanie Romeyn with Arrow Realty and Investments, on behalf of Fannie Mae, stated they
22 received the asset on December 2013 as a foreclosure and the occupants were still there, but have
23 now moved out.

24
25 The Special Magistrate asked if the occupants were the Herlong's.

26
27 Ms. Romeyn replied she believed it was the Herlong's, but was not sure. She stated their records
28 show that the occupants vacated on March 3, 2014, and at that point, the bank had the house and
29 yard cleaned up and the property should be in compliance at this point. She stated Fannie Mae
30 asked that she represent them at this meeting and request that the fines be reduced.

31
32 The Special Magistrate clarified with staff that both properties are in compliance. She stated the
33 goal is to have compliance with all the codes, regulations and ordinances, and that it appears that
34 the property is in compliance from today's testimony. She stated the main issue is that it took a
35 long time to come into compliance and there are incurred costs to the Town for inspections,
36 paperwork, hearings and the notices. Ms. Fuchs asked for staff's recommendation.

37
38 Ms. Diemer replied the policy that the Town Commission has recommended would be
39 \$5,000.00.

40
41 The Special Magistrate asked if that was a new policy, and asked what the policy was so she will
42 know in the future.

43
44 Ms. Diemer replied that it is a new policy and staff will give her a copy of the policy. She stated
45 the policy is for staff to recommend a reduction to an amount equivalent to 25% of the assessed
46 property value, and in cases where that value exceeds \$5,000.00, the recommended reduction
47 will be set at \$5,000.00. She stated that the Special Magistrate will retain authority to further
48 reduce or increase this amount based upon the testimony of the property owner, and

1 subsequently, the Commission will have final determination at the Commission meeting to
2 assign the final fee.

3
4 The Special Magistrate stated to keep in mind this was an abatement case and her jurisdiction is
5 limited to making recommendations only.

6
7 Jim Romeyn with Arrow Realty and Investments asked why the issue does not follow the former
8 owners since the case is so old and Fannie Mae had nothing to do with it in 2009.

9
10 The Special Magistrate replied the liens on the property are attached to the property and do not
11 follow the owner. She stated you are subject to all the accrued liens when you purchase the
12 property. Ms. Fuchs stated she appreciates Arrow Realty for taken ownership of the property
13 and bringing the property into compliance immediately, and is recommending reducing the lien
14 amount to \$5,000.00.

15
16 Ms. Diemer stated the Town Commission will hear this case on July 7, 2014 at 6:00 p.m.

17
18 *Special Magistrate Valerie Fuchs stated that she recommends abatement of this case's lien*
19 *amount down to \$5,000.00. The abatement amount is to be paid within 30 days of the Town*
20 *Commission's decision. She stated that although this is her recommendation, the case still*
21 *has to go before the Town Commission at their regular meeting on July 7, 2014 at 6:00 p.m.*
22 *The property owner will get a copy of the order.*

23
24 ** Ms. Diemer asked that the Special Magistrate go back to Case No. 13-4321 and 13-4294 under*
25 *Old Business that were tabled until July 16, 2014. She stated the attorney on the cases has a*
26 *conflict with the date.*

27
28 *Joseph Hanratty, Attorney for BBC Investments II, LLC, stated he has a case management*
29 *conference in Fort Lauderdale that is going to trial on August 11th and he has to be present.*

30
31 *The Special Magistrate stated for the record that no one left or entered the building since the*
32 *hearing opened, as she did not want there to be a Sunshine Law issue that perhaps the case was*
33 *talked about again after it was closed. She also stated that the attorney for both cases has been*
34 *in the hearing room the entire time and asked to be heard again. Ms. Fuchs postponed the two*
35 *cases to August 26, 2014.*

36
37 **8. Case No. 09-1763 – 127 Hidden Oaks Drive – Letton K. & Chantal Herlong – Town of**
38 **Lady Lake Code of Ordinance Ch. 7-26 (b) – Commercial Vehicle in a Residential**
39 **Neighborhood**

40
41 The Special Magistrate clarified that both abatement cases accrued a lien of \$113,615.

42
43 Ms. Diemer replied that was correct.

44
45 Senior Code Enforcement Officer Cindy Diemer presented the background on this case. She
46 stated this case was originally heard by the Special Magistrate on July 27, 2009, for the violation
47 of storing commercial vehicles and displaying business signs for “Herlong and Sons, Inc.” in a
48 residential neighborhood. She stated the Special Magistrate ordered that the vehicles and signs

1 be removed within 30 days or a fine of \$150 per day, plus a \$65.00 administrative fee, would be
2 assessed.

3
4 Ms. Diemer stated a re-inspection showed that the business signs and commercial vehicles were
5 still evident and the administrative fee had not been paid. As a result, the Order of Enforcement
6 was recorded as a lien on the property. She stated the business name of Herlong and Sons, Inc.
7 was documented by corporate documents to be in business since June 2006. Ms. Diemer stated it
8 was unknown if the business was operating at the residential location prior to this case being
9 created in June 2009. She stated the lien had accrued on a daily basis until it was learned that the
10 business had been dissolved according to State of Florida Sunbiz documents on September 23,
11 2011. As such, the lien was adjusted to reflect those dates, for a daily fee accrual of 757 days at
12 \$150.00 per day adding up to \$113,550 plus the \$65.00 administrative fee, for a total of
13 \$113,615.

14
15 Ms. Diemer stated the Town's lien was recorded prior to the notice of lis pendens recordation on
16 December 23, 2009, so the lien has a valid standing. She reported the lien was recorded on
17 September 9, 2009 in OR Book 3816, Pages 1144-1147.

18
19 Ms. Diemer stated staff would adjust the amount if there was information available that
20 compliance occurred earlier than that. She stated staff's recommendation for abatement is
21 \$5,000.00.

22
23 The Special Magistrate stated the abatement amount would probably still be \$5,000.00 if
24 evidence show that compliance occurred a month or even a year earlier.

25
26 The Special Magistrate asked if there was anyone else present who would like to speak on this
27 case. She stated for the record that the representative was present but chose not to speak on this
28 case.

29
30 *Special Magistrate Valerie Fuchs stated that she recommends abatement of this case's lien*
31 *amount down to \$5,000.00. The abatement amount is to be paid within 30 days of the Town*
32 *Commission's decision. She stated that although this is her recommendation, the case still*
33 *has to go before the Town Commission at their regular meeting on July 7, 2014 at 6:00 p.m.*
34 *The property owner will get a copy of the order.*

35
36 The original agenda order was re-established.

37
38 **NEW BUSINESS:**

39
40 **3. Case No. 13-4384 – 258 N. Clay Avenue – SPOO, Inc. – Town of Lady Lake Code of**
41 **Ordinances Ch. 7-67 – High Grass; and Ch. 20-21 (a) – Unsafe Dwelling Needs to be**
42 **Secured**

43
44 Code Enforcement Officer Donald Hoos presented the background on this case. He stated Lake
45 County records show the property is owned by SPOO, Inc of Orlando, Florida, and is registered
46 as alternate key number 1279631. The property was found to be in violation of the Town of
47 Lady Lake's Code of Ordinances Chapter 7-67 for overgrown vegetation making area
48 inaccessible; and Chapter 20-21 (a) for vacant house and accessory buildings deteriorated and
49 open to the public.

COMMUNITY DEVELOPMENT-TOWN OF LADY LAKE
409 FENNEL BOULEVARD
LADY LAKE, FL 32159

SM

SPECIAL MAGISTRATE HEARING
FOR THE TOWN OF LADY LAKE
LAKE COUNTY, FLORIDA

CASE NO. 09-00001761

TOWN OF LADY LAKE,

Vs

LETTON K & CHANTAL HERLONG
704 CASCADE AVENUE
LEESBURG, FL 34748

CFN 2009097653
Bk 03816 Pgs 1052 - 1054 (3pgs)
DATE: 09/09/2009 11:17:53 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 27.00

Location: 127 HIDDEN OAKS DR

ORDER OF ENFORCEMENT

This case having come before the **SPECIAL MAGISTRATE** of the Town of Lady Lake on **July 27, 2009** on a violation hearing, and the **SPECIAL MAGISTRATE** having heard testimony of the respective parties present and the evidence presented, the following **ORDER OF ENFORCEMENT** is hereby entered:

I. FINDINGS OF FACT

- A. That the violation was properly served with the Notice of Violations/Notice of Hearings, as required by law.
- B. That the real property upon which the violation is occurring is described **127 HIDDEN OAKS DR.**
- C. That the alleged violator has violated the **Town of Lady Lake Code of Ordinance 8-26- A Business Tax Receipt required for Herlong and Sons Inc.**
- D. **LEGAL: 3620348 LADY LAKE HIDDEN OAKS SUB LOT 16 PB 30 PGS 8384 ORB 3178 PG 2115**

II. CONCLUSIONS OF LAW

- A. That the violator identified above did violate **Town of Lady Lake Code of Ordinance 8-26 business tax receipt required for Herlong and Sons Inc.**
- B. That this **ORDER OF ENFORCEMENT** is hereby warranted.

I, Phyllis Ehart, Deputy Town Clerk of the Town of Lady Lake, certify that this is a true and accurate copy of an Order of Enforcement letter for Letton K. & Chantal Herlong, 704 Cascade Avenue, Leesburg, FL 34748

Phyllis Ehart
Phyllis Ehart, Deputy Town Clerk 09-01-09

III CORRECTIVE ACTION AND IMPOSITION OF FINE

Pursuant to the stipulation at the hearing, the violator shall:

A. 0010 Business Tax Receipt required- Code of Ordinance 8-26- Obtain a Business Tax Receipt for Herlong and Sons Inc.

B. In 30 days or a fine of \$/SD. per day will begin to accrue.

C. Fine to be recorded as a lien.

D. An Administrative Fee of \$65.00 will be imposed for costs associated with this case to be paid within ten (10) days of the hearing date.

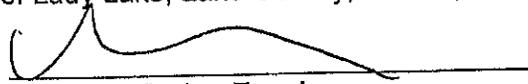
E. Violator shall contact Code Enforcement at 352-751-1562 to confirm compliance

F. Violator has a right to request a hearing on the fine imposition, by written request to the Town of Lady Lake, within twenty (20) days of the commencement of the fine. When requested, such hearing will be heard by the Special Magistrate.

IV. CERTIFICATION

DONE AND ORDERED at Town of Lady Lake, Lake County, Florida, this July 27, 2009.

BY:


Valerie C Fuchs, Esquire
Special Magistrate

You may appeal this order within thirty (30) days to the Circuit Court, Tavares, Florida, (Florida Statutes 162.11).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing order was delivered to the property owner/violator via certified mail and first class mail on the 28 of July, 2009.

BY:


Donald Hoos
Code Enforcement Officer
352-751-1562

IN THE CIRCUIT COURT OF THE
5TH JUDICIAL CIRCUIT, IN AND FOR
LAKE COUNTY, FLORIDA
CIVIL DIVISION
CASE NO.: 09CA7558

CHASE HOME FINANCE LLC,

Plaintiff,

vs.

LETTON KNIGHT HERLONG; HIDDEN
OAKS HOMEOWNERS' ASSOCIATION
OF LADY LAKE, INC.; TOWN OF
LADY LAKE, FLORIDA; CHANTAL R.
HERLONG; UNKNOWN TENANT (S); IN
POSSESSION OF THE SUBJECT
PROPERTY,

Defendants.

2009 DEC 23 AM 11:57
CLERK OF CIRCUIT
AND COUNTY COURT
LAKE COUNTY
TAVARES FLORIDA

NOTICE OF LIS PENDENS

TO THE ABOVE STYLED DEFENDANTS AND ALL OTHERS WHOM IT MAY CONCERN:
YOU ARE HEREBY NOTIFIED of the institution of this action by Plaintiff against you seeking
to foreclose a mortgage recorded in Official Records Book 3236 at Page 664 on the following property in
Lake County, Florida:

LOT 16, HIDDEN OAKS, ACCORDING TO THE PLAT THEREOF,
RECORDED IN PLAT BOOK 30, PAGE 83, OF THE PUBLIC RECORDS OF
LAKE COUNTY, FLORIDA.

including the buildings, appurtenances, and fixtures located thereon.

DATED 12/16/09

Law Offices of Marshall C. Watson, P.A.
1800 N.W. 49TH Street, Suite 120
Fort Lauderdale, FL 33309
Telephone: (954) 453-0365
(800) 441-2438
Facsimile: (954) 771-6052

By: [Signature]
Lynn Marie Vouis, Esq.
Bar Number: 870706

Lea W. Vandergriff
Bar #57317e



3 JK

PROPERTY RECORD CARD

General Information

Alternate Key:	3620348	Parcel:	28-18-24-009000001600
Owner Name:	FEDERAL NATIONAL MORTGAGE ASSN	Millage:	00LL (Lady Lake) : 17.6629
Owner Address:	PO BOX 650043 DALLAS, TX 75265-0043	Property Location:	127 HIDDEN OAKS DR LADY LAKE FL 32159
Legal Description:	LADY LAKE, HIDDEN OAKS SUB LOT 16 PB 30 PGS 83-84 ORB 4418 PG 996		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Just Value
1	DRY SFR LOT (0100)	0	0		1	LT		\$0.00	\$27,456.00

Residential Building(s)

Building 001

Residential	Single Family	Building Value: \$99,910.00
-------------	---------------	-----------------------------

Summary

Year Built: 2007	Total Living Area: 2051	Central A/C: Yes	Attached Garage: Yes
Bedrooms: 3	Full Bathrooms: 2	Half Bathrooms: 0	Fireplaces: 0

Section(s)

Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	Stucco/Brick (003)	1	2051	N	0%	0%	
2	GARAGE (GCF)	Stucco/Brick (003)	1	420	N	0%	0%	
3	OPEN PORCH (OPF)	No Wall Type (000)	1	114	N	0%	0%	
4	SCREEN PORCH (SPF)	No Wall Type (000)	1	135	N	0%	0%	
5	SCREEN PORCH (SPU)	No Wall Type (000)	1	90	N	0%	0%	



Miscellaneous Improvements

There is no improvement information to display.

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
2742 / 2484	1/20/2005	WD	M	V	\$1.00
3178 / 2115	6/2/2006	WD	Q	V	\$58,000.00
4418 / 996	12/5/2013	CT	U	I	\$100.00

Value

Total Just Value:	=	\$127,366.00
Assessed Value:	=	\$127,366.00
Total Exempt Value:	=	\$0.00
Total Taxable Value:	=	\$127,366.00
Millage Rate:	×	0.0176629
Base Ad-Valorem Tax:	=	\$2,249.66
Non-Exempt School Levies:	+	\$0.00
Estimated Ad-Valorem Tax:	=	\$2,249.66

* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The amounts shown may not include all exemptions. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the [Tax Collector](#) for actual taxation amounts.

Truth In Millage (TRIM) Notice

- [Notice of Proposed Property Taxes & Proposed or Adopted Non-Ad Valorem Assessments](#)

**REGULAR MEETING
MINUTES OF THE
SPECIAL MAGISTRATE MEETING
LADY LAKE, FLORIDA**

July 27, 2009

The Regular Meeting of the Special Magistrate was held in the Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.

TOWN STAFF PRESENT: Cindy Diemer, Senior Code Enforcement Officer; Don Hoos, Code Enforcement Officer, and Phyllis Ehart, Deputy Town Clerk

CALL TO ORDER: Valerie Fuchs, Special Magistrate called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE: All present stood to recite the Pledge of Allegiance.

After the Pledge of Allegiance, Special Magistrate Valerie Fuchs explained how tonight's meeting would proceed.

SWEARING IN: Town Staff and all present having anything to do with the cases on tonight's agenda were sworn in.

APPROVAL OF THE JUNE 22, 2009 MINUTES: Valerie Fuchs, Special Magistrate, accepted the June 22, 2009 minutes into the record as presented.

NEW BUSINESS:

Special Magistrate Valerie Fuchs asked Code Enforcement Officer Cindy Diemer to present the first case.

Code Enforcement Officer Cindy Diemer said that regarding Case No. 09-1804 and Case No. 09-1813 on tonight's agenda, she is just seeking adjudication but no fines, etc. She was setting these cases up in the event of a possible repeat offense in the future.

1. **Case No. 09-1709 - 113 E. Hermosa St. - AK 1724112 - Molly Trett Whitman - Town of Lady Lake - Code of Ordinances Ch. 7-67 High Grass; C; Ch. 20-51 - Rat Infestation; Ch. 20-20 (a) (1) - Property Maintenance; and Ch. 7-67 - Junk and Debris.**

Code Enforcement Officer Cindy Diemer stated that the owner of this property is listed at the tax appraiser's office as Molly Trett Whitman, PO Box 43, Lake Panasoffke, FL.

- *Mr. Powell stated the only thing he wanted to present was the fact that only one person in a thousand could produce a building permit received 25 years ago so because of that, Mr. Cauthern feels that he is not being treated fairly. Mr. Powell said that he is just conveying what Mr. Cauthern asked him to.*

The Special Magistrate said that there could be code violations out there that have been in existence for years, but once we find them, we can't just let them continue. Once a violation is brought to the Town's attention, they have to treat it like any other violation. Our goal is to stay in compliance of the codes to benefit all of the citizens.

Code Enforcement Officer Diemer said that there may have been a water heater there 25 years ago, but any time you do a change out you have to do a permit, so at some point there must have been a change out and a permit was required, so the request for a permit from 25 years ago is not the issue. It would be for the recent installation.

Code Enforcement Officer Hoos said it was never the Town's intention to make Mr. Cauthern find a 25 year old building permit. What Code Enforcement is trying to do is to make sure this water heater was safely installed.

Special Magistrate Valerie Fuchs then stated that based on the testimony and evidence provided by the Code Enforcement Office tonight she did find that the owner of the property at 533 S. Hwy. 27/441, Lady Lake, was in violation as described above by Code Enforcement Officer Hoos, which was not having a building permit for the water heating that is in existence on the property, and that a building permit is required for the rear of Unit #7 that was discussed at this hearing.

Special Magistrate Valerie Fuchs stated that the property owner shall have the permit in 10 days or a fine of \$250 per day will begin to accrue on the 11th day. The fine will be recorded as a lien on the property if not in compliance by that time. An administrative fee of \$65.00 will be imposed for costs. The violator shall contact Code Enforcement to confirm compliance.

The violator has a right to request a hearing immediately on the fine imposition by written request to the Town of Lady Lake. When requested, such hearing will be heard by the Special Magistrate. The violator will receive a copy of this order.

3. **Case No. 09-1761 - 127 Hidden Oaks Dr. - Letton K. & Chantal Herlong - AK #1698880 - Town of Lady Lake - Code of Ordinances Ch. 8-26 - Business Tax Receipt Required for the Operation of Home Business.**

Code Enforcement Officer Donald Hoos stated that this property is owned by Letton and Chantal Herlong, 704 Cascade Avenue, Leesburg, FL, 34748.

The initial inspection was conducted on 6/9/09. This inspection was based on a referral from the Town Utilities Department for a payment made with a business check from this address. This check was used to pay for water utilities for the business.

On 6/9/09 a Notice of Violation was issued to the property owner via certified mail and also first class mail. The green receipt card was returned, signed by Randy Herlong on 6/20/09. The Notice of Violation listed the violation as Ch. 8-26 - a business tax receipt is required by the Town of Lady Lake.

On 6/25/09 a Notice of Hearing was mailed via certified and first class mail to the owner of record. There has been no response to date on the certified mail. The Notice of Hearing was posted on the front door of the house on 6/30/09. A photo was taken on 6/11/09 and a copy of the check that was given to the Utilities Department was given by Code Enforcement Officer Hoos to the Special Magistrate.

Special Magistrate Fuchs asked if there was anyone present who would like to speak on this case. Hearing no one, the Special Magistrate stated that based on the testimony and evidence provided by the Code Enforcement Officer tonight, she did find that the owner of the property was in violation as described above by Code Enforcement Officer Hoos, which was not having a Business Tax Receipt for the business of Herlong and Sons, Inc. and that they shall come into compliance in 30 days or a fine of \$150 per day will begin to accrue on the 31st day if not brought into compliance by obtaining a Business Tax Receipt. The fine will be recorded as a lien on the property if not in compliance by that time. An administrative fee of \$65.00 will be imposed for costs, to be paid within 10 days of this hearing date. The violator shall contact Code Enforcement to confirm compliance.

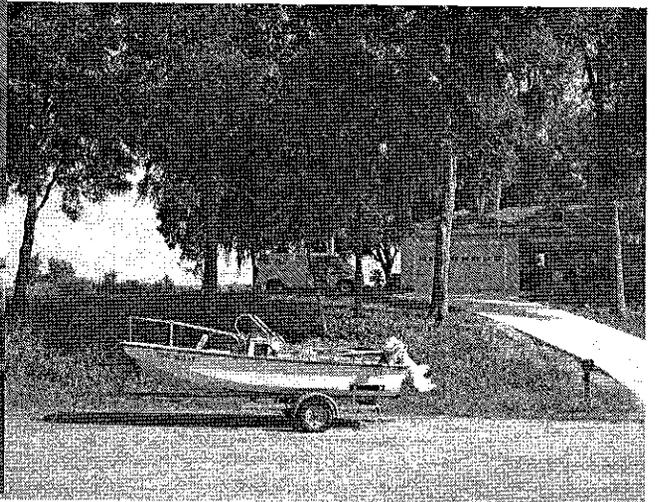
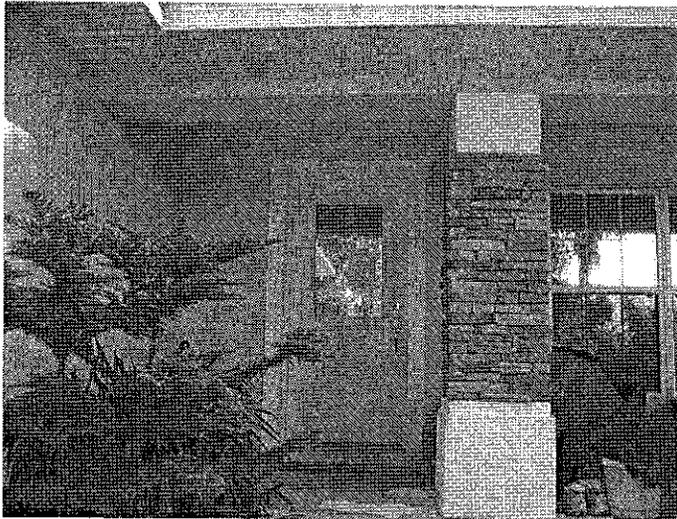
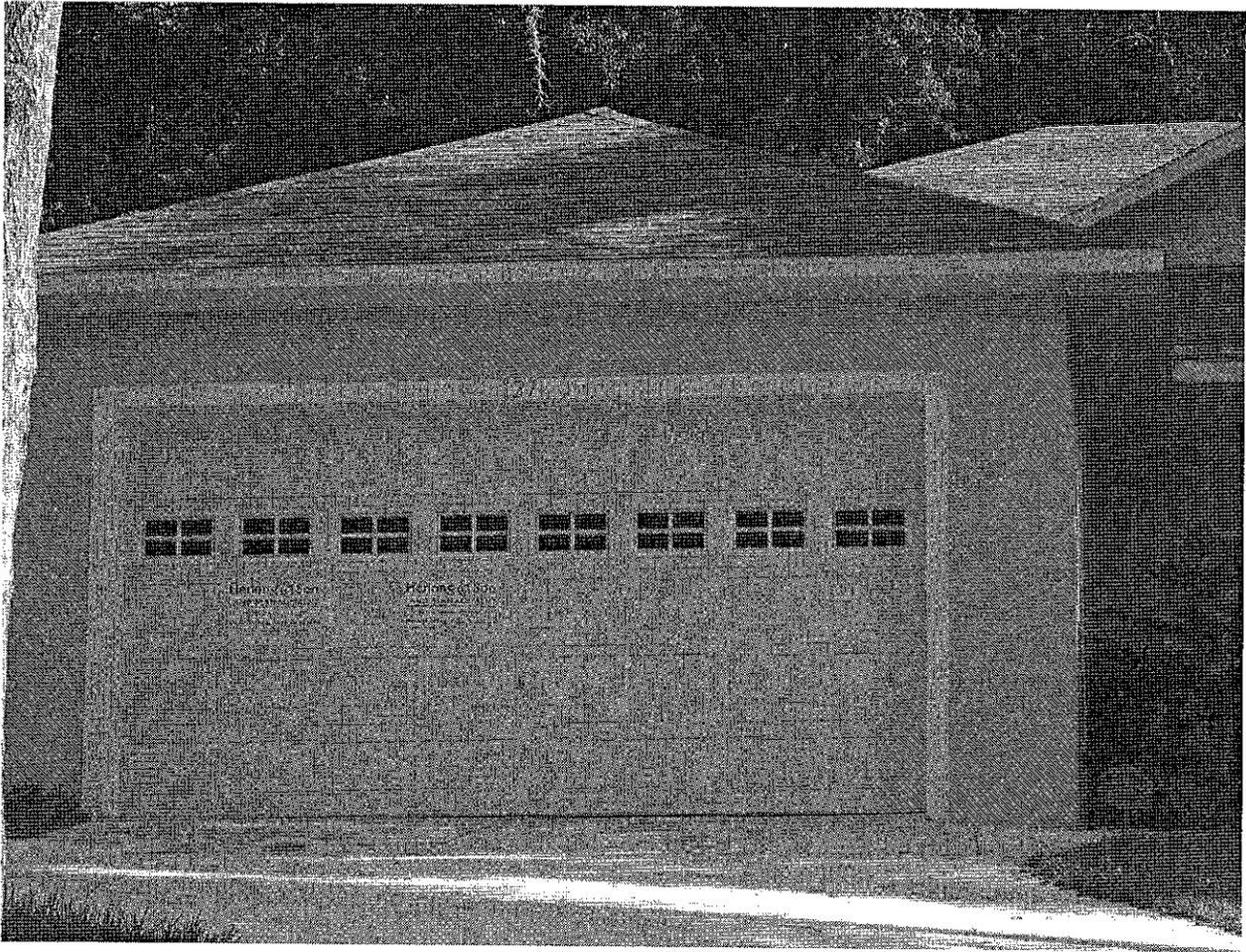
The violator has a right to request a hearing on the fine imposition by written request to the Town of Lady Lake within (20) twenty days of the commencement of the fine. When requested, such hearing will be heard by the Special Magistrate. The violator will receive a copy of this order.

4. ***Case No. 09-1763 - 127 Hidden Oaks Dr. - Letton K. & Chantal Herlong - AK #1698880 - Town of Lady Lake - Code of Ordinances Ch. 17-46 - Storage of Unlicensed Trailer; Ch. 17-26 - Commercial Vehicle in a Residential Neighborhood; and Land Development Regulation Ch. 17, Sec. 7a - Prohibited Signs on Garage Door.***

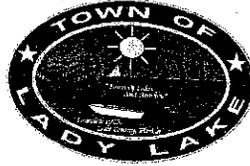
Code Enforcement Officer Donald Hoos stated that this property is owned by Letton and Chantal Herlong, 704 Cascade Avenue, Leesburg, FL, 34748.



Town of Lady Lake
127 Hidden Oaks Dr June 11-09
case
Photo by D Hoos
Code Enforcement Officer



Town of Lady Lake
127 Hidden Oaks Dr. July 13, 2009
Case 09-1763
Photo by D Hoos
Code Enforcement Officer



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: July 7, 2014

SUBJECT: Consideration of an Abatement Order for Case No. 09-1763 – Letton K & Chantal Herlong – 127 Hidden Oaks Drive – Town of Lady Lake – Code of Ordinance - Ch. 17-26 (b) commercial vehicle parked in a residential neighborhood and Land Development Regulations - Ch. 17 Sec 7 (a) – commercial signs on garage door.

DEPARTMENT: GROWTH MANAGEMENT

RECOMMENDED MOTION:

Staff recommends approval of the attached, recommended Abatement Order from the Town of Lady Lake's Special Magistrate for Code Enforcement, dated June 24, 2014, in the amount of \$5,000. The Town Commission reserves the right to approve, deny or modify the recommended Abatement Order.

SUMMARY:

Case was originally heard by the Special Magistrate on July 27, 2009, for posting commercial signs on the property and parking commercial vehicles for the business "Herlong and Sons, Inc" in a residential neighborhood. The Special Magistrate ordered that the commercial vehicle and signs be removed be obtained in thirty (30) days or a fine of \$150 per day would begin to accrue plus the payment of the \$65 administrative fee to be paid in ten (10) days.

The property was re-inspected and evidence of the business signs and vehicle were still evident and the administrative fee paid had not been paid in the time frame provided. As a result, the Order of Enforcement was recorded as a lien on the property on 9/09/2009 in Book 03816 Pages 1144-1147.

The business name was Herlong and Sons, Inc, which had was documented by corporate documents to be in business since June 2006. It is unknown if the business was operated at the residential location prior to this case being created in June 2009. The lien had accrued on a daily basis until it was learned that the business had been dissolved according to State of Florida Sunbiz documents on 9-23-2011. As such the lien was adjusted to reflect those dates, for a daily fee accrual of 757 days at \$150 per day resulted in \$113,550 plus the \$65 administrative fee to total \$113,615. The Town's Lien was recorded prior to the Notice of Lis Pendens recordation on December 28, 2009;

**TOWN OF LADY LAKE
SPECIAL MAGISTRATE
ABATEMENT ORDER - RECOMMENDATION**

Date: June 24, 2014

Property Owner: Letton K & Chantal Herlong (former owners)
Federal National Mortgage Association (current)

Violation Address: 127 Hidden Oaks Drive, Lady Lake

Case: CE 09-1763

Case Summary: Case was originally heard by the Special Magistrate on July 27, 2009, for storing commercial vehicles and displaying business signs for "Herlong and Sons, Inc" in a residential neighborhood. The Special Magistrate ordered that the vehicles and signs be removed in thirty (30) days or a fine of \$150 per day would begin to accrue plus the payment of the \$65 administrative fee to be paid in ten (10) days.

The property was re-inspected and evidence of the business signs and commercial vehicles were evident. still operating and the administrative fee had not been paid. As a result, the Order of Enforcement was recorded as a lien on the property.

The business name was Herlong and Sons, Inc, which had was documented by corporate documents to be in business since June 2006. It is unknown if the business was operated at the residential location prior to this case being created in June 2009. The lien had accrued on a daily basis until it was learned that the business had been dissolved according to State of Florida Sunbiz documents on 9-23-2011. As such the lien was adjusted to reflect those dates, for a daily fee accrual of 757 days at \$150 per day resulted in \$113,550 plus the \$65 administrative fee to total \$113,615.

The Special Magistrate heard the request for a lien abatement on June 24, 2014 and issued the Abatement Order – Recommendation, which is attached for the Town Commission's consideration.

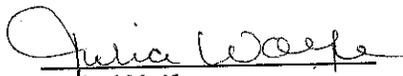
The Town's lien was recorded prior to the Notice of Lis Pendens' recordation on 12-23-2009, so the lien has a valid standing.

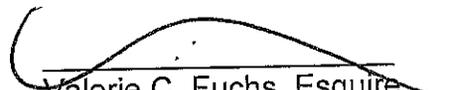
The lien was recorded at Lake County on 9-9-09 BK 03816 Pgs 1144-1147.

FNMA obtained the Certificate of Title on 12-5-2013. A representative from Arrow Realty, Melanie Romeyn, has requested the abatement hearing on behalf of FNMA and will be present at the meeting.

It is the Recommended Order of the Special Magistrate that the accrued lien for the above detailed case, which totals \$ 113,615.00 be reduced or abated to \$ 500.00, which would be due and payable in 30 days following the action of the Town Commission.

DONE AND ORDERED, this 24 day of June, 2014


Julia Wolfe
Assistant to Town Clerk


Valerie C. Fuchs, Esquire
Special Magistrate

COMMISSION ACTION: Date: _____

- Approved as recommended Approved with modifications
 Disapproved
-

ACTION TAKEN in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida this _____ day of _____, 2014.

HONORABLE Ruth Kussard, MAYOR
Town of Lady Lake, Florida

ATTEST:

Nancy Slaton
Deputy Town Clerk

Derek Schroth
Town Attorney

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**REGULAR MEETING
OF THE SPECIAL MAGISTRATE
TOWN OF LADY LAKE, FLORIDA**

June 24, 2014

The regular meeting of the Special Magistrate was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 10:30 a.m.

TOWN STAFF PRESENT: Cindy Diemer, Senior Code Enforcement Officer; Donald Hoos, Code Enforcement Officer; Thad Carroll, Growth Management Director; Christie Gosneigh, Growth Management Technician; and Julia Wolfe, Staff Assistant to the Town Clerk

Also Present: Commissioner Dan Vincent

CALL TO ORDER: Valerie Fuchs, Special Magistrate, called the meeting to order at 10:40 a.m. (Ms. Fuchs stated for the record that no one from the public was there and left because the meeting started late.)

Approval of May 21, 2014 Minutes

Special Magistrate Valerie Fuchs accepted the May 21, 2014 meeting minutes into the record as presented.

PLEDGE OF ALLEGIANCE: All present stood to recite the Pledge of Allegiance.

Explanation of Procedure

Special Magistrate Valerie Fuchs explained to the public that this is a quasi-judicial hearing, which means that she has not seen or heard any evidence or testimony from staff or outside parties, other than cases that have been continued from a public meeting, as this would be a violation of ex-parte rules. She stated that if any pictures or other evidence are presented this morning, the interested party will be able to review it in order to accept or refute it and be able to present their own evidence and testimony prior to the Special Magistrate making her ruling.

The Special Magistrate also explained that Code Enforcement staff would present their case and testimony, then the owner or interested party will be able to present their testimony or evidence. After that, staff will have the opportunity to rebut or refute any evidence that is presented. The Special Magistrate will then ask any questions that she deems appropriate and relevant during the testimony of each party before making her ruling. The order will be entered and the interested party will receive a copy of the order whether it is dismissed, or time granted in order to come into compliance, and whether a fine or lien will be imposed.

SWEARING IN: Special Magistrate Valerie Fuchs requested that anyone present who planned to speak at today's meeting stand and be sworn in.

Special Magistrate Valerie Fuchs asked staff if there were any changes to today's agenda.

1 Senior Code Enforcement Officer Cindy Diemer reported that one case on this morning's agenda
2 has come into compliance prior to the meeting: Item #4, Case No. 14-4759.

3
4 **OLD BUSINESS:**

5
6 **1. Case No. 13-4321 – 552 S. Hwy 27/441 – BBC Investments II LLC – Town of Lady Lake**
7 **Code of Ordinances Ch. 7-47 – Fire and Safety Hazards**

8
9 Please see below.

10
11 **2. Case No. 13-4294 – 552 S. Hwy 27/441 – BBC Investments II LLC – Town of Lady Lake**
12 **Land Development Regulations Ch. 13-1 through 13-11 – Sediment and Erosion Control;**
13 **Land Development Regulations Ch. 13-51 through 13-56 – Storm Water Pollution Control**

14
15 Senior Code Enforcement Officer Cindy Diemer requested that Item #1, Case No. 13-4321 and
16 Item #2, Case No. 13-4294 be tabled to the Special Magistrate meeting scheduled for July 16,
17 2014.

18
19 *Special Magistrate Valerie Fuchs asked if anyone present had any objections regarding the*
20 *requested motion to table the two cases. As there were no objections, Ms. Fuchs granted the*
21 *request to table Case No. 13-4321 and Case No. 13-4294 to the July 16, 2014 meeting at 10:30*
22 *a.m. *Please see page 4 below.*

23
24 **ABATEMENT**

25
26 The Special Magistrate explained that the abatements have been recorded as a lien. She stated
27 she no longer has jurisdiction to make the final decision regarding reducing, waiving or lowering
28 the accrued fines or liens associated with them since they have been recorded as a lien. She
29 stated that runs in favor of the Town and the Town has the ultimate decision whether or not to
30 reduce, waive or eliminate any accrued fines or liens. Ms. Fuchs also stated since she is familiar
31 with the case, she will hear testimony and evidence today and the Town will consider her
32 recommendation seriously because she is familiar with the facts. She stated she will hear what
33 they have to say and make a recommendation to consider their circumstances and potentially
34 recommend reducing, waiving or eliminating the fine, but the final abatement amount will be
35 determined by the Town Commission at a public meeting.

36
37 **7. Case No. 09-1761 – 127 Hidden Oaks Drive – Letton K. & Chantal Herlong – Town of**
38 **Lady Lake Code of Ordinance Ch. 8-26 (a) – Business Tax Receipt Required**

39
40 Senior Code Enforcement Officer Cindy Diemer presented the background on this case. She
41 stated this case was originally heard by the Special Magistrate on July 27, 2009 for the violation
42 of operating a landscaping business called "Herlong and Sons, Inc." without a business tax
43 receipt. She stated the Special Magistrate ordered that the business tax receipt be obtained
44 within 30 days or a fine of \$150 per day would begin to accrue, plus a \$65.00 administrative fee.

45
46 Ms. Diemer stated a re-inspection showed evidence of the business still operating while the
47 business tax receipt had not been obtained, nor the administrative fee paid. As a result, the Order
48 of Enforcement was recorded as a lien on the property. She stated the business name was
49 Herlong and Sons, Inc., and was documented by corporate documents to be in business since

1 June 2006. Ms. Diemer stated it was unknown if the business was operated at the residential
2 location prior to this case being created in June 2009. She stated the lien had accrued on a daily
3 basis until it was learned that the business had been dissolved according to State of Florida
4 Sunbiz documents on September 23, 2011. As such, the lien was adjusted to reflect those dates,
5 for a daily fee accrual of 757 days at \$150.00 per day adding up to \$113,550, plus the \$65.00
6 administrative fee, for a total of \$113,615.

7
8 Ms. Diemer stated the Town's lien was recorded prior to the notice of lis pendens recordation on
9 December 23, 2009, so the lien has a valid standing. She reported the lien was recorded on
10 September 9, 2009 in OR Book 3816, Pages 1052-1054.

11
12 Ms. Diemer stated that Federal National Mortgage Association (FNMA) obtained the Certificate
13 of Title on December 5, 2013. She stated Melanie Romeyn from Arrow Realty is representing
14 FNMA and has requested the abatement hearing on their behalf and is present at this meeting.

15
16 The Special Magistrate clarified that the property was taken over in 2013, and she asked when
17 the Herlong's dissolved the company.

18
19 Ms. Diemer replied she did not know when the Herlong's dissolved the company.

20
21 Melanie Romeyn with Arrow Realty and Investments, on behalf of Fannie Mae, stated they
22 received the asset on December 2013 as a foreclosure and the occupants were still there, but have
23 now moved out.

24
25 The Special Magistrate asked if the occupants were the Herlong's.

26
27 Ms. Romeyn replied she believed it was the Herlong's, but was not sure. She stated their records
28 show that the occupants vacated on March 3, 2014, and at that point, the bank had the house and
29 yard cleaned up and the property should be in compliance at this point. She stated Fannie Mae
30 asked that she represent them at this meeting and request that the fines be reduced.

31
32 The Special Magistrate clarified with staff that both properties are in compliance. She stated the
33 goal is to have compliance with all the codes, regulations and ordinances, and that it appears that
34 the property is in compliance from today's testimony. She stated the main issue is that it took a
35 long time to come into compliance and there are incurred costs to the Town for inspections,
36 paperwork, hearings and the notices. Ms. Fuchs asked for staff's recommendation.

37
38 Ms. Diemer replied the policy that the Town Commission has recommended would be
39 \$5,000.00.

40
41 The Special Magistrate asked if that was a new policy, and asked what the policy was so she will
42 know in the future.

43
44 Ms. Diemer replied that it is a new policy and staff will give her a copy of the policy. She stated
45 the policy is for staff to recommend a reduction to an amount equivalent to 25% of the assessed
46 property value, and in cases where that value exceeds \$5,000.00, the recommended reduction
47 will be set at \$5,000.00. She stated that the Special Magistrate will retain authority to further
48 reduce or increase this amount based upon the testimony of the property owner, and

1 subsequently, the Commission will have final determination at the Commission meeting to
2 assign the final fee.

3
4 The Special Magistrate stated to keep in mind this was an abatement case and her jurisdiction is
5 limited to making recommendations only.

6
7 Jim Romeyn with Arrow Realty and Investments asked why the issue does not follow the former
8 owners since the case is so old and Fannie Mae had nothing to do with it in 2009.

9
10 The Special Magistrate replied the liens on the property are attached to the property and do not
11 follow the owner. She stated you are subject to all the accrued liens when you purchase the
12 property. Ms. Fuchs stated she appreciates Arrow Realty for taken ownership of the property
13 and bringing the property into compliance immediately, and is recommending reducing the lien
14 amount to \$5,000.00.

15
16 Ms. Diemer stated the Town Commission will hear this case on July 7, 2014 at 6:00 p.m.

17
18 *Special Magistrate Valerie Fuchs stated that she recommends abatement of this case's lien*
19 *amount down to \$5,000.00. The abatement amount is to be paid within 30 days of the Town*
20 *Commission's decision. She stated that although this is her recommendation, the case still*
21 *has to go before the Town Commission at their regular meeting on July 7, 2014 at 6:00 p.m.*
22 *The property owner will get a copy of the order.*

23
24 ** Ms. Diemer asked that the Special Magistrate go back to Case No. 13-4321 and 13-4294 under*
25 *Old Business that were tabled until July 16, 2014. She stated the attorney on the cases has a*
26 *conflict with the date.*

27
28 *Joseph Hanratty, Attorney for BBC Investments II, LLC, stated he has a case management*
29 *conference in Fort Lauderdale that is going to trial on August 11th and he has to be present.*

30
31 *The Special Magistrate stated for the record that no one left or entered the building since the*
32 *hearing opened, as she did not want there to be a Sunshine Law issue that perhaps the case was*
33 *talked about again after it was closed. She also stated that the attorney for both cases has been*
34 *in the hearing room the entire time and asked to be heard again. Ms. Fuchs postponed the two*
35 *cases to August 26, 2014.*

36
37 **8. Case No. 09-1763 – 127 Hidden Oaks Drive – Letton K. & Chantal Herlong – Town of**
38 **Lady Lake Code of Ordinance Ch. 7-26 (b) – Commercial Vehicle in a Residential**
39 **Neighborhood**

40
41 The Special Magistrate clarified that both abatement cases accrued a lien of \$113,615.

42
43 Ms. Diemer replied that was correct.

44
45 Senior Code Enforcement Officer Cindy Diemer presented the background on this case. She
46 stated this case was originally heard by the Special Magistrate on July 27, 2009, for the violation
47 of storing commercial vehicles and displaying business signs for "Herlong and Sons, Inc." in a
48 residential neighborhood. She stated the Special Magistrate ordered that the vehicles and signs

1 be removed within 30 days or a fine of \$150 per day, plus a \$65.00 administrative fee, would be
2 assessed.

3
4 Ms. Diemer stated a re-inspection showed that the business signs and commercial vehicles were
5 still evident and the administrative fee had not been paid. As a result, the Order of Enforcement
6 was recorded as a lien on the property. She stated the business name of Herlong and Sons, Inc.
7 was documented by corporate documents to be in business since June 2006. Ms. Diemer stated it
8 was unknown if the business was operating at the residential location prior to this case being
9 created in June 2009. She stated the lien had accrued on a daily basis until it was learned that the
10 business had been dissolved according to State of Florida Sunbiz documents on September 23,
11 2011. As such, the lien was adjusted to reflect those dates, for a daily fee accrual of 757 days at
12 \$150.00 per day adding up to \$113,550 plus the \$65.00 administrative fee, for a total of
13 \$113,615.

14
15 Ms. Diemer stated the Town's lien was recorded prior to the notice of lis pendens recordation on
16 December 23, 2009, so the lien has a valid standing. She reported the lien was recorded on
17 September 9, 2009 in OR Book 3816, Pages 1144-1147.

18
19 Ms. Diemer stated staff would adjust the amount if there was information available that
20 compliance occurred earlier than that. She stated staff's recommendation for abatement is
21 \$5,000.00.

22
23 The Special Magistrate stated the abatement amount would probably still be \$5,000.00 if
24 evidence show that compliance occurred a month or even a year earlier.

25
26 The Special Magistrate asked if there was anyone else present who would like to speak on this
27 case. She stated for the record that the representative was present but chose not to speak on this
28 case.

29
30 *Special Magistrate Valerie Fuchs stated that she recommends abatement of this case's lien*
31 *amount down to \$5,000.00. The abatement amount is to be paid within 30 days of the Town*
32 *Commission's decision. She stated that although this is her recommendation, the case still*
33 *has to go before the Town Commission at their regular meeting on July 7, 2014 at 6:00 p.m.*
34 *The property owner will get a copy of the order.*

35
36 The original agenda order was re-established.

37
38 **NEW BUSINESS:**

39
40 **3. Case No. 13-4384 – 258 N. Clay Avenue – SPOO, Inc. – Town of Lady Lake Code of**
41 **Ordinances Ch. 7-67 – High Grass; and Ch. 20-21 (a) – Unsafe Dwelling Needs to be**
42 **Secured**

43
44 Code Enforcement Officer Donald Hoos presented the background on this case. He stated Lake
45 County records show the property is owned by SPOO, Inc of Orlando, Florida, and is registered
46 as alternate key number 1279631. The property was found to be in violation of the Town of
47 Lady Lake's Code of Ordinances Chapter 7-67 for overgrown vegetation making area
48 inaccessible; and Chapter 20-21 (a) for vacant house and accessory buildings deteriorated and
49 open to the public.

CFN 2009097676
Bk 03816 Pgs 1144 - 1147; (4pgs)
DATE: 07/09/2009 11:26:56 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 35.50

SM

SPECIAL MAGISTRATE HEARING
FOR THE TOWN OF LADY LAKE
LAKE COUNTY, FLORIDA

CASE NO. 09-00001763

TOWN OF LADY LAKE

Vs

LETTON K & CHANTAL HERLONG
704 CASCADE AVENUE
LEESBURG, FL 34748

Location: 127 HIDDEN OAKS DR

ORDER OF ENFORCEMENT

This case having come before the **SPECIAL MAGISTRATE** of the Town of Lady Lake on **July 27, 2009** on a violation hearing, and the **SPECIAL MAGISTRATE** having heard testimony of the respective parties present and the evidence presented, the following **ORDER OF ENFORCEMENT** is hereby entered:

I. FINDINGS OF FACT

- A. That the violation was properly served with the Notice of Violations/Notice of Hearings, as required by law.
- B. That the real property upon which the violation is occurring is described **127 HIDDEN OAKS DR.**
- C. That the alleged violator has violated the **Town of Lady Lake, Code of Ordinances 17-26b- Commercial vehicle parked in a residential neighborhood; Land Development Regulation Ch 17 sec 7a Signs posted on garage door in a residential neighborhood without a permit.**
- D. **LEGAL: 3620348 LADY LAKE HIDDEN OAKS SUB LOT 16 PB 30 PGS 83-84 ORB 31787 PG 2115**

II. CONCLUSIONS OF LAW

- A. That the violator identified above did violate **the Town of Lady Lake, Code of Ordinances 17-26b- Commercial vehicle parked in a residential neighborhood; Land Development Regulation Ch 17 sec 7a Signs posted on garage door in a residential neighborhood without a permit.**
- B. That this **ORDER OF ENFORCEMENT** is hereby warranted.

I, Phyllis Ehart, Deputy Town Clerk of the Town of Lady Lake, certify that this is a true and accurate copy of an Order of Enforcement letter for Letton K. & Chantal Herlong, 704 Cascade Avenue, Leesburg, FL 34748

Phyllis Ehart
Phyllis Ehart, Deputy Town Clerk 09-01-09

III CORRECTIVE ACTION AND IMPOSITION OF FINE

Pursuant to the stipulation at the hearing, the violator shall:

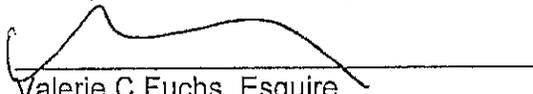
Violation Detail

- A. 0010- Remove commercial vehicle parked in the front of the house from view.
0020- Remove signs for business from the garage doors.
- B. In 30 days or a fine of \$150.00 per day will begin to accrue.
- C. Fine to be recorded as a lien.
- D. An Administrative Fee of \$65.00 will be imposed for costs associated with this case to be paid within ten (10) days of the hearing date.
- E. Violator shall contact Code Enforcement at 352-751-1562 to confirm compliance
- F. Violator has a right to request a hearing on the fine imposition, by written request to the Town of Lady Lake, within twenty (20) days of the commencement of the fine. When requested, such hearing will be heard by the Special Magistrate.

IV. CERTIFICATION

DONE AND ORDERED at Town of Lady Lake, Lake County, Florida, this July 27, 2009.

BY:


Valerie C Fuchs, Esquire
Special Magistrate

You may appeal this order within thirty (30) days to the Circuit Court, Tavares, Florida, (Florida Statutes 162.11).

IN THE CIRCUIT COURT OF THE
5TH JUDICIAL CIRCUIT, IN AND FOR
LAKE COUNTY, FLORIDA
CIVIL DIVISION
CASE NO.: 09CA7558

CHASE HOME FINANCE LLC,

Plaintiff,

vs.

LETTON KNIGHT HERLONG; HIDDEN
OAKS HOMEOWNERS' ASSOCIATION
OF LADY LAKE, INC.; TOWN OF
LADY LAKE, FLORIDA; CHANTAL R.
HERLONG; UNKNOWN TENANT (S); IN
POSSESSION OF THE SUBJECT
PROPERTY,

Defendants.

2009 DEC 23 AM 11:57
CLERK OF CIRCUIT
AND COUNTY COURT
LAKE COUNTY
TAVARES FLORIDA

NOTICE OF LIS PENDENS

TO THE ABOVE STYLED DEFENDANTS AND ALL OTHERS WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED of the institution of this action by Plaintiff against you seeking to foreclose a mortgage recorded in Official Records Book 3236 at Page 664 on the following property in Lake County, Florida:

LOT 16, HIDDEN OAKS, ACCORDING TO THE PLAT THEREOF,
RECORDED IN PLAT BOOK 30, PAGE 83, OF THE PUBLIC RECORDS OF
LAKE COUNTY, FLORIDA.

including the buildings, appurtenances, and fixtures located thereon.

DATED 12/16/09

Law Offices of Marshall C. Watson, P.A.
1800 N.W. 49TH Street, Suite 120
Fort Lauderdale, FL 33309
Telephone: (954) 453-0365
(800) 441-2438
Facsimile: (954) 771-6052

By: [Signature]
Lynn Marie Vouis, Esq.
Bar Number: 870706

Lea W. Vanderg...
Bar #57317E



3 JK

PROPERTY RECORD CARD

General Information

Alternate Key:	3620348	Parcel:	28-18-24-009000001600
Owner Name:	FEDERAL NATIONAL MORTGAGE ASSN	Millage:	00LL (Lady Lake) : 17.6629
Owner Address:	PO BOX 650043 DALLAS, TX 75265-0043	Property Location:	127 HIDDEN OAKS DR LADY LAKE FL 32159
Legal Description:	LADY LAKE, HIDDEN OAKS SUB LOT 16 PB 30 PGS 83-84 ORB 4418 PG 996		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Just Value
1	DRY SFR LOT (0100)	0	0		1	LT		\$0.00	\$27,456.00

Residential Building(s)

Building 001

Residential	Single Family	Building Value: \$99,910.00
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Summary

Year Built: 2007	Total Living Area: 2051	Central A/C: Yes	Attached Garage: Yes
Bedrooms: 3	Full Bathrooms: 2	Half Bathrooms: 0	Fireplaces: 0

Section(s)

Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	Stucco/Brick (003)	1	2051	N	0%	0%	
2	GARAGE (GCF)	Stucco/Brick (003)	1	420	N	0%	0%	
3	OPEN PORCH (OPF)	No Wall Type (000)	1	114	N	0%	0%	
4	SCREEN PORCH (SPF)	No Wall Type (000)	1	135	N	0%	0%	
5	SCREEN PORCH (SPU)	No Wall Type (000)	1	90	N	0%	0%	

Miscellaneous Improvements

There is no improvement information to display.

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
2742 / 2484	1/20/2005	WD	M	V	\$1.00
3178 / 2115	6/2/2006	WD	Q	V	\$58,000.00
4418 / 996	12/5/2013	CT	U	I	\$100.00

Value

Total Just Value:	=	\$127,366.00
Assessed Value:	=	\$127,366.00
Total Exempt Value:	=	\$0.00
Total Taxable Value:	=	\$127,366.00
Millage Rate:	<input type="checkbox"/> x	0.0176629
Base Ad-Valorem Tax:	=	\$2,249.66
Non-Exempt School Levies:	+ =	\$0.00
Estimated Ad-Valorem Tax:	=	\$2,249.66

* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The amounts shown may not include all exemptions. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the [Tax Collector](#) for actual taxation amounts.

Truth In Millage (TRIM) Notice

- [Notice of Proposed Property Taxes & Proposed or Adopted Non-Ad Valorem Assessments](#)

**REGULAR MEETING
MINUTES OF THE
SPECIAL MAGISTRATE MEETING
LADY LAKE, FLORIDA**

July 27, 2009

The Regular Meeting of the Special Magistrate was held in the Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.

TOWN STAFF PRESENT: Cindy Diemer, Senior Code Enforcement Officer; Don Hoos, Code Enforcement Officer, and Phyllis Ehart, Deputy Town Clerk

CALL TO ORDER: Valerie Fuchs, Special Magistrate called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE: All present stood to recite the Pledge of Allegiance.

After the Pledge of Allegiance, Special Magistrate Valerie Fuchs explained how tonight's meeting would proceed.

SWEARING IN: Town Staff and all present having anything to do with the cases on tonight's agenda were sworn in.

APPROVAL OF THE JUNE 22, 2009 MINUTES: Valerie Fuchs, Special Magistrate, accepted the June 22, 2009 minutes into the record as presented.

NEW BUSINESS:

Special Magistrate Valerie Fuchs asked Code Enforcement Officer Cindy Diemer to present the first case.

Code Enforcement Officer Cindy Diemer said that regarding Case No. 09-1804 and Case No. 09-1813 on tonight's agenda, she is just seeking adjudication but no fines, etc. She was setting these cases up in the event of a possible repeat offense in the future.

1. **Case No. 09-1709 - 113 E. Hermosa St. - AK 1724112 - Molly Trett Whitman - Town of Lady Lake - Code of Ordinances Ch. 7-67 High Grass; C; Ch. 20-51 - Rat Infestation; Ch. 20-20 (a) (1) - Property Maintenance; and Ch. 7-67 - Junk and Debris.**

Code Enforcement Officer Cindy Diemer stated that the owner of this property is listed at the tax appraiser's office as Molly Trett Whitman, PO Box 43, Lake Panasoffke, FL.

Code Enforcement Officer Donald Hoos stated that this property is owned by Letton and Chantal Herlong, 704 Cascade Avenue, Leesburg, FL, 34748.

The initial inspection was conducted on 6/9/09. This inspection was based on a referral from the Town Utilities Department for a payment made with a business check from this address. This check was used to pay for water utilities for the business.

On 6/9/09 a Notice of Violation was issued to the property owner via certified mail and also first class mail. The green receipt card was returned, signed by Randy Herlong on 6/20/09. The Notice of Violation listed the violation as Ch. 8-26 - a business tax receipt is required by the Town of Lady Lake.

On 6/25/09 a Notice of Hearing was mailed via certified and first class mail to the owner of record. There has been no response to date on the certified mail. The Notice of Hearing was posted on the front door of the house on 6/30/09. A photo was taken on 6/11/09 and a copy of the check that was given to the Utilities Department was given by Code Enforcement Officer Hoos to the Special Magistrate.

Special Magistrate Fuchs asked if there was anyone present who would like to speak on this case. Hearing no one, the Special Magistrate stated that based on the testimony and evidence provided by the Code Enforcement Officer tonight, she did find that the owner of the property was in violation as described above by Code Enforcement Officer Hoos, which was not having a Business Tax Receipt for the business of Herlong and Sons, Inc. and that they shall come into compliance in 30 days or a fine of \$150 per day will begin to accrue on the 31st day if not brought into compliance by obtaining a Business Tax Receipt. The fine will be recorded as a lien on the property if not in compliance by that time. An administrative fee of \$65.00 will be imposed for costs, to be paid within 10 days of this hearing date. The violator shall contact Code Enforcement to confirm compliance.

The violator has a right to request a hearing on the fine imposition by written request to the Town of Lady Lake within (20) twenty days of the commencement of the fine. When requested, such hearing will be heard by the Special Magistrate. The violator will receive a copy of this order.

4. **Case No. 09-1763 - 127 Hidden Oaks Dr. - Letton K. & Chantal Herlong - AK #1698880 - Town of Lady Lake - Code of Ordinances Ch. 17-46 - Storage of Unlicensed Trailer; Ch. 17-26 - Commercial Vehicle in a Residential Neighborhood; and Land Development Regulation Ch. 17, Sec. 7a - Prohibited Signs on Garage Door.**

Code Enforcement Officer Donald Hoos stated that this property is owned by Letton and Chantal Herlong, 704 Cascade Avenue, Leesburg, FL, 34748.

The initial inspection was conducted on 6/11/09. This inspection was based on a referral from the Town Utilities Department for a payment made with a business check from this address. The violation in this case was for a commercial vehicle parked in residential neighborhood and prohibited signs on a garage door. At the initial inspection, there were also four snipe signs on the property as well as an unlicensed trailer. Since then the trailer has been removed and the snipe signs have been removed.

A Notice of Violation was sent out via certified first class mail on 6/22/09. The green return receipt card was signed by Randy Herlong on 6/24/09. On 7/9/09 a Notice of Hearing was mailed via both certified and first class mail to the owner of record. The mail has been returned on this as "Vacant-Unable To Forward".

A Notice of Hearing was posted on the front door on 7/13/09 and a photo was taken for the record. Other photos were taken on 6/11/09.

Special Magistrate Fuchs asked if there was anyone present who would like to speak on this case. Hearing no one, the Special Magistrate stated that based on the testimony and evidence provided by the Code Enforcement Officer tonight, she did find that the owner of the property was in violation as described above by Code Enforcement Officer Hoos, which was for having commercial vehicles parked in a residential neighborhood and for having signs posted on the garage door of the residence without a permit. She did find that they shall come into compliance in 30 days or a fine of \$150 per day will begin to accrue on the 31st day if not brought into compliance by then. The fine will be recorded as a lien on the property if not in compliance by that time. An administrative fee of \$65.00 will be imposed for costs, to be paid within 10 days of this hearing date. The violator shall contact Code Enforcement to confirm compliance.

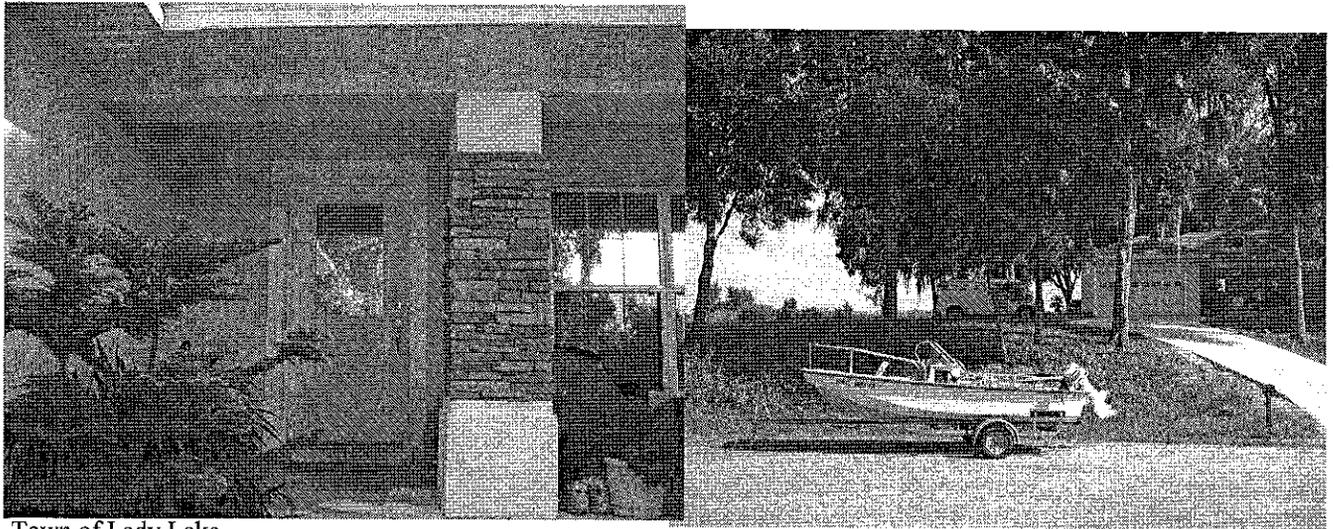
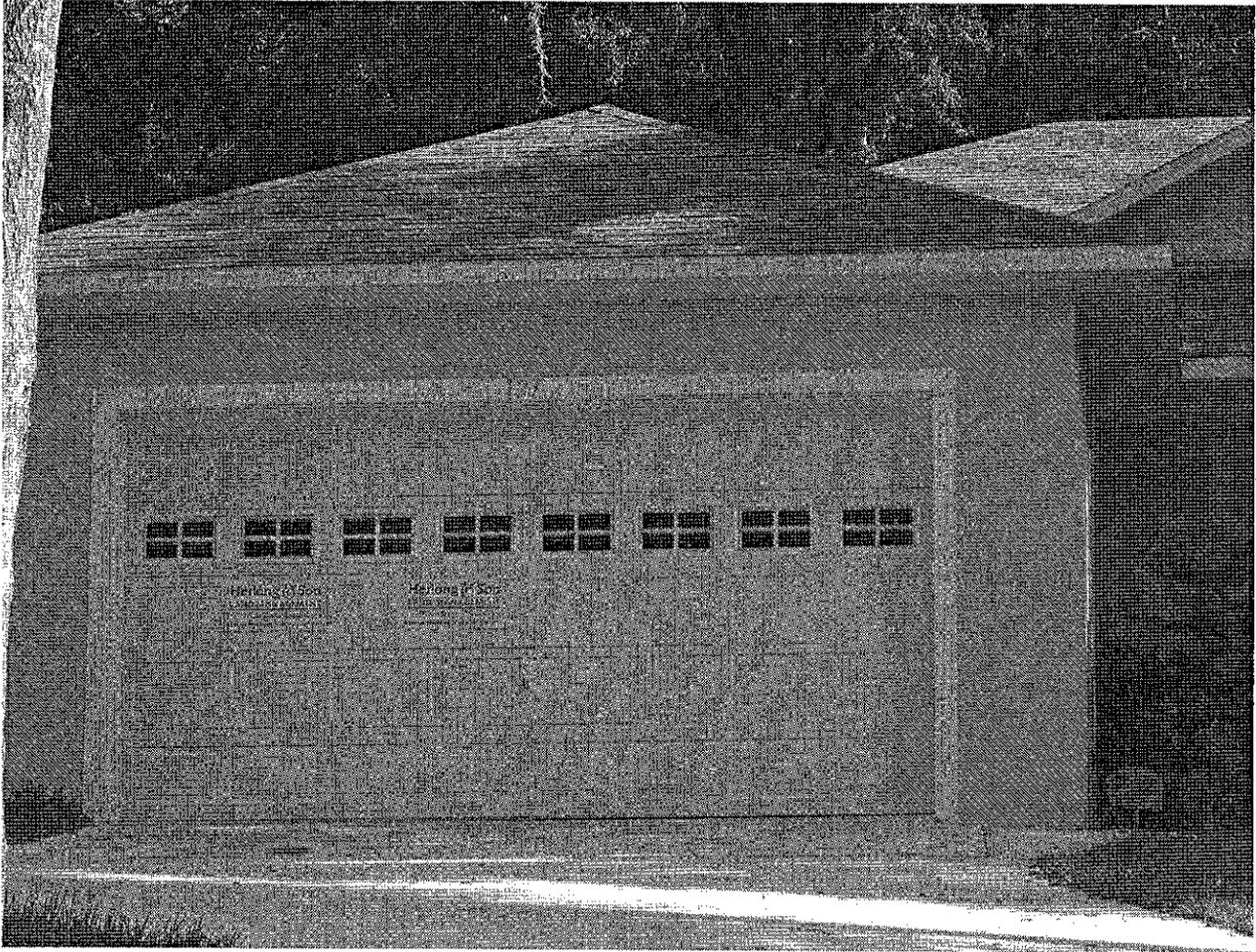
The violator has a right to request a hearing on the fine imposition by written request to the Town of Lady Lake within (20) twenty days of the commencement of the fine. When requested, such hearing will be heard by the Special Magistrate. The violator will receive a copy of this order.

5. **Case No. 09-1795 – 730 Citrus Lane – Joey L. Hankins and Barbara A Hankins - AK #1132037 - Town of Lady Lake – Code of Ordinances Ch. 8-26 – Business Tax Receipt Required for the Operation of a Business.**

Code Enforcement Officer Donald Hoos stated that the initial inspection was conducted on 6/30/09 after receiving a copy of a check used to pay a water utility bill. The Town Clerk's office could not find any record of a Business Tax Receipt for Hankins Janitorial.



Town of Lady Lake
127 Hidden Oaks Dr June 11-09
case
Photo by D Hoos
Code Enforcement Officer



Town of Lady Lake
127 Hidden Oaks Dr. July 13, 2009
Case 09-1763
Photo by D Hoos
Code Enforcement Officer



H-7

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE:

July 7, 2014

SUBJECT: Disposal of Surplus Property.

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION: Approval for the Lady Lake Police Department to dispose of surplus and found/abandoned property in accordance with Florida State Statutes, Town Ordinances, and current contractual agreements.

SUMMARY: In accordance with applicable Florida State Statutes and Town Ordinances regarding property defined as surplus and/or found/abandoned, the Police Department has identified items in our possession meeting that criterion. We are requesting Town Commission approval to proceed with our established process.

Surplus property includes:

Obsolete vehicle equipment (non supported emergency lights, sirens, and/or partial components, etc.), obsolete law enforcement equipment that has already previously been replaced. Tangible property that is inefficient to operate, inoperable, or expired. Tangible property that is no longer providing a useful purpose and cannot be adapted or transferred to another purpose. Equipment components that are in a state of disrepair which would be cost prohibitive to properly rehabilitate (missing parts, outdated technology, etc.), and found/abandoned property with a value of \$100 or less.

All identified property described above serves no current or future function within the Police Department. Each item has been evaluated for any potential re-purpose within the Town in lieu of the surplus process.

FISCAL IMPACT: 0

Other Operating Capital Budget

ATTACHMENTS: Ordinance Resolution Budget Resolution Other

Support Documents – Preliminary itemized list and Chief memo 14-019

Reviewed
END

DEPARTMENT HEAD	Submitted <i>clm</i>	Date <i>6/30/2014</i>
HR	Approved as to Form <i>N/A</i>	Date
FINANCE DEPARTMENT <i>JRM</i>	Approved as to Budget Requirements	Date <i>7/1/2014</i>
TOWN MANAGER <i>YK</i>	Approved Agenda Item for: <i>7/7/14</i>	Date <i>7/1/14</i>

COMMISSION ACTION:

Approved as Recommended Disapproved Tabled Indefinitely
 Continued to Date Certain Approved with Modification



LADY LAKE POLICE DEPARTMENT

Office of the Chief of Police

Date: June 27, 2014

CM 14-019

To: Kris Kollgaard
Town Manager

From: Chris McKinstry
Chief of Police

SUBJECT: SURPLUS PROPERTY

In accordance with applicable Florida State Statutes and Town Ordinances regarding property defined as surplus and/or found/abandoned, the Police Department has identified items in our possession meeting that criterion. We are requesting Town Commission approval to proceed with the process.

The following is a summary list:

- 1) Obsolete vehicle equipment (non supported emergency lights, sirens, and/or partial components, etc.)
- 2) Obsolete law enforcement equipment that has already previously been replaced
- 3) Tangible property that is inefficient to operate, inoperable, or expired
- 4) Tangible property that is no longer providing a useful purpose and cannot be adapted or transferred to another purpose
- 5) Equipment components that are in a state of disrepair which would be cost prohibitive to properly rehabilitate (missing parts, outdated technology, etc.)
- 6) Found/abandoned property with a value of \$100 or less.

All identified property described above serves no current or future function within the Police Department. Each item has been evaluated for any potential re-purpose within the Town in lieu of the surplus process.

Prior to the sale of the found/abandoned property, notice of election shall be posted in accordance with FSS § 705.103.

Items marked with an asterisk (*) indicates found/abandoned.

Name of Department
Pickup Address

Pg. Number
Pick Up Date
Pick Up ID
Manifest No.

Manifest Line	SKU Number	Manifest Description	Case ID	Serial Number	Agency Reference 1
	1932-000601	Motorola Radios P1225 Radio & Charger			
	1932-000602	American Dyna mics Mixer			
	1932-000603	Son Chasis HP			
	1932-000604	Dell Powers 2650 ser # FINQ 761			
	1932-000605	Dell Powers 2650 Ser# 81N Q 761			
	1932-000606	Dell Powers 1750 Ser# 545 R 761			
	1932-000607	1/2 server tower No Ser #			
	1932-000608	Assorted Cable for Computers			
	1932-000609	16 Key Boards for Computers (Desk Top)			
	1932-000610	Audio Amplifier Systems With Wireless Mics			
	1932-000611	14 Battery Back-Up's			
	1932-000612	70A 900 Series Amplifier Ser# 73070236			
Manifest Detail Verified:					
Valuables/Jewelry Verified:					
Received From:					
Driver Acceptance:					
<input type="checkbox"/> At Pick Up <input type="checkbox"/> At Processing Center (PR Count Final; discrepancies will be reported promptly).					
<input type="checkbox"/> At Pick Up <input type="checkbox"/> ID Check Required <input type="checkbox"/> ID Checked					

Name or Department
Pickup Address

Pg. Number
Pick Up Date
Pick Up ID
Manifest No.

Manifest Line	SKU Number	Manifest Description	Case ID	Serial Number	Agency Reference 1
	1932-000613	Magnovox VHS DVD Player Ser # 419535255			
	1932-000614	Phillips Video Multiplexer Ser # No Serial #			
	1932-000617	Belkin KVM Switch No Ser #			
	1932-000618	2 Net Gear Routers			
	1932-000615	IBM A Sync 16 Port Node Ser # A 16 Z 6005610B			
	1932-000616	D-Link DSS 16 Fast Ethernet Switch Ser # B238148002669			
	1932-000619	D-Link DSS24 Fast Ethernet Switch Ser # C204143000084			
	1932-000620	(2) Net-Gear 16 Port Stackable Hubs			
	1932-000621	10 Mega CORW			
	1932-000622	11 Tower Computers			
	1932-000623	1 Rack Mounted UPS			
	1932-000624	5 UPS			
Manifest Detail Verified:					
Valuables/Jewelry Verified:					
<input type="checkbox"/> At Pick Up	Received From:				
<input type="checkbox"/> At Processing Center (PR Count Final; discrepancies will be reported promptly).	Driver Acceptance:				
	<input type="checkbox"/> ID Check Required	<input type="checkbox"/> ID Check Required	<input type="checkbox"/> ID Checked		

Name or Department

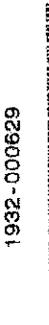
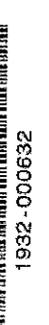
Pickup Address

Pg. Number

Pick Up Date

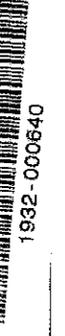
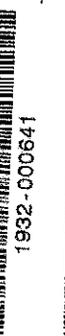
Pick Up ID

Manifest No.

Manifest Line	SKU Number	Manifest Description	Case ID	Serial Number	Agency Reference 1
	 1932-000625	9 Printers			
	 1932-000626	1 Fax Machine			
	 1932-000627	5 Routers			
	 1932-000628	12 Mouses for Computers			
	 1932-000629	Sony Mavica Camera			
	 1932-000630	20 Monitors for Computers (LCD)			
	 1932-000631	3 Pin Boards			
	 1932-000632	Computer Desk			
	 1932-000633	19" Tube TV Emerson (VHS/DVD)			
	 1932-000634	Sharp 25" TV			
	 1932-000635	Sharp 19" TV			
	 1932-000636	Kaon Video Cart			
<p>Manifest Detail Verified: <input type="checkbox"/> At Pick Up <input type="checkbox"/> At Processing Center (PR Count Final; discrepancies will be reported promptly).</p> <p>Valuables/Jewelry Verified: <input type="checkbox"/> At Pick Up <input type="checkbox"/> At Processing Center</p> <p>Received From: _____</p> <p>Driver Acceptance: <input type="checkbox"/> ID Check Required <input type="checkbox"/> ID Checked</p>					

Name or Department
Pickup Address

Pg. Number
Pick Up Date
Pick Up ID
Manifest No.

Manifest Line	SKU Number	Manifest Description	Case ID	Serial Number	Agency Reference 1
	 1932-000637	Ice maker (Commercial) With Ice Bin			
	 1932-000638	Full Server Rack			
	 1932-000639	Directional Arrowstick With Control			
	 1932-000600	Realistic Magnavox VHS/DVD Player			
	 1932-000599	4 Chairs			
	 1932-000640	7 Blue Tooth Devices			
	 1932-000641	VHS Duplicator Go Video			
	 1932-000642	Realistic Cassette Deck			
	 1932-000643	Time Lapse VHS Player Sony			
	 1932-000644	Blue Light (Dash Mounted)			
	 1932-000645	Stereo Microphone			
	 1932-000646	Wireless AV Receiver			
Manifest Detail Verified:					
Valuables/Jewelry Verified:					
<input type="checkbox"/> At Pick Up	Received From:				
<input type="checkbox"/> At Processing Center (PR Count Final; discrepancies will be reported promptly).	Driver Acceptance:				
	<input type="checkbox"/> ID Check Required	<input type="checkbox"/> ID Check Required	<input type="checkbox"/> ID Checked	<input type="checkbox"/> ID Checked	

Name or Department

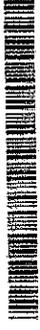
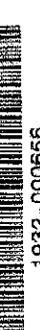
Pickup Address

Pg. Number

Pick Up Date

Pick Up ID

Manifest No.

Manifest Line	SKU Number  1932-000647	Manifest Description	Case ID	Serial Number	Agency Reference 1
	 1932-000648	Pager Box			
	 1932-000649	Set of Disc Ident. Kit 2000			
	 1932-000650	Pum 100 Portable Humidifier			
	 1932-000651	Surveillance System First Witness			
	 1932-000652	5 Jotto Desk			
	 1932-000653	3 Motorcycle Helmets			
	 1932-000654	DX 1104-080 Digital Video Recorder			
	 1932-000655	Panasonic VHS Player			
	 1932-000656	Coleman Air Compressor			
	 1932-000657	OPV Video VHS Car Mounted			
	 1932-000658	Nikon F100 35mm Camera/Battery/lock			
	 1932-000658	Nikon F100 35mm			
Manifest Detail Verified:					Received From:
<input type="checkbox"/>	At Pick Up	Valuables/Jewelry Verified:			Driver Acceptance:
<input type="checkbox"/>	At Processing Center (PR Count Final; discrepancies will be reported promptly).	<input type="checkbox"/>	At Pick Up	<input type="checkbox"/>	ID Check Required
		<input type="checkbox"/>	At Processing Center	<input type="checkbox"/>	ID Checked

Name of Department
Pickup Address

Pg. Number
Pick Up Date
Pick Up ID
Manifest No.

Manifest Line	SKU Number	Manifest Description	Case ID	Serial Number	Agency Reference 1
	1932-000659	Box Various Electronics			
	1932-000660	Morphous Solar Panel Car Battery Charger			
	1932-000661	Alco Digital Video Recorder			
	1932-000662	Panasonic VHS Recorder			
	1932-000663	Dell Computer Case			
	1932-000664	(13) 553 Holsters			
	1932-000665	19" GE TV / VHS			
	1932-000666	Gas Mask Bags			
	1932-000667	Sharp AR 2005			
	1932-000668	Visor Mounted Red & Blue High 15			
	To be Tagged	VACUUM Chamber			
	To be Tagged	FUMING Chamber			
Manifest Detail Verified:					Received From:
<input type="checkbox"/> At Pick Up	Valuables/Jewelry Verified:				Driver Acceptance:
<input type="checkbox"/> At Processing Center (PR Count Final; discrepancies will be reported promptly).	<input type="checkbox"/> At Pick Up	<input type="checkbox"/> ID Check Required			<input type="checkbox"/> ID Checked
	<input type="checkbox"/> At Processing Center				

Name or Department

Pickup Address

Pg. Number

Pick Up Date

Pick Up ID

Manifest No.

Manifest Line	SKU Number	Manifest Description	Case ID	Serial Number	Agency Reference 1
	1932-000669	Black Sword & Sheath			
	1932-000670	Case Folding Knife			
	1932-000671	Men's Watch REF# 72376513870			
	1932-000672	Black Pocket knife			
	1932-000673	Bamboo Create Kit			
	1932-000800	Cobra Radar Detector S/N 0800452			
	1932-000799	Gold Ring / Gold Bracket			
	1932-000798	Gold Tone Necklace With Cross			
	1932-000797	Black S&W Pocket Knife (Smith & Wesson)			
	1932-000796	Smith & Wesson Folding Knife			
	1932-000795	Bag of Misc Jewelry			
	1932-000794	Pocket knife			
<p>Manifest Detail Verified: <input type="checkbox"/> At Pick Up <input type="checkbox"/> At Processing Center (PR Count Final; discrepancies will be reported promptly).</p> <p>Valuables/Jewelry Verified: <input type="checkbox"/> At Pick Up <input type="checkbox"/> At Processing Center</p>					
<p>Received From: _____</p> <p>Driver Acceptance: <input type="checkbox"/> ID Check Required <input type="checkbox"/> ID Checked</p>					

Name or Department
Pickup Address

Pg. Number
Pick Up Date
Pick Up ID
Manifest No.

Manifest Line	SKU Number	Manifest Description	Case ID	Serial Number	Agency Reference 1
	 1932-000793	Frost Cutlery Pocket Knife			
	 1932-000792	Leatherman Pocket Knife			
	 1932-000791	Silver Colored Knife			
	 1932-000790	Husky Knife			
	 1932-000789	Callaway Golf Club Set / Golf Items			
	 1932-000788	Black Folding Knife			
	 1932-000787	Black Folding Knife			
	 1932-000786	Nintendo DS In Black / Pink Case			
	 1932-000785	Black Knife			
	 1932-000784	Gerber Pocket Knife			
<p>Manifest Detail Verified: <input type="checkbox"/> At Pick Up <input type="checkbox"/> At Processing Center (PR Count Final; discrepancies will be reported promptly).</p> <p>Valuables/Jewelry Verified: <input type="checkbox"/> At Pick Up <input type="checkbox"/> At Processing Center</p> <p>Received From: _____</p> <p>Driver Acceptance: <input type="checkbox"/> ID Check Required <input type="checkbox"/> ID Checked</p>					

Name or Department

Pickup Address

Pg. Number

Pick Up Date

Pick Up ID

Manifest No.

Manifest Line	SKU Number	Manifest Description	Case ID	Serial Number	Agency Reference 1
	1932-000777	4 Crown Vic			
	1932-000778	2 '07 Impala			
	1932-000779	prisoner cages			
	1932-000780	14 strobe light bars			
	1932-000781	6 1 25x10x10			
	1932-000782	1 ATV TIRES			
	1932-000783	1 30" light bar			
	1932-000784	1 h.e.d. lights - square flashing			
	1932-000785	1 box assorted LEDs			
	1932-000786	3 SIRENS			
	1932-000787	1 plastic Rear Seat			
	1932-000788	2006 Chevrolet Impala			
	1932-000789	3 Factory rear seat cushions - chev Impala			
	1932-000790	bullet proof glass			
	1932-000791	truck bed box			
Manifest Detail Verified:					
Valuables/Jewelry Verified:					
Driver Acceptance:					
Received From:					

At Pick Up

At Processing Center (PR Count Final; discrepancies will be reported promptly).

At Pick Up

At Processing Center

ID Check Required

ID Checked



J-8

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE:

July 7, 2014

SUBJECT: Donation from the Town Forfeiture/Law Enforcement Trust Fund to assist funding for the Florida's Missing Children's Day

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION: Approval for the Lady Lake Police Department to contribute \$250 from the Town Forfeiture/Law Enforcement Trust Fund in support of the Florida Missing Children's Day.

SUMMARY:

As proclaimed by Resolution of the Florida Legislature, Florida Statute 683.23, the "first ever" Florida Missing Children's Day was held on Monday, September 13, 1999. Each year parents, children, law enforcement officers and citizens gather to remember Florida's missing children who are still missing and those who will never come home again. The Governor, Lieutenant Governor, and FDLE's Commissioner all participate as speakers. The main objective of this day is to raise awareness of Florida's currently missing children, to educate the public on child safety and abduction prevention, and to recognize those individuals and law enforcement officers who have made outstanding contributions in the missing children issue. The Florida Police Chiefs Association and the Florida Sheriffs Association have united in their support of this event and have asked for statewide participation.

A contribution to this event is an authorized use of Forfeiture/Law Enforcement Trust Fund money.

Town Attorney Derek Schroth has reviewed and approved this request.

FISCAL IMPACT: \$250

Other Operating Capital Budget

(Forfeiture/Law Enforcement Trust Fund – 2101-521-4990) Balance: \$19,581

ATTACHMENTS: Ordinance Resolution Budget Resolution Other

Support Documents (Letter from FPCA and FSA)

DEPARTMENT HEAD	Submitted <i>[Signature]</i>	Date <i>6/20/2014</i>
HR	Approved as to Form <i>N/A</i>	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements <i>JRM</i>	Date <i>7/1/2014</i>
TOWN MANAGER	Approved Agenda Item for: <i>7/7/14</i>	Date <i>7/1/14</i>

[Signature]
Reviewed

COMMISSION ACTION:

- Approved as Recommended Disapproved Tabled Indefinitely
- Continued to Date Certain Approved with Modification



Florida Missing Children's Day 2014 September 8, 2014



The Florida Police Chiefs Association and the Florida Sheriffs Association are proud to be united in their support of Florida Missing Children's Day. We, as your State Association Presidents, are writing to ask for each agency's support and help in recognizing Florida's missing children.

As many of you know, in 1999 the Florida Legislature created Florida Missing Children's Day. The ceremony will be held at the State Capitol in Tallahassee on September 8, 2014 and will once again honor law enforcement officers and civilians statewide who have assisted in missing child cases. We hope to raise statewide awareness in the prevention of child abduction and sexual exploitation and encourage you to attend this poignant event. It is truly an experience you will not forget and it gives us the opportunity to acknowledge everyone who have been struck by this type of tragedy and suffered such a great loss. Please take the time to view the video of the Florida Missing Children's Day ceremony that illustrates the significance of this event. It can be found at <http://www.fdle.state.fl.us/MCICSearch/>.

We would also like to invite you to join us in financially supporting this initiative by making a contribution from your Trust Fund or Contraband Forfeiture Fund for this important statewide, law enforcement sponsored event. Our attorneys have opined that Florida Missing Children's Day support is an authorized use of these funds. We believe that one of the most beneficial uses of our law enforcement trust fund monies is the support of Florida Missing Children's Day. Please participate in this event by returning your contribution along with the attached pledge form and by attending Florida Missing Children's Day 2014 in Tallahassee. We are proud of what we accomplished last year, seeing a record number of law enforcement agencies generously supporting this event! Thank you.

Governor Rick Scott, school age children, many law enforcement officers, families of missing children and those families whose children did not survive their abduction, are invited to attend the ceremony on September 8th. Civilians who have aided in missing child cases throughout the state will join them.

The Florida Missing Children's Day Foundation, Inc. has been created pursuant to FS 683.231 and provides FDLE with assistance, funding, and promotional support for activities authorized for Florida Missing Children's Day. The Foundation's sole mission is to raise the necessary private and public funds to conduct the annual Florida Missing Children's Day.

We hope you will attend Florida Missing Children's Day 2014 and see for yourself just how your financial support makes such a difference in the lives of victim families. You will see first-hand how important it is to recognize our law enforcement officers and civilians who work so diligently to save the lives of children.

A handwritten signature in black ink, appearing to read "Philip Thorne".

Chief Philip Thorne, President
Florida Police Chiefs Association

A handwritten signature in blue ink, appearing to read "Grady Judd".

Sheriff Grady Judd, President
Florida Sheriffs Association

**Florida Department of Law Enforcement
Missing Endangered Person Information Clearinghouse
Advisory Board**

LAW ENFORCEMENT SPONSORSHIP FORM

 X Yes, our agency will be a Sponsor of Florida Missing Children's Day (FMCD) 2014.

Enclosed is our contribution in the amount of: X \$250 \$500 \$1,000 other amount

Payable to: **Florida Missing Children's Day Foundation, Inc.**

Please print your name, your agency name as you wish them to appear in FMCD 2014 printed materials:

Your Name & Title: Chris McKinstry / Chief of Police

Agency Name: Lady Lake Police Department

Agency Address: 423 Fennell Blvd. Lady Lake, FL 32159

Telephone Number: (352) 751-1567

Email: cmckinstry@ladylakepd.org

The following awards are presented:

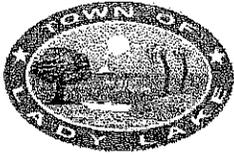
- Local Law Enforcement Officer of the Year
- State/Federal Law Enforcement Officer of the Year
- Law Enforcement Task Force/Team of the Year
- Law Enforcement Trailing Team of the Year
- Combatting Human Sex Trafficking Award
- School Bus Operator of the Year
- Citizen of the Year
- Evelyn Williams Memorial Award
- John and Reve` Walsh Award
- Fifth Grade Essay Contest Award

If your agency's pledge or check is received by August 25, 2014, your agency's name will be included in the list of sponsors for FMCD 2014. If it is necessary for your agency's check to be submitted later, you may use this form as your pledge and fax it to the Florida Missing Children's Day Foundation, Inc. at 850-410-8744.

Please return this form with your contribution, made payable to:

Florida Missing Children's Day Foundation, Inc.
P. O. Box 15822
Tallahassee, FL 32317

Florida Missing Children's Day
Tallahassee, Florida
September 8, 2014



J-9

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE:

July 7, 2014

SUBJECT: National Night Out

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION: Approval for the Lady Lake Police Department to partner with Target and co-host National Night Out for the Town of Lady Lake on August 5, 2014 from 4:00 pm until 8:00 pm.

SUMMARY: The Lady Lake Police Department (LLPD) is requesting to co-host National Night Out on Tuesday, August 5, 2014 from 4:00 pm until 8:00 pm to heighten crime prevention and enhance safety awareness. This is the 31st Anniversary of National Night Out and the 2nd year that the LLPD would like to organize with our local Target Store a community event to be located in the north front parking lot of the store. Community partners expressing a strong interest in participating at this time include: The Villages Public Safety, Lake County Fire Department, Seniors vs. Crime, McDonald's and our local Sheriff's Offices.

FISCAL IMPACT: \$0

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents

DEPARTMENT HEAD

Submitted *[Signature]*

Date 06/26/2014

HR

Approved as to Form

Date

FINANCE DEPARTMENT *JRM*

Approved as to Budget Requirements

Date 6/26/2014

TOWN MANAGER *[Signature]*

Approved Agenda Item for: 7/7/14

Date 6/30/14

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification

[Signature]
Reviewed



J-10

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE:

July 7, 2014

SUBJECT: Consideration to approve a subscriber agreement with LexisNexis Risk Solutions FL Inc., for the purposes of conducting law enforcement investigations.

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION: Approval of the subscriber agreement with LexisNexis Risk Solutions FL Inc. for the purposes of conducting law enforcement investigations.

SUMMARY: The Florida Department of Law Enforcement (FDLE) has previously provided free access to online investigative services to Florida law enforcement agencies through dFACTS (Distributed Factual Analysis Criminal Threat Solution). Reduction of grant allocations has inhibited FDLE's ability to sustain the future operational costs for the database license. FDLE has notified local law enforcement agencies that they are now required to contract, and budget for this service individually. Online investigative technology is an essential component of effective law enforcement by providing ready access to available information and resources. Town Attorney Derek Schroth has reviewed and approved this agreement.

FISCAL IMPACT: \$1020 /yr (001-2101-521-3410)

- [] Capital Budget
[X] Operating
[] Other

ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution

[] Other

[X] Support Documents - Agreement w/ LexisNexis Risk Solutions FL inc.

DEPARTMENT HEAD Submitted Date 06/26/2014

HR Approved as to Form Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date 6/26/2014

TOWN MANAGER Approved Agenda Item for: 7/7/14 Date 6/30/14

Reviewed

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely
[] Continued to Date Certain [] Approved with Modification



LN Non-FCRA Application & Agreement Government Agencies & Law Enforcement

LexisNexis Risk Solutions FL Inc. and its Affiliates (collectively or individually "LN") provide various Non-FCRA products and services (the "LN Services"). The information submitted on this Application and Agreement ("Agreement") will be used to determine the Customer's (as defined below) eligibility for accessing the LN Services. LN reserves the right to reject this Agreement without reason or for any reason whatsoever, without recourse against LN, or any of its employees, officers, directors, agents, affiliates, or other designees. Additionally, Customer hereby authorizes LN to independently verify the information provided herein and perform research about the individuals identified herein. "Affiliates" are those affiliates of LexisNexis Risk Solutions FL Inc. that provide LN Services pursuant to this Agreement.

PART 1 - CUSTOMER INFORMATION (This section must be filled out entirely)

SECTION A: AGENCY INFORMATION ("Customer") (P.O. Boxes and Maildrop Addresses Cannot be Used)

Agency Name (Full Legal Name) REQUIRED Lady Lake Police Department
Physical Address* 423 Fennell Blvd.
City Lady Lake State FL Zip 32159
Main Agency Phone Number* 352-751-1585 Fax _____ Web Address _____

* Physical location where information will be used. Phone number must be Main number/Switchboard number at this location.

If located at the above address less than six (6) months, provide most recent prior address below:

Physical Address _____
City _____ State _____ Zip _____

IP Address** _____
IP Address Range** From _____ To _____

** If you do not know your company's IP address(es): Contact your network administration OR log onto <https://www.whatismyip.com>

SECTION B: CUSTOMER ADMINISTRATOR* OR MAIN CONTACT INFORMATION

Last Name _____ First Name _____ Middle Initial _____
Title _____ Telephone _____ Email Address _____
Admin IP Address _____

* Required only for local and municipal agencies - For credentialing purposes, each Customer Administrator must provide two (2) of the three (3) following pieces of identified information.

1. First five (5) digits of your Social Security Number _____
2. Full date of birth _____
3. Home address _____

ADDITIONAL CUSTOMER ADMINISTRATOR* OR MAIN CONTACT INFORMATION (Optional)

Last Name _____ First Name _____ Middle Initial _____
Title _____ Telephone _____ Email Address _____
Admin IP Address _____

* Required only for local and municipal agencies - For credentialing purposes, each Customer Administrator must provide two (2) of the three (3) following pieces of identified information.

1. First five (5) digits of your Social Security Number _____
2. Full date of birth _____
3. Home address _____

PART 2 - CREDENTIALING

SECTION A: CUSTOMER SECURITY CERTIFICATION

Customer certifies that the Customer has not been the subject of any proceeding regarding any trust-related matter including, but not limited to, fraud, counterfeiting, identity theft and the like, and that Customer has not been the subject of any civil, criminal or regulatory matter that would create an enhanced security risk to LN or its data, including, but not limited to, any matter involving potential violations of the Gramm-Leach-Bliley Act (15 U.S.C. § 6801, et seq.) and its implementing regulations (collectively, "GLBA"), the Driver's Privacy Protection Act (18 U.S.C. § 2721, et seq.) and related state laws (collectively, the "DPPA"), the Fair Credit Reporting Act (15 U.S.C. § 1681, et seq.) ("FCRA"), the Fair Debt Collection Practices Act (15 U.S.C. § 1692-1692p) ("FDCPA") or any other similar legal or regulatory guidelines. If any such matter has occurred, Customer shall attach a signed statement, along with all relevant supporting documentation, providing all details of this matter prior to execution of this Agreement.

SECTION B: VENDOR REFERENCE RELEASE - Required only for local and municipal agencies.

Please list at least one (1) current Business to Business Vendor Reference. This section is optional, but if it is not completed and LN is not able to complete its credentialing process, LN reserves the right to re-request this information prior to account activation. Such request will result in processing delays.

Company Name _____ Contact _____
Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____
Email _____ Account Number (if applicable) _____

Company Name _____ Contact _____
Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____
Email _____ Account Number (if applicable) _____

SECTION C: AGENCY INFORMATION (select one)

- Federal Government Federal Law Enforcement State Government State Law Enforcement
 Local/Municipal Government Local/Municipal Law Enforcement
 Other (Specify) _____

SECTION D: PURPOSE OF USE

Describe Law Enforcement Investigations

SECTION E: ACCESS (select all that apply)

- Server (system to system) Internet/PC Fax Phone
 Other _____

SECTION F: SITE VISIT INFORMATION

A site visit will be required for local and municipal agencies. Site visits may be required for any other Customer. Should a site visit be required, Customer agrees to authorize the site visit, cooperate in the site visit, and to pay the site visit charges as stated in the Schedule(s) A to this Agreement. Site visits are conducted for LN by an approved third-party. Please indicate if the appropriate contact is different than the contact listed in Part 1, Section B.

Site Visit Contact same as Part 1, Section B. Contact Phone _____
Contact Email _____

PART 3 - BILLING INFORMATION

SECTION A: CREDIT CARD INFORMATION (If you choose to be billed on a credit card, fill out this portion and proceed to Part 3, Section C. If you choose to be billed directly, skip Part 3, Section A and proceed to Part 3, Section B). LN accepts MasterCard, Visa, and American Express. For security and authentication purposes, LN requires the account holder to provide the address to which the credit card company mails the monthly statement.

Cardholder Name _____
Credit Card Statement Address _____
City _____ State _____ Zip _____
Card Type: MasterCard Visa American Express
Card Number _____ Expiration (MM/YY) _____

If I have elected to be credit card billed, I hereby authorize LN to bill this credit card for the charges incurred for use of LN Services. Additionally, I hereby agree that, if the credit card company refuses to pay LN for such charges incurred, the Customer shall be responsible for the payment of such charges. **If credit card billing is elected, the below signatory must be the credit card holder.**

Credit Card Billing Signature: _____
Print Name _____
Title _____
Dated _____ (mm/dd/yy)

SECTION B: DIRECT BILLING INFORMATION

By submitting this direct billing application, Customer certifies that the individual whose name appears below is authorized to apply for credit on behalf of the Customer named in this Agreement. Customer certifies that the information provided relating to this credit application is true and complete. Customer hereby grants LN permission to verify the credit information provided herein.

BILLING CONTACT

Last Name _____ First Name _____ Title _____
 Telephone _____ Email Address _____
 Billing Address _____
 City _____ State _____ Zip _____

SECTION C: ADDITIONAL BILLING INFORMATION

Require a P.O. Number on Invoice? No Yes If Yes, provide P.O. Number _____
 Sales Tax Exempt No Yes If Yes, provide proof of exemption. _____

PART 4 - PERMISSIBLE USE CERTIFICATIONS

Law Enforcement Agencies Only: Review and, if appropriate, certify to the following:

Customer represents and warrants that it will use the LN Services solely for law enforcement purposes, which comply with applicable privacy laws including, but not limited to the GLBA and the DPPA. To certify, check here: Proceed to Part 4, Section C.

SECTION A: GLBA EXCEPTION/PERMISSIBLE PURPOSE – NOT APPLICABLE TO LAW ENFORCEMENT

Some LN Services use and/or display nonpublic personal information that is governed by the privacy provisions of the GLBA. Customer certifies it has the permissible purposes under the GLBA to use and/or obtain such information, as marked below, and Customer further certifies it will use such information obtained from LN Services only for such purpose(s) selected below or, if applicable, for the purpose(s) indicated by Customer electronically while using the LN Services, which purpose(s) will apply to searches performed during such electronic session:

(At least one (1) must be checked to be permitted access to GLBA data)

<input type="checkbox"/>	No applicable GLBA exception/permissible use.
<input type="checkbox"/>	As necessary to effect, administer, or enforce a transaction requested or authorized by the consumer.
<input type="checkbox"/>	As necessary to effect, administer, or enforce a transaction requested or authorized by the consumer by verifying the identification information contained in applications.
<input type="checkbox"/>	To protect against or prevent actual or potential fraud, unauthorized transactions, claims or other liability.
<input type="checkbox"/>	In required institutional risk control programs.
<input type="checkbox"/>	In resolving consumer disputes or inquiries.
<input type="checkbox"/>	Use by persons, or their representatives, holding a legal or beneficial interest relating to the consumer.
<input type="checkbox"/>	Use by persons acting in a fiduciary or representative capacity on behalf of the consumer.
<input type="checkbox"/>	In complying with federal, state, or local laws, rules, and other applicable legal requirements.
<input type="checkbox"/>	To the extent specifically permitted or required under other provisions of law and in accordance with the Right to Financial Privacy Act of 1978, to law enforcement agencies (including a Federal functional regulator, the Secretary of Treasury, a State insurance authority, or the Federal Trade Commission), self-regulatory organizations, or for an investigation on a matter related to public safety.

SECTION B: DPPA PERMISSIBLE USES – NOT APPLICABLE TO LAW ENFORCEMENT

Some LN Services use and/or display personal information, the use of which is governed by the DPPA. Customer certifies it has a permissible use under the DPPA to use and/or obtain such information and Customer further certifies it will use such information obtained from LN Services only for one (1) or more of the purposes selected below or for the purpose(s) indicated by Customer electronically while using the LN Services, which purpose(s) will apply to searches performed during such electronic session:

(At least one (1) must be checked to be permitted access to DPPA data)

<input type="checkbox"/>	No permissible use.
<input type="checkbox"/>	For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court.
<input type="checkbox"/>	For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only— (A) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and (B) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
<input type="checkbox"/>	Use by a government agency, but only in carrying out its functions.
<input type="checkbox"/>	Use by any person acting on behalf of a government agency, but only in carrying out the agency's functions.
<input type="checkbox"/>	Use by an insurer (or its agent) in connection with claims investigation activities or antifraud activities.
<input type="checkbox"/>	In connection with motor vehicle safety or theft, or driver safety (except by or for a motor vehicle manufacturer).

<input type="checkbox"/>	Use by an employer or its agents or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under Chapter 313 of Title 49 of the United States Code.
<input type="checkbox"/>	For use in providing notice to the owners of towed or impounded vehicles.
<input type="checkbox"/>	For use in connection with the operation of private toll transportation facilities.

With regard to the information that is subject to the DPPA, some state laws' permissible uses may vary from the permissible uses identified above. In such cases, some state information may not be available under each permissible use listed above and/or Customer may be asked to certify to a permissible use permitted by applicable state law to obtain information from a specific state.

Customer agrees and certifies it will use the information described in Sections A and B of this Part 4 only in accordance with the permissible uses selected above or those selected subsequently in connection with a specific information request.

SECTION C: QUALIFIED ACCESS

Certain users ("Authorized Users") may be able to obtain full social security numbers (nine (9) digits) and driver's license numbers (collectively, "QA Data"), when appropriate, through some LN Services. Only those users that are within the Authorized User List below, and that use QA Data for an Authorized Use identified below, may qualify. To potentially qualify as an Authorized User, Customer must certify that its business is within the Authorized User List below and its use of QA Data is within the Authorized Use List below.

- Customer is **NOT** requesting access to QA Data (proceed to Part 5).
- Customer is requesting access to QA Data. Complete the sections below.

What department will be using QA Data? Investigations

SOCIAL SECURITY NUMBERS

1. AUTHORIZED USER (At least one (1) must be checked to receive Social Security Numbers)

<input type="checkbox"/>	Not an authorized user.
<input checked="" type="checkbox"/>	Federal, state or local government agency with law enforcement responsibilities.
<input type="checkbox"/>	Special investigative unit, subrogation department and claims department of a private or public insurance company for the purposes of detecting, investigating or preventing fraud.
<input type="checkbox"/>	Financial institution for the purposes of (a) detecting, investigating or preventing fraud, (b) compliance with federal or state laws or regulations, (c) collecting debt on their own behalf, and (d) such other uses as shall be appropriate and lawful.
<input type="checkbox"/>	Collection department of a creditor.
<input type="checkbox"/>	Collection company acting on behalf of a creditor or on its own behalf.
<input type="checkbox"/>	Other public or private entity for the purpose of detecting, investigating or preventing fraud. Describe your business:

2. AUTHORIZED USE (At least one (1) must be checked to receive Social Security Numbers)

<input type="checkbox"/>	No authorized use.
<input checked="" type="checkbox"/>	Location of suspects or criminals.
<input type="checkbox"/>	Location of non-custodial parents allegedly owing child support and ex-spouses allegedly owing spousal support.
<input type="checkbox"/>	Location of individuals alleged to have failed to pay taxes or other lawful debts.
<input checked="" type="checkbox"/>	Identity verification.
<input type="checkbox"/>	Other uses similar to those described above. Describe your use:

By selecting above, the Customer certifies that it is an Authorized User, and that it will use Social Security Numbers only for the purpose(s) it designated on the Authorized Use List and for no other purpose(s).

DRIVER'S LICENSE NUMBERS

1. AUTHORIZED USER (At least one (1) must be checked to receive Driver's License Numbers)

<input type="checkbox"/>	Not an authorized user.
<input checked="" type="checkbox"/>	Federal, state or local government agency with law enforcement responsibilities.
<input type="checkbox"/>	Special investigative unit, subrogation department and claims department of a private or public insurance company for the purposes of detecting, investigating or preventing fraud.
<input type="checkbox"/>	Financial institution for the purposes of (a) detecting, investigating or preventing fraud, (b) compliance with federal or state laws or regulations, (c) collecting debt on their own behalf, and (d) such other uses as shall be appropriate and lawful.
<input type="checkbox"/>	Collection department of a creditor.
<input type="checkbox"/>	Collection company acting on behalf of a creditor or on its own behalf.
<input type="checkbox"/>	Other public or private entity for the purpose of detecting, investigating or preventing fraud. Describe your business:

2. AUTHORIZED USE (At least one (1) must be checked to receive Driver's License Numbers)

<input type="checkbox"/>	No authorized use.
<input checked="" type="checkbox"/>	Location of suspects or criminals.
<input type="checkbox"/>	Location of non-custodial parents allegedly owing child support and ex-spouses allegedly owing spousal support.
<input type="checkbox"/>	Location of individuals alleged to have failed to pay taxes or other lawful debts.
<input checked="" type="checkbox"/>	Identity verification.
<input type="checkbox"/>	Other uses similar to those described above. Describe your use:

By selecting above, the Customer certifies that it is an Authorized User, and that it will use Driver's License Numbers only for the purpose(s) it designated on the Authorized Use List and for no other purpose(s).

PART 5 - TERMS AND CONDITIONS

1. **SCOPE OF SERVICES.** LN agrees to provide the LN Services described in a Purchase Order or Schedule A to this Agreement to Customer, subject to the terms and conditions herein. This Agreement shall encompass any and all delivery methods provided to Customer for the LN Services, including, but not limited to, online, batch, XML, assisted searching, machine-to-machine searches, and any other means which may become available.

2. **RESTRICTED LICENSE.** LN hereby grants to Customer a restricted license to use the LN Services and any data contained therein, subject to the restrictions and limitations set forth below:

(i) Generally. LN hereby grants to Customer a restricted license to use the LN Services solely for Customer's own internal business purposes. Customer represents and warrants that all of Customer's use of the LN Services shall be for only legitimate business purposes, including those specified by Customer in connection with a specific information request, relating to its business and as otherwise governed by the Agreement. Customer shall not use the LN Services for marketing purposes or resell or broker the LN Services to any third-party, and shall not use the LN Services for personal (non-business) purposes. Customer shall not use the LN Services to provide data processing services to third-parties or evaluate data for third-parties or, without LN's consent, to compare the LN Services against a third party's data processing services. Customer agrees that, if LN determines or reasonably suspects that continued provision of the LN Services to Customer entails a potential security risk, or that Customer is in violation of any provision of this Agreement or law, LN may take immediate action, including, without limitation, terminating the delivery of, and the license to use, the LN Services. Customer shall not access the LN Services from Internet Protocol addresses located outside of the United States and its territories without LN's prior written approval. Customer may not use the LN Services to create a competing product. Customer shall comply with all laws, regulations and rules which govern the use of the LN Services and information provided therein. LN may at any time mask or cease to provide Customer access to any LN Services or portions thereof which LN may deem, in LN's sole discretion, to be sensitive or restricted information.

(ii) GLBA Data. Some of the information contained in the LN Services is "nonpublic personal information," as defined in the Gramm-Leach-Bliley Act, (15 U.S.C. § 6801, et seq.) and related state laws (collectively, the "GLBA"), and is regulated by the GLBA ("GLBA Data"). Customer shall not obtain and/or use GLBA Data through the LN Services in any manner that would violate the GLBA, or any similar state or local laws, regulations and rules. Customer acknowledges and agrees that it may be required to certify its permissible use of GLBA Data falling within an exception set forth in the GLBA at the time it requests information in connection with certain LN Services and will recertify upon request by LN. Customer certifies with respect to GLBA Data received through the LN Services that it complies with the Interagency Standards for Safeguarding Customer Information issued pursuant to the GLBA.

(iii) DPPA Data. Some of the information contained in the LN Services is "personal information," as defined in the Drivers Privacy Protection Act, (18 U.S.C. § 2721 et seq.) and related state laws (collectively, the "DPPA"), and is regulated by the DPPA ("DPPA Data"). Customer shall not obtain and/or use DPPA Data through the LN Services in any manner that would violate the DPPA. Customer acknowledges and agrees that it may be required to certify its permissible use of DPPA Data at the time it requests information in connection with certain LN Services and will recertify upon request by LN.

(iv) Social Security and Driver's License Numbers. LN may in its sole discretion permit Customer to access QA Data (as previously defined). If Customer is authorized by LN to receive QA Data, and Customer obtains QA Data through the LN Services, Customer certifies it will not use the QA Data for any purpose other than as expressly authorized by LN policies, the terms and conditions herein, and applicable laws and regulations. In addition to the restrictions on distribution otherwise set forth in Paragraph 3 below, Customer agrees that it will not permit QA Data obtained through the LN Services to be used by an employee or contractor that is not an Authorized User with an Authorized Use. Customer agrees it will certify, in writing, its uses for QA Data and recertify upon request by LN. Customer may not, to the extent permitted by the terms of this Agreement, transfer QA Data via email or ftp without LN's prior written consent. However, Customer shall be permitted to transfer such information so long as: 1) a secured method (for example, sftp) is used, 2) transfer is not to any third-party, and 3) such transfer is limited to such use as permitted under this Agreement. LN may at any time and for any or no reason cease to provide or limit the provision of QA Data to Customer.

(v) Copyrighted and Trademarked Materials. Customer shall not remove or obscure any trademarks, copyright notices or other notices contained on materials accessed through the LN Services.

(vi) Additional Terms. To the extent that the LN Services accessed by Customer include information or data described in the Risk Supplemental Terms contained at the following website: www.lexisnexis.com/terms/risksuppl/, Customer agrees to comply with the

Risk Supplemental Terms set forth therein. Additionally, certain other information contained within the LN Services is subject to additional obligations and restrictions. These services include, without limitation, news, business information, and federal legislative and regulatory materials. To the extent that Customer receives such information through the LN Services, Customer agrees to comply with the Terms and Conditions contained at the following website: www.lexisnexis.com/terms/general (the "L&P Terms"). The Risk Supplemental Terms and the L&P Terms are hereby incorporated into this Agreement by reference. In the event of a direct conflict between this Agreement, the Risk Supplemental Terms, and the L&P Terms, the order of precedence shall be as follows: this Agreement, the Risk Supplemental Terms and then the L&P Terms.

(vii) Fair Credit Reporting Act. The LN Services provided pursuant to this Agreement are not provided by "consumer reporting agencies," as that term is defined in the Fair Credit Reporting Act (15 U.S.C. § 1681, et seq.) ("FCRA") and do not constitute "consumer reports," as that term is defined under the FCRA. Accordingly, LN Services may not be used in whole or in part as a factor in determining eligibility for credit, insurance, employment or another permissible purpose under the FCRA. Further, (A) Customer certifies that it will not use any of the information it receives through the LN Services for eligibility determinations for any of the following purposes: (1) in connection with establishing a consumer's eligibility for credit or insurance to be used primarily for personal, family or household purposes or in connection with the review or collection of a credit account of a consumer; (2) for employment purposes; (3) in connection with a determination of a consumer's eligibility for a license or other benefit granted by a government agency; (4) as a potential investor or servicer, or current insurer, in connection with a valuation of, or assessment of credit or prepayment risks associated with, an existing credit obligation; or (5) eligibility for any other purpose deemed to be a permissible purpose under the FCRA or any similar state statute; (B) by way of clarification, Customer may use, except as otherwise prohibited or limited by this Agreement, information received through the LN Services for the following purposes: (1) to verify or authenticate an individual's identity; (2) to prevent or detect fraud or other unlawful activity; (3) to locate an individual; (4) to review the status of a legal proceeding; or (5) to decide whether to buy or sell consumer indebtedness in a commercial transaction; (C) specifically, if Customer is using the LN Services in connection with collection of a consumer debt on its own behalf, or on behalf of a third-party, Customer shall not use the LN Services (1) to revoke consumer credit; (2) to set or change repayment terms; or (3) for the purpose of determining a consumer's eligibility for any repayment plan; provided, however, that Customer may, consistent with the certification and limitations set forth in this section (viii), use the LN Services for identifying, locating, or contacting a consumer in connection with the collection of a consumer's debt or for prioritizing collection activities; and (D) Customer shall not use any of the information it receives through the LN Services to take any "adverse action," as that term is defined in the FCRA.

(viii) MVR Data. If Customer is permitted to access Motor Vehicle Records ("MVR Data") from LN, without in any way limiting Customer's obligations to comply with all state and federal laws governing use of MVR Data, the following specific restrictions apply and are subject to change:

- (a) Customer shall not use any MVR Data provided by LN, or portions of information contained therein, to create or update a file that Customer uses to develop its own source of driving history information.
- (b) As requested by LN, Customer shall complete any state forms that LN is legally or contractually bound to obtain from Customer before providing Customer with MVR Data.
- (c) LN (and certain Third-Party vendors) may conduct reasonable and periodic audits of Customer's use of MVR Data. In response to any such audit, Customer must be able to substantiate the reason for each MVR Data order.

(ix) HIPAA. Customer represents and warrants that Customer will not provide LN with any Protected Health Information (as that term is defined in 45 C.F.R. Sec. 160.103) or with Electronic Health Records or Patient Health Records (as those terms are defined in 42 U.S.C. Sec. 17921(5), and 42 U.S.C. Sec. 17921(11), respectively) or with information from such records without the execution of a separate agreement between the parties.

(x) Retention of Records. For uses of GLB Data, DPPA Data and MVR Data, as described in Sections 2(ii), 2(iii) and 2(viii), Customer shall maintain for a period of five (5) years a complete and accurate record (including consumer identity, purpose and, if applicable, consumer authorization) pertaining to every access to such data.

3. **SECURITY.** Customer acknowledges that the information available through the LN Services may include personally identifiable information and it is Customer's obligation to keep all such accessed information confidential and secure. Accordingly, Customer shall (a) restrict access to LN Services to those employees who have a need to know as part of their official duties; (b) ensure that none of its employees shall (i) obtain and/or use any information from the LN Services for personal reasons, or (ii) transfer any information received through the LN Services to any party except as permitted hereunder; (c) keep all user identification numbers, and related passwords, or other security measures (collectively, "User IDs") confidential and prohibit the sharing of User IDs; (d) immediately deactivate the User ID of any employee who no longer has a need to know, or for terminated employees on or prior to the date of termination; (e) in addition to any obligations under Paragraph 2, take all commercially reasonable measures to prevent unauthorized access to, or use of, the LN Services or data received therefrom, whether the same is in electronic form or hard copy, by any person or entity; (f) maintain and enforce data destruction procedures to protect the security and confidentiality of all information obtained through LN Services as it is being disposed; (g) purge all information received through the LN Services within ninety (90) days of initial receipt; provided that Customer may extend such period if and solely to the extent such information is retained thereafter in archival form to provide documentary support required for Customer's legal or regulatory compliance efforts; (h) be capable of receiving the LN Services where the same are provided utilizing "secure socket layer," or such other means of secure transmission as is deemed reasonable by LN; (i) not access and/or use the LN Services via mechanical, programmatic, robotic, scripted or other automated search means, other than through batch or machine-to-machine applications approved by LN; (j) take all steps to protect their networks and computer environments, or those used to access the LN Services, from compromise; (k) on at least a quarterly

basis, review searches performed by its User IDs to ensure that such searches were performed for a legitimate business purpose and in compliance with all terms and conditions herein; and (l) maintain policies and procedures to prevent unauthorized use of User IDs and the LN Services. Customer will immediately notify LN, by written notification to the LN Privacy, Security and Compliance Organization at 1000 Alderman Drive, Alpharetta, Georgia 30005 and by email (security.investigations@lexisnexis.com) and by phone (1-888-872-5375), if Customer suspects, has reason to believe or confirms that a User ID or the LN Services (or data derived directly or indirectly therefrom) is or has been lost, stolen, compromised, misused or used, accessed or acquired in an unauthorized manner or by any unauthorized person, or for any purpose contrary to the terms and conditions herein. Furthermore, in the event that the LN Services provided to the Customer include personally identifiable information (including, but not limited to, social security numbers, driver's license numbers or dates of birth), the following shall apply: Customer acknowledges that, upon unauthorized acquisition or access of or to such personally identifiable information, including but not limited to that which is due to use by an unauthorized person or due to unauthorized use (a "Security Event"), Customer shall, in compliance with law, notify the individuals whose information was potentially accessed or acquired that a Security Event has occurred, and shall also notify any other parties (including but not limited to regulatory entities and credit reporting agencies) as may be required in LN's reasonable discretion. Customer agrees that such notification shall not reference LN or the product through which the data was provided, nor shall LN be otherwise identified or referenced in connection with the Security Event, without LN's express written consent. Customer shall be solely responsible for any other legal or regulatory obligations which may arise under applicable law in connection with such a Security Event and shall bear all costs associated with complying with legal and regulatory obligations in connection therewith. Customer shall provide samples of all proposed materials to notify consumers and any third-parties, including regulatory entities, to LN for review and approval prior to distribution. In the event of a Security Event, LN may, in its sole discretion, take immediate action, including suspension or termination of Customer's account, without further obligation or liability of any kind.

4. **PERFORMANCE.** LN will use commercially reasonable efforts to deliver the LN Services requested by Customer and to compile information gathered from selected public records and other sources used in the provision of the LN Services; provided, however, that the Customer accepts all information "**AS IS**". Customer acknowledges and agrees that LN obtains its data from third party sources, which may or may not be completely thorough and accurate, and that Customer shall not rely on LN for the accuracy or completeness of information supplied through the LN Services. Without limiting the foregoing, the criminal record data that may be provided as part of the LN Services may include records that have been expunged, sealed, or otherwise have become inaccessible to the public since the date on which the data was last updated or collected. Customer understands that Customer may be restricted from accessing certain LN Services which may be otherwise available. LN reserves the right to add materials and features to, and to discontinue offering any of the materials and features that are currently a part of, the LN Services. In the event that LN discontinues a material portion of the materials and features that Customer regularly uses in the ordinary course of its business, and such materials and features are part of a flat fee subscription plan to which Customer has subscribed, LN will, at Customer's option, issue a prorated credit to Customer's account.

5. **PRICING SCHEDULES.** Upon acceptance by the LN Affiliate(s) set forth on an applicable Purchase Order or Schedule A (hereinafter "Schedule(s) A"), such LN Affiliate(s) shall provide the LN Services requested by Customer and set forth in one (1) or more Schedules A attached hereto or subsequently incorporated by reference, for the fees listed on such purchase orders or schedules. The fees listed on a Schedule A may be updated from time to time by notice to Customer. All current and future pricing documents and Schedule(s) A are deemed incorporated herein by reference.

6. **INTELLECTUAL PROPERTY; CONFIDENTIALITY.** Customer agrees that Customer shall not reproduce, retransmit, republish, or otherwise transfer for any commercial purposes the LN Services' information, programs or computer applications. Customer acknowledges that LN (and/or its third party data providers) shall retain all right, title, and interest under applicable contractual, copyright, patent, trademark, Trade Secret and related laws in and to the LN Services and the data and information that they provide. Customer shall use such materials in a manner consistent with LN's interests and the terms and conditions herein, and shall notify LN of any threatened or actual infringement of LN's rights. Customer and LN acknowledge that they each may have access to confidential information of the disclosing party ("Disclosing Party") relating to the Disclosing Party's business including, without limitation, technical, financial, financial, strategies and related information, computer programs, algorithms, know-how, processes, ideas, inventions (whether patentable or not), schematics, Trade Secrets (as defined below) and other information (whether written or oral), and in the case of LN's information, product information, pricing information, product development plans, forecasts, data contained in LN Services, and other business information ("Confidential Information"). Confidential Information shall not include information that: (i) is or becomes (through no improper action or inaction by the Receiving Party (as defined below)) generally known to the public; (ii) was in the Receiving Party's possession or known by it prior to receipt from the Disclosing Party; (iii) was lawfully disclosed to Receiving Party by a third-party and received in good faith and without any duty of confidentiality by the Receiving Party or the third-party; or (iv) was independently developed without use of any Confidential Information of the Disclosing Party by employees of the Receiving Party who have had no access to such Confidential Information. "Trade Secret" shall be deemed to include any information which gives the Disclosing Party an advantage over competitors who do not have access to such information as well as all information that fits the definition of "trade secret" including without limitation pricing information applicable to this Agreement. Each receiving party ("Receiving Party") agrees not to divulge any Confidential Information or information derived therefrom to any third-party and shall protect the confidentiality of the Confidential Information with the same degree of care it uses to protect the confidentiality of its own confidential information and trade secrets, but in no event less than a reasonable degree of care. Notwithstanding the foregoing, the Receiving Party may disclose Confidential Information solely to the extent required by subpoena, court order or other governmental authority, provided that the Receiving Party shall give the Disclosing party prompt written notice of such subpoena, court order or other governmental authority so as to allow the Disclosing party to have an opportunity to obtain a protective order to prohibit or restrict such disclosure at its sole cost and expense. Confidential Information disclosed pursuant to subpoena, court order or other governmental authority shall otherwise remain subject to the terms applicable to Confidential Information. Each party's obligations with

respect to Confidential Information shall continue for the term of this Agreement and for a period of five (5) years thereafter, provided however, that with respect Trade Secrets, each party's obligations shall continue for so long as such Confidential Information continues to constitute a Trade Secret. Notwithstanding the foregoing, if Customer is bound by the Freedom of Information Act, 5 U.S.C. 552, or other federal, state, or municipal open records laws or regulations which may require disclosure of information, and disclosure thereunder is requested, Customer agrees that it shall notify LN in writing and provide LN an opportunity to object, if so permitted thereunder, prior to any disclosure.

7. **PAYMENT OF FEES.** Customer shall be responsible for payment for all services ordered by Customer or obtained through Customer's User IDs after the expiration of a free trial, if applicable, whether or not such User ID is used by Customer or a third-party, provided access to the User ID is not the result of use by a person formerly or presently employed by LN or who obtains the User ID by or through a break-in or unauthorized access of LN's offices, premises, records, or documents. Customer shall pay to LN the fees incurred for the use of the LN Services, and Customer agrees that it may be electronically invoiced for those fees. Payments shall be received within thirty (30) days of the invoice date. Any balance not timely paid will accrue interest at the rate of eighteen percent (18%) per annum or the highest rate allowed by applicable law, whichever is less. Customer's obligation to pay invoiced amounts is not subject to any offset, defense or counterclaim.

8. **APPROPRIATION OF FUNDS.** If sufficient funds are not appropriated or allocated for payment under this Agreement for any current or future fiscal period, then Customer may, at its option, terminate this Agreement on the last day of any calendar month, upon ten (10) days prior written notice to LN, without future obligations, liabilities or penalties, except that Customer shall remain liable for amounts due up to the time of termination. In addition, Customer shall certify and warrant in writing that sufficient funds have not been appropriated to continue the Agreement for the next fiscal year.

9. **TERM OF AGREEMENT.** This Agreement is for services rendered and shall be in full force and effect during such periods of time during which LN is providing services for Customer (the "Term"); provided, however, that any term provided on a Schedule A (the "Schedule A Term") shall apply to the LN Services provided under such Schedule A until the expiration of that Schedule A Term. Upon expiration of any Schedule A Term, this Agreement shall continue in effect for so long as LN is providing services for Customer.

10. **TERMINATION.** Except where a Schedule A provides for a Schedule A Term or otherwise sets forth Customer's minimum financial commitment, either party may terminate this Agreement at any time for any reason.

11. **GOVERNING LAW.** In the event that Customer is a government agency, this Agreement shall be governed by and construed in accordance with the municipal, state, or federal law(s) applicable to such agency, without effect to conflicts of law principles.

12. **ASSIGNMENT.** Neither this Agreement nor the license granted herein may be assigned by Customer, in whole or in part, without the prior written consent of LN. An assignment includes without limitation the dissolution, merger, consolidation, reorganization, sale or other transfer of assets, properties, or controlling interest of twenty percent (20%) or more of Customer. Any assignment without the prior written consent of LN shall be void.

13. **DISCLAIMER OF WARRANTIES.** LN (FOR PURPOSES OF INDEMNIFICATION BY CUSTOMER, WARRANTIES, DISCLAIMERS, AND LIMITATIONS ON LIABILITY, LN, ITS SUBSIDIARIES AND AFFILIATES, AND ITS DATA PROVIDERS ARE COLLECTIVELY REFERRED TO AS "LN") DOES NOT MAKE AND HEREBY DISCLAIMS ANY WARRANTY, EXPRESS OR IMPLIED, WITH RESPECT TO THE LN SERVICES. LN DOES NOT WARRANT THE CORRECTNESS, COMPLETENESS, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE LN SERVICES OR INFORMATION PROVIDED THEREIN. Due to the nature of public record information, the public records and commercially available data sources used in the LN Services may contain errors. Source data is sometimes reported or entered inaccurately, processed poorly or incorrectly, and is generally not free from defect. LN Services are not the source of data, nor are they a comprehensive compilation of the data. Before relying on any data, it should be independently verified.

14. **LIMITATION OF LIABILITY.** Customer agrees that LN's aggregate liability for any and all losses or injuries arising out of any act or omission of LN in connection with anything to be done or furnished under this Agreement, regardless of the cause of the loss or injury, and regardless of the nature of the legal or equitable right claimed to have been violated, shall never exceed One Hundred Dollars (\$100.00); and Customer covenants and promises that it will not sue LN for an amount greater than such sum even if Customer and/or third-parties were advised of the possibility of such damages and that it will not seek punitive damages in any suit against LN. IN NO EVENT SHALL LN BE LIABLE FOR ANY INDIRECT, PUNITIVE, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, HOWEVER ARISING, INCURRED BY CUSTOMER FROM RECEIPT OR USE OF INFORMATION DELIVERED HEREUNDER OR THE UNAVAILABILITY THEREOF.

15. **INDEMNIFICATION.** To the extent permitted by applicable state or federal law, Customer hereby agrees to protect, indemnify, defend, and hold harmless LN from and against any and all costs, claims, demands, damages, losses, and liabilities (including attorneys' fees and costs) arising from or in any way related to (a) use of information received by Customer (or any third-party receiving such information from or through Customer) furnished by or through LN; (b) breach of any terms, conditions, representations or certifications in this Agreement; and (c) any Security Event. LN hereby agrees to protect, indemnify, defend, and hold harmless Customer from and against any and all costs, claims, demands, damages, losses, and liabilities (including attorneys' fees and costs) arising from or in connection with any third-party claim that the LN Services or data contained therein, when used in accordance with this Agreement, infringe a United States patent or United States registered copyright, subject to the following: (i) Customer must promptly give written notice of any claim to LN; (ii) Customer must provide any assistance which LN may reasonably

request for the defense of the claim (with reasonable out of pocket expenses paid by LN); and (iii) LN has the right to control the defense or settlement of the claim; provided, however, that the Customer shall have the right to participate in, but not control, any litigation for which indemnification is sought with counsel of its own choosing, at its own expense. Notwithstanding the foregoing, LN will not have any duty to indemnify, defend or hold harmless Customer with respect to any claim of infringement resulting from (1) Customer's misuse of the LN Services; (2) Customer's failure to use any corrections made available by LN; (3) Customer's use of the LN Services in combination with any product or information not provided or authorized in writing by LN; or (4) any information, direction, specification or materials provided by Customer or any third-party. If an injunction or order is issued restricting the use or distribution of any part of the LN Services, or if LN determines that any part of the LN Services is likely to become the subject of a claim of infringement or violation of any proprietary right of any third-party, LN may in its sole discretion and at its option (A) procure for Customer the right to continue using the LN Services; (B) replace or modify the LN Services so that they become non-infringing, provided such modification or replacement does not materially alter or affect the use or operation of the LN Services; or (C) terminate this Agreement and refund any fees relating to the future use of the LN Services. The foregoing remedies constitute Customer's sole and exclusive remedies and LN's entire liability with respect to infringement claims or actions.

16. **SURVIVAL OF AGREEMENT.** Provisions hereof related to release of claims; indemnification; use and protection of information, data and LN Services; payment for the LN Services; audit; LN's use and ownership of Customer's search inquiry data; disclaimer of warranties and other disclaimers; security; customer data and governing law shall survive any termination of the license to use the LN Services.

17. **AUDIT.** Customer understands and agrees that, in order to ensure compliance with the FCRA, GLBA, DPPA, other similar state or federal laws, regulations or rules, regulatory agency requirements of this Agreement, LN's obligations under its contracts with its data providers, and LN's internal policies, LN may conduct periodic reviews of Customer's use of the LN Services and may, upon reasonable notice, audit Customer's records, processes and procedures related to Customer's use, storage and disposal of LN Services and information received therefrom. Customer agrees to cooperate fully with any and all audits and to respond to any such audit inquiry within ten (10) business days, unless an expedited response is required. Violations discovered in any review and/or audit by LN will be subject to immediate action including, but not limited to, suspension or termination of the license to use the LN Services, reactivation fees, legal action, and/or referral to federal or state regulatory agencies.

18. **EMPLOYEE TRAINING.** Customer shall train new employees prior to allowing access to LN Services on Customer's obligations under this Agreement, including, but not limited to, the licensing requirements and restrictions under Paragraph 2, the security requirements of Paragraph 3 and the privacy requirements in Paragraph 23. Customer shall conduct a similar review of its obligations under this Agreement with existing employees who have access to LN Services no less than annually. Customer shall keep records of such training.

19. **TAXES.** The charges for all LN Services are exclusive of any state, local, or otherwise applicable sales, use, or similar taxes. If any such taxes are applicable, they shall be charged to Customer's account.

20. **CUSTOMER CHANGES.** Customer shall notify LN immediately of any changes to the information on Customer's Application for the LN Services, and, if at any time Customer no longer meets LN's criteria for providing such service, LN may terminate this Agreement. Customer is required to promptly notify LN of a change in ownership of Customer, any change in the name of Customer, and/or any change in the physical address of Customer.

21. **RELATIONSHIP OF PARTIES.** None of the parties shall, at any time, represent that it is the authorized agent or representative of the other. LN's relationship to Customer in the performance of services pursuant to this Agreement is that of an independent contractor.

22. **CHANGE IN AGREEMENT.** By receipt of the LN Services, Customer agrees to, and shall comply with, changes to the restricted license granted to Customer hereunder and as LN shall make from time to time by notice to Customer. Notices to Customer will be provided via written communication. All e-mail notifications shall be sent to the individual named in the Customer Administrator Contact Information section, unless stated otherwise in this Agreement. LN may, at any time, impose restrictions and/or prohibitions on the Customer's use of the LN Services or certain data. Customer understands that such restrictions or changes in access may be the result of a modification in LN policy, a modification of third-party agreements, a modification in industry standards, a Security Event or a change in law or regulation, or the interpretation thereof. Upon written notification by LN of such restrictions, Customer agrees to comply with such restrictions.

23. **PRIVACY PRINCIPLES.** With respect to personally identifiable information regarding consumers, the parties further agree as follows: LN has adopted the "LN Data Privacy Principles" ("Principles"), which may be modified from time to time, recognizing the importance of appropriate privacy protections for consumer data, and Customer agrees that Customer (including its directors, officers, employees or agents) will comply with the Principles or Customer's own comparable privacy principles, policies, or practices. The Principles are available at <http://www.lexisnexis.com/privacy/data-privacy-principles.aspx>.

24. **PUBLICITY.** Customer will not name LN or refer to its use of the LN Services in any press releases, advertisements, promotional or marketing materials, or make any other third-party disclosures regarding LN or Customer's use of the LN Services.

25. **FORCE MAJEURE.** The parties will not incur any liability to each other or to any other party on account of any loss or damage resulting from any delay or failure to perform all or any part of this Agreement (except for payment obligations) to the extent such delay or failure is caused, in whole or in part, by events, occurrences, or causes beyond the control, and without the negligence of, the parties. Such events, occurrences, or causes include, without limitation, acts of God, telecommunications outages, Internet outages, power outages, any irregularity in the announcing or posting of updated data files by the applicable agency, strikes, lockouts, riots, acts of war, floods, earthquakes, fires, and explosions.

26. **ENTIRE AGREEMENT.** Except as otherwise provided herein, this Agreement constitutes the final written agreement and understanding of the parties and is intended as a complete and exclusive statement of the terms of the agreement, which shall supersede all other representations, agreements, and understandings, whether oral or written, which relate to the use of the LN Services and all matters within the scope of this Agreement. Without limiting the foregoing, the provisions related to confidentiality and exchange of information contained in this Agreement shall, with respect to the LN Services and all matters within the scope of this Agreement, supersede any separate non-disclosure agreement that is or may in the future be entered into by the parties hereto. Any additional, supplementary, or conflicting terms supplied by the Customer, including those contained in purchase orders or confirmations issued by the Customer, are specifically and expressly rejected by LN unless LN expressly agrees to them in a signed writing. The terms contained herein shall control and govern in the event of a conflict between these terms and any new, other, or different terms in any other writing. This Agreement can be executed in counterparts and faxed or electronic signatures will be deemed originals.

27. **MISCELLANEOUS.** If any provision of this Agreement or any exhibit shall be held by a court of competent jurisdiction to be contrary to law, invalid or otherwise unenforceable, such provision shall be changed and interpreted so as to best accomplish the objectives of the original provision to the fullest extent allowed by law, and in any event the remaining provisions of this Agreement shall remain in full force and effect. The headings in this Agreement are inserted for reference and convenience only and shall not enter into the interpretation hereof.

AUTHORIZATION AND ACCEPTANCE OF TERMS

I HEREBY CERTIFY that I am authorized to execute this Agreement on behalf of the Customer listed above and that I have direct knowledge of the facts stated above.

CUSTOMER

Signature _____

Print Name _____

Title _____

Dated _____ (mm/dd/yy)



SCHEDULE A
Accurint for Law Enforcement
(Per User Subscription)

Agency (Customer) Name: Lady Lake Police Department
 Billgroup #: _____
 LN Account Manager: Don Barnes

This Schedule A sets forth additional or amended terms and conditions for the use of the Accurint for Law Enforcement services ("LN Services"), as set forth in the services agreement between Customer and LN or LN's affiliate(s) for the LN Services ("Agreement"), to which this Schedule A is incorporated by reference. The LN Services herein shall be provided by LexisNexis Risk Solutions FL Inc. ("LN"). Customer acknowledges that the services provided under this Schedule A are non-FCRA services and are not "consumer reports" within the meaning of the FCRA and Customer agrees not to use such reports in any manner that would cause them to be characterized as "consumer reports".

1. SCHEDULE A TERM

The term of this Schedule A will be 12 months beginning 7/1/2014 ("Initial Term"), and shall automatically renew for additional periods of twelve (12) months ("Renewal Term"), unless written notice of termination is provided to either party at least sixty (60) days prior to the expiration of the Initial Term or any Renewal Term. If an account is activated after the first day of a calendar month, charges will not be pro-rated.

2. FEES

2.1 User Fees: The following table (the "Price Table") describes the agreed upon user fees (the "User Fees"):

PRICE TABLE		
Monthly Minimum Users:		1
Standard Features Fee:		\$85.00
Premium Features Fee:	Phones Plus Real Time Phone Search Virtual Identity Search & Report	\$0.00
Total Monthly User Fees (per user):		\$85.00
Total Monthly Minimum Amount:		\$85.00

All of the searches and reports included in the Price Schedule are referred to as the "Features". The User Fees include unlimited access to all Features, excluding those Features identified in Section 2.2. User Fees shall be due each month for: (i) any user ID upon which any search occurs during a calendar month; and (ii) any user ID activated on Customer's account which was not used to perform any searches and is not suspended or terminated by the close of business on the last day of such month. At the end of each twelve-month period User Fees will be increased 3%.

2.2 Transactional Fees: Unless otherwise selected in the Price Table, the following Features shall be charged a transactional fee (the "Transactional Fees") as specified in the attached Price Schedule: American Board of Medical Specialties Search and Report, Bankruptcy Documents, Canadian Phones, Comprehensive Healthcare Business Report, Comprehensive Healthcare Provider Report, Court Search Wizard, D&B Search, DE Corp Search and Report, Email Search, MVR Reports, National Motor Vehicle Accident Search & Report, News Searches, Online Batch Services, Phones Plus, Property Deed Image, Provider Sanction Search and Report, Provider Search and Report, Real Time MVR, Real Time Person Search, Real Time Phone Search, Virtual Identity Search & Report, and XML. Features with Transactional Fees will be disabled when account is set up. Please contact your account manager at any point to have these features with Transactional Fees enabled.

2.3 Payment Amount: Customer shall pay to LN each month the greater of (i) total User Fees and applicable Transactional Fees or (ii) the total monthly minimum amount(s) as specified in the Price Table.

3. EXPIRATION

Unless otherwise accepted by LN, the terms herein are valid if the Schedule A is signed by the Customer and received by LN on or before **7/8/2014**.

4. CONFIDENTIAL INFORMATION

This Schedule A contains the confidential pricing information of LN. Customer acknowledges that the disclosure of such pricing information could cause competitive harm to LN, and as such, Customer agrees to maintain Schedule A in trust and confidence and take reasonable precautions against such disclosure to any third party.

AGREED TO AND ACCEPTED BY: Lady Lake Police Department

Signed: _____

Name: _____

Title: _____

Date: _____

Accurint for Law Enforcement

(Plan 44)

Updated 04/11/2014

Pricing is per hit unless otherwise indicated

All searches/reports with a price of \$0.00 are considered "Standard Features" and are included in Subscription plan.

PRICE SCHEDULE (Subscription)	
FEATURE	PRICE
ADVANCED PERSON SEARCH	\$0.00
AMERICAN BOARD OF MEDICAL SPECIALTIES SEARCH	\$1.00
AMERICAN BOARD OF MEDICAL SPECIALTIES REPORT	\$5.00
ASSOCIATES ("NEXT STEPS")	\$0.00
BANKRUPTCY SEARCH (Charged per search)	\$0.00
Bankruptcy Report	\$0.00
Bankruptcy Dockets (\$0.50 for first 5 pages & \$0.20 per page thereafter)	\$0.50
Bankruptcy Documents (per page, up to max charge of \$6 per document)	\$0.20
BANKRUPTCIES, LIENS & JUDGMENTS SEARCH (Charged per search)	\$0.00
BASIC LOOKUP SEARCH (Directory Assistance)	\$0.00
BOOLEAN SEARCH	\$0.00
BUSINESS CREDIT SEARCH	\$0.00
Business Credit Report	\$0.00
BUSINESS SEARCH	\$0.00
BUSINESSES IN THE NEWS SEARCH (Not discounted)	\$5.00
CANADIAN PHONES	\$0.40
CASE AUDIT COMPLIANCE	\$0.00
CASE CONNECT DECONFLICTION ALERTS	\$0.00
CIVIL COURTS SEARCH (Report Included) (Charged per search)	\$0.00
CLIA SEARCH	\$0.00
CONCEALED WEAPONS PERMIT SEARCH	\$0.00
CORPORATION FILINGS SEARCH (Report included except in Delaware)	\$0.00
COURT SEARCH WIZARD (Additional fees may apply; orders are non-refundable) (not discounted)	
County Civil Lower & Upper Court - 7 Year	\$35.00
County Civil Lower & Upper Court - 10 Year	\$40.00
County Criminal - 7 Year	\$25.00
County Criminal - 10 Year	\$30.00
Federal Division Civil - 7 Year	\$16.00
Federal Division Civil - 10 Year	\$25.00
Federal Division Criminal - 7 Year	\$16.00
Federal Division Criminal - 10 Year	\$25.00
Statewide Criminal	\$24.00
CREDIT REPORT (Employment Purpose only) - Single (FCRA)	\$6.00
CREDIT REPORT (Employment Purpose only) - BiMerge (FCRA)	\$12.00
CREDIT REPORT (Employment Purpose only) - TriMerge (FCRA)	\$17.00
CRIMINAL RECORDS SEARCH (Charged per search)	\$0.00
Criminal Records Report	\$0.00

DEA CONTROLLED SUBSTANCES LICENSE SEARCH	\$0.00
DEATH RECORDS SEARCH (Charged per search)	\$0.00
Death Records Report	\$0.00
DELAWARE CORPORATION SEARCH (Not discounted)	\$1.00
Delaware Corporation Report (Not discounted)	\$11.00
DRIVER LICENSES SEARCH	\$0.00
DUN & BRADSTREET (D&B) SEARCH	\$0.25
Dun & Bradstreet (D&B) Report (Not discounted)	\$0.00
E-MAIL SEARCH	\$0.40
FAA AIRCRAFT SEARCH (Report Included)	\$0.00
FAA PILOT SEARCH (Report Included)	\$0.00
FEDERAL FIREARMS & EXPLOSIVES LICENSE SEARCH	\$0.00
FEDERAL EMPLOYER ID NUMBERS (FEIN)	\$0.00
FICTITIOUS BUSINESS NAME SEARCH	\$0.00
FORECLOSURES SEARCH (Report Included)	\$0.00
HUNTING/FISHING LICENSE SEARCH	\$0.00
INTERNET DOMAIN NAME SEARCH	\$0.00
LIENS & JUDGMENTS SEARCH (Charged per search)	\$0.00
Liens & Judgments Report	\$0.00
MARRIAGES/DIVORCES SEARCH	\$0.00
MEXICO PROFESSIONAL CERTIFICATION SEARCH (Charged per search) (Not discounted)	\$1.00
MEXICO DOCKET SEARCH (Charged per search) (Not discounted)	\$1.00
MOTOR VEHICLES SEARCH	\$0.00
Motor Vehicles Report	\$0.00
MVR REPORTS (DRIVING RECORDS) (Charged per search) (Not discounted)	
Alabama 3-year	\$12.00
Delaware	\$21.50
Florida 3-year	\$7.15
Florida 7-year	\$8.15
Illinois	\$17.00
Indiana 7-year	\$11.00
Iowa	\$13.50
Kansas	\$11.50
Maine 3-year	\$12.00
Minnesota 5-year	\$7.50
Mississippi 3-year	\$16.00
Nebraska 5-year	\$8.00
North Carolina 7-year	\$13.00
Rhode Island 3-year	\$23.00
South Carolina 3-year	\$12.25
Tennessee 5-year	\$12.00
Utah 3-year	\$12.25
Vermont 3-year	\$18.00
West Virginia 7-year	\$10.00
MVR WILDCARD SEARCH	\$0.00

NATIONAL MOTOR VEHICLE ACCIDENT SEARCH & REPORT	\$0.00
NATIONAL UCC FILINGS SEARCH (Report Included)	\$0.00
NCPDP (National Council for Prescription Drug Programs) Search (Charged per search)	\$0.00
NCPDP (National Council for Prescription Drug Programs) Report (Charged per search)	\$0.00
NEIGHBORS ("NEXT STEPS") (Not discounted)	\$0.00
NPI SEARCH	\$0.00
NPI Report	\$0.00
OFFICIAL RECORDS SEARCH (Report Included)	\$0.00
PASSPORT VALIDATION (Charged per search)	\$0.00
PATRIOT ACT SEARCH (Charged per search)	\$0.00
PEOPLE AT WORK SEARCH	\$0.00
PEOPLE IN THE NEWS SEARCH (Not discounted)	\$5.00
PERSON ALERTS MONITORING (Monthly Monitoring Transactions Per Account) (Alerts charged at regular price)	
1 - 50	\$0.00
51 - 250	\$0.00
251 - 500	\$0.00
501 - 1,000	\$0.00
1,001 - 5,000	\$0.00
5,001 - 25,000	\$0.00
25,001 - 100,000	\$0.00
PHONES PLUS SEARCH	\$0.50
PROFESSIONAL LICENSES SEARCH (Charged per search)	\$0.00
PROPERTY ASSESSMENTS SEARCH	\$0.00
Property Assessments Report	\$0.00
PROPERTY DEEDS SEARCH	\$0.00
Property Deeds Report (excluding Deed Image)	\$0.00
Property Deeds Image (addl charge when ordered within Property Reports) (Not discounted)	\$8.00
PROPERTY SEARCH (Property Assessments, Deeds & Mortgages)	\$0.00
Property Report (Property Assessments, Deeds & Mortgages excluding Deed Image)	\$2.00
PROVIDER SEARCH	\$0.25
Provider Report	\$5.00
PROVIDER SANCTION SEARCH (Charged per search)	\$0.25
Provider Sanction Report	\$5.00
REAL TIME MOTOR VEHICLE REGISTRATIONS (Charged per search)	\$3.50
REAL TIME PERSON SEARCH (Charged per search)	\$3.50
REAL TIME PHONE SEARCH	\$0.50
RELATIVES ("NEXT STEPS")	\$0.00
RELATIVES, NEIGHBORS & ASSOCIATES ("NEXT STEPS")	\$0.00
RELAVINT VISUAL LINK ANALYSIS (Per Diagram) (Not discounted)	\$0.00
REVERSE LOOKUP SEARCH (Reverse Directory)	\$0.00
SATELLITE IMAGE SEARCH	\$0.00
SEXUAL OFFENDERS SEARCH (Report Included) (Charged per search)	\$0.00
VIRTUAL IDENTITY SEARCH & REPORT	\$2.00
VOTER REGISTRATION SEARCH	\$0.00
WATERCRAFT SEARCH	\$0.00

Watercraft Report	\$0.00
WORKPLACE LOCATOR (Not discounted)	\$3.50
REPORTS	
ASSET REPORT: Property Deeds & Assessments, Vehicle Registrations, Watercraft, FAA Pilots, FAA Aircraft and UCC Filings.	\$0.00
AUTOMATED VALUATION MODEL (AVM) REPORT	\$0.00
BUSINESS LINK REPORT	\$0.00
COMPREHENSIVE REPORT (Best Value): Summary Report, Associates, Bankruptcy, Concealed Weapons Permits, Criminal Records, DEA Controlled Substances License Search, Driver's Licenses, FAA Aircraft, FAA Pilots, Federal Firearms & Explosives License Search, National Motor Vehicle Accident Search & Report, Hunting / Fishing Permits, Liens & Judgments, Neighbors, People at Work, Phones Plus, Possible Education, Professional Licenses, Property, Relatives (3 Degrees), Sexual Offenders, UCC Filings, Vehicle Registrations, Voter Registration and Watercraft.	\$0.00
FINDER REPORT: Address Summary, Others using SSN, Date/Location where SSN issued, Phone Summary, Current Listed Phones, Unverified phones with Type and Date Indicators, Current Neighbor Phones, Possible Relative Phones (2 Degrees), Possible Associate Phones, Phones at Historical Addresses, Bankruptcy Filings and Corporate Affiliations.	\$0.00
SUMMARY REPORT: Address Summary, Others using SSN, Date/Location where SSN issued, Census Data, Bankruptcy Indicator, Property Indicator and Corporate Affiliations Indicator.	\$0.00
COMPREHENSIVE ADDRESS REPORT (Base Report Features: Current and Previous Residents and Phones at Address)	\$0.00
Additional Report Options:	
Bankruptcy (Charged per search)	\$0.00
Businesses at Address	\$0.00
Concealed Weapons Permit Search	\$0.00
Criminal Records Search (Charged per search)	\$0.00
Criminal Records Report	\$0.00
Driver Licenses at Address	\$0.00
Hunting/Fishing License Search	\$0.00
Liens and Judgments (Charged per search)	\$0.00
Motor Vehicles Registered at Address	\$0.00
Neighborhood Profile (2010 Census)	\$0.00
Neighbors at Address	\$0.00
Property Ownership Current / Previous	\$0.00
Sexual Offenders Search (Report Included) (Charged per search)	\$0.00
COMPREHENSIVE BUSINESS REPORT (Base Report Features: Name, Address and Phone Variations, Parent Company, Id Numbers and Industry Information)	\$0.00
Additional Report Options:	
Associated Businesses	\$0.00
Associated People	\$0.00
Bankruptcy (Charged per search)	\$0.00
Business Registrations	\$0.00
Corporation Filings	\$0.00
Dun & Bradstreet Records (Not Discounted)	\$0.00
FAA Aircraft	\$3.75
Internet Domain Names	\$0.00
IRS 5500	\$0.00

Liens and Judgments (Charged per search)	\$0.00
Motor Vehicles	\$0.00
Properties	\$0.00
UCC Filings	\$0.00
Watercraft	\$0.00
CUSTOM COMPREHENSIVE REPORT (Base Report Features: Others Using Same SSN, Date and Location where SSN Issued, Company Header, Address Summary, Possible Education, Comprehensive Report Summary)	\$0.00
Additional Report Options:	
Associates	\$0.00
Bankruptcy (Charged per search)	\$0.00
Criminal Records (Charged per search)	\$0.00
DEA Controlled Substances License Search	\$0.00
Driver Licenses Information	\$0.00
Email Search	\$0.40
Federal Firearms & Explosives License Search	\$0.00
Liens and Judgments (Charged per search)	\$0.00
Motor Vehicle(s) Registration (Watercraft & Boat Trailers included)	\$0.00
National Motor Vehicle Accident Search & Report	\$0.00
Neighborhood Profile (2010 Census)	\$0.00
Neighbors (Up to 6 Neighbors at 10 Different Addresses)	\$0.00
People at Work	\$0.00
Phones Plus	\$0.50
Professional Licenses (Charged per search)	\$0.00
Properties	\$0.00
Relatives (Per Degree of Separation; Up to 3 Degrees)	\$0.00
Sexual Offenses (Charged per search)	\$0.00
Supplemental Data Sources (Charged per search)	\$0.00
UCC Filings	\$0.00
FLAT RATE COMPREHENSIVE HEALTHCARE BUSINESS REPORT (includes Base Report Features and Additional Report Options listed below)	\$10.00
COMPREHENSIVE HEALTHCARE BUSINESS REPORT (Base Report Features: Name, Address and Phone Variations; Parent Company, ID Numbers and Industry Information)	\$0.50
Additional Report Options:	
Associated Businesses	\$1.00
Associated People	\$1.00
Bankruptcy (Charged per search)	\$1.00
Business Phone Matches	\$0.25
Business Registrations	\$0.25
Corporation Filings	\$1.00
Dun & Bradstreet Records (Not Discounted)	\$3.75
FAA Aircraft	\$0.25
Internet Domain Names	\$0.25
IRS 5500	\$1.00
Liens and Judgments (Charged per search)	\$0.25
Motor Vehicles	\$0.75

Properties	\$1.00
Sanctions	\$0.50
UCC Filings	\$0.50
Verification	\$0.75
Watercraft	\$1.00
FLAT RATE COMPREHENSIVE HEALTHCARE PROVIDER REPORT (includes Base Report Features and Additional Report Options listed below)	\$6.00
COMPREHENSIVE HEALTHCARE PROVIDER REPORT (Base Report Features: Gender, Date of Birth, Social Security Number, Tax ID(s) UPIN and NPI number)	\$0.50
Additional Report Options:	
Additional Deceased Data Sources	\$0.00
Associates	\$0.00
Bankruptcy (Charged per search) (Not discounted)	\$0.25
Business Address Summary	\$0.25
Business Affiliations	\$0.50
Business Phone Matches	\$0.25
DEA Licenses	\$0.25
Degrees	\$0.00
Education	\$0.50
Group Affiliations	\$0.50
GSA Sanctions (Charged per search)	\$0.50
Hospital Affiliations	\$0.50
Liens and Judgments (Charged per search)	\$0.25
Medical Licenses (Charged per search)	\$1.00
Possible Criminal Records (Charged Per Search)	\$0.25
Professional Licenses (Charged per search)	\$1.00
Sanctions (Disciplinary) (Charged per search)	\$0.50
Specialties	\$0.00
Verification	\$0.75
ONLINE BATCH	
Advanced Person Search	\$0.50
Deceased Person	\$0.25
Address (single)	\$0.13
Address (multiple)	\$0.16
EDA Phones (Directory Assistance) (single)	\$0.10
EDA Phones (Directory Assistance) (multiple)	\$0.12
Waterfall Phones - Directory Assistance Match, Address and Name Variations, Co-Residents, Phones Plus & Relatives; Add-ons Possible Relocation, Neighbors & People at Work (single)	\$0.23
Waterfall Phones - Directory Assistance Match, Address and Name Variations, Co-Residents, Phones Plus & Relatives; Add-ons Possible Relocation, Neighbors & People at Work (multiple)	\$0.25
Address and Phones (single)	\$0.25
Address and Phones (multiple)	\$0.30
Address and/or Phone Dedupe (per input) (single)	\$0.03
Address and/or Phone Dedupe (per input) (multiple)	\$0.04
Phones Plus	\$0.50
Real Time Phone Search	\$0.50
Real Time Motor Vehicle Registrations	\$1.50

Property - Add Up to Five Properties owned by the subject	\$1.00
Consumer InstantID	\$0.65
Consumer InstantID with Fraud Defender	\$0.95
Consumer InstantID with Red Flags Rule	\$0.90
Business InstantID	\$1.30
Business InstantID with Fraud Defender	\$1.30
Multiple = 2 or more phones/addresses returned	



J-11

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE : July 7, 2014

SUBJECT: Consideration of Surveys for Public and Employees regarding the current hours of Operation

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION: Approval of the Surveys to be submitted to the Employees and the Public.

SUMMARY:

On October 7, 2013 the Town began the four day/ ten hour work week for the majority of the departments. This was done on a one year trial basis and staff advised that they would seek input from the employees and the citizens as to how the new hours were working out. I have attached the surveys that will go out, and as before staff will compile the information and bring it back to the Commission for a final decision in September.

FISCAL IMPACT: N/A [] Capital Budget [] Operating [] Other

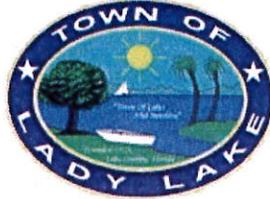
ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution [X] Other-Surveys [] Support Documents

DEPARTMENT HEAD HR Submitted 7/1/14 Date HR Approved as to Form Date FINANCE DEPARTMENT Approved as to Budget Requirements Date TOWN MANAGER Approved Agenda Item for: 7/7/14 Date 7/1/14

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely [] Continued to Date Certain [] Approved with Modification

Handwritten mark



The Town of Lady Lake began operating under extended business hours October 2013 Monday thru Thursday and closed on Friday. Your feedback on the new hours of operation are important to us. Please take a moment to complete the survey.

New hours of operation for Town Facilities effective October 2013:

Town Hall: Monday – Thursday 7:30 am – 6:00 pm
Building Inspections will still be scheduled and conducted on Fridays

Police Department: Monday – Thursday 7:30 am – 6:00 pm
(*Police Officers, Detectives and other first response personnel continue to operate under 24/7 shift*)

Public Works: Monday – Thursday 7:30 am – 6:00 pm
(*Administration, general maintenance personnel*)

Library Monday – Thursday 9:00 am – 6:00 pm
Friday 9:00 am – 7:00 pm

Parks and Recreation: Monday – Friday 7:00 am – 3:30 pm

Have you found it helpful to have extended hours of operation to conduct your Town business/needs? Yes or No

If you chose **No** please explain:

What type of business do you conduct while at Town Facilities?

Thank you for your feedback; please submit this completed survey to any Town Department or fax: 352-751-0229 or by mail:
Attn. Town Manager's Office 409 Fennell Blvd., Lady Lake, FL. 32159

Employee Survey 4-10 Work Schedule:

Name: _____

Survey will not be considered valid unless employee's name is applied

In regards to work schedule, please indicate your preference:

- Continue operating under a 10 hour 4 day work week with rate of holiday pay and omit any holiday that may fall on a Friday since employees' are scheduled off on Fridays under the new work schedule. (Friday holidays 2014-2015=1 day, 2015-2016=3 days)

- Go back to the 8 hours 5 day work week

Please feel free to include any comments related to the work schedule:



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: July 7, 2014

SUBJECT: Ordinance No. 2014-04 – Second Reading – Amending the Town of Lady Lake Land Development Regulations (Ordinance No. 94-08); Chapter 1, Article III – Regarding Merging the Parks & Recreation and Tree & Beautification Boards into the Parks, Recreation and Tree Advisory Committee; and Changes to the Technical Review Committee (TRC), Economic Development Advisory Committee, and Special Magistrate (Kris Kollgaard/Thad Carroll/Mike Burske)

DEPARTMENT: Town Manager/Growth Management/ Parks & Recreation

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2014-04, Amending the Town of Lady Lake Land Development Regulations (Ordinance No. 94-08); Chapter 1, Article III.

SUMMARY:

The attached ordinance, Ordinance 2014-04, amends Chapter 1, Article III (Ord. No. 94-08) of the Town of Lady Lake Land Development Regulations, merging the Parks & Recreation Advisory Board and the Tree & Beautification Advisory Committee into one board – the Parks, Recreation and Tree Advisory Committee. Changes to the Technical Review Committee (TRC) include cessation of regularly scheduled meetings; allowing the TRC to consider applications at any time. Minor changes were also made to Section 1-83, deleting Code Enforcement Board; now referred to as the Special Magistrate. Changes to the Economic Development Advisory Committee include having quarterly meetings instead of monthly, and reducing the number of members to five, with a member of the Growth Management staff acting as liaison rather than as a member. By removing Growth Management staff from the committee, constraints of the "Sunshine Law" which currently limit communication between staff and committee members, will no longer impede discussions and the relay of information with staff regarding matters being considered by the committee. The Town Attorney reviewed and approved Ordinance 2014-04 to form on June 11, 2014.

Past Actions:

Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the **Town Commission** approved Ordinance No. 2014-04 at First Reading by a vote of 5-0.

FISCAL IMPACT: N/A

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents

DEPARTMENT HEAD *Excel* Submitted *6/30/14* Date

HR Approved as to Form Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN MANAGER *HO* Approved Agenda Item for: *7/7/14* Date *6/30/14*

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification

WP
6-30-14

1 or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or
2 if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of
3 persons, property, kind of property, circumstances or set of circumstances, such holding shall
4 not affect the applicability thereof to any other person, property or circumstances.

5
6 **Section 3. Conflicts.**

7
8 All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance
9 are hereby repealed.

10
11 **Section 4. Codification.**

12
13 The provisions of this Ordinance shall be codified as and become part of the Codes of
14 Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered
15 or re-lettered to accomplish such intention and the word "Ordinance", or similar words,
16 may be changed to "Section", "Article", or other appropriate word.

17
18 **Section 5. Applicability.**

19
20 This Ordinance does not have retroactive applicability and does not apply to applications filed
21 prior to the effective date of this Ordinance.

22
23 **Section 6. Effective Date.**

24
25 This ordinance shall become effective upon adoption.

26
27 **PASSED AND ORDAINED** this 7th day of July, **2014** in the regular meeting of the Town
28 Commission of the Town of Lady Lake, Lake County, Florida, upon the Second/Final
29 Reading.

30
31 **TOWN OF LADY LAKE, FLORIDA**

32
33
34 _____
35 Ruth Kussard, Mayor

36 ATTEST:

37
38 _____
39 Kristen Kollgaard, Town Clerk

40
41 APPROVED AS TO FORM:

42
43
44 _____
45 Derek Schroth, Town Attorney

EXHIBIT "A"

ARTICLE III. BOARDS AND COMMISSIONS

Sec. 1-81. Technical Review Committee (TRC).

There is hereby created the Technical Review Committee ("TRC") to provide technical review for all development applications authorized by this Code.

a) *Membership and organization.* The TRC shall consist of the following individuals or their designees: Public Works/Town Engineer, Building Official, Police Department representative, Town Planner, and the Growth Management Director. A designated representative of the Growth Management Department shall be the custodian of the comments and shall serve as the liaison with the applicant. On an as needed basis, the TRC may request the assistance of other professionals, experts and personnel.

b) *Review.* Applications may be considered by the individual members of the Technical Review Committee at any time. Upon submittal of an application and full payment, the application will be distributed to the individual committee members. Individual committee members, without meeting on the substance of the application, shall summarize and deliver to the applicant all comments. The response to the applicant shall consist of one of the following:

1) Comments to the applicant that outline the necessary corrections to be addressed by a subsequent submittal, or;

2) A Department of Growth Management letter indicating that the application is sufficient to advance to the next stage for review, along with the dates as scheduled for the Public Hearing process, or;

3) The Town Manager shall grant final approval for certain applications as authorized by the Land Development Regulations, when they are found to be sufficient through the TRC.

c) *Meetings.* The TRC shall not meet or confer regarding an application or their comments unless a TRC meeting is called by the Town Manager to review applications which, in the Town's Manager's sole discretion, warrant a public TRC meeting due to the scope of the development or other issues concerning the development. TRC meetings, when and if called, shall be noticed to the public and be open to the public in accordance with Florida law.

d) *Additional Review Fee.* Where it has been determined by the Technical Review Committee that the applicant has not addressed the comments as provided by the committee after two (2) full reviews of the application, the applicant shall remit a fifty dollar (\$50) review fee as part of the application for a third review and all reviews thereafter, if any.

1 **Sec. 1-82. Planning and Zoning Board.**
2

3 There is hereby created the Town of Lady Lake Planning and Zoning Board to review
4 comprehensive planning policies and specific development applications as required by this
5 Code, and provide recommendations to the Town Commission on planning and land
6 development related matters.
7

8 *a) Membership.* The Planning and Zoning Board shall consist of five (5) members appointed
9 by, and serving at the pleasure of, the Town Commission. Members shall be qualified electors
10 residing in the Town.
11

12 1) Members shall be appointed for two (2) year terms. A member whose term expires may
13 continue to serve until a replacement is appointed.
14

15 2) Members shall hold office as indicated above through February of the year such
16 member's term expires.
17

18 3) Members may be removed without notice or without cause by a majority vote of the
19 Town Commission.
20

21 4) If any member fails to attend two of three (3) consecutive meetings without cause and
22 without prior approval of the Chairman, the Board shall declare the position vacant and
23 request a replacement be appointed by the Town Commission.
24

25 5) When a vacancy occurs prior to the expiration of a term, the Town Commission shall
26 appoint a member to fill the vacancy for the duration of the term within thirty (30) days
27 after the vacancy occurs.
28

29 6) No member of the Board shall be an elected official of the Town.
30

31 *b) Organization and Procedures.*
32

33 1) The Board shall annually elect a Chairman and Vice-Chairman from among its
34 members in the month of March.
35

36 2) The Board shall adopt rules of procedure in accordance with this Code and applicable
37 law to carry out its functions and duties.
38

39 3) The Board shall meet on the second Monday of each month, unless canceled by the
40 Board or its Chairman, and at such additional times as requested by the Chairman or
41 Town Commission.
42

43 4) A quorum shall consist of a majority of the members of the Board.
44

45 5) The Town shall provide a recording secretary to keep minutes of the Board's meetings.
46
47

1 c) *General Functions and Duties.*

2
3 1) The Board shall obtain and review information necessary to prepare and amend the
4 Comprehensive Plan, Development Code of the Town, and the Official Zoning Map of the
5 Town.

6
7 2) The Board shall monitor the operation and effectiveness of the Comprehensive Plan
8 and this Code, and recommend amendments to the Town Commission.

9
10 3) The Board shall conduct public hearings and perform other duties as required by the
11 Code.

12
13 (Ord. No. 2005-40, § 1(Exh. A), 8-4-2005; Ord. No. 2008-20, § 1(Exh. A), 7-21-2008
14

15 **Sec. 1-83. Code Enforcement Special Magistrate.**

16
17 a) *Code Enforcement Special Magistrate.*

18
19 1) The Town Commission shall appoint one (1) or more persons to act in the capacity of a
20 Special Magistrate to hear cases involving violations of the Town of Lady Lake Code of
21 Ordinances and the Land Development Regulations.

22
23 2) In order to serve as a Code Enforcement Special Magistrate (hereinafter referred to as
24 "Special Magistrate"), a person must be either a lawyer in good standing with the Florida
25 Bar or a Florida Supreme Court certified mediator.

26
27 3) The Town shall include within the statement of violation and notice of hearing the date,
28 time, and location the Special Magistrate will hear the case.

29
30 b) *Jurisdiction and Powers.* The Special Magistrate shall have jurisdiction to hear and decide
31 cases involving alleged violations of any provision of the Town of Lady Lake Code, the Land
32 Development Regulations, or any resolution duly enacted by the Town Commission. The
33 Special Magistrate shall have all powers granted by applicable law, in accordance with the
34 Florida Statutes Chapter 163, or as amended.

35
36 c) *Enforcement Procedure.*

37
38 1) The Growth Management Director or designee shall have the duty of enforcing the
39 various codes pursuant to this chapter. The Special Magistrate shall not have the power to
40 initiate enforcement proceedings pursuant to this chapter. The Growth Management
41 Director or designee shall accept anonymous code violation complaints.

42
43 2) If a violation of a code provision is found, the Growth Management Director or
44 designee shall notify the alleged violator of the violation and give the alleged violator a
45 reasonable time, in light of the nature of the violation, to correct the violation. Should the
46 violation continue beyond the time specified for correction, the Growth Management

1 Director or designee shall schedule a hearing in front of the Special Magistrate and
2 provide written notice to the alleged violator of a scheduled hearing in the manner
3 prescribed in subsection (d). If the violation is not corrected by the time specified for
4 correction by the Growth Management Director or designee, the case may be presented to
5 the Special Magistrate even if the violation has been corrected prior to the hearing, and the
6 notice shall so state.

7
8 3) If a repeat violation is found, the Growth Management Director or designee shall notify
9 the alleged violator, but shall not be required to give the alleged violator a reasonable time
10 to correct the violation. The Growth Management Director or designee, upon notifying the
11 alleged violator of a repeat violation, shall schedule a hearing, and shall provide written
12 notice to the alleged violator of a scheduled hearing in the manner prescribed in
13 subsection (d). The case may be presented to the Special Magistrate even if the repeat
14 violation has been corrected prior to the hearing, and the notice shall so state. If the repeat
15 violation has been corrected, the Special Magistrate shall retain the right to hold a hearing
16 to determine costs and impose the payment of reasonable enforcement fees upon the
17 repeat violator. For purposes of this chapter, a repeat violation means a violation of a
18 provision of a code or ordinance by a person who has been previously found to have
19 violated or who has admitted violating the same provision within five (5) years prior to the
20 violation, notwithstanding the violations occur at different locations.

21
22 4) Notwithstanding the provisions of paragraphs (1), (2), and (3), [above], if the Growth
23 Management Director or designee has reason to believe a violation presents a serious
24 threat to the public health, safety and welfare or if the violation is irreparable or
25 irreversible in nature, the Growth Management Director or designee shall make a
26 reasonable effort to notify the alleged violator and may immediately schedule a hearing in
27 front of the Special Magistrate.

28
29 *d) Written Notice.*

30
31 1) All written notices required by this section shall be provided to the alleged violator by
32 certified mail, return receipt requested, to the owner of the property in question at the
33 address listed in the property appraiser or tax collector's office for tax notices and at any
34 other address provided to the Town by such owner (hereinafter collectively "owner's
35 address"). If such notice is returned as unclaimed or refused, notice shall be provided by
36 posting and by first-class mail directed to the owner's address or by leaving the notice at
37 the alleged violator's usual place of residence with some person of his or her family above
38 fifteen (15) years of age, and informing such person of the contents of the written notice;
39 or in the case of commercial premises, leaving the notice with the manager, registered
40 agent, or other person in charge.

41
42 2) In addition to providing written notice as set forth in subsection (a), written notice may
43 also be served by publication or posting as provided in F.S. § 162.12(2).

44
45 3) Evidence that an attempt has been made to hand deliver or mail notice, as provided in
46 subsection (1) together with proof of publication or posting as provided in subsection (2),

1 shall be sufficient to show that the notice requirements of this part have been met without
2 regard to whether or not the alleged violator actually received such notice.

3
4 e) *Public hearings.*

5
6 1) Upon request of the Growth Management Director, a hearing in front of the Special
7 Magistrate shall be scheduled. Minutes shall be kept of all hearings before the Special
8 Magistrate and proceedings shall be open to the public. The alleged violator shall be given
9 at least fifteen (15) days written notice of the hearing, pursuant to the provisions of
10 subsection (d), above. The Special Magistrate is a quasi-judicial official and shall follow
11 all statutes and common law concerning ex-parte communications.

12
13 2) Each case before the Special Magistrate shall be presented by the Town.

14
15 3) The Special Magistrate shall proceed to hear cases on the agenda for the day of the
16 scheduled hearing. All testimony shall be under oath or affirmation, and shall be recorded.
17 The Special Magistrate, Town Attorney, Town Clerk, or Deputy Clerk shall have power to
18 administer oaths and affirmations. The Town and the alleged violator shall have the right
19 to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses,
20 impeach witnesses and rebut evidence. All persons appearing before the Special
21 Magistrate shall be sworn in prior to giving any testimony relevant to the case. However,
22 hearings shall be informal and need not be conducted according to technical rules of
23 evidence.

24
25 4) Any relevant evidence shall be admitted if determined by the Special Magistrate to be
26 the sort of evidence upon which reasonable and prudent persons are accustomed to rely in
27 the conduct of their affairs, regardless of the existence of any common law or statutory
28 rule which might make such evidence inadmissible in civil actions. Hearsay evidence may
29 be used to supplement or explain other evidence, but shall not be sufficient in itself to
30 support a finding of fact unless it would be admissible over objection in a civil action. The
31 Special Magistrate may exclude irrelevant or unduly repetitious evidence.

32
33 5) After the conclusion of the hearing, if enforcement action is necessary, the Special
34 Magistrate shall issue findings of fact and conclusions of law in the form of an Order of
35 Enforcement, which shall command whatever steps are necessary to bring a violation into
36 compliance by the time set in the order. The Order of Enforcement may include a notice
37 that it shall be complied with by a specified date and that a fine may be imposed if the
38 order is not complied with by such date. At the discretion of the Growth Management
39 Director or designee and based upon the individual circumstances of a case, a certified
40 copy of such Order of Enforcement may be recorded in the public records of the county
41 prior to compliance and shall constitute notice to any subsequent purchasers, successors in
42 interest, or assigns if the violation concerns real property and the findings therein shall be
43 binding upon the violator, and, if the violation concerns real property, any subsequent
44 purchasers, successors in interest, or assigns. If such an Order of Enforcement is recorded
45 in the public records pursuant to this section, and the order is complied with by the date

1 specified in the order, the Special Magistrate shall issue an order acknowledging
2 compliance, which shall be also recorded in the public records of the county.

3
4 6) The Town Clerk or the clerk's designee shall maintain all official records and orders of
5 the Special Magistrate.

6
7 *f) Subpoena Powers.* The Special Magistrate, the Growth Management Director or designee,
8 or the alleged violator may request that witnesses and evidence, including records, surveys,
9 plats, and other materials be subpoenaed for any code enforcement hearing. Subpoenas, if
10 requested in writing at least ten (10) days prior to the hearing, shall be signed by the Special
11 Magistrate. Subpoenas may be served by the sheriff, or in any other manner provided by law.
12 Proof of such service shall be made by affidavit of the person making service if not served by
13 an officer authorized by law to do so.

14
15 *g) Decisions and Orders.*

16
17 1) The Growth Management Director or designee, or the violator may appeal a final
18 administrative order of the Special Magistrate to the Circuit Court of the Fifth Judicial
19 Circuit in Lake County. Such an appeal shall not be a hearing de novo, but shall be limited
20 to appellate review of the record created before the Special Magistrate. An appeal shall be
21 filed within thirty (30) days of the execution of the order to be appealed.

22
23 2) Every Order of Enforcement entered by the Special Magistrate shall be in writing, and
24 shall include findings of fact and conclusions of law, and shall contain a notice that the
25 violation(s) shall be complied with by a specified date or that the stated fine will be
26 imposed; that an administrative fee may be imposed; and that the violator shall have
27 twenty (20) days from the imposition of the fine to request a due process hearing before
28 the Special Magistrate to appeal the fine but such hearing shall not be a hearing de novo.
29 Requesting a hearing on the Order of Enforcement shall not toll the time for appeal to the
30 Circuit Court sitting in Lake County, Florida.

31
32 3) Every Order of Enforcement entered by the Special Magistrate shall be filed in the
33 office of the clerk for the Special Magistrate. A copy of the executed order shall be
34 mailed, regular mail and certified mail, to the owner's address.

35
36 4) The Special Magistrate shall, in every proceeding, reach a decision without
37 unreasonable or unnecessary delay.

38
39 *h) Orders of Enforcement; Liens. Reduction of Fine; Liens.*

40
41 1) The Growth Management Director or designee having knowledge that an Order of
42 Enforcement has not been complied with by the time set out in the Order of Enforcement,
43 may cause to have the certified Order of Enforcement recorded in the public records of the
44 county along with an affidavit of noncompliance.

1 a) A fine imposed pursuant to this section shall not exceed two hundred and fifty dollars
2 (\$250.00) per day for a first violation and shall not exceed five hundred dollars (\$500.00)
3 per day for a repeat violation. However, if the Special Magistrate finds the violation to be
4 irreparable or irreversible in nature, the Special Magistrate may impose a fine not to
5 exceed five thousand dollars (\$5,000.00) per violation.

6
7 b) In determining the amount of the fine, if any, the Special Magistrate shall consider the
8 following factors:

9
10 i) The gravity of the violation;

11
12 ii) Any actions taken by the violator to correct the violation; and

13
14 iii) Any previous violations committed by the violator.

15
16 2) The violator shall have the right to request a hearing in front of the Special Magistrate
17 to challenge the imposition of a fine, as contained in the Order of Enforcement, provided
18 such hearing is requested within twenty (20) days of the date of imposition of the fine. If
19 the hearing is timely requested, it shall be scheduled as soon as practicable in front of the
20 Special Magistrate. The hearing shall be limited to consideration of only those new
21 findings necessary to imposing the fine as contained in the Order of Enforcement and
22 shall in no event be a complete re-hearing of the case. If the violator fails to make a timely
23 request for a hearing on the imposition of a fine contained in the Order of Enforcement,
24 the order shall remain as recorded in the public records of Lake County, Florida.
25 Requesting a hearing on the Order of Enforcement shall not toll the time for appeal to the
26 Circuit Court sitting in Lake County, Florida.

27
28 3) A certified copy of an Order of Enforcement shall be recorded in the public records and
29 thereafter shall constitute a lien against the land on which the violation exists and upon
30 any other real or personal property owned by the violator. Upon petition to the circuit
31 court, such order shall be enforceable in the same manner as a court judgment by the
32 sheriff, including execution and levy against the personal property of the violator, but such
33 order shall not be deemed to be a court judgment except for enforcement purposes. A fine
34 imposed pursuant to this section shall continue to accrue until the violator comes into
35 compliance or until judgment is rendered in a suit to foreclose on a lien filed pursuant to
36 this section, whichever shall first occur. After three (3) months from the filing of any such
37 lien which remains unpaid, the Special Magistrate may authorize the Town attorney to
38 foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus
39 accrued interest, attorney fees, and costs pursuant to the provisions of F.S. § 162.09.

40
41 4) No lien created pursuant to this chapter shall continue for a period longer than twenty
42 (20) years after the certified copy of an order imposing a fine has been recorded, unless
43 within that time an action to foreclose on the lien is commenced in a court of competent
44 jurisdiction.

1 5) Upon complying with the Order of Enforcement as executed by the Special Magistrate,
2 the violator may request a hearing to ask for a reduction of fine accrual of the Order of
3 Enforcement. Such request shall be made in writing addressed to the Growth Management
4 Director or designee. Upon receipt of such request, Growth Management Director or
5 designee shall verify that the violator has complied with the Order of Enforcement, and if
6 in compliance, shall schedule the reduction request to be heard by the Special Magistrate.
7 A request for reduction of fine shall not toll the time for filing an appeal of the Order of
8 Enforcement to the Circuit Court. Should the Special Magistrate recommend a fine
9 reduction, the Town Clerk shall place the fine reduction recommendation on the next
10 available regular commission meeting agenda to consider approval of the Special
11 Magistrate's recommendation. Upon approval, the Town Commission shall authorize the
12 Mayor to sign an amended order or any other legal document necessary to satisfy or
13 reduce the lien.

14
15 *i) Conflicts.* All ordinances or part of ordinances in conflict with any of the provisions of this
16 section are hereby repealed.

17
18 *j) Severability.* If any section, sentence, phrase, word or portion of this section is determined
19 to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate
20 or impair the validity, force or effect of any other section, sentence, phrase, word or portion of
21 this chapter not otherwise determined to be invalid, unlawful or unconstitutional.

22
23 (Ord. No. 2005-11, § 2 (Exh. A), 5-19-2005; Ord. No. 2007-29, §§ 3-1-3-11,10-18-2007)

24
25 **Editor's note:** Ord. No. 2005-11, § 1, adopted May 19, 2005, repealed § 1-83, in its
26 entirety. Section 2 (Exh. A), of said ordinance, enacted new provisions to read as herein set
27 out. Prior to amendment, § 1-83 pertained to similar subject matter and derived from the
28 original Land Development Code Regulations.

29 **State law reference:** Code enforcement boards and special magistrates, F.S. § 162.01
30 *et seq.*

31
32 **Sec. 1-84. Local Planning Agency.**

33
34 *a) Authority.* This section is enacted pursuant to, and in accordance with, provisions of F.S.
35 Ch. 163 (Local Government Comprehensive Planning and Land Development Regulations),
36 or as amended.

37
38 *b) Designation and Establishment of Local Planning Agency.* Pursuant to, and in accordance
39 with, F.S. § 163.3174, or as amended, the Town Commission is hereby designated and
40 established as the Local Planning Agency for the incorporated territory of the Town.

41
42 *c) Organization.* The Local Planning Agency shall consist of the five (5) elected officials to
43 the Town Commission and their term shall run concurrently with their terms as Town
44 Commissioners. The officers of the Local Planning Agency shall be the same officers as the
45 Town Commissioners.

1 *d) Rules of Procedures.* The Local Planning Agency shall follow the same rules of procedures
2 as the Town Commission and may adopt any additional rules of procedures they may deem
3 necessary and expedient when sitting as the Local Planning Agency.
4

5 *e) Public Meetings and Records.* All meetings of the Local Planning Agency shall be public
6 meetings and all agency records shall be public records. The Local Planning Agency shall
7 encourage public participation.
8

9 *f) Appropriation of Funds.* The Local Planning Agency, in accord with the fiscal practices
10 thereof, has the authority to expend all sums so appropriated and other sums made available
11 for use from fees, gifts, state or federal grants, state or federal loans, and other sources,
12 provided however, acceptance of loans must be approved as the Town Commission.
13

14 *g) Financial Support for Staffing and Work.* The Town Commissioners, sitting as the Town
15 Commission, as well as sitting as the Local Planning Agency, is hereby authorized to provide
16 financial support for the staffing and work of the agency, and may provide for the financial
17 support and staffing as they may deem necessary and expedient.
18

19 *h) Comprehensive Plan.* The Local Planning Agency may designate any agency, committee,
20 department or person to prepare the Comprehensive Plan or any element thereof, but the final
21 responsibility for the recommendation of the adoption of the plan shall be the responsibility of
22 the Local Planning Agency.
23

24 *i) Powers and Duties.* The Local Planning Agency, in accordance with F.S. Ch. 163, or as
25 amended, shall:
26

27 1) Conduct the comprehensive planning program and prepare the Comprehensive Plan or
28 elements or portions thereof for the Town.
29

30 2) Coordinate the Comprehensive Plan or elements or portions thereof with the
31 Comprehensive Plans of other appropriate local governments and the state.
32

33 3) Monitor and oversee the effectiveness and status of the Comprehensive Plan.
34

35 **Sec. 1-85. Parks, Recreation, and Tree Advisory Committee; established.**
36

37 *a) Purpose and Intent.* The Lady Lake Parks, Recreation and Tree Advisory Committee
38 is hereby established to advise the Parks and Recreation Department of needed recreation
39 and beautification projects in the Towns' parks and green areas: and for the purpose of
40 identifying and formulating programs to promote the beautification in the Town through
41 the planting of new trees and the protection of existing trees and to assist with the
42 formulation of a comprehensive tree plan for the Town of Lady Lake;
43

44 *b) Duties.* The Lady Lake Parks, Recreation and Tree Board Advisory Committee shall
45 serve as an advisory board to the Lady Lake Town Commission and shall be responsible
46 for the following duties in addition to other Town wide park related activities:

1
2
3 1) To identify needed improvements to our parks and green areas;
4

5 2) To foster the communication among the citizens of the Town and to accept and relay
6 new ideas for recreation and park and green area improvements;
7

8 3) To make recommendations to the Parks and Recreation Director on needed equipment,
9 potential safety hazards, and make recommendations for the purchase of parks and
10 recreation related items.
11

12 4) When requested by the Lady Lake Town Commission, to consider, investigate, make
13 findings of fact, report, and make recommendations upon any special matter or question
14 coming within the scope of its duties
15

16 5) To provide recommendations to the Town Commission regarding landscaping materials
17 (plant species), landscaping buffers, and landscaping plans as prepared for Major Site Plan
18 applications to be considered by the Town Commission
19

20 *d) Members; Qualifications; Appointments.* The Lady Lake Parks, Recreation and Tree Board
21 Advisory Committee shall be comprised of initially seven (7) members who are residents of
22 the Town of Lady Lake and membership may be reduced to five (5) members through
23 attrition. Members shall serve without compensation and shall be appointed by the Mayor
24 with a consensus from the Town Commission.
25

26 *e) Terms.* As this Board was combined from members of both the Tree and Beautification
27 Committee and the Parks and Recreation Advisory Board, the members shall continue their
28 current terms. In the event a vacancy occurs and the remainder of the current term is more
29 than three months, the position shall be filled for remainder of the term. In the event a
30 vacancy occurs and the remainder of the term is less than three (3) months, new appointments
31 shall complete the term that has been vacated and serve a two (2) year term thereafter.
32

33 *f) Election and Terms of Officers.* The Lady Lake Parks, Recreation and Tree Board Advisory
34 Committee shall elect a Chairperson and a Vice-chairperson to serve as officers for a one (1)
35 year term. The Town will provide a staff member to take minutes at the meetings. Members
36 shall not serve for more than two consecutive terms as officers in the same position.
37

38 *g) Meetings; Sunshine Law.* The Lady Lake Parks, Recreation and Tree Board Advisory
39 Committee shall set a regular schedule for meetings and shall coordinate with the Lady Lake
40 Town Clerk to assure that notice of the meetings has been posted in accordance with Florida
41 Law. The Town Manager may call a special meeting of the committee in the event a matter
42 warrants the timely attention of the committee. There must be a quorum at all meetings. In
43 accordance with Florida Law, the Lady Lake Parks, Recreation and Tree Board Advisory
44 Committee members are subject to Florida Law regarding open meetings and may not discuss
45 with any other committee member matters that are pending before the committee or are
46 reasonably anticipated to come before the committee unless such discussions occur at a duly
47 noticed public meeting of the committee.

1
2 *h) Quorum.* A quorum in the meetings of the Lady Lake Parks, Recreation and Tree Board
3 Advisory Committee shall consist of a majority of the committee members. In the event the
4 Chairperson and the Vice-Chairperson are not at the meeting, the board will vote on the person to act
5 as Chairperson for the meeting.
6

7 *i) Attendance at Meetings and Removal.* Faithful attendance at the meetings of the Lady Lake
8 Parks, Recreation and Tree Board Advisory Committee is essential to
9 the effectiveness of the committee. Any member missing three (3) consecutive meetings may
10 be removed from the committee by the Lady Lake Town Commission. Any member not able
11 to attend a regularly scheduled meeting must give notice to the Town Clerk or designee, who
12 shall be responsible for notifying the chairperson. In the event the chairperson is not able to
13 attend a regularly scheduled meeting, the chairperson shall notify the Town Clerk or her
14 designee, who shall be responsible for notifying the vice-chairperson.
15

16 *j) Rules; Records of Proceedings.* The Lady Lake Parks, Recreation and Tree Board Advisory
17 Committee shall adopt rules for the transaction of its business and shall
18 keep a record of its members' attendance. The rules shall be modeled after Roberts' Rules of
19 Order. The committee secretary shall keep a record of its discussion, recommendations,
20 findings and minutes, and shall provide the Town Clerk or designee with all such records
21 which shall be public record on file in the Town Clerk's office. The committee's records shall
22 be provided to the Town Commission on a quarterly basis for its review.
23

24 *k) Report to Commission.* The committee shall prepare a quarterly report to be provided to the
25 Lady Lake Town Commission for its review and consideration along with a copy of the
26 committee's records of its meetings.
27

28 *l) Severability.* If any section, sentence, clause or phrase of this section is held to be invalid or
29 unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the
30 validity of the remaining portions of this section.
31

32 (Ord. No. 2005-55, § 1 (Exh. A, §§ 1-12), 11-03-2005)
33

34 **Editor's note:** Ord. No. 2005-55, § 1, repealed § 1-85, in its entirety. Section I
35 (Exhibit A, §§ 1-12) of said ordinance enacted new provisions to read as herein set out. Prior
36 to amendment, § 1-85 pertained to similar subject matter and derived from Ord. No. 2005-28,
37 §§ 1-12.
38

39 **Sec. 1-86. Economic Development Advisory Committee.**
40

41 *a) Purpose and Intent.* The Lady Lake Economic Advisory Committee is hereby established
42 to formulate projects for carrying out such economic development programs through
43 attraction of new businesses and encouragement of existing businesses in the Town of Lady
44 Lake.
45

1 *b) Duties and Goals.* The Economic Development Advisory Committee will make
2 recommendations to the Town Commission that will contribute to the establishment of a
3 persisting and comprehensive strategic economic development plan, including:
4

5 1) To identify, promote, solicit and coordinate economic development in the Town of
6 Lady Lake through existing businesses and economic enterprises within the Town.
7

8 2) Development of a business recruitment strategy including identifying target businesses
9 and planning incentive and marketing programs.
10

11 3) To develop and provide recommendations to the Town Commission regarding the
12 establishment of a balanced and sustainable economic development program and the use
13 and distribution of public funds committed to enhancing economic development.
14

15 4) To develop and implement a phased and interrelated strategic plan for the economic
16 development of the Town, including internet based (web) marketing applications.
17

18 5) To conduct market analyses that will provide information and data that will allow the
19 Town to target businesses and industries that will result in the Town being the beneficiary
20 of economic advances and benefits.
21

22 6) To inventory the available lands and facilities that can accommodate future
23 development and assess the need for various infrastructure improvements to provide the
24 necessary capacity for sustainable economic development.
25

26 7) To locate and evaluate grants and other funding sources that may be available to the
27 Town to further its economic development programs.
28

29 8) To serve as ambassadors to the business community by representing the Town's
30 interest in local and regional business development organizations in an effort to build
31 partnerships.
32

33 *c) Members; qualifications; appointments.* The Economic Development Advisory Committee
34 shall be comprised of five (5) voting members who are residents or business
35 owners/representatives of the Town of Lady Lake. One member from the Lady Lake Growth
36 Management Department shall serve as the committee liaison. Members shall be appointed by
37 the Mayor with a consensus from the Town Commission. Whenever possible, the
38 Commission shall strive to appoint members including, but not limited to, the following
39 professions: Realtors, Developers, Contractors, Bankers, as well as any member of the
40 business community or the Lady Lake Chamber of Commerce. There shall also, whenever
41 possible, be a representative at the meetings from the Lake Sumter Metropolitan Planning
42 Organization and the Lake County Department of Economic Development [and] Tourism;
43 these representatives shall serve in an advisory/guidance capacity to the Economic
44 Development Advisory Committee and shall not have voting rights.

1 d) *Terms.* The initial terms of members shall be staggered so that three (3) members serve an
2 initial term of three (3) years; two (2) members serve an initial term of two (2) years. Upon
3 the expiration of each of the initial terms, successor members shall be appointed for a term of
4 two (2) years. In the event a vacancy occurs and the remainder of the current term is more
5 than three (3) months, the position shall be filled for the remainder of the term. In the event a
6 vacancy occurs and the remainder of the term is less than three (3) months, new appointments
7 shall complete the term that has been vacated and serve a two-year term thereafter.

8 e) *Election and terms of officers.* The Economic Development Advisory Committee shall elect
9 a Chairperson and a Vice-Chairperson to serve as officers for a one-year term.

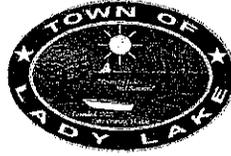
10 f) *Meetings; Sunshine Law.* The Economic Development Advisory Committee shall meet on a
11 quarterly basis on the first Tuesday of January, April, July and October, with additional workshops
12 scheduled as needed by the Chairperson. The Committee Chair shall coordinate with the Lady Lake
13 Town Clerk to assure that notice of the meetings has been posted in accordance with Florida Law. The
14 Town Manager may call a special meeting of the Committee in the event a matter warrants the timely
15 attention of the Committee. There must be a quorum at all meetings. In accordance with Florida Law,
16 Economic Development Advisory Committee members are subject to Florida Law regarding open
17 meetings and may not discuss with any other Committee member matters that are pending before the
18 Committee or are reasonably anticipated to come before the Committee unless such discussions occur
19 at a duly noticed public meeting of the Committee.

20 g) *Quorum.* A quorum in the meetings of the Economic Development Advisory Committee
21 shall consist of a majority of the members.

22
23 h) *Attendance at Meetings and Removal.* Faithful attendance at the meetings of the Economic
24 Development Advisory Committee is essential to the effectiveness of the Committee. Any
25 member missing three consecutive meetings may be removed from the Committee by the
26 Lady Lake Town Commission. Any member not able to attend a regularly scheduled meeting
27 must give notice to the Town Clerk or designee, who shall be responsible for notifying the
28 Chairperson. In the event the Chairperson is not able to attend a regularly scheduled meeting,
29 the Chairperson shall notify the Town Clerk or designee, who shall be responsible for
30 notifying the Vice-Chairperson.

31
32 i) *Rules; Records of Proceedings.* The Economic Development Advisory Committee shall
33 adopt rules for the transaction of its business and shall keep a record of its members'
34 attendance. The Town Clerk's Office shall keep a record of its discussions, recommendations,
35 findings and minutes. All such records shall be public record on file in the Town Clerk's
36 office. The Committee's records shall be provided to the Town Commission.

37
38 j) *Severability.* If any section, sentence, clause or phrase of this Ordinance is held to be
39 invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way
40 affect the validity of the remaining portions of this Ordinance.



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: June 16, 2014

SUBJECT: Ordinance No. 2014-04 – First Reading – Amending the Town of Lady Lake Land Development Regulations (Ordinance No. 94-08); Chapter 1, Article III – Regarding Merging the Parks & Recreation and Tree & Beautification Boards into the Parks, Recreation and Tree Advisory Committee; and Changes to the Technical Review Committee (TRC), Economic Development Advisory Committee, and Special Magistrate (Kris Kollgaard/Thad Carroll/Mike Burske)

DEPARTMENT: Town Manager/Growth Management/ Parks & Recreation

STAFF RECOMMENDED MOTION:

Staff recommends approval of the First Reading of Ordinance No. 2014-04

SUMMARY:

The attached ordinance, Ordinance 2014-04, amends Chapter 1, Article III (Ord. No. 94-08) of the Town of Lady Lake Land Development Regulations, merging the Parks & Recreation Advisory Board and the Tree & Beautification Advisory Committee into one board – the Parks, Recreation and Tree Advisory Committee. Changes to the Technical Review Committee (TRC) include cessation of regularly scheduled meetings; allowing the TRC to consider applications at any time. Minor changes were also made to Section 1-83, deleting Code Enforcement Board; now referred to as the Special Magistrate. Changes to the Economic Development Advisory Committee include having quarterly meetings instead of monthly, and reducing the number of members to five, with a member of the Growth Management staff acting as liaison rather than as a member. By removing Growth Management staff from the committee, constraints of the "Sunshine Law" which currently limit communication between staff and committee members, will no longer impede discussions and the relay of information with staff regarding matters being considered by the committee.

FISCAL IMPACT: N/A

Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents

DEPARTMENT HEAD *CCW* Submitted Date *6/9/14*

WB *8-9-14* HR Approved as to Form Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

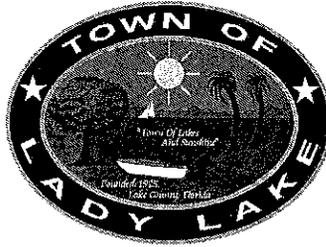
TOWN MANAGER *BT* Approved Agenda Item for: *6/10/14* Date *6/9/14*

COMMISSION ACTION:

Approved as Recommended Disapproved Tabled
HAN/HOL 5-0 Indefinitely

Continued to Date Certain Approved with Modification

CC: KRIS - T.M.
THAD - G.M.
MIKE - P.P.R.



TECHNICAL REVIEW COMMITTEE COMMENTS FIRST REVIEW 7/12/14

These comments do not pertain to any project in the Town; this is strictly to demonstrate the format of the reviews that will be supplied to the applicant following each review. When all departments are satisfied, the application will advance to the next step in the process for approval as required by the Land Development Regulations (i.e., P&Z, Town Commission, or approval by the Town Manager).

Project: Orange Blossom Apartments
Proposal: Site Plan – 1st Submittal

Below are staff comments from the Town of Lady Lake regarding your development project. A hard copy via hand delivery and an electronic copy via e-mail are provided to the applicant. Comments are organized by department and must be sufficiently addressed before the proposal may proceed. If a re-submittal is warranted, the applicant shall provide written responses to each individual staff comment contained within this transmittal. **Re-submittals will not be accepted without bulleted written responses.**

Following submittal of any required revisions and responses, correspondence will be forwarded indicating the proposal's status, either: (1) requiring additional revision or documentations; or (2) ready for approval. Site plans are subject to public hearing, as well as plats, annexation requests, zoning requests, and comprehensive plan requests. When applicable, you will receive written notification that the item is scheduled for review by the Planning and Zoning Board or Town Commission. For additional information, contact Thad Carroll at (352) 751-1521.

GROWTH MANAGEMENT

Questions may be directed to Wendy Then, at wthen@ladylake.org

1. **Perimeter Wall.** On sheet 3 of the site plan, there is a note indicating that the proposed perimeter wall location will be shown on the landscape plan. Please amend the landscape plan to reflect the location of the perimeter wall. If it has been indicated within the landscape plan, feel free to dismiss this comment.
2. **East Elevation Windows.** On sheet 3 of the site plan, please amend the plan to indicate the percentage of the building facade which contains windows. Please be aware that per the Land Development Regulations, windows maybe false but shall not appear false.

3. Open space. On sheet 3 of the site plan, there is a note indicating that open space accounts for 2.3 acres of the project acreage. Please give the details of the open space area noting any proposed outdoor amenities incorporated within the open space area
 4. Two-Way perimeter road must be a minimum of 24' wide. Plans show 20'.
 5. Two-Way drive aisle in parking lot must be 24' wide. Plans show 22'.
 6. At the completion of the project please submit as-builts to the Town of Lady Lake in electronic format.
-

POLICE

Questions may be directed to Chief Chris McKinstry at cmckinstry@ladylake.org

1. There are no comments at this time pertaining to any issues concerning the police department for this application.
-

FIRE

Questions may be directed to Kerry Barnett k-15122@peoplepc.com or Capt. Dan Hickey at

1. The site work being conducted on the property will comply with the Florida Fire Prevention Codes.
 2. Dead end roadways shall not exceed 150 feet unless a proper turn-about is in place at the end of the roadway which has a turning radius of 60 feet. (18. 2, NFPA 1, 2003 Edition)
 3. The outer roadway must have a clear width of 24 feet.
 4. A second point of water service needs to be provided for this project.
 5. The Fire Sprinkler System being provided for the project shall be a NFPA 13 system.
-

BUILDING

Questions may be directed to Dallas Foss, Building Official at dfoss@usanova.com

1. Building separation shall remain at a minimum of 10' wall to wall.
-

PUBLIC WORKS

Questions may be directed to Butch Goodman, Utilities Supervisor at bgoodman@ladylakepw.org

Water:

1. **Sheet #5**---- Proposed 8" water line, fire hydrants assembly, and flow control valves on the outer perimeter of the proposed Roadway indicated on plans—Ok
2. **Sheet #5**----Note: (1) Talked with the engineer about the water services proposed to each lot. He stated that all the internal lines would be private and requested that the meters be maintained by the Town. Note: (2) Indication on the plans should reflect the internal water lines to be private and maintained and repaired by the owner in case of breaks and etc. Note: (3) The proposed internal water lines to the condo's individual groups section should have flow control valves to control flow separation in case of breaks within the proposed internal lines.
3. Comments subject to changes based on construction submittal and TRC review.
4. All materials and installations shall meet Town specifications.

Sewer:

1. The sewer on this project should be gravity to lines at the first manhole on Old Dixie Hwy.

Reuse:

1. Reuse is not available to serve this project.

ENGINEERING CONSULTANT

Questions may be directed to Chris Schultz, P.E., at chris.schultz@neel-schaffer.com

- 1) Provide copies of all outside agency permits (SJRWMD, County, FDEP, FWC).
- 2) The parking provided (100) is less that required by the Town's code (136). The number provided is based upon ITE parking generation rates for Senior Adult Housing - Attached. The provided parking represents a minimum for this type of use. While the ITE rate is an accepted industry standard, efforts should be made to meet the Town's code. There is area available within the site that could provide additional parking. It should be considered for grassed, overflow parking to bring the total closer to the Town's standard.
- 3) The sewer system calls for an on-site lift station with a forcemain connecting to a manhole at Old Dixie. The tie-in point is all downhill from the project site. The sewer system should be redesigned as a gravity system coming from on-site manhole to the Old Dixie Hwy manhole. This would eliminate the lift station, about 1,000 ft of forcemain and a directional bore. Also, a

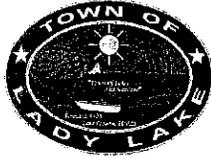
gravity line down Griffin Drive would facilitate future tie-ins from the undeveloped property on the west side of the road.

LAKE COUNTY PUBLIC WORKS

Questions may be directed to Ross Pluta at rpluta@lakecountyfl.gov

- 1) Left and right turn lanes are required on Lemon Drive at the proposed entrance.
- 2) The existing right-of-way is +/- 33' from road centerline; additional right-of-way dedication should be required for the road improvements and to accommodate a sidewalk – if sidewalk is required by the Town .
- 3) Lake County Driveway Permit shall be required before construction plans approval.

DRAFT



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: July 7, 2014

SUBJECT: Resolution 2014-109- Request for Special Permit Use (SPU) for Electronic Message Board/Marquee Sign for Senior Health Plus, Inc.

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTION:

Staff recommends approval of Resolution No. 2014-109- Request for a Special Permit Use (SPU) to allow an Electronic Message Board/Marquee Sign at property located at 117 N. Hwy 27/441 (AK# 1723698).

SUMMARY

Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted a Special Permit Use application proposing the installation of an Electronic Message Board/Marquee Sign on an existing freestanding sign on the property owned by KM Enterprises, LLC, located at 117 North Highway 27/441 (AK #1723698).

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Highway 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project.

A statement of adherence to the guidelines of the Electronic Message Board/Marquee Sign has been submitted indicating that the applicant will follow most standards outlined under the provisions of Town of Lady Lake Land Development Regulation, Chapter 17, Section 17-3).e).(4)., including dimming features and capabilities for the light-emitting diode (LED) sign. The applicant is concurrently applying for two (2) variances in regards to LED sign size and multicolor LED text display.

The future land use and zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake- Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	ROW/ Lady Lake- Commercial Retail Sales & Services (RET)
East	Lady Lake- Commercial Retail Sales & Services (RET)
North	Lady Lake- Commercial Retail Sales & Services (RET)
South	Religious Facilities (RF)

Zoning

Subject Property	Heavy Commercial (HC)
Zoning of Adjacent Properties	
West	Heavy Commercial (HC) & R.O.W.
East	Heavy Commercial (HC)
North	Heavy Commercial (HC)
South	Public Facilities District (PFD)

The zoning of the subject site allows for development and construction of freestanding signs, on which the applicant can install an Electronic Message Boards/Marquee Sign upon Town Commission approval; therefore, the requested permit is consistent with the directives of the Land Development Regulations and Comprehensive Plan.

Applications for Special Permit Use (SPU) must be made to the Town in accordance with the procedures established for Electronic Message Boards pursuant to Chapter 17, Section 17-3, (e). (4).

Chapter 17, Section 17-3,(e), (4) Review Criteria. When reviewing an application for a special permit use for Electronic Message Boards, the Town Commission shall consider the following:

Electronic Message Boards must adhere to the following guidelines:

- a. Shall only be placed on approved freestanding signs.

- b. Maximum copy area shall not exceed fourteen (14) square feet per each side.
- c. Flashing, scintillating, beacon or running lights or movement or which gives the visual impression of such flashing, scintillation, or movement shall not be allowed.
- d. Shall only display text. The text shall be amber-colored or similar lettering with black background.
- e. All electronic message boards/marquee signs are required to incorporate dimming features and capabilities. These features will be reviewed concurrent with the permitting process.

COMMENTS:

- The applicant has submitted a variance application concurrently with this Special Permit Use application requesting the Electronic Message Board/Marquee Sign to be allowed to be increased in size from 14 square feet to 30 square feet within the frame of the existing freestanding sign.
- The applicant has also submitted another variance application concurrently with this Special Permit Use application requesting the Electronic Message Board/Marquee Sign to be allowed to display multi-color.

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed Special Permit Use were mailed by certified mail return receipt by Tuesday, May 27, 2014. The property was also posted on Tuesday, May 27, 2014. Resolution 2014-109 was reviewed by Town Attorney, Derek Schroth, on Friday, May 30, 2014, and determined correct in form.

Past Actions:

The **Technical Review Committee** reviewed the application for Resolution 2014-109 at its regular meeting on Tuesday, May 20, 2014, recommending approval with a 4-0 vote.

The **Planning and Zoning Board** does not review Special Permit Use applications.

FISCAL IMPACT: \$ _____

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution
 Other

①

6-30-14

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD	<i>Calcutt</i>	Submitted	6/30/14	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements		Date
TOWN ATTORNEY		Approved as to Form and Legality		Date
TOWN MANAGER	<i>Pr</i>	Approved Agenda Item for:	7/7/10	Date 6/30/14

BOARD ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Continued to Date Certain
 Approved with Modification

1
2
3
4 **RESOLUTION NO. 2014-109**
5

6 **A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LADY**
7 **LAKE, FLORIDA; WITH PROVISIONS PURSUANT TO CHAPTER 17,**
8 **SECTION 17-3, (e), (4), OF THE TOWN OF LADY LAKE LAND**
9 **DEVELOPMENT REGULATIONS; GRANTING A SPECIAL PERMIT USE FOR**
10 **AN ELECTRONIC MESSAGE BOARD/MARQUEE SIGN TO BE LOCATED ON**
11 **A FREESTANDING SIGN ON THE PROPERTY OWNED BY KM REYNOLDS**
12 **ENTERPRISES, LLC, LOCATED AT 117 N. HWY 27/441 (ALT. KEY 1723698),**
13 **WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA.**
14

15 **WHEREAS**, KM Reynolds Enterprises, LLC., is the owner of certain real property located
16 in the Town of Lady Lake, Florida, more particularly described in Exhibit "A", and;
17

18 **WHEREAS**, the Applicant/Property Owner petitioned for a Special Permit Use under the
19 provisions of Chapter 17, Section 17-3, (e), (4), of the Town of Lady Lake Land Development
20 Regulations, which state that any owner who desires the installation of an Electronic Message
21 Board/Marquee Sign shall file an application for a Special Permit Use. Upon Town Commission
22 approval, the Special Permit use will allow for the installation of an Electronic Message
23 Board/Marquee Sign on a permitted freestanding sign proposed to be erected on the property
24 owned KM Reynolds Enterprises LLC, located at 117 North Highway 27/441, within the town
25 limits of the Town of Lady Lake, Florida, and;
26

27 **WHEREAS**, the Town Commission of the Town of Lady Lake held a public hearing to
28 consider the Special Permit Use request, and having heard evidence and testimony on said
29 request, found it to be consistent with the Lady Lake Comprehensive Plan and requirements for
30 the Special Permit Use set forth in the Land Development Regulations of the Town of Lady
31 Lake.
32

33 **NOW, THEREFORE, BE IT RESOLVED** that the Town Commission of the Town of
34 Lady Lake, Florida, hereby grants a Special Permit Use under the provisions of Chapter 17,
35 Section 17-3, (e), (4) of the Town of Lady Lake Land Development Regulations, which state that
36 any owner who desires the installation of an Electronic Message Board/Marquee Sign shall file
37 an application for a Special Permit Use. The Special Permit use will allow for the installation of
38 an Electronic Message Board/Marquee Sign on a permitted freestanding sign proposed to be
39 erected on the property owned KM Reynolds Enterprises LLC, located at 117 North Highway
40 27/441, within the town limits of the Town of Lady Lake, Florida.
41

42 This Resolution shall take effect immediately upon its final adoption by the Town Commission.
43

44 **RESOLVED** this ___ day of _____, 2014, in Lady Lake, Florida, by the Lady Lake Town
45 Commission.

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TOWN OF LADY LAKE, FLORIDA

Ruth Kussard, Mayor

ATTEST:

Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney

ACKNOWLEDGED:

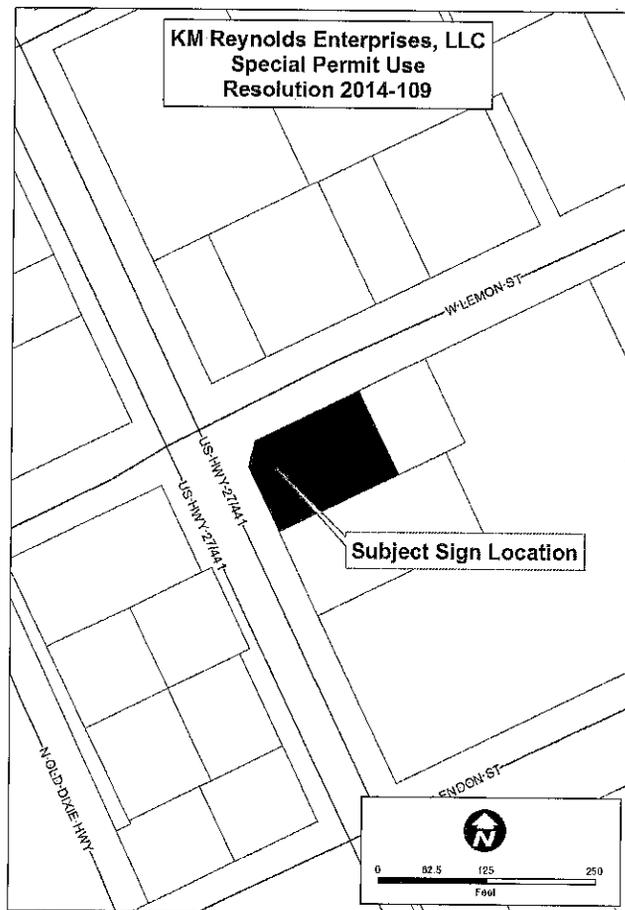
The undersigned land owner by the execution hereof agrees to comply with the conditions of the special permit use as established herein.

KM Reynolds Enterprises LLC
Property Owner/Representative

Exhibit A – Legal Description

Section 20 Township 18 South Range 24 East

LADY LAKE W 150 FT OF N'LY 1/2 OF LOT 40--LESS FROM SE COR OF SE 1/4 OF SEC 17-18-24 RUN N 89-55-52 W ALONG S LINE OF SE 1/4 A DIST OF 443.81 FT TO A POINT ON NE'LY R/W LINE OF US HWY 441, RUN N 25-44-24 W ALONG NE'LY R/W LINE 578.68 FT FOR POB, CONT ALONG SAID NE'LY R/W LINE N 25-44-24 W 21.45 FT TO NW COR OF SAID LOT 40, N 63-33-50 E ALONG N LINE OF LOT 40 A DIST OF 17.24 FT, S 12-46-21 W 27.68 FT TO POB FOR RD R/W & LESS FROM SE COR OF SEC 17-18-24 RUN N 89-55-43 W 499.35 FT TO CENTERLINE OF SR 500, N 25-44-24 W ALONG SAID CENTERLINE A DIST OF 575.14 FT TO A POINT OF INTERSECTION WITH THE EXTENDED S'LY R/W LINE OF LEMON ST, THENCE RUN N 63-32-41 E ALONG SAID EXTENDED LINE A DIST OF 50 FT TO EXISTING E'LY R/W LINE OF SR 500 & S'LY R/W LINE OF LEMON ST, THENCE CONT N 63-32-41 E ALONG & S'LY R/W LINE OF LEMON ST A DIST OF 17.24 FT, S 12-46-07 W 6.81 FT FOR POB, RUN S 25-44-24 E 100.57 FT, S 63-45-28 W 13 FT TO E'LY R/W OF SR 500, N 25-44-24 W ALONG SAID E'LY R/W LINE A DIST OF 84.34 FT, N 12-46-07 E 20.88 FT TO POB OF ADDITIONAL RD R/W--PB 8 PG 9 ORB 4345 PG 1385 |



**KM Reynolds Enterprises, LLC
Aerial Image**



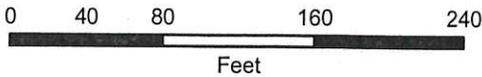
WILEMON ST

US HWY 27/441
US HWY 27/441

Subject Sign Location

OLD DIXIE HWY

GLENDON ST



KM Reynolds Enterprises, LLC Zoning Map

RS-6

HC

WILEMON ST

ROW

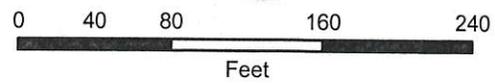
US HWY 27/441

Subject Sign Location

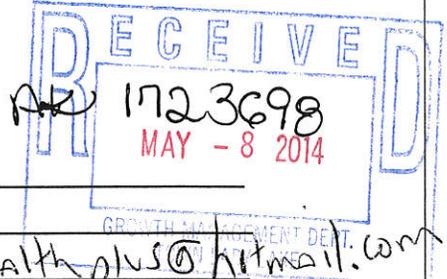
PFD

LC
N OLD DIXIE HWY

GLENDON ST



TOWN OF LADY LAKE
SPECIAL PERMIT USE APPLICATION



1. Applicant's Name: Kevin Reynolds
Address: 117 N. Hwy 27/441 LL
Telephone Number: 352-430-1343 E-mail address: seniorhealthplus@hotmail.com

Applicant is: Owner Developer Lessee Agent Optionee

2. Owner's Name: Kevin Reynolds Enterprises, LLC
Address: 1415 SW 17th Street

Telephone Number: 352-430-1343 E-mail address: Seniorhealthplus@hotmail.com

3. Project Name: Senior Health Plus LED Sign
Physical Location/Address: 117 N. Hwy 27/441 LL

4. The exact legal description of the property as shown on the Tax Receipt or the Warranty Deed, or attach a separate sheet to the application form: please see PRC attached.

5. The property is currently zoned: HC-Heavy Commercial

6. Briefly describe the proposed special permit use: LED SIGN

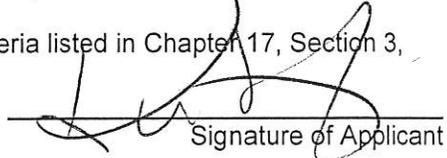
7. Where is the closest Electronic Message Board/ Marque Sign located? mmo computer

8. Please check one: Monument Sign Pole Sign

Have any development reviews and/or approvals been granted to this property? Yes No

9. Electronic Message proposed square footage: 30 sf per side

11. Provide a conceptual site plan showing buildings, parking and access locations, utility service points, proposed screening or buffering and any other pertinent information.

12. Has a written statement confirming that the Review Criteria listed in Chapter 17, Section 3, (e), (4) been provided? yes

Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND TWENTY (20) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION and one (1) 11" x 17" copy AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATION, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT. ADDITIONAL COPIES OF APPLICATION AND PLANS WILL BE REQUIRED PRIOR TO CONSIDERATION AT THE PLANNING AND ZONING BOARD AND TOWN COMMISSION MEETINGS.

Office Use:
Date Application Received: 05-08-14 Received by: WJH
Present Zoning of Property: HC-Heavy Commercial
Future Land Use Designation: Ret - Community General - Retail sales & Svcs
Fees Paid: Special Permit Use (Zoning Fees (BZ)) \$825

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Kevin Reynolds, who being by me first duly sworn on oath, deposes and says:

(1) That he is the fee-simple owner of the property legally described on page one of this application.

(2) That he desires approval for:

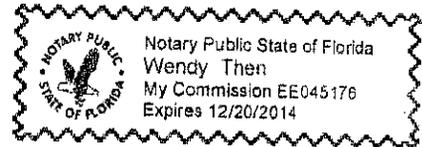
Special Permit Use - Electronic Message Board LED Sign

(3) That he has appointed Self to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

[Signature]
Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 8th day of May, 2014, by Kevin Nathaw Reynolds, who is personally known to me or who has produced FLD # as identification and who did (did not) take an oath.

[Signature]
Notary Public



NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Kevin Reynolds, who being by me first duly sworn on oath, deposes and says:

(1) That he affirms and certifies that he understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.

(2) That he desires approval for:

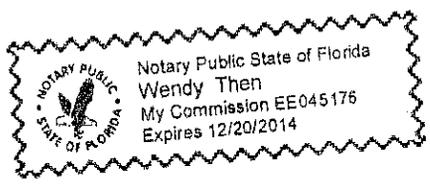
Special permit use - Electronic Message / P.D.D. Sign

(3) That the submittal requirements for the application have been completed and attached hereto as part of this application.

[Signature]
Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 9th day of May, 2014, by Kevin Reynolds who is personally known to me or who has produced FDI as identification and who did (did not) take an oath.

[Signature]
Notary Public





THIS INSTRUMENT PREPARED BY AND RETURN TO:
Patricia R. Mueller, Esq.
PATRICIA R. MUELLER, P.A.
3900 Lake Center Drive, Suite A-5
Mount Dora, Florida 32757

State of Florida Deed Documentary Stamps paid on this transaction: \$2,730.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED, made the 25th day of June, 2013 by Nancy P. Steinmetz, a married woman, whose post office address is Post Office Box 217, Lady Lake, FL 32158 herein called the Grantor, to KM Reynolds Enterprises, LLC, Florida limited liability company whose post office address is 1415 SW 17th Street, Ocala, FL 34471, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in LAKE County, State of Florida, viz.:

The West 150 feet of the Northerly 1/2 of Lot 40, in the Town of Lady Lake, Florida, according to the Official Plat thereof recorded in Plat Book 8, Page 10, Public Records of Lake County, Florida.

LESS AND EXCEPT:

From the Northeast corner of Section 20, Township 18 South, Range 24 East, marked by a railroad spike with no identification located in a cut-out in asphalt, run North 89 degrees 55'43" West along the Northerly boundary line of Section 20, a distance of 499.35 feet to the centerline of survey of State Road 500, as shown of Florida Department of Transportation Right of Way Map Section 11040, Financial Project No. 238395 5; thence run North 25 degrees 44'24" West, along said centerline, a distance of 575.14 feet to a point of intersection with the extended Southerly right of way line of Lemon Street; thence run North 63 degrees 32'41" East, along said extended line a distance of 50.00 feet to the existing Easterly right of way of said State Road 500 and the Southerly right of way line of Lemon Street, an 80 foot right of way; thence continue North 63 degrees 32'41" East, along said Southerly right of way line of Lemon Street, a distance of 17.24 feet to the Northeast corner of that Tract of land described in Official Records Book 3643, Pages 1794 through 1797, as recorded in Official Records of Lake County; thence run South 12 degrees 46'07" West along the Southeasterly line of said Tract a distance of 6.81 feet to the Point of Beginning; thence run South 25 degrees 44'24" East, a distance of 100.57 feet; thence run South 63 degrees 45'28" West, a distance of 13.00 feet to the Easterly right of way line of State Road 500; thence run North 25 degrees 44'24" West, along said Easterly right of way line, a distance of 84.34 feet to the Southeasterly line of the aforesaid Tract; thence run North 12 degrees 46'07" East a distance of 20.88 feet to the Point of Beginning.

AND LESS AND EXCEPT:

A Triangular shaped strip of land being a portion of that certain described property per Official Records Book 716, Page 492, Public Records of Lake County, Florida, being in the Southeast 1/4 of Section 17, Township 18 South, Range 24 East, Lake County, Florida, and being a part of Lot 40, Official Plat of Town of Lady Lake according to the Plat thereof as recorded in Plat Book 8, Page 10, of the Public Records of Lake County, Florida, and being more particularly described as follows:

Commence at the Southeast corner of the Southeast 1/4 of Section 17, Township 18 South, Range 24 East, thence run North 89 degrees 55'52" West along the South line of said Southeast 1/4 for a distance of 443.81 feet to a point of the Northeasterly right of way line of State Road 500, also known as U.S. 441; thence run North 25 degrees 44'24" West along said Northeasterly right of way line of said State Road 500, and along a line being 50.00 feet East of and parallel with, as measured at right angles, the centerline of State Road 500, as positioned per Florida Department of Transportation Specific Purpose Survey, Section 11040, dated 07/03/02, prepared by Jones, Wood and Gentry, Inc., for a distance of 578.68 feet to the Point of Beginning; thence continue along said Northeasterly right of way line North 25 degrees 44'24" West, for a distance of 21.45 feet to the Northwest corner of said Lot 40; thence North 63 degrees 33'50" East along the North line of said Lot 40, for a distance of 17.24 feet; thence run South 12 degrees 46'21" West, for a distance of 27.68 feet to the Point of Beginning.

Property Appraisers Parcel Identification (Folio) Number: 2018240400-000-04000

The property conveyed herein does not constitute the homestead property of the Grantor.

Subject to easements, restrictions and reservations of record and taxes for the year 2013 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2012.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature

Nancy P. Steinmetz
Nancy P. Steinmetz

Ken Boggs
Witness #1 Printed Name

Patricia R Mueller
Witness #2 Signature

Patricia R Mueller
Witness #2 Printed Name

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 25th day of June, 2013 by Nancy P. Steinmetz who is personally known to me or has produced _____ as identification.

SEAL

[Signature]
Notary Public



Printed Notary Name

My Commission Expires:

Property Record Card

General Information

Alternate Key:	1723698	Parcel:	20-18-24-040000004000
Owner Name:	KM REYNOLDS ENTERPRISES LLC	Millage:	00LL (Lady Lake) : 17.6629
Owner Address:	1415 SW 17TH ST OCALA, FL 34471	Property Location:	117 N US 441/27 LADY LAKE FL 32159

Legal Description:
 LADY LAKE W 150 FT OF N'LY 1/2 OF LOT 40--LESS FROM SE COR |
 OF SE 1/4 OF SEC 17-18-24 RUN N 89-55-52 W ALONG S LINE OF |
 SE 1/4 A DIST OF 443.81 FT TO A POINT ON NE'LY R/W LINE OF |
 US HWY 441, RUN N 25-44-24 W ALONG NE'LY R/W LINE 578.68 FT |
 FOR POB, CONT ALONG SAID NE'LY R/W LINE N 25-44-24 W 21.45 |
 FT TO NW COR OF SAID LOT 40, N 63-33-50 E ALONG N LINE OF |
 LOT 40 A DIST OF 17.24 FT, S 12-46-21 W 27.68 FT TO POB FOR |
 RD R/W & LESS FROM SE COR OF SEC 17-18-24 RUN N 89-55-43 W |
 499.35 FT TO CENTERLINE OF SR 500, N 25-44-24 W ALONG SAID |
 CENTERLINE A DIST OF 575.14 FT TO A POINT OF INTERSECTION |
 WITH THE EXTENDED S'LY R/W LINE OF LEMON ST, THENCE RUN N |
 63-32-41 E ALONG SAID EXTENDED LINE A DIST OF 50 FT TO |
 EXISTING E'LY R/W LINE OF SR 500 & S'LY R/W LINE OF LEMON |
 ST, THENCE CONT N 63-32-41 E ALONG & S'LY R/W LINE OF LEMON |
 ST A DIST OF 17.24 FT, S 12-46-07 W 6.81 FT FOR POB, RUN S |
 25-44-24 E 100.57 FT, S 63-45-28 W 13 FT TO E'LY R/W OF SR |
 500, N 25-44-24 W ALONG SAID E'LY R/W LINE A DIST OF 84.34 |
 FT, N 12-46-07 E 20.88 FT TO POB OF ADDITIONAL RD R/W--PB 8 |
 PG 9 |
 ORB 4345 PG 1385 |

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	OFFICE MULTI STORY (1800)	0	0		14363	SF	\$0.00	\$100,541.00

Commercial Building(s)

Building 1

Commercial	Building Value: \$241,329.00
Summary	Section(s)

May 8, 2014

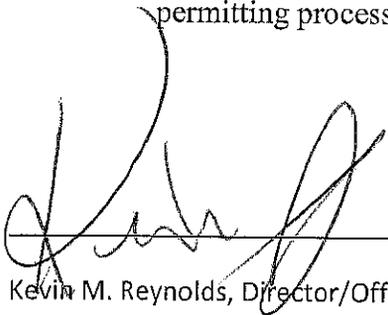
Town of Lady Lake
409 Fennell Blvd.
Lady Lake, FL 32159

Please accept this letter addressing the five points of the Signe Code of Electronic Message Board Signs:

Special Use Permit Application for Senior Health Plus, Inc. at 117 N Hwy 27/441:

Electronic message boards must adhere to the following guidelines:

- 1) Shall only be placed on approved freestanding signs.
- 2) Maximum copy area shall not exceed fourteen (14) square feet per each side.
 - a. **Note:** The applicant will be proposing a variance for LED Sign increase concurrently with this Special Permit Use Application
- 3) Flashing, scintillating, beacon or running lights or movement or which gives the visual impression of such flashing, scintillation, or movement shall not be allowed.
- 4) Shall only display text. The text shall be amber-colored or similar lettering with black background.
 - a. **Note:** The applicant will be proposing a variance for multi-color text display concurrently with this Special Permit Use Application
- 5) All electronic message boards/marquee signs are required to incorporate dimming features and capabilities. These features will be reviewed concurrent with the permitting process.



Kevin M. Reynolds, Director/Officer/Registered Agent of KM Reynolds Enterprises, LLC & Senior Health Plus, Inc.

27
9/4/11



↑ N

Parking
lot

Senior Health Plan

u u
u u

Proposed Sign
Area LED

10'

24' 5 1/2"

3'

10'

14' 5 1/2"

Replace the existing
channel board sign with
Full color LED sign

Senior Health Plus, Inc.

+ Insurance Made Simple!

Medicare Advantage HMO's & PPO's
Medicare Supplements - Part D Plans - Long Term Care
Fixed Annuities - Life Insurance - Under 65 Health Ins.

430-1343

ANNUIT **SPECIAL**
5 YEAR **GTD**

Lemon St

Firefire





To: Lady Lake Growth Management Dept.
From: Kevin Reynolds (Senior Health Plus)
RE: Variance Request Reasoning

I would like to request 2 variances regarding the sign located at 117 N. Hwy 27/441 Lady Lake, FL 32159. The first being a variance for size. I currently have an existing approved 3'x10' channelboard letter sign as part of my pylon. I would like to convert it to a 3'x10' .

The second part of the request will be for color. You currently only allow for the amber color led with black background. I would like to use a 3 color LED sign.

The main reason for the requests is safety. We currently have to climb down into the retention ditch and get on a ladder 17 feet in the air to change letters on the channelboard then fly off with the first 15mph wind. It is impossible to keep them up there and I am running out of agents willing to risk getting on the ladder. Also, the letters fly into the traffic on 441 making it even worse. I think an LED sign will be much safer and can be controlled remotely from my office.

Thank you for your consideration,

Kevin Reynolds

FLORIDA DEPARTMENT OF STATE
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Detail by Entity Name

Florida Profit Corporation

SENIOR HEALTH PLUS, INC.

Filing Information

Document Number	P00000076986
FEI/EIN Number	593665179
Date Filed	08/09/2000
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	06/27/2005
Event Effective Date	NONE

Principal Address

117 N. Hwy 441
Suite B
Lady Lake, FL 32159

Changed: 01/13/2014

Mailing Address

117 N. Hwy 441
Suite B
Lady Lake, FL 32159

Changed: 01/13/2014

Registered Agent Name & Address

REYNOLDS, KEVIN
635 SE 47th Loop
OCALA, FL 34480

Name Changed: 06/24/2005

Address Changed: 01/13/2014

Officer/Director Detail

Name & Address

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State of Florida, Department of State

REYNOLDS, KEVIN
635 E 47th Loop
OCALA, FL 34480

Annual Reports

Report Year	Filed Date
2012	02/10/2012
2013	04/19/2013
2014	01/13/2014

Document Images

<u>01/13/2014 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/19/2013 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/10/2012 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/15/2011 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/30/2010 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/30/2009 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/21/2008 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/17/2007 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/14/2006 -- ANNUAL REPORT</u>	View image in PDF format
<u>06/27/2005 -- Amendment</u>	View image in PDF format
<u>06/24/2005 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/20/2004 -- ANNUAL REPORT</u>	View image in PDF format
<u>05/12/2003 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/30/2002 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/21/2001 -- ANNUAL REPORT</u>	View image in PDF format
<u>08/09/2000 -- Domestic Profit</u>	View image in PDF format

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Detail by Entity Name

Florida Limited Liability Company

KM REYNOLDS ENTERPRISES, LLC

Filing Information

Document Number	L13000078440
FEI/EIN Number	N/A
Date Filed	05/30/2013
State	FL
Status	ACTIVE

Principal Address

17 N. Hwy 441
Suite B
Lady Lake, FL 32159

Changed: 01/13/2014

Mailing Address

117 N. Hwy 441
Suite B
Lady Lake, FL 32159

Changed: 01/13/2014

Registered Agent Name & Address

REYNOLDS, KEVIN M
117 N. Hwy 441
Suite B
Lady Lake, FL 32159

Address Changed: 01/13/2014

Authorized Person(s) Detail

Name & Address

Title MGR

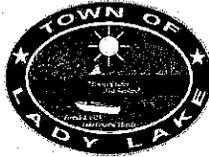
REYNOLDS, KEVIN M
117 N. Hwy 441

Annual Reports

Report Year	Filed Date
2014	01/13/2014

Document Images

<u>01/13/2014 -- ANNUAL REPORT</u>	View image in PDF format
<u>05/30/2013 -- Florida Limited Liability</u>	View image in PDF format



**TECHNICAL REVIEW COMMITTEE
SPECIAL PERMIT USE COMMENTS AND RECOMMENDATIONS**

Meeting of May 20, 2014

TO: Technical Review Committee

FROM: Wendy Then, Town Planner

SUBJECT: Resolution 2014-109- Request for Special Permit Use (SPU) for Electronic Message Board/Marquee Sign for Senior Health Plus, Inc.

APPLICANT: Kevin Reynolds, with KM Reynolds Enterprises, LLC

DATE: May 14, 2014

SUMMARY

Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted a Special Permit Use application proposing the installation of an Electronic Message Board/Marquee Sign on an existing freestanding sign on the property owned by KM Enterprises, LLC, located at 117 North Highway 27/441 (AK #1237530).

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Highway 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project.

A statement of adherence to the guidelines of the Electronic Message Board/Marquee Sign has been submitted indicating that the applicant will follow most standards outlined under the provisions of Town of Lady Lake Land Development Regulation, Chapter 17, Section 17-3).e).(4)., including dimming features and capabilities for the light-emitting diode (LED) sign. The applicant is concurrently applying for two (2) variances in regards to LED sign size and multicolor LED text display.

The future land use and zoning designations of the adjacent properties are:

Future Land Use

Subject Property	Lady Lake- Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	ROW/ Lady Lake- Commercial Retail Sales & Services (RET)
East	Lady Lake- Commercial Retail Sales & Services (RET)
North	Lady Lake- Commercial Retail Sales & Services (RET)
South	Religious Facilities (RF)

Zoning

Subject Property	Heavy Commercial (HC)
Zoning of Adjacent Properties	
West	Heavy Commercial (HC) & R.O.W.
East	Heavy Commercial (HC)
North	Heavy Commercial (HC)
South	Public Facility District (PFD)

The zoning of the subject site allows for development and construction of freestanding signs, on which the applicant can install an Electronic Message Boards/Marquee Sign upon Town Commission approval; therefore, the requested permit is consistent with the directives of the Land Development Regulations and Comprehensive Plan.

Applications for Special Permit Use (SPU) must be made to the Town in accordance with the procedures established for Electronic Message Boards pursuant to Chapter 17, Section 17-3, (e). (4).

Chapter 17, Section 17-3,(e), (4) Review Criteria. When reviewing an application for a special permit use for Electronic Message Boards, the Town Commission shall consider the following:

Electronic Message Boards must adhere to the following guidelines:

- a. Shall only be placed on approved freestanding signs.

- b. Maximum copy area shall not exceed fourteen (14) square feet per each side.
- c. Flashing, scintillating, beacon or running lights or movement or which gives the visual impression of such flashing, scintillation, or movement shall not be allowed.
- d. Shall only display text. The text shall be amber-colored or similar lettering with black background.
- e. All electronic message boards/marquee signs are required to incorporate dimming features and capabilities. These features will be reviewed concurrent with the permitting process.

COMMENTS:

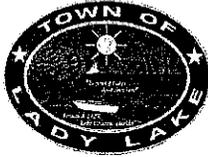
- The applicant has submitted a variance application concurrently with this Special Permit Use application requesting the Electronic Message Board/Marquee Sign to be allowed to be increased in size from 14 square feet to 30 square feet on the existing freestanding sign.
- The applicant has also submitted another variance application concurrently with this Special Permit Use application requesting the Electronic Message Board/Marquee Sign to be allowed to display multi-color.

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed Special Permit use will be mailed by certified mail return receipt by Tuesday, May 27, 2014. The property will also be posted on Tuesday, May 27, 2014.

Public Hearings:

The **Planning and Zoning Board** does not review Special Permit Use applications.

The **Town Commission** will review the application for Resolution 2014-109 for final consideration at its regular meeting on Monday, July 7, 2014 at 6:00 p.m.



K-14

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: July 7, 2014

SUBJECT: Resolution 2014-110 – KM Reynolds Enterprises, LLC– Variance pursuant to Chapter 17, Section 17-3).e).4).D).2). to allow the electronic message board copy area to be 30 square feet on the existing freestanding sign located on the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTION:

Staff recommends denial of Resolution No. 2014-110- Request to allow the electronic message board copy area to be 30 square feet on the existing freestanding sign located on the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698).

SUMMARY

Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted an application for a variance from Chapter 17, Section 17-3).e).4).D).2). which requires that the electronic message board copy area shall not exceed fourteen (14) square feet per each side. The applicant is not requesting to increase the sign size but rather to be allowed 30 square feet of LED Display on the existing sign as opposed to 14 square feet which is what is currently permitted by the Code for LED display. The property is owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698), within the town limits of the Town of Lady Lake, Florida.

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Hwy 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project. The bottom part of the sign has a manually-changeable channel letter board, which copy area consists of a 10'x3' section. The applicant intends on converting the entire channel board into light-emitting diode (LED) Display copy area; meriting this variance request.

As required of the application, a Justification Statement has been submitted. In the justification statement, the applicant contends that switching from a manually-changeable channel letter board to a LED Display would result in a much cleaner, sleeker looking cabinet that would enhance the appearance of the entire pylon structure. In that the Code recognizes the need for outdoor signage, the applicant is

requesting to the replace the channel letter board with a sign that can be programmed from the office. Likewise, the applicant would like to keep the existing channel letter board size consistent with the size of the new LED Display sign. The applicant explains that the channel board sign is approximately 17 feet above the ground of the retention area requiring the applicant and his staff to haul a ladder into the pit and climb up to make the changes each time. Additionally, having to move the letters several times per side has become very dangerous and an extremely arduous task. Lastly, the wind blows channels letters several times a week, which his staff has to retrieve from N Hwy 27/441 under peak traffic hours creating a high liability exposure. The applicant feels that they are trying to rectify a dangerous situation not created by them but which will help in eliminating the need to put people, both employees and passing travelers, at risk of injury. Town Staff acknowledges the applicant's request; however, we understand that the purpose intended can be accomplished with a 14-square-foot LED sign; thus Town Staff recommends denial.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 20 Township 18 South Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Heavy Commercial (HC).

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Tuesday, May 27, 2014. The property also was posted on Tuesday, May 27, 2014. Resolution 2014-110 was reviewed by Town Attorney, Derek Schroth, on Friday, May 30, 2014, and determined correct in form.



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: July 7, 2014

SUBJECT: Resolution 2014-110 – KM Reynolds Enterprises, LLC– Variance pursuant to Chapter 17, Section 17-3).e).4).D).2). to allow the electronic message board copy area to be 30 square feet on the existing freestanding sign located on the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTION:

Staff recommends denial of Resolution No. 2014-110- Request to allow the electronic message board copy area to be 30 square feet on the existing freestanding sign located on the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698).

SUMMARY

Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted an application for a variance from Chapter 17, Section 17-3).e).4).D).2). which requires that the electronic message board copy area shall not exceed fourteen (14) square feet per each side. The applicant is not requesting to increase the sign size but rather to be allowed 30 square feet of LED Display on the existing sign as opposed to 14 square feet which is what is currently permitted by the Code for LED display. The property is owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698), within the town limits of the Town of Lady Lake, Florida.

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Hwy 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project. The bottom part of the sign has a manually-changeable channel letter board, which copy area consists of a 10'x3' section. The applicant intends on converting the entire channel board into light-emitting diode (LED) Display copy area; meriting this variance request.

As required of the application, a Justification Statement has been submitted. In the justification statement, the applicant contends that switching from a manually-changeable channel letter board to a LED Display would result in a much cleaner, sleeker looking cabinet that would enhance the appearance of the entire pylon structure. In that the Code recognizes the need for outdoor signage, the applicant is

requesting to the replace the channel letter board with a sign that can be programmed from the office. Likewise, the applicant would like to keep the existing channel letter board size consistent with the size of the new LED Display sign. The applicant explains that the channel board sign is approximately 17 feet above the ground of the retention area requiring the applicant and his staff to haul a ladder into the pit and climb up to make the changes each time. Additionally, having to move the letters several times per side has become very dangerous and an extremely arduous task. Lastly, the wind blows channels letters several times a week, which his staff has to retrieve from N Hwy 27/441 under peak traffic hours creating a high liability exposure. The applicant feels that they are trying to rectify a dangerous situation not created by them but which will help in eliminating the need to put people, both employees and passing travelers, at risk of injury. Town Staff acknowledges the applicant's request; however, we understand that the purpose intended can be accomplished with a 14-square-foot LED sign; thus Town Staff recommends denial.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 20 Township 18 South Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Heavy Commercial (HC).

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Tuesday, May 27, 2014. The property also was posted on Tuesday, May 27, 2014. Resolution 2014-110 was reviewed by Town Attorney, Derek Schroth, on Friday, May 30, 2014, and determined correct in form.

COMMENTS:

- The applicant has submitted another variance application concurrently with this application requesting the Electronic Message Board/Marquee Sign to be allowed to display multi-color.

Past Actions:

The **Technical Review Committee** reviewed the application for Resolution 2014-110 at its regular meeting on Tuesday, May 20, 2014, recommending approval with a 4-0 vote.

Public Hearings:

The **Planning and Zoning Board** reviewed the application for Resolution 2014-110 at its regular meeting on Monday, June 9, 2014, with a recommendation of denial with a vote of 5-0.

FISCAL IMPACT: \$ _____

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

WB
6-30-2014

DEPARTMENT HEAD 

Submitted 6/30/14

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

TOWN MANAGER 

Approved Agenda Item for: 7/7/14

Date 6/30/14

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modification

TOWN OF LADY LAKE, FLORIDA

Ruth Kussard, Mayor

ATTEST:

Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney

ACKNOWLEDGED:

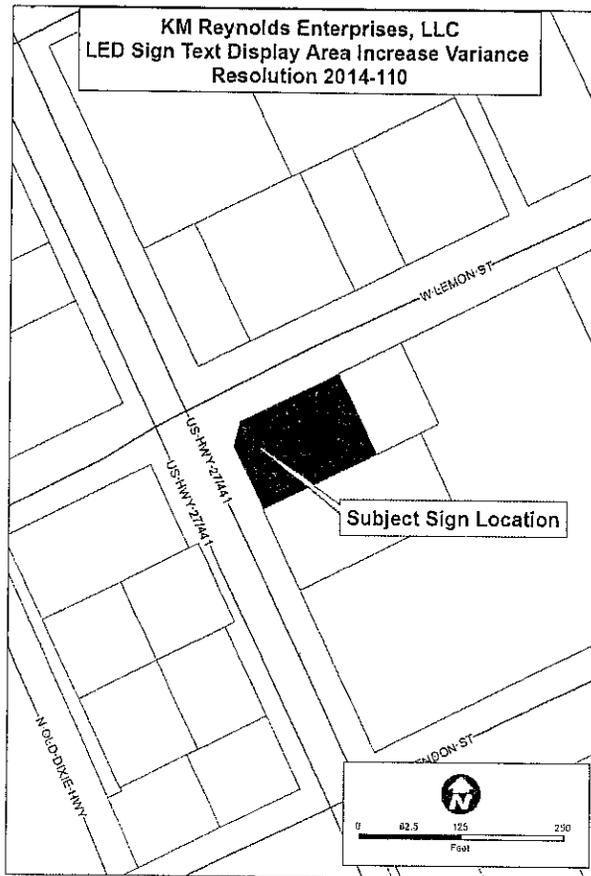
The undersigned land owner by the execution hereof agrees to comply with the conditions of the special permit use as established herein.

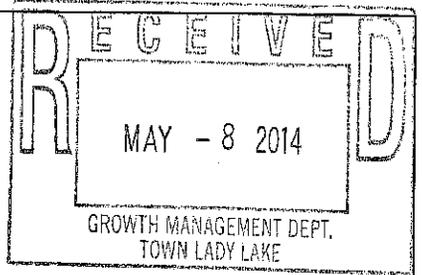
KM Reynolds Enterprises LLC
Property Owner/Representative

Exhibit A – Legal Description

Section 20 Township 18 South Range 24 East

LADY LAKE W 150 FT OF N'LY 1/2 OF LOT 40--LESS FROM SE COR OF SE 1/4 OF SEC 17-18-24 RUN N 89-55-52 W ALONG S LINE OF SE 1/4 A DIST OF 443.81 FT TO A POINT ON NE'LY R/W LINE OF US HWY 441, RUN N 25-44-24 W ALONG NE'LY R/W LINE 578.68 FT FOR POB, CONT ALONG SAID NE'LY R/W LINE N 25-44-24 W 21.45 FT TO NW COR OF SAID LOT 40, N 63-33-50 E ALONG N LINE OF LOT 40 A DIST OF 17.24 FT, S 12-46-21 W 27.68 FT TO POB FOR RD R/W & LESS FROM SE COR OF SEC 17-18-24 RUN N 89-55-43 W 499.35 FT TO CENTERLINE OF SR 500, N 25-44-24 W ALONG SAID CENTERLINE A DIST OF 575.14 FT TO A POINT OF INTERSECTION WITH THE EXTENDED S'LY R/W LINE OF LEMON ST, THENCE RUN N 63-32-41 E ALONG SAID EXTENDED LINE A DIST OF 50 FT TO EXISTING E'LY R/W LINE OF SR 500 & S'LY R/W LINE OF LEMON ST, THENCE CONT N 63-32-41 E ALONG & S'LY R/W LINE OF LEMON ST A DIST OF 17.24 FT, S 12-46-07 W 6.81 FT FOR POB, RUN S 25-44-24 E 100.57 FT, S 63-45-28 W 13 FT TO E'LY R/W OF SR 500, N 25-44-24 W ALONG SAID E'LY R/W LINE A DIST OF 84.34 FT, N 12-46-07 E 20.88 FT TO POB OF ADDITIONAL RD R/W--PB 8 PG 9 ORB 4345 PG 1385 |





TOWN OF LADY LAKE
VARIANCE APPLICATION

Alt. Key Number: 1723698

1. Owner's name: KM Reynolds Enterprises, LLC
 Mailing Address: 1415 SW 17th Street, Ocala, FL 34471
 Email Address: Seniorhealthplus@hotmail.com
 Telephone #: 352-430-1343
2. Applicant's Name: Kevin Reynolds, owner
 Mailing Address: 117 N US Hwy 27/441, Lady Lake, FL 32159
 Email Address: Seniorhealthplus@hotmail.com
 Telephone #: 352-430-1343
3. Applicant is: Owner: Agent Purchaser Lessee Optionee
4. Property Address/Location: 117 N US Hwy 27/441
5. Legal Description: See RC attached
6. The variance requested is as follows: Several colors to be displayed on LED sign simultaneously
7. The variance is necessary for the following reasons: to distinguish current offers and percentage rates on screen at same time
8. Is your situation due to unique circumstances not created by you or your predecessor in title? Explain such circumstances:
No

9. Do special conditions and circumstances exist which are peculiar to your land or structure and which are not applicable to other lands or structures in the same district? Explain such conditions or circumstances:

No.

10. Would literal interpretation of the provisions of the Code deprive you of rights commonly enjoyed by other property owners in the same district? Explain such rights:

Yes as others have been granted permission for several color LEDs

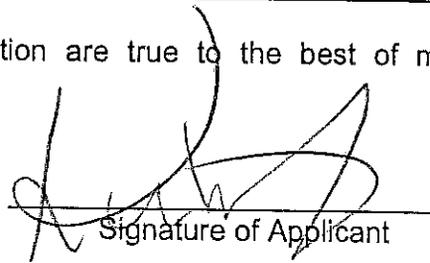
11. A variance, as requested, will not permit, establish or enlarge any use or structure which is not permitted in the district. Does your request meet this criterion?

Yes

12. Have any land use applications been filed within the last year in connection with this property? Yes No. If yes, briefly describe the nature of the request and the date it was done:

This application must be accompanied by proof of ownership and authorization from the owner if represented by an agent or contract purchaser. It must also include a drawing showing the exact locations and dimensions of all existing and proposed buildings and additions, required setbacks, existing easements and clearly delineate the specific variance requested.

I certify that the statements in this application are true to the best of my knowledge.


Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND FORTY-TWO (42) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATION, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT.

Office Use:
Date Application Received: 5-8-19 Received by: [Signature]
Fees Paid: \$400.00

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Kavin Reynolds
who being by me first duly sworn on oath, deposes and says:

(1) That he is the fee-simple owner of the property legally described on page one
of this application.

(2) That he desires approval for:

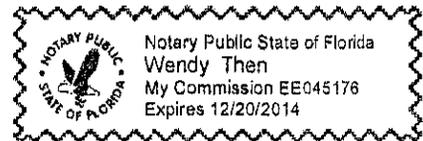
Text
Variance for Multi-color Display on LED sign

(3) That he has appointed Self to act as agent in
his behalf to accomplish the above. The Owner is required to complete the
APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act
in his stead.

[Signature]
Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 8th day of May,
20 14 by Kavin Reynolds, who is personally known to me or who has
produced FDL as identification and who did (did not) take an oath.

[Signature]
Notary Public



NOTE

All applications shall be signed by the owner of the property, or some
person duly authorized by the owner to sign. This authority authorizing a
person other than the owner to sign must be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

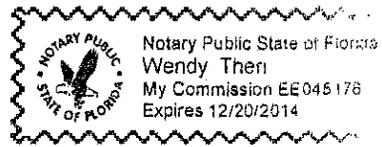
Before me, the undersigned authority personally appeared Karin Reynolds, who being by me first duly sworn on oath, deposes and says:

- (1) That he affirms and certifies that he understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.
- (2) That he desires approval for variance for multicolor text display on LED.
- (3) That the submittal requirements for the application have been completed and attached hereto as part of this application. ^{sign}

[Signature]
Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 8th day of May, 20 14, by Karin Reynolds, who is personally known to me or who has produced FD as identification and who did (did not) take an oath.

[Signature]
Notary Public





THIS INSTRUMENT PREPARED BY AND RETURN TO:

Patricia R. Mueller, Esq.
PATRICIA R. MUELLER, P.A.
3900 Lake Center Drive, Suite A-5
Mount Dora, Florida 32757

State of Florida Deed Documentary Stamps paid on this transaction: \$2,730.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED, made the 25th day of June, 2013 by Nancy P. Steinmetz, a married woman, whose post office address is Post Office Box 217, Lady Lake, FL 32158 herein called the Grantor, to KM Reynolds Enterprises, LLC, Florida limited liability company whose post office address is 1415 SW 17th Street, Ocala, FL 34471, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in LAKE County, State of Florida, viz.:

The West 150 feet of the Northerly 1/2 of Lot 40, in the Town of Lady Lake, Florida, according to the Official Plat thereof recorded in Plat Book 8, Page 10, Public Records of Lake County, Florida.

LESS AND EXCEPT:

From the Northeast corner of Section 20, Township 18 South, Range 24 East, marked by a railroad spike with no identification located in a cut-out in asphalt, run North 89 degrees 55'43" West along the Northerly boundary line of Section 20, a distance of 499.35 feet to the centerline of survey of State Road 500, as shown of Florida Department of Transportation Right of Way Map Section 11040, Financial Project No. 238395 5; thence run North 25 degrees 44'24" West, along said centerline, a distance of 575.14 feet to a point of intersection with the extended Southerly right of way line of Lemon Street; thence run North 63 degrees 32'41" East, along said extended line a distance of 50.00 feet to the existing Easterly right of way of said State Road 500 and the Southerly right of way line of Lemon Street, an 80 foot right of way; thence continue North 63 degrees 32'41" East, along said Southerly right of way line of Lemon Street, a distance of 17.24 feet to the Northeast corner of that Tract of land described in Official Records Book 3643, Pages 1794 through 1797, as recorded in Official Records of Lake County; thence run South 12 degrees 46'07" West along the Southeasterly line of said Tract a distance of 6.81 feet to the Point of Beginning; thence run South 25 degrees 44'24" East, a distance of 100.57 feet; thence run South 63 degrees 45'28" West, a distance of 13.00 feet to the Easterly right of way line of State Road 500; thence run North 25 degrees 44'24" West, along said Easterly right of way line, a distance of 84.34 feet to the Southeasterly line of the aforesaid Tract; thence run North 12 degrees 46'07" East a distance of 20.88 feet to the Point of Beginning.

AND LESS AND EXCEPT:

A Triangular shaped strip of land being a portion of that certain described property per Official Records Book 716, Page 492, Public Records of Lake County, Florida, being in the Southeast 1/4 of Section 17, Township 18 South, Range 24 East, Lake County, Florida, and being a part of Lot 40, Official Plat of Town of Lady Lake according to the Plat thereof as recorded in Plat Book 8, Page 10, of the Public Records of Lake County, Florida, and being more particularly described as follows:

Commence at the Southeast corner of the Southeast 1/4 of Section 17, Township 18 South, Range 24 East, thence run North 89 degrees 55'52" West along the South line of said Southeast 1/4 for a distance of 443.81 feet to a point of the Northeasterly right of way line of State Road 500, also known as U.S. 441; thence run North 25 degrees 44'24" West along said Northeasterly right of way line of said State Road 500, and along a line being 50.00 feet East of and parallel with, as measured at right angles, the centerline of State Road 500, as positioned per Florida Department of Transportation Specific Purpose Survey, Section 11040, dated 07/03/02, prepared by Jones, Wood and Gentry, Inc., for a distance of 578.68 feet to the Point of Beginning; thence continue along said Northeasterly right of way line North 25 degrees 44'24" West, for a distance of 21.45 feet to the Northwest corner of said Lot 40; thence North 63 degrees 33'50" East along the North line of said Lot 40, for a distance of 17.24 feet; thence run South 12 degrees 46'21" West, for a distance of 27.68 feet to the Point of Beginning.

Property Appraisers Parcel Identification (Folio) Number: 2018240400-000-04000

The property conveyed herein does not constitute the homestead property of the Grantor.

Subject to easements, restrictions and reservations of record and taxes for the year 2013 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2012.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature

Nancy P. Steinmetz
Nancy P. Steinmetz

Ken Boggs
Witness #1 Printed Name

Patricia R. Mueller
Witness #2 Signature

Patricia R. Mueller
Witness #2 Printed Name

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 25th day of June, 2013 by Nancy P. Steinmetz who is personally known to me or has produced _____ as identification.

SEAL

Patricia R. Mueller
Notary Public



Printed Notary Name

My Commission Expires:

Property Record Card

General Information

Alternate Key:	1723698	Parcel:	20-18-24-040000004000
Owner Name:	KM REYNOLDS ENTERPRISES LLC	Millage:	00LL (Lady Lake) : 17.6629
Owner Address:	1415 SW 17TH ST OCALA, FL 34471	Property Location:	117 N US 441/27 LADY LAKE FL 32159
Legal Description:	LADY LAKE W 150 FT OF N'LY 1/2 OF LOT 40--LESS FROM SE COR OF SE 1/4 OF SEC 17-18-24 RUN N 89-55-52 W ALONG S LINE OF SE 1/4 A DIST OF 443.81 FT TO A POINT ON NE'LY R/W LINE OF US HWY 441, RUN N 25-44-24 W ALONG NE'LY R/W LINE 578.68 FT FOR POB, CONT ALONG SAID NE'LY R/W LINE N 25-44-24 W 21.45 FT TO NW COR OF SAID LOT 40, N 63-33-50 E ALONG N LINE OF LOT 40 A DIST OF 17.24 FT, S 12-46-21 W 27.68 FT TO POB FOR RD R/W & LESS FROM SE COR OF SEC 17-18-24 RUN N 89-55-43 W 499.35 FT TO CENTERLINE OF SR 500, N 25-44-24 W ALONG SAID CENTERLINE A DIST OF 575.14 FT TO A POINT OF INTERSECTION WITH THE EXTENDED S'LY R/W LINE OF LEMON ST, THENCE RUN N 63-32-41 E ALONG SAID EXTENDED LINE A DIST OF 50 FT TO EXISTING E'LY R/W LINE OF SR 500 & S'LY R/W LINE OF LEMON ST, THENCE CONT N 63-32-41 E ALONG & S'LY R/W LINE OF LEMON ST A DIST OF 17.24 FT, S 12-46-07 W 6.81 FT FOR POB, RUN S 25-44-24 E 100.57 FT, S 63-45-28 W 13 FT TO E'LY R/W OF SR 500, N 25-44-24 W ALONG SAID E'LY R/W LINE A DIST OF 84.34 FT, N 12-46-07 E 20.88 FT TO POB OF ADDITIONAL RD R/W--PB 8 PG 9 ORB 4345 PG 1385		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	OFFICE MULTI STORY (1800)	0	0		14363	SF	\$0.00	\$100,541.00

Commercial Building(s)

Building 1	
Commercial	Building Value: \$241,329.00
Summary	Section(s)



Statement of Justification

Diminution in value of surrounding properties:

Replacing the existing approved channel board sign would not result in any diminution of value to surrounding businesses. If anything, the result would be a much cleaner, sleeker looking cabinet that will enhance the appearance of the entire pylon structure. Similar signage is already approved within Lady Lake.

Granting of the permit would be of benefit to the public:

The sign, aside from business uses, would also be used to announce various senior related events throughout Lady Lake and The Villages. Senior Health Plus has a booth at the Lady Lake farmers market and participates in educational meetings and events at medical facilities in the region. We also organize holiday related food drives and fundraisers tailored to the needs of the community.

Denial of the permit would result in unnecessary hardship to the owner seeking it:

Our existing sign was approved to be constructed in the retention area in front of the building. Due to this fact, reaching the channel board for changes is extremely difficult, and dangerous. The channel board sign is approximately 17 feet above the ground of the retention area requiring us to haul a ladder into the pit and erect it and climb 17 feet up to make changes each time. We also have to move it several times per side to space the letters properly. This is a very dangerous and extremely arduous task. So much so that I don't have anyone left in the office that is willing to do it. There is also a huge problem with wind. We find that within a day or two multiple letters have been blown off, many into 441 and need to be retrieved by my staff during peak traffic hours, not to mention the possibility of a traffic accident,

The use must not be contrary to the spirit of the code:

This request is not contrary to the spirit of the code. The code recognizes the need for outdoor signage, as it had previously approved the pylon that exists today. We are simply requesting to replace the existing, outdated channel board sign, with a new led sign that can be programmed from my office, eliminating the issues previously outlined.

Financial disadvantages and/or inconveniences to the applicant shall not be themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance:

Approval of the led sign is not justification of a financial disadvantage or inconvenience, but rather a resolution to a dangerous situation, not created by myself. We cannot continue to use the channel board type

sign as I am not willing to put my employees at risk. The new sign would provide a cleaner more up-to date look for the existing pylon, but more importantly, eliminate the need to put people, including passing travelers, at risk of injury.

Physical hardships such as disabilities of any applicant may be considered ground to justify granting of a variance at the discretion of the Towns Commission:

The applicant is not requesting a disability hardship.

Senior Health Plus, Inc.

 Insurance Made Simple!

Medicare Advantage HMO's & PPO's
Medicare Supplements - Part D Plans - Long Term Care
Fixed Annuities - Life Insurance - Under 65 Health Ins.

430-1343

ANNUIT

SPECIAL

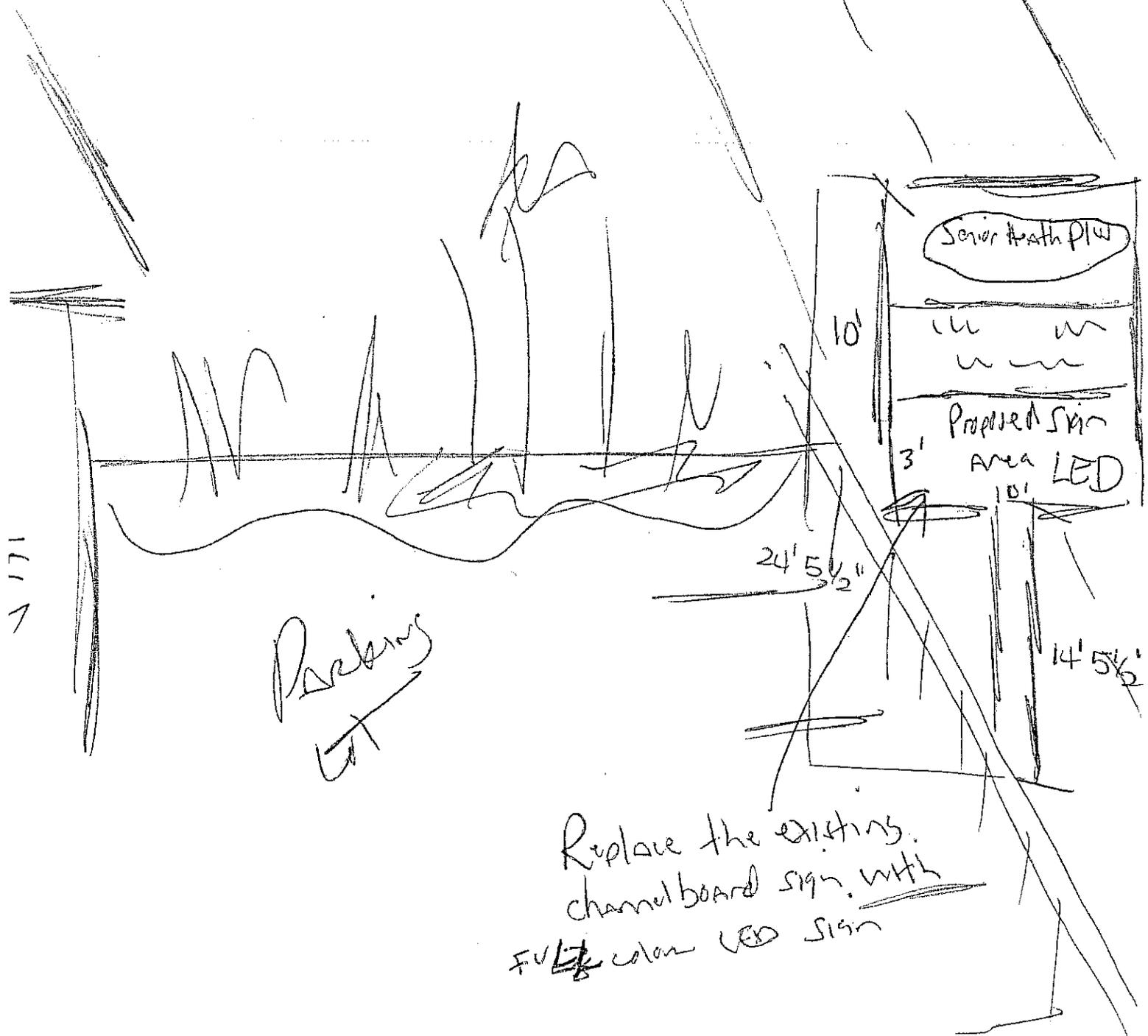
5 YEAR

GTD

Leman St

Recycle

27
9/11



Senior Health Plan

uu uu
uu uu

Proposed Sign Area LED

Parking lot

Replace the existing channel board sign with ~~FULL~~ color LED sign



To: Lady Lake Growth Management Dept.
From: Kevin Reynolds (Senior Health Plus)
RE: Variance Request Reasoning

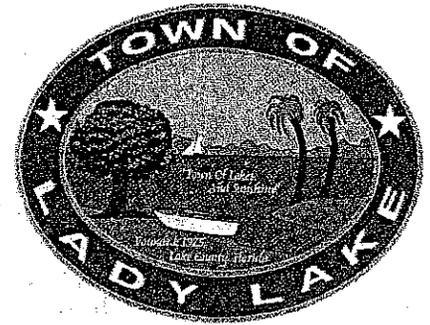
I would like to request 2 variances regarding the sign located at 117 N. Hwy 27/441 Lady Lake, Fl 32159. The first being a variance for size. I currently have an existing approved 3'x10' channelboard letter sign as part of my pylon. I would like to convert it to a 3'x10' .

The second part of the request will be for color. You currently only allow for the amber color led with black background. I would like to use a 3 color LED sign.

The main reason for the requests is safety. We currently have to climb down into the retention ditch and get on a ladder 17 feet in the air to change letters on the channelboard the then fly off with the first 15mph wind. It is impossible to keep them up there and I am running out of agents willing to risk getting on the ladder. Also, the letters fly into the traffic on 441 making it even worse. I think an LED sign will be much safer and can be controlled remotely from my office.

Thank you for your consideration,

Kevin Reynolds



May 27, 2014

RE: Special Use Permit Resolution 2014-109
Variance Resolution 2014-110
Variance Resolution 2014-111

Dear Property Owner:

This is to notify you that KM Reynolds Enterprises, LLC has filed three applications in regards to an existing freestanding sign located at 117 N. Hwy 27/441, Lady Lake, FL.

1.) The first submitted application is a Special Permit Use (SPU) application as follows:

Resolution 2014-109

Special Permit Use application in accordance with the provisions of Chapter 17, Section 17-3).e).(4) which state that any owner who desires the installation of an Electronic Message Board/Marquee Sign shall file an application for a Special Permit Use. Upon Town Commission approval, the Special Permit use will allow for the installation of an Electronic Message Board/Marquee Sign on an existing freestanding sign proposed to be erected at the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441, within the town limits of the Town of Lady Lake, Florida.

Note: Special Permit Use applications are not reviewed/heard by the P&Z Board.

2.) The second application is a variance from the Land Development Regulations as follows:

Resolution 2014-110

Variance application in accordance with the provisions of Chapter 17, Section 17-3).e).4).D).2). which requires that the electronic message board copy area shall not exceed fourteen (14) square feet per each side. The applicant is requesting to allow the electronic message board copy area to be 30 square feet on the existing freestanding sign.

3.) The third application is a variance from the Land Development Regulations as follows:

Resolution 2014-111

Variance application in accordance with the provisions of Chapter 17, Section 17-3).e).4).D).4). which states that text displayed on electronic message boards shall be amber-colored or similar lettering with black background. The applicant is requesting to allow multi-color text display on the proposed Electronic Message Board/ Marquee Sign.

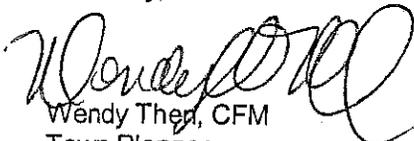
Public hearing dates on the petitions are scheduled for the following dates:

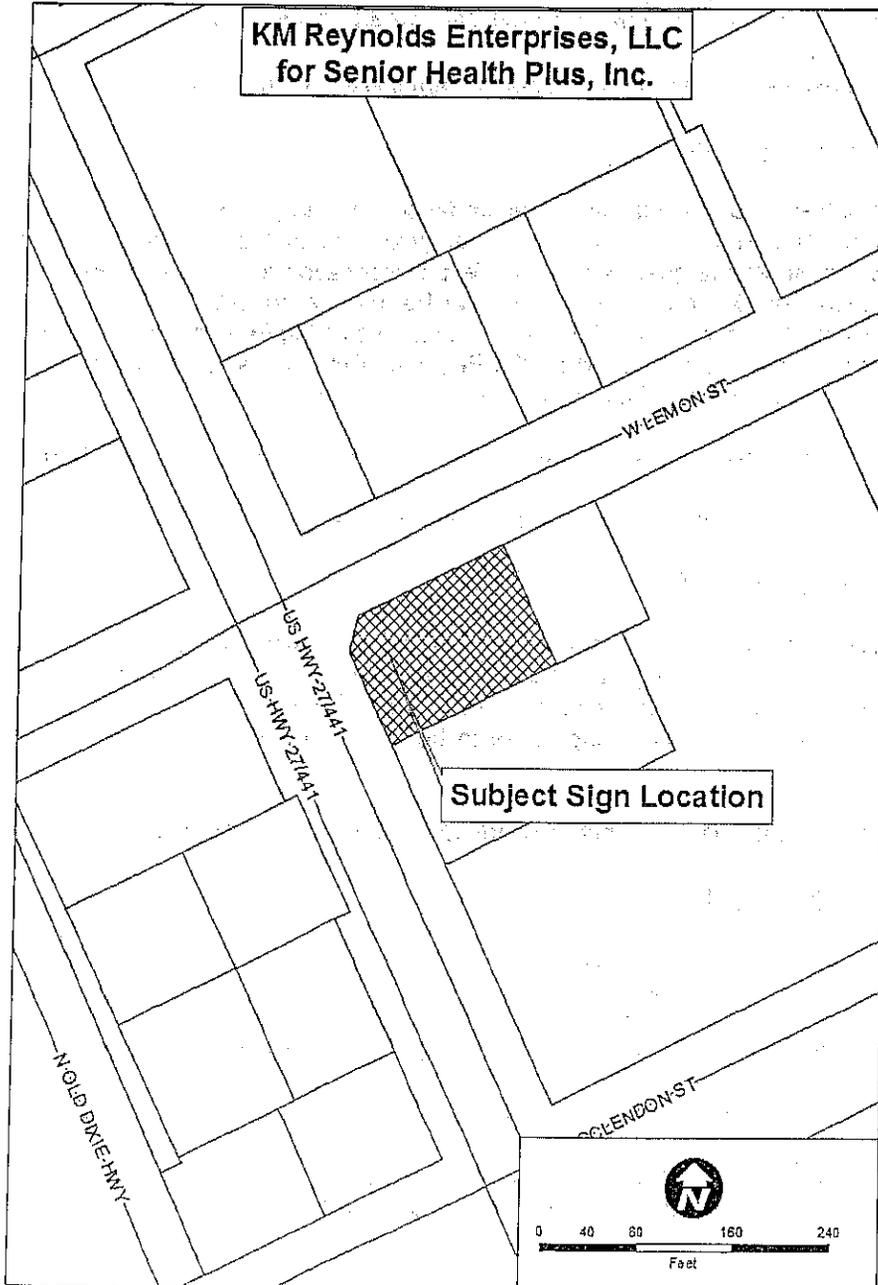
PLANNING AND ZONING BOARD- Monday, June 9, 2014 at 6:00 p.m.
COMMISSION MEETING- Monday, July 7, 2014 at 6:00 p.m.

You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours in the Growth Management Department.

All persons wishing to cross-examine any party at the public hearings are required to file a Notice to Appear with the Town Clerk at least five (5) days prior to said public hearing in order to be heard at the time and place aforesaid. However, if a person only wishes to speak or testify, and not cross-examine a party, the Notice of Appearance form does not need to be filled out. Any person wishing to appeal a decision of this public body should ensure himself that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call Town Planner Wendy Then at (352) 751-1582 or via email at WThen@LadyLake.org.

Sincerely,


Wendy Then, CFM
Town Planner



AltKey	OwnerName	OwnerAddress	OwnerCity	OwnerState	OwnerZip
1131561,					
1260370	CANGIALOSI DANIEL A & SUSAN D	1821 SHORE LINE DR	LEESBURG	FL	34748
1131600	THOMAS JOHN C	PO BOX 699	FRUITLAND PARK	FL	34731
1131626,					
1131634	BH LADY LAKE LLC	PO BOX 1559	NEW SMYRNA BEACH	FL	32170
1723701	TRETT RANDALLS ET AL	PO BOX 164	PALMYRA	IN	47164
1131529,					
1131570	LADY LAKE UNITED METHODIST CHURCH INC	115 W MC CLENDON ST	LADY LAKE	FL	32159

SENIOR HEALTH PLUS, INC.- 117 N Hwy 27/441



Detailed Specification Sheet

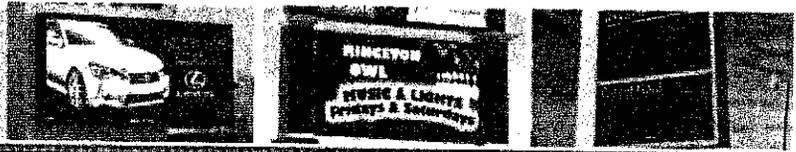
19MM COLOR LED SIGN

Standard Watchfire Features

Application	Advertising and branding
Module Type	Smart Module – fully self contained
LED Encapsulation	Fully Encapsulated with unique bed of silicone
Compliance Information	UL48, CUL48, UL Energy Verified - Green Leaf
Environmental Rating	IP 65 per face
Lifetime (1/2 Brightness)	100,000 hours
Ventilation	Unique cross ventilation and fans
Power	120 or 240 volt single phase 60Hz
Cabinet Construction	Extruded aluminum, precision mitered solid weld corners
Cabinet Depth	Front-vent signs - 5"/101.6mm; Cross-vent & Rear-vent signs - 8"/203mm
Service Access	Front
Software	Proprietary Ignite [®] . Integrates with digital signage players via Ignite live video option.
Cabinet Temperature Rating	-40° F to +140° F
Electronics Temperature Rating	-40° F to +185° F
Thermal Control	Sign automatically shuts down if over 65° C (144°F).
Color Temperature	6500° Kelvin fixed (XVS only)
Dimming	Automatic Software: 4 steps. Photocell: 1% to 100% in 1% increments with software backup.
Electronic Validation	Accurate Proof of Performance on XVS Signs
LED Type	Nichia, Cree
Security	Security HASP & password protected
User Interface	Web & stand alone PC application
Graphics Compatibility	Import capability from most AVI sources. BMP, GIF, JPG and other graphic file types.
Video Compatibility	PAL, NTSC, Live Video Capable on XVS
Video Formats	With Ignite 11.1 most AVI & WMV formats. Options include composite, component, S-Video, VGA, DVI, HDMI.
Weatherproofing	Tested per ASTM B-117 that exposes test materials to a continuous, 95°F, 7.2 ph salt fog, for 2,000 hours.
Self-Diagnostic Monitoring & Reporting	Advanced on-demand or automated diagnostics available

Technical Specifications

	W Series	XVS Series
Model Number	W19mm	XVS 19mm
Pixel Pitch	19.05mm (.750")	19.05mm (.750")
Optimized Pixel Pitch	True 19mm	True 19mm
Pixel Density Per Sq. Ft.	256	256
Pixel Density Per Sq. Meter	2,755	2,755
LEDs Per Sq. Ft.	768	768
LEDs Per Sq. Meter	8,266.7	8,266.7
Pixel Configuration	True pixel, 1R, 1G, 1B	True pixel, 1R, 1G, 1B
Max Brightness	10,000 NITS	10,000 NITS
Matrix Configuration	16 x 16 pixels	16 x 16 pixels
Module H x W	12" x 12"	12" x 12"
Horizontal Viewing Angle	140°	140°
Vertical Viewing Angle	70°	70°
Weight Per Module	8" cabinet - 4.25 lbs; 5" cabinet - 3.95 lbs	8" cabinet - 4.25 lbs; 5" cabinet - 3.95 lbs
(Video) Processing	Not Applicable	Video frame grabber on live video option
Color Processing	14 bit	16 bit
Calibration	Digit Batch Inspection— Pixel to Pixel and Module to Module	Whole-Sign Color Calibration
Minimum Viewing Distance	60 ft	60 ft
Live Video Capable	No	Yes
Video Frame Rate	Up to 30 FPS	Up to 60 FPS
Color Capability	1.15 quintillion	590 quintillion
Character Height	5" & larger	5" & larger



QUOTE NUMBER: 1410719 Revision: 1 DATE: 5/15/2014

SIGN ID: 721182 W191-S

DICK BRADY 1362400
dick brady,
1205 W VOORHEES
DANVILLE, IL 61832
()-

Shipping Destination
DICK BRADY
1205 W VOORHEES
DANVILLE, IL 61832

Job Site
Name:
Address:
City:
State: Zip:

PRODUCT SPECIFICATIONS

Pixel Pitch: W19mm Color
Pixel Matrix: 48 X 160
Cabinet Size: 41in H x 10ft 3in L x 5in D
Viewing Area: 36in H x 10ft L
Cabinet Style: Double Face Twinpak (Slim)
Character Size: 6 lines / 32 Characters at a 5" type.
Approx. Weight: 786 Lbs.
Warranty: Standard 5 Year Watchfire warranty applies.
Mfg. Lead Time: 4-6 weeks (after this document is signed & returned and receipt of down payment).

Electrical Service: 120.00 VOLT 10.00 amps per face / 20.00 amps total Single Phase Service Refer to the Installation manual for details on wiring. Based on 18.00 hours of operation a day, plus or minus 10% depending on how the sign is programmed. Example: 12.4 KWHrs a day x \$0.07 = 0.87/Day

STANDARD FEATURES

Color: LED RGB
Color Capability: 1.15 Quintillion
Viewing Angles: 140 Horiz/70 Vert
Video: plays prerecorded clips up to 30FPS;Imports Windows Video (AVI);Animated Text & graphics
Includes: Ignite Graphics Software
Brightness: Day 10,000 NITs ;Night 750 NITs

OPTIONS

Communications: RWF High Speed Long Range Wireless Modem
Group Link: Not Ordered
Temperature Sensor: w/15 ft Cable
Software Training: Web Based Software Training
Personal Computer: PC Not ordered. Ignite Included
Fiber Optic Cable: Not Ordered / Not Required
Cabinet Separation: Standard Up To 15 Feet
Power Requirements: Standard As Quoted
Sign Mounting Kit: Not Ordered / Not Required
Spare Parts Kit: Not Ordered
Webcam: Not Ordered
Custom Artwork Pkg: Not Ordered
Technician On-Site: Not Ordered

ADDITIONAL OPTIONS

NOTES

ORDER ACCEPTANCE

QUOTE VALID UNTIL 8/13/2014

Buyer acknowledges that prior to executing this Agreement Buyer has read or has had the opportunity and means to review the TERMS OF SALE and Seller's LIMITED WARRANTY, SOFTWARE LICENSE, AND LIMITATION OF LIABILITIES AND REMEDIES at http://watchfiresigns.com/terms-and-conditions-of-sale or in the alternative, a hard copy has been provided to Buyer and its receipt is acknowledged. This quote/offer is expressly limited to the acceptance by the buyer of its exact terms, including the terms of sale and seller's limited warranty, software license, and limitation of liabilities and remedies, all of which are a part of the agreement. Any purchase order or related documents buyer issues to seller (even if it contains terms in addition to or inconsistent with the terms of this agreement) for this transaction shall constitute buyer's unconditional agreement to be bound exclusively by the seller's terms and conditions of this agreement, and buyer hereby agrees that such additional or inconsistent terms shall not apply nor become a part of this agreement.



PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: June 9, 2014

SUBJECT: Resolution 2014-110 – KM Reynolds Enterprises, LLC– Variance pursuant to Chapter 17, Section 17-3).e).4).D).2). to allow the electronic message board copy area to be 30 square feet on the existing freestanding sign located on the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTIONS:

1. Motion to forward Resolution 2014-110 to the Town Commission with the Recommendation of Approval.
2. Motion to forward Resolution 2014-110 to the Town Commission with the Recommendation of Denial.

Staff is in support of Motion Number 2.

SUMMARY

Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted an application for a variance from Chapter 17, Section 17-3).e).4).D).2). which requires that the electronic message board copy area shall not exceed fourteen (14) square feet per each side. The applicant is requesting to allow the electronic message board copy area to be 30 square feet on the existing sign located on property owned by KM Reynolds Enterprises, LLC, located at 117 N Hwy 27/441 (AK #1723698), within the town limits of the Town of Lady Lake, Florida.

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Hwy 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project. The bottom part of the sign has a manually-changeable channel letter board, which copy area consists of a 10'x3' section. The applicant intends on converting the entire channel board into light-emitting diode (LED) Display copy area; meriting this variance request.

As required of the application, a Justification Statement has been submitted. In the justification statement, the applicant contends that switching from a manually-changeable channel letter board to a LED Display would result in a much cleaner, sleeker looking cabinet that would enhance the appearance of the entire pylon structure. In that the Code recognizes the need for outdoor signage, the applicant is requesting to replace the channel letter board with a sign that can be programmed from the office. Likewise, the applicant would like to keep the existing channel letter board size consistent with the size of the new LED Display sign. The applicant explains that the channel board sign is approximately 17 feet above the ground of the retention area requiring the applicant and his staff to haul a ladder into the pit and climb up to make the changes each time. Additionally, having to move the letters several times per side has become very dangerous and an extremely arduous task. Lastly, the wind blows channel letters several times a week, which his staff has to retrieve from N Hwy 27/441 under peak traffic hours creating a high liability exposure. The applicant feels that they are trying to rectify a dangerous situation not created by them but which will help in eliminating the need to put people, both employees and passing travelers, at risk of injury. Town Staff acknowledges the applicant's request; however, we understand that the purpose intended can be accomplished with a 14-square-foot LED sign; thus Town Staff recommends denial.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 20 Township 18 South Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Heavy Commercial (HC).

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Tuesday, May 27, 2014. The property also was posted on Tuesday, May 27, 2014. Resolution 2014-110 was reviewed by Town Attorney, Derek Schroth, on Friday, May 30, 2014, and determined correct in form.

COMMENTS:

- The applicant has submitted another variance application concurrently with this application requesting the Electronic Message Board/Marquee Sign to be allowed to display multi-color.

Past Actions:

The **Technical Review Committee** reviewed the application for Resolution 2014-110 at its regular meeting on Tuesday, May 20, 2014, recommending approval with a 4-0 vote.

Public Hearings:

The **Town Commission** will review the application for Resolution 2014-110 for final consideration at its regular meeting on Monday, July 7, 2014 at 6:00 p.m.

FISCAL IMPACT: \$ _____

- Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD *[Signature]* Submitted *6/2/14* Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER *[Signature]* Approved Agenda Item for: *6/9/14* Date *6/2/14*

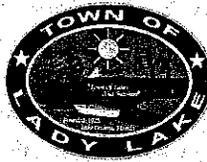
BOARD ACTION: Approved as Recommended

RECOMMENDATION OF
 Disapproved
MONTELEONE/MCKENZIE 5-0

Tabled Indefinitely Continued to Date Certain

Approved with Modification

cc: THAD-G.M.



**TECHNICAL REVIEW COMMITTEE
APPLICATION FOR A VARIANCE**

Meeting of May 20, 2014

TO: Technical Review Committee
FROM: Wendy Then, Town Planner
SUBJECT: Resolution 2014-110-Variance Request for Electronic Message Board Copy Area Increase
APPLICANT: Kevin Reynolds with KM Reynolds Enterprises, LLC
DATE: May 14, 2014

SUMMARY: Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted an application for a variance from Chapter 17, Section 17-3).e).4).D).2), which requires that the electronic message board copy area shall not exceed fourteen (14) square feet per each side. The applicant is requesting to allow the electronic message board copy area to be 30 square feet on the existing sign located on property owned by KM Reynolds Enterprises, LLC, located at 117 N Hwy 27/441 (AK #1723698), within the town limits of the Town of Lady Lake, Florida.

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Hwy 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project. The bottom part of the sign has a manually-changeable channel letter board, which copy area consists of a 10'x30' section. The applicant intends on converting the entire channel board into light-emitting diode (LED) Display copy area; meriting this variance request.

As required of the application, a Justification Statement has been submitted. In the justification statement, the applicant contends that switching from a manually-changeable channel letter board to a LED Display would result in a much cleaner, sleeker looking cabinet that would enhance the appearance of the entire pylon structure. In that the Code recognizes the need for outdoor signage, the applicant is requesting to the replace the channel letter board with a sign that can be programmed from the office. Likewise, the applicant would like to keep the existing channel letter board size consistent with the size of the new LED Display sign. The applicant explains that the channel board sign is approximately 17 feet above the ground of the retention area requiring the applicant and his staff to haul a ladder into

the pit and climb up to make the changes each time. Additionally, having to move the letters several times per side has become very dangerous and an extremely arduous task. Lastly, the wind blows channels letters several times a week, which his staff has to retrieve from N Hwy 27/441 under peak traffic hours creating a high liability exposure. The applicant feels that they are trying to rectify a dangerous situation not created by them but which will help in eliminating the need to put people, both employees and passing travelers, at risk of injury.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 20 Township South 18 Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Heavy Commercial (HC). The application is complete and ready to be transmitted to the Planning & Zoning Board for their recommendation.

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed variance will be mailed by certified mail return receipt on Tuesday, May 27, 2014. The property will also be posted on Tuesday, May 27, 2014.

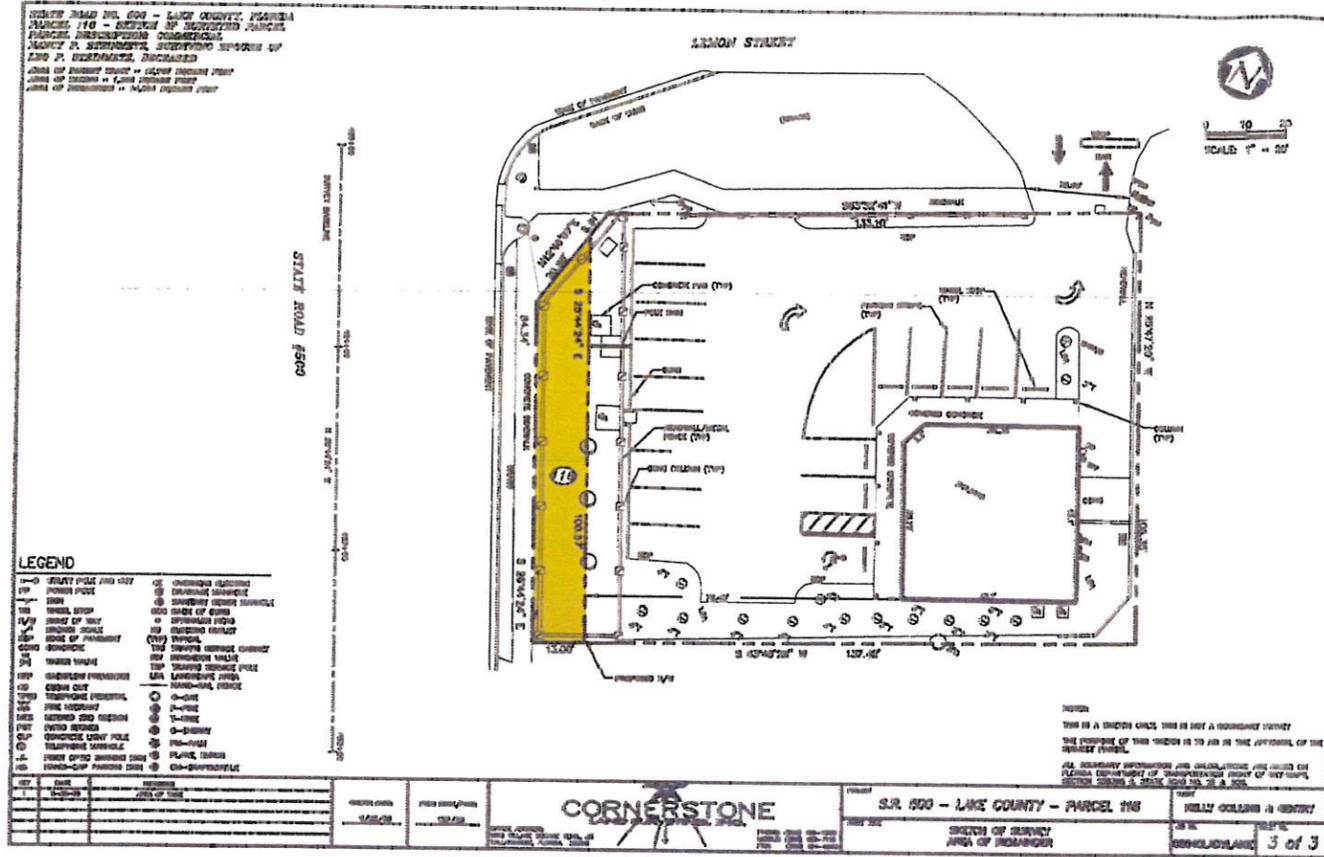
COMMENTS:

- The applicant has submitted another variance application concurrently with this application requesting the Electronic Message Board/Marquee Sign to be allowed to display multi-color.

Public Hearings:

The **Planning and Zoning Board** will review the application for Resolution 2014-110 at its regular meeting on Monday, June 9, 2014 at 6:00 p.m.

The **Town Commission** will review the application for Resolution 2014-110 for final consideration at its regular meeting on Monday, July 7, 2014 at 6:00 p.m.



RE-DEVELOPMENT SUMMARY:

ZONING: HEAVY COMMERCIAL
 FLU: COMMERCIAL GENERAL - RETAIL SALES & SERVICES

UTILITIES
 WATER: TOWN OF LADY LAKE
 SEWER: TOWN OF LADY LAKE

LANDSCAPE SUMMARY

BEFORE	=	±23 FT
AFTER (CURED)	=	±10 FT
REQUIRED	=	20 FT

SIGN SUMMARY

		BEFORE	REQUIRED
HEIGHT	=	24.5 FT	8 FT
COPY AREA	=	100 SF	80 SF
SETBACK	=	13.3 FT	10 FT
HEIGHT	=	24.5 FT	8 FT
COPY AREA	=	100 SF	80 SF
SETBACK	=	±1 FT	10 FT

EXISTING NONCONFORMITIES (BEFORE)

- SIGN HEIGHT
- SIGN COPY AREA

NONCONFORMITIES (AFTER)

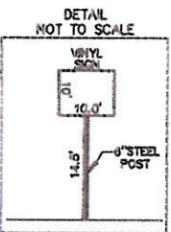
- SIGN HEIGHT
- SIGN COPY AREA
- SIGN SETBACK
- LANDSCAPE BUFFER WIDTH

RELIEF REQUESTED

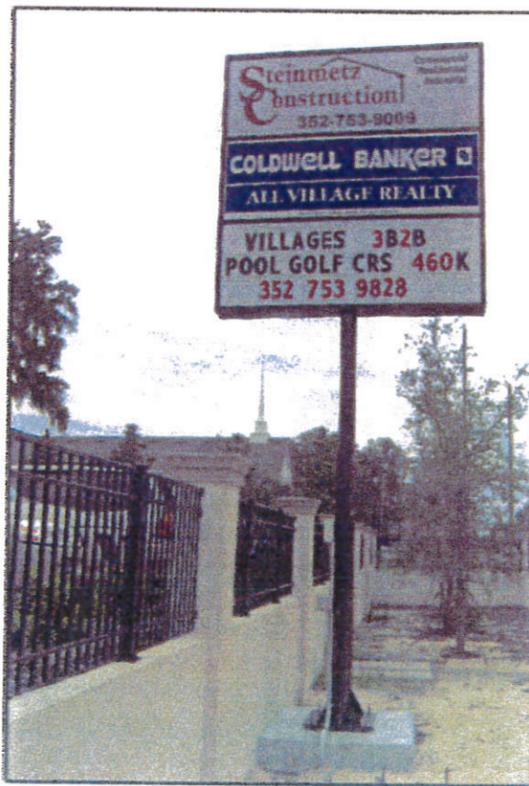
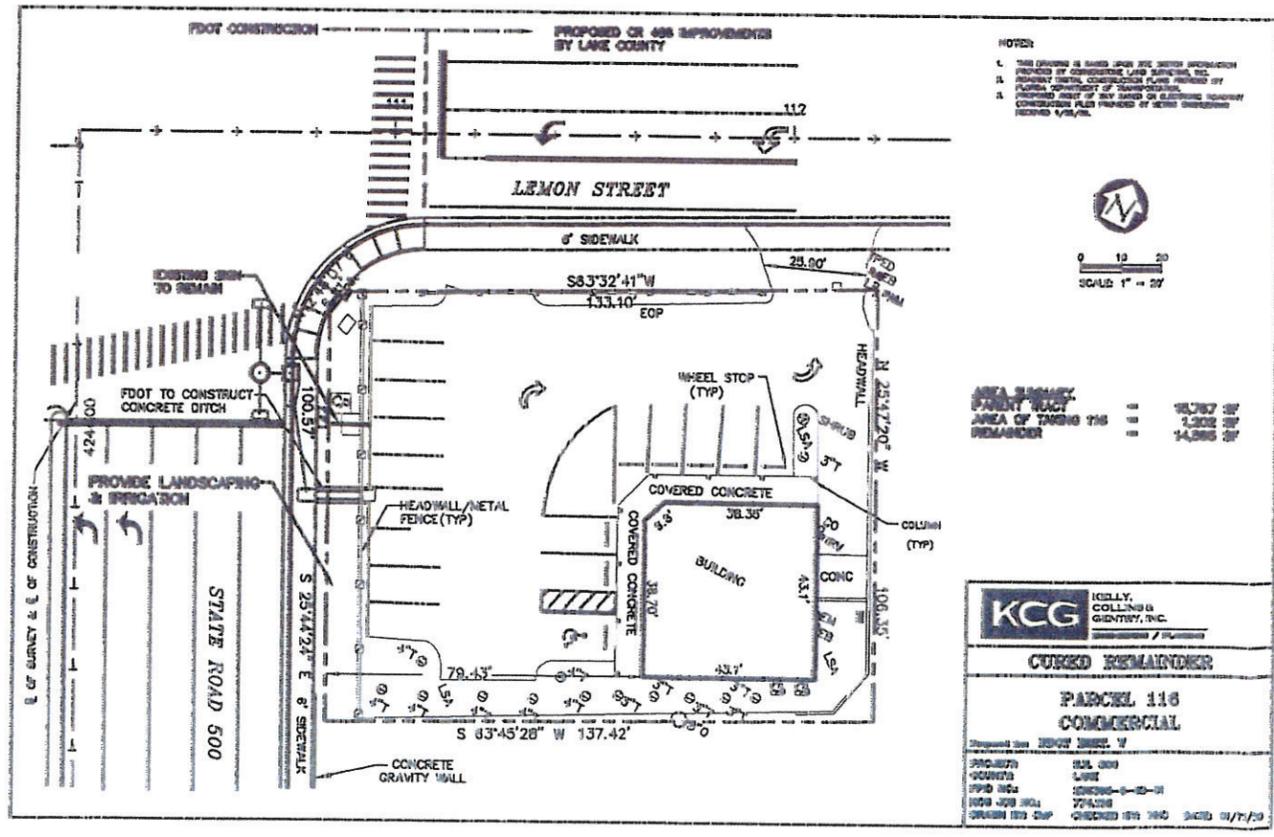
- EXISTING SIGN TO REMAIN (LDR CH. 17 SEC. 4) B) 2.)
- BUFFER: 10' MINIMUM WIDTH WITH CANOPY TREES AND CONTINUOUS HEDGE (LDR CH. 10, SEC. 2) b) 1) B) 2) a).



LOCATION MAP



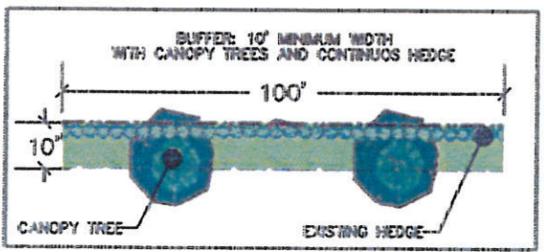
EXISTING SIGN



EXISTING SIGN



LANDSCAPE STRIP/RETENTION AREA



LANDSCAPE BUFFER STRIP

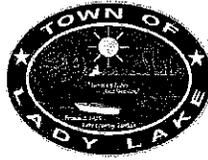
KELLY, COLLINS & GENTRY, INC.
 1100 W. UNIVERSITY BLVD. SUITE 400
 LADY LAKE, FL 32159
 (407) 963-1000 FAX (407) 963-1008

PREPARED ON BEHALF OF:
 FDOT DISTRICT 5

PARCEL 116
 STEINMETZ
 OFFICE BUILDING

TOWN OF LADY LAKE
 CURE APPROVAL
 (ORDINANCE 2010-04)

DATE: 01/17/10



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: July 7, 2014

SUBJECT: Resolution 2014-111 – KM Reynolds Enterprises, LLC– Variance pursuant to Chapter 17, Section 17-3).e).4).D).4). to allow multi-color text display on the proposed Electronic Message Board on the existing freestanding sign located on the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTION:

Staff recommends approval of Resolution No. 2014-111- Request to allow multi-color text display on the proposed Electronic Message Board on the existing freestanding sign located on the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698).

SUMMARY

Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted an application for a variance from Chapter 17, Section 17-3).e).4).D).4). which states that text displayed on electronic message boards shall be amber-colored or similar lettering with black background. The applicant is requesting to allow multi-color text display on the proposed Electronic Message Board/ Marquee Sign on property owned by KM Reynolds Enterprises, LLC, located at 117 N Hwy 27/441 (AK #1723698), within the town limits of the Town of Lady Lake, Florida.

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Highway 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project. The bottom part of the existing sign has a manually-changeable channel letter board, which copy area consists of a 10'x3' section.

As required of the application, a Justification Statement has been submitted. In the justification statement, the applicant indicates that aside from business uses, the sign would also be used to announce various senior related events throughout Lady Lake and The Villages thus the need for multi-color text display. Senior Health Plus, Inc. prides itself in organizing holiday related food drives and fundraisers tailored to the needs to the community, so the sign will help continue to project the image of the organization. Senior Health Plus, Inc. actively operates a booth at the Lady Lake

Farmers Market and participates in educational meetings and events at medical facilities in the region. The applicant expressed that there are other signs of similar nature within Town of Lady Lake corporate limits and that they recognize the need to upgrade their outdoor signage into a cleaner, more up-to-date pylon sign with multi-color text display features. Other businesses and organizations within the Lady Lake community currently display multi-color text; therefore, Town Staff in support of the request.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 20 Township 18 South Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Heavy Commercial (HC).

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Tuesday, May 27, 2014. The property also was posted on Tuesday, May 27, 2014. Resolution 2014-111 was reviewed by Town Attorney, Derek Schroth, on Friday, May 30, 2014, and determined correct in form.

COMMENTS:

- The applicant has submitted another variance application concurrently with this variance application requesting the Electronic Message Board/Marquee Sign to be allowed to be increased in size from 14 square feet to 30 square feet within the frame of the existing freestanding sign.

Past Actions:

The **Technical Review Committee** reviewed the application for Resolution 2014-111 at its regular meeting on Tuesday, May 20, 2014, recommending approval with a 4-0 vote.

Public Hearings:

The **Planning and Zoning Board** reviewed the application for Resolution 2014-111 at its regular meeting on Monday, June 9, 2014, with a recommendation of approval with a vote of 4-1.

FISCAL IMPACT: \$ _____

- Capital Budget
 - Operating
 - Other
-

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD

[Handwritten signature]

Submitted 6/30/14

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

TOWN MANAGER

[Handwritten initials]

Approved Agenda Item for: 7/7/14

Date 6/30/14

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modification

[Handwritten note]
6-30-14

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TOWN OF LADY LAKE, FLORIDA

Ruth Kussard, Mayor

ATTEST:

Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney

ACKNOWLEDGED:

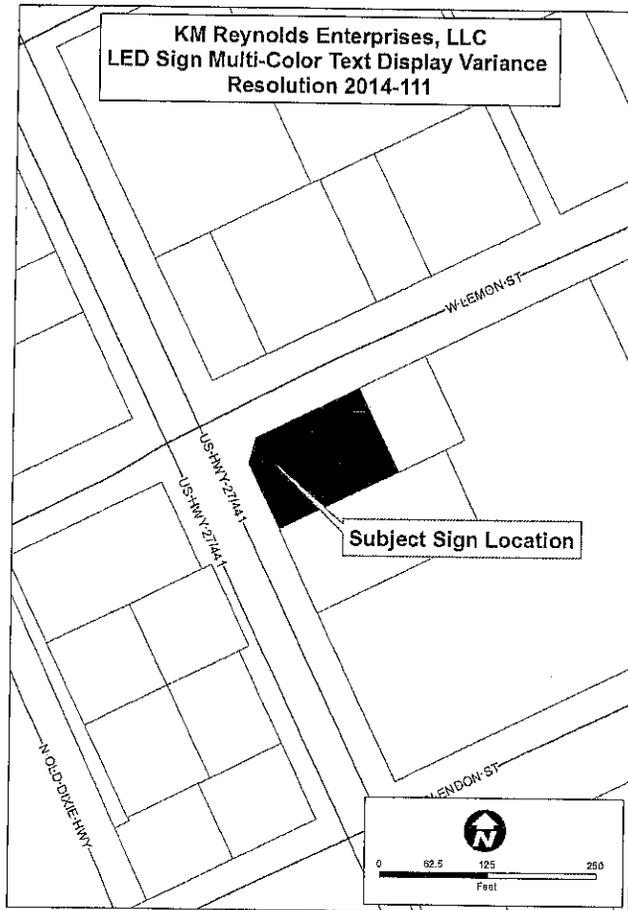
The undersigned land owner by the execution hereof agrees to comply with the conditions of the special permit use as established herein.

KM Reynolds Enterprises LLC
Property Owner/Representative

Exhibit A – Legal Description

Section 20 Township 18 South Range 24 East

LADY LAKE W 150 FT OF N'LY 1/2 OF LOT 40--LESS FROM SE COR OF SE 1/4 OF SEC 17-18-24 RUN N 89-55-52 W ALONG S LINE OF SE 1/4 A DIST OF 443.81 FT TO A POINT ON NE'LY R/W LINE OF US HWY 441, RUN N 25-44-24 W ALONG NE'LY R/W LINE 578.68 FT FOR POB, CONT ALONG SAID NE'LY R/W LINE N 25-44-24 W 21.45 FT TO NW COR OF SAID LOT 40, N 63-33-50 E ALONG N LINE OF LOT 40 A DIST OF 17.24 FT, S 12-46-21 W 27.68 FT TO POB FOR RD R/W & LESS FROM SE COR OF SEC 17-18-24 RUN N 89-55-43 W 499.35 FT TO CENTERLINE OF SR 500, N 25-44-24 W ALONG SAID CENTERLINE A DIST OF 575.14 FT TO A POINT OF INTERSECTION WITH THE EXTENDED S'LY R/W LINE OF LEMON ST, THENCE RUN N 63-32-41 E ALONG SAID EXTENDED LINE A DIST OF 50 FT TO EXISTING E'LY R/W LINE OF SR 500 & S'LY R/W LINE OF LEMON ST, THENCE CONT N 63-32-41 E ALONG & S'LY R/W LINE OF LEMON ST A DIST OF 17.24 FT, S 12-46-07 W 6.81 FT FOR POB, RUN S 25-44-24 E 100.57 FT, S 63-45-28 W 13 FT TO E'LY R/W OF SR 500, N 25-44-24 W ALONG SAID E'LY R/W LINE A DIST OF 84.34 FT, N 12-46-07 E 20.88 FT TO POB OF ADDITIONAL RD R/W--PB 8 PG 9 ORB 4345 PG 1385 |



TOWN OF LADY LAKE
VARIANCE APPLICATION



Alt. Key Number 1723698

1. Owner's name: K M Reynolds Enterprises, LLC
Mailing Address: 1415 SW 17th St., Ocala, FL 34471
Email Address: Seniorhealthplus@hotmail.com
Telephone #: 352-430-1343
2. Applicant's Name: Kevin Reynolds Enterprises, LLC
Mailing Address: 117 N Hwy 27/44, Lady Lake, FL 32153
Email Address: Seniorhealthplus@hotmail.com
Telephone #: 352-430-1343
3. Applicant is: Owner: Agent Purchaser Lessee Optionee
4. Property Address/Location: 117 N Hwy 27/44
5. Legal Description: see PRC attached
6. The variance requested is as follows: Increase in LED Sign Display Area from 14 sq. ft to 30 sq. ft
7. The variance is necessary for the following reasons: Safety & Space Requirements on Existing Sign
8. Is your situation due to unique circumstances not created by you or your predecessor in title? Explain such circumstances:
Yes, it is mostly a safety issue with existing sign height

9. Do special conditions and circumstances exist which are peculiar to your land or structure and which are not applicable to other lands or structures in the same district? Explain such conditions or circumstances:

Yes, my swim is located in the drainage area and
structure is much harder to access than a swim at ground level

10. Would literal interpretation of the provisions of the Code deprive you of rights commonly enjoyed by other property owners in the same district? Explain such rights:

Yes because of the location and height of sign

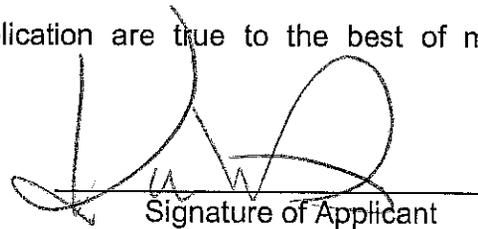
11. A variance, as requested, will not permit, establish or enlarge any use or structure which is not permitted in the district. Does your request meet this criterion?

Yes

12. Have any land use applications been filed within the last year in connection with this property? ___Yes No. If yes, briefly describe the nature of the request and the date it was done:

This application must be accompanied by proof of ownership and authorization from the owner if represented by an agent or contract purchaser. It must also include a drawing showing the exact locations and dimensions of all existing and proposed buildings and additions, required setbacks, existing easements and clearly delineate the specific variance requested.

I certify that the statements in this application are true to the best of my knowledge.


Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND FORTY-TWO (42) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATION, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT.

Office Use:

Date Application Received: 05 08 14 Received by: W. H. H.

Fees Paid: \$250.00

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Karin Reynolds
who being by me first duly sworn on oath, deposes and says:

(1) That he is the fee-simple owner of the property legally described on page one of this application.

(2) That he desires approval for:

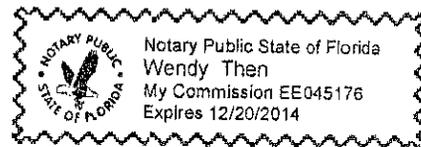
Variance for LED Sign Size Increase

(3) That he has appointed Self to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

[Signature]
Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 8th day of May, 2014, by Karin Reynolds, who is personally known to me or who has produced PID as identification and who did (did not) take an oath.

[Signature]
Notary Public



NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

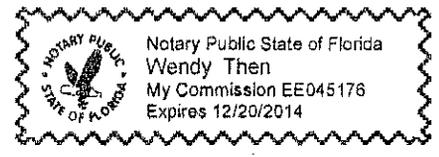
Before me, the undersigned authority personally appeared Karin Reynolds, who being by me first duly sworn on oath, deposes and says:

- (1) That he affirms and certifies that he understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.
- (2) That he desires approval for:
Variance for LED Sign Size Increase
- (3) That the submittal requirements for the application have been completed and attached hereto as part of this application.

[Signature]
Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 0th day of May, 20 14, by Karin Reynolds who is personally known to me or who has produced R.D. as identification and who did (did not) take an oath.

[Signature]
Notary Public



Property Record Card

General Information

Alternate Key:	1723698	Parcel:	20-18-24-040000004000
Owner Name:	KM REYNOLDS ENTERPRISES LLC	Millage:	00LL (Lady Lake) : 17.6629
Owner Address:	1415 SW 17TH ST OCALA, FL 34471	Property Location:	117 N US 441/27 LADY LAKE FL 32159
Legal Description:	LADY LAKE W 150 FT OF N'LY 1/2 OF LOT 40--LESS FROM SE COR OF SE 1/4 OF SEC 17-18-24 RUN N 89-55-52 W ALONG S LINE OF SE 1/4 A DIST OF 443.81 FT TO A POINT ON NE'LY R/W LINE OF US HWY 441, RUN N 25-44-24 W ALONG NE'LY R/W LINE 578.68 FT FOR POB, CONT ALONG SAID NE'LY R/W LINE N 25-44-24 W 21.45 FT TO NW COR OF SAID LOT 40, N 63-33-50 E ALONG N LINE OF LOT 40 A DIST OF 17.24 FT, S 12-46-21 W 27.68 FT TO POB FOR RD R/W & LESS FROM SE COR OF SEC 17-18-24 RUN N 89-55-43 W 499.35 FT TO CENTERLINE OF SR 500, N 25-44-24 W ALONG SAID CENTERLINE A DIST OF 575.14 FT TO A POINT OF INTERSECTION WITH THE EXTENDED S'LY R/W LINE OF LEMON ST, THENCE RUN N 63-32-41 E ALONG SAID EXTENDED LINE A DIST OF 50 FT TO EXISTING E'LY R/W LINE OF SR 500 & S'LY R/W LINE OF LEMON ST, THENCE CONT N 63-32-41 E ALONG & S'LY R/W LINE OF LEMON ST A DIST OF 17.24 FT, S 12-46-07 W 6.81 FT FOR POB, RUN S 25-44-24 E 100.57 FT, S 63-45-28 W 13 FT TO E'LY R/W OF SR 500, N 25-44-24 W ALONG SAID E'LY R/W LINE A DIST OF 84.34 FT, N 12-46-07 E 20.88 FT TO POB OF ADDITIONAL RD R/W--PB 8 PG 9 ORB 4345 PG 1385		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	OFFICE MULTI STORY (1800)	0	0		14363	SF	\$0.00	\$100,541.00

Commercial Building(s)

Building 1

Commercial	Building Value: \$241,329.00
Summary	Section(s)



THIS INSTRUMENT PREPARED BY AND RETURN TO:

Patricia R. Mueller, Esq.
PATRICIA R. MUELLER, P.A.
3900 Lake Center Drive, Suite A-5
Mount Dora, Florida 32757

State of Florida Deed Documentary Stamps paid on this transaction: \$2,730.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED, made the 25th day of June, 2013 by Nancy P. Steinmetz, a married woman, whose post office address is Post Office Box 217, Lady Lake, FL 32158 herein called the Grantor, to KM Reynolds Enterprises, LLC, Florida limited liability company whose post office address is 1415 SW 17th Street, Ocala, FL 34471, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in LAKE County, State of Florida, viz.:

The West 150 feet of the Northerly 1/2 of Lot 40, in the Town of Lady Lake, Florida, according to the Official Plat thereof recorded in Plat Book 8, Page 10, Public Records of Lake County, Florida,

LESS AND EXCEPT:

From the Northeast corner of Section 20, Township 18 South, Range 24 East, marked by a railroad spike with no identification located in a cut-out in asphalt, run North 89 degrees 55'43" West along the Northerly boundary line of Section 20, a distance of 499.35 feet to the centerline of survey of State Road 500, as shown of Florida Department of Transportation Right of Way Map Section 11040, Financial Project No. 238395 5; thence run North 25 degrees 44'24" West, along said centerline, a distance of 575.14 feet to a point of intersection with the extended Southerly right of way line of Lemon Street; thence run North 63 degrees 32'41" East, along said extended line a distance of 50.00 feet to the existing Easterly right of way of said State Road 500 and the Southerly right of way line of Lemon Street, an 80 foot right of way; thence continue North 63 degrees 32'41" East, along said Southerly right of way line of Lemon Street, a distance of 17.24 feet to the Northeast corner of that Tract of land described in Official Records Book 3643, Pages 1794 through 1797, as recorded in Official Records of Lake County; thence run South 12 degrees 46'07" West along the Southeasterly line of said Tract a distance of 6.81 feet to the Point of Beginning; thence run South 25 degrees 44'24" East, a distance of 100.57 feet; thence run South 63 degrees 45'28" West, a distance of 13.00 feet to the Easterly right of way line of State Road 500; thence run North 25 degrees 44'24" West, along said Easterly right of way line, a distance of 84.34 feet to the Southeasterly line of the aforesaid Tract; thence run North 12 degrees 46'07" East a distance of 20.88 feet to the Point of Beginning.

AND LESS AND EXCEPT:

A Triangular shaped strip of land being a portion of that certain described property per Official Records Book 716, Page 492, Public Records of Lake County, Florida, being in the Southeast 1/4 of Section 17, Township 18 South, Range 24 East, Lake County, Florida, and being a part of Lot 40, Official Plat of Town of Lady Lake according to the Plat thereof as recorded in Plat Book 8, Page 10, of the Public Records of Lake County, Florida, and being more particularly described as follows:

Commence at the Southeast corner of the Southeast 1/4 of Section 17, Township 18 South, Range 24 East, thence run North 89 degrees 55'52" West along the South line of said Southeast 1/4 for a distance of 443.81 feet to a point of the Northeasterly right of way line of State Road 500, also known as U.S. 441; thence run North 25 degrees 44'24" West along said Northeasterly right of way line of said State Road 500, and along a line being 50.00 feet East of and parallel with, as measured at right angles, the centerline of State Road 500, as positioned per Florida Department of Transportation Specific Purpose Survey, Section 11040, dated 07/03/02, prepared by Jones, Wood and Gentry, Inc., for a distance of 578.68 feet to the Point of Beginning; thence continue along said Northeasterly right of way line North 25 degrees 44'24" West, for a distance of 21.45 feet to the Northwest corner of said Lot 40; thence North 63 degrees 33'50" East along the North line of said Lot 40, for a distance of 17.24 feet; thence run South 12 degrees 46'21" West, for a distance of 27.68 feet to the Point of Beginning.

Property Appraisers Parcel Identification (Folio) Number: 2018240400-000-04000

The property conveyed herein does not constitute the homestead property of the Grantor.

Subject to easements, restrictions and reservations of record and taxes for the year 2013 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2012.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature

Nancy P. Steinmetz
Nancy P. Steinmetz

Ken Boggs
Witness #1 Printed Name

Patricia R. Mueller
Witness #2 Signature

Patricia R. Mueller
Witness #2 Printed Name

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 25th day of June, 2013 by Nancy P. Steinmetz who is personally known to me or has produced _____ as identification.

SEAL

Patricia R. Mueller
Notary Public



Printed Notary Name

My Commission Expires:



Statement of Justification

Diminution in value of surrounding properties:

Replacing the existing approved channel board sign would not result in any diminution of value to surrounding businesses. If anything, the result would be a much cleaner, sleeker looking cabinet that will enhance the appearance of the entire pylon structure. Similar signage is already approved within Lady Lake.

Granting of the permit would be of benefit to the public:

The sign, aside from business uses, would also be used to announce various senior related events throughout Lady Lake and The Villages. Senior Health Plus has a booth at the Lady Lake farmers market and participates in educational meetings and events at medical facilities in the region. We also organize holiday related food drives and fundraisers tailored to the needs of the community.

Denial of the permit would result in unnecessary hardship to the owner seeking it:

Our existing sign was approved to be constructed in the retention area in front of the building. Due to this fact, reaching the channel board for changes is extremely difficult, and dangerous. The channel board sign is approximately 17 feet above the ground of the retention area requiring us to haul a ladder into the pit and erect it and climb 17 feet up to make changes each time. We also have to move it several times per side to space the letters properly. This is a very dangerous and extremely arduous task. So much so that I don't have anyone left in the office that is willing to do it. There is also a huge problem with wind. We find that within a day or two multiple letters have been blown off, many into 441 and need to be retrieved by my staff during peak traffic hours, not to mention the possibility of a traffic accident,

The use must not be contrary to the spirit of the code:

This request is not contrary to the spirit of the code. The code recognizes the need for outdoor signage, as it had previously approved the pylon that exists today. We are simply requesting to replace the existing, outdated channel board sign, with a new led sign that can be programmed from my office, eliminating the issues previously outlined.

Financial disadvantages and/or inconveniences to the applicant shall not be themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance:

Approval of the led sign is not justification of a financial disadvantage or inconvenience, but rather a resolution to a dangerous situation, not created by myself. We cannot continue to use the channel board type

sign as I am not willing to put my employees at risk. The new sign would provide a cleaner more up-to date look for the existing pylon, but more importantly, eliminate the need to put people, including passing travelers, at risk of injury.

Physical hardships such as disabilities of any applicant may be considered ground to justify granting of a variance at the discretion of the Towns Commission:

The applicant is not requesting a disability hardship.



To: Lady Lake Growth Management Dept.
From: Kevin Reynolds (Senior Health Plus)
RE: Variance Request Reasoning

I would like to request 2 variances regarding the sign located at 117 N. Hwy 27/441 Lady Lake, FL 32159. The first being a variance for size. I currently have an existing approved 3'x10' channelboard letter sign as part of my pylon. I would like to convert it to a 3'x10' .

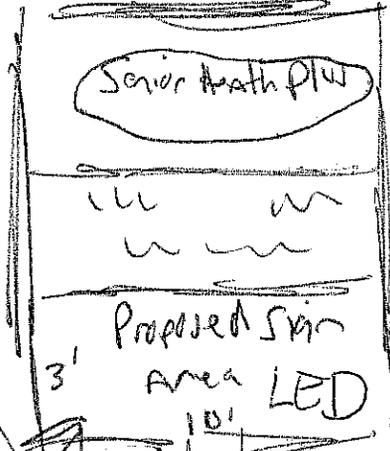
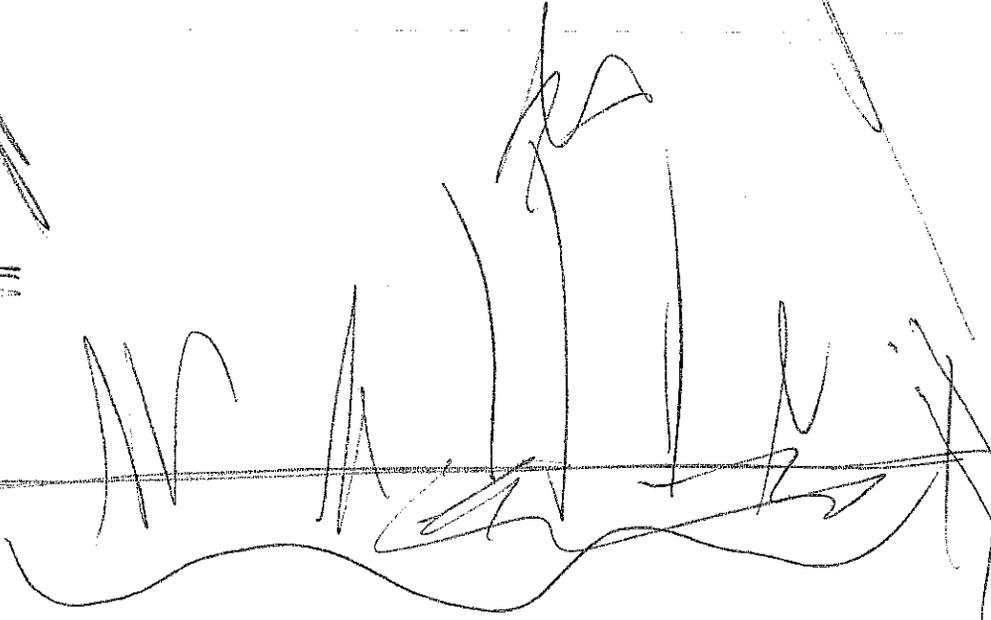
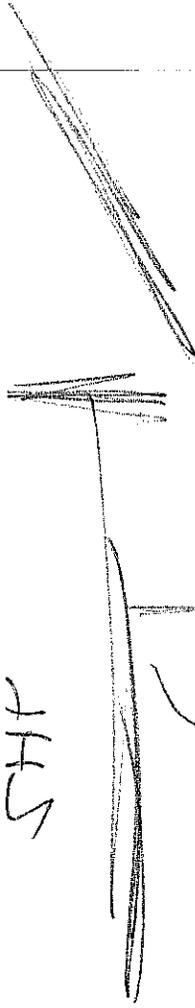
The second part of the request will be for color. You currently only allow for the amber color led with black background. I would like to use a 3 color LED sign.

The main reason for the requests is safety. We currently have to climb down into the retention ditch and get on a ladder 17 feet in the air to change letters on the channelboard then fly off with the first 15mph wind. It is impossible to keep them up there and I am running out of agents willing to risk getting on the ladder. Also, the letters fly into the traffic on 441 making it even worse. I think an LED sign will be much safer and can be controlled remotely from my office.

Thank you for your consideration,

Kevin Reynolds

27
941



SHH

Parking
lot

Replace the existing
channel board sign with
~~FULL~~ color LED sign

Senior Health Plus, Inc.

 Insurance Made Simple!

Medicare Advantage HMO's & PPO's
Medicare Supplements - Part D Plans - Long Term Care
Fixed Annuities - Life Insurance - Under 65 Health Ins.

430-1343

ANNUIT SPECIAL
5 YEAR GTD

Lemon St

Fire
Water





Detailed Specification Sheet

19MM COLOR LED SIGN

Application	Advertising and branding
Module Type	Smart Module – fully self contained
LED Encapsulation	Fully Encapsulated with unique bed of silicone
Compliance Information	UL48, CUL48, UL Energy Verified - Green Leaf
Environmental Rating	IP 65 per face
Lifetime (1/2 Brightness)	100,000 hours
Ventilation	Unique cross ventilation and fans
Power	120 or 240 volt single phase 60Hz
Cabinet Construction	Extruded aluminum, precision mitered solid weld corners
Cabinet Depth	Front-vent signs - 5"/101.6mm; Cross-vent & Rear-vent signs - 8"/203mm
Service Access	Front
Software	Proprietary Ignite [®] . Integrates with digital signage players via Ignite live video option.
Cabinet Temperature Rating	-40° F to +140° F
Electronics Temperature Rating	-40° F to +185° F
Thermal Control	Sign automatically shuts down if over 65° C (144°F).
Color Temperature	6500° Kelvin fixed (XVS only)
Dimming	Automatic Software: 4 steps. Photocell: 1% to 100% in 1% increments with software backup.
Electronic Validation	Accurate Proof of Performance on XVS Signs
LED Type	Nichia, Cree
Security	Security HASP & password protected
User Interface	Web & stand alone PC application
Graphics Compatibility	Import capability from most AVI sources. BMP, GIF, JPG and other graphic file types.
Video Compatibility	PAL, NTSC, Live Video Capable on XVS
Video Formats	With Ignite 11.1 most AVI & WMV formats. Options include composite, component, S-Video, VGA, DVI, HDMI.
Weatherproofing	Tested per ASTM B-117 that exposes test materials to a continuous, 95°F, 7.2 ph salt fog, for 2,000 hours.
Self-Diagnostic Monitoring & Reporting	Advanced on-demand or automated diagnostics available

Model Number	W19mm	XVS 19mm
Pixel Pitch	19.05mm (.750")	19.05mm (.750")
Optimized Pixel Pitch	True 19mm	True 19mm
Pixel Density Per Sq. Ft.	256	256
Pixel Density Per Sq. Meter	2,755	2,755
LEDs Per Sq. Ft.	768	768
LEDs Per Sq. Meter	8,266.7	8,266.7
Pixel Configuration	True pixel, 1R, 1G, 1B	True pixel, 1R, 1G, 1B
Max Brightness	10,000 NITS	10,000 NITS
Matrix Configuration	16 x 16 pixels	16 x 16 pixels
Module H x W	12" x 12"	12" x 12"
Horizontal Viewing Angle	140°	140°
Vertical Viewing Angle	70°	70°
Weight Per Module	8" cabinet - 4.25 lbs; 5" cabinet - 3.95 lbs	8" cabinet - 4.25 lbs; 5" cabinet - 3.95 lbs
(Video) Processing	Not Applicable	Video frame grabber on live video option
Color Processing	14 bit	16 bit
Calibration	Digit Batch Inspection— Pixel to Pixel and Module to Module	Whole-Sign Color Calibration
Minimum Viewing Distance	60 ft	60 ft
Live Video Capable	No	Yes
Video Frame Rate	Up to 30 FPS	Up to 60 FPS
Color Capability	1.15 quintillion	590 quintillion
Character Height	5" & larger	5" & larger

Specifications are subject to change without prior notice.
Copyright ©2012



QUOTE NUMBER: 1410719 Revision: 1 DATE: 5/15/2014

SIGN ID: 721182 W191-S

DICK BRADY 1362400
dick brady,
1205 W VOORHEES
DANVILLE, IL 61832
()-

Shipping Destination
DICK BRADY
1205 W VOORHEES
DANVILLE, IL 61832

Job Site
Name:
Address:
City:
State: Zip:

PRODUCT SPECIFICATIONS

Pixel Pitch: W19mm Color
Pixel Matrix: 48 X 160
Cabinet Size: 41in H x 10ft 3in L x 5in D
Viewing Area: 36in H x 10ft L
Cabinet Style: Double Face Twinpak (Slim)
Character Size: 6 lines / 32 Characters at a 5" type.
Approx. Weight: 786 Lbs.
Warranty: Standard 5 Year Watchfire warranty applies.
Mfg. Lead Time: 4-6 weeks (after this document is signed & returned and receipt of down payment).

Electrical Service: 120.00 VOLT 10.00 amps per face / 20.00
amps total Single Phase Service Refer to
the Installation manual for details on
wiring. Based on 18.00 hours of operation a
day, plus or minus 10% depending on how
the sign is programmed.
Example: 12.4 KWHrs a day x \$0.07 = 0.87/Day

STANDARD FEATURES

Color: LED RGB
Color Capability: 1.15 Quintillion
Viewing Angles: 140 Horiz/70 Vert
Video: plays prerecorded clips up to
30FPS;Imports Windows Video
(AVI);Animated Text & graphics
Includes: Ignite Graphics Software
Brightness: Day 10,000 NITS ;Night 750 NITS

OPTIONS

Communications: RWF High Speed Long Range Wireless Modem
Group Link: Not Ordered
Temperature Sensor: w/15 ft Cable
Software Training: Web Based Software Training
Personal Computer: PC Not ordered. Ignite Included
Fiber Optic Cable: Not Ordered / Not Required
Cabinet Separation: Standard Up To 15 Feet
Power Requirements: Standard As Quoted
Sign Mounting Kit: Not Ordered / Not Required
Spare Parts Kit: Not Ordered
Webcam: Not Ordered
Custom Artwork Pkg: Not Ordered
Technician On-Site: Not Ordered

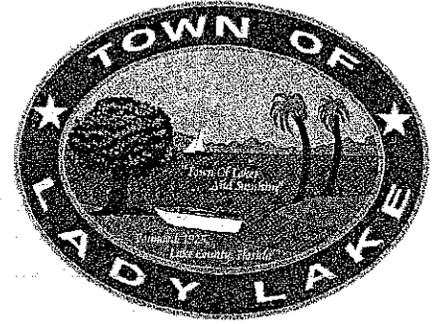
ADDITIONAL OPTIONS

NOTES

ORDER ACCEPTANCE

QUOTE VALID UNTIL 8/13/2014

Buyer acknowledges that prior to executing this Agreement Buyer has read or has had the opportunity and means to review the TERMS OF SALE and Seller's LIMITED WARRANTY, SOFTWARE LICENSE, AND LIMITATION OF LIABILITIES AND REMEDIES at <http://watchfiresigns.com/terms-and-conditions-of-sale> or in the alternative, a hard copy has been provided to Buyer and its receipt is acknowledged. This quote/offer is expressly limited to the acceptance by the buyer of its exact terms, including the terms of sale and seller's limited warranty, software license, and limitation of liabilities and remedies, all of which are a part of the agreement. Any purchase order or related documents buyer issues to seller (even if it contains terms in addition to or inconsistent with the terms of this agreement) for this transaction shall constitute buyer's unconditional agreement to be bound exclusively by the seller's terms and conditions of this agreement, and buyer hereby agrees that such additional or inconsistent terms shall not apply nor become a part of this agreement.



May 27, 2014

RE: Special Use Permit Resolution 2014-109
Variance Resolution 2014-110
Variance Resolution 2014-111

Dear Property Owner:

This is to notify you that KM Reynolds Enterprises, LLC has filed three applications in regards to an existing freestanding sign located at 117 N. Hwy 27/441, Lady Lake, FL.

1.) The first submitted application is a Special Permit Use (SPU) application as follows:

Resolution 2014-109

Special Permit Use application in accordance with the provisions of Chapter 17, Section 17-3).e).(4) which state that any owner who desires the installation of an Electronic Message Board/Marquee Sign shall file an application for a Special Permit Use. Upon Town Commission approval, the Special Permit use will allow for the installation of an Electronic Message Board/Marquee Sign on an existing freestanding sign proposed to be erected at the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441, within the town limits of the Town of Lady Lake, Florida.

Note: Special Permit Use applications are not reviewed/heard by the P&Z Board.

2.) The second application is a variance from the Land Development Regulations as follows:

Resolution 2014-110

Variance application in accordance with the provisions of Chapter 17, Section 17-3).e).4).D).2). which requires that the electronic message board copy area shall not exceed fourteen (14) square feet per each side. The applicant is requesting to allow the electronic message board copy area to be 30 square feet on the existing freestanding sign.

3.) The third application is a variance from the Land Development Regulations as follows:

Resolution 2014-111

Variance application in accordance with the provisions of Chapter 17, Section 17-3).e).4).D).4). which states that text displayed on electronic message boards shall be amber-colored or similar lettering with black background. The applicant is requesting to allow multi-color text display on the proposed Electronic Message Board/ Marquee Sign.

Public hearing dates on the petitions are scheduled for the following dates:

PLANNING AND ZONING BOARD- Monday, June 9, 2014 at 6:00 p.m.
COMMISSION MEETING- Monday, July 7, 2014 at 6:00 p.m.

You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours in the Growth Management Department.

All persons wishing to cross-examine any party at the public hearings are required to file a Notice to Appear with the Town Clerk at least five (5) days prior to said public hearing in order to be heard at the time and place aforesaid. However, if a person only wishes to speak or testify, and not cross-examine a party, the Notice of Appearance form does not need to be filled out. Any person wishing to appeal a decision of this public body should ensure himself that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call Town Planner Wendy Then at (352) 751-1582 or via email at WThen@LadyLake.org.

Sincerely,



Wendy Then, CFM
Town Planner



AltKey	OwnerName	OwnerAddr	OwnerCity	OwnerSt	OwnerZip
1131561,					
1260370	CANGIALOSI DANIEL A & SUSAN D	1821 SHORE LINE DR	LEESBURG	FL	34748
1131600	THOMAS JOHN C	PO BOX 699	FRUITLAND PARK	FL	34731
1131626,					
1131634	BH LADY LAKE LLC	PO BOX 1559	NEW SMYRNA BEACH	FL	32170
1723701	TRETT RANDALL S ET AL	PO BOX 164	PALMYRA	IN	47164
1131529,					
1131570	LADY LAKE UNITED METHODIST CHURCH INC	115 W MC CLENDON ST	LADY LAKE	FL	32159

SENIOR HEALTH PLUS, INC.- 117 N Hwy 27/441



PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: June 9, 2014

SUBJECT: Resolution 2014-111 – KM Reynolds Enterprises, LLC– Variance pursuant to Chapter 17, Section 17-3).e).4).D).4). to allow multi-color text display on the proposed Electronic Message Board on the existing freestanding sign located on the property owned by KM Reynolds Enterprises, LLC, located at 117 N. Hwy 27/441 (AK #1723698).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTION:

1. Motion to forward Resolution 2014-111 to the Town Commission with the Recommendation of Approval.
2. Motion to forward Resolution 2014-111 to the Town Commission with the Recommendation of Denial.

Staff is in support of Motion Number 1.

SUMMARY

Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted an application for a variance from Chapter 17, Section 17-3).e).4).D).4). which states that text displayed on electronic message boards shall be amber-colored or similar lettering with black background. The applicant is requesting to allow multi-color text display on the proposed Electronic Message Board/ Marquee Sign on property owned by KM Reynolds Enterprises, LLC, located at 117 N Hwy 27/441 (AK #1723698), within the town limits of the Town of Lady Lake, Florida.

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Highway 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project. The bottom part of the existing sign has a manually-changeable channel letter board, which copy area consists of a 10'x3' section.

As required of the application, a Justification Statement has been submitted. In the justification statement, the applicant indicates that aside from business uses, the sign would also be used to announce various senior related events throughout Lady Lake and The Villages thus the need for multi-color text display. Senior Health Plus,

Inc. prides itself in organizing holiday related food drives and fundraisers tailored to the needs to the community, so the sign will help continue to project the image of the organization. Senior Health Plus, Inc. actively operates a booth at the Lady Lake Farmers Market and participates in educational meetings and events at medical facilities in the region. The applicant expressed that there are other signs of similar nature within Town of Lady Lake corporate limits and that they recognize the need to upgrade their outdoor signage into a cleaner, more up-to-date pylon sign with multi-color text display features. Other businesses and organizations within the Lady Lake community currently display multi-color text; therefore, Town Staff in support of the request.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 20 Township 18 South Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Heavy Commercial (HC).

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Tuesday, May 27, 2014. The property also was posted on Tuesday, May 27, 2014. Resolution 2014-111 was reviewed by Town Attorney, Derek Schroth, on Friday, May 30, 2014, and determined correct in form.

COMMENTS:

- The applicant has submitted another variance application concurrently with this variance application requesting the Electronic Message Board/Marquee Sign to be allowed to be increased in size from 14 square feet to 30 square feet on the existing freestanding sign.



**TECHNICAL REVIEW COMMITTEE
APPLICATION FOR A VARIANCE**

Meeting of May 20, 2014

TO: Technical Review Committee

FROM: Wendy Then, Town Planner

SUBJECT: Resolution 2014-111-Variance Request for Multicolor Text Display on proposed Electronic Message Board/Marquee Sign

APPLICANT: Kevin Reynolds with KM Reynolds Enterprises, LLC

DATE: May 14, 2014

SUMMARY: Applicant, Kevin M. Reynolds with KM Enterprises, LLC, has submitted an application for a variance from Chapter 17, Section 17-3).e).4).D).4). which states that text displayed on electronic message boards shall be amber-colored or similar lettering with black background. The applicant is requesting to allow multi-color text display on the proposed Electronic Message Board/ Marquee Sign on property owned by KM Reynolds Enterprises, LLC, located at 117 N Hwy 27/441 (AK #1723698), within the town limits of the Town of Lady Lake, Florida.

The existing freestanding sign is 24.5' high by 10' wide with a copy area of 100 square feet. In 2010, as part of the Highway 27/441 widening efforts, a cure plan was approved to relocate the existing sign from 13.6 feet to +/- 1 foot setback from the right-of-way to accommodate the road widening project. The bottom part of the existing sign has a manually-changeable channel letter board, which copy area consists of a 10'x30' section.

As required of the application, a Justification Statement has been submitted. In the justification statement, the applicant indicates that aside from business uses, the sign would also be used to announce various senior related events throughout Lady Lake and The Villages thus the need for multi-color text display. Senior Health Plus, Inc. prides itself in organizing holiday related food drives and fundraisers tailored to the needs to the community, so the sign will help continue to project the image of the organization. Senior Health Plus, Inc. actively operates a booth at the Lady Lake Farmers Market and participates in educational meetings and events at medical facilities in the region. The applicant expressed that there are other signs of similar nature within Town of Lady Lake corporate limits and that they recognize the need to

upgrade their outdoor signage into a cleaner, more up-to-date pylon sign with multi-color text display features:

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 20 Township 18 South Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Heavy Commercial (HC). The application is complete and ready to be transmitted to the Planning & Zoning Board for their recommendation.

Notices to inform the surrounding property owners (5) within 150' of the subject property of the proposed variance will be mailed by certified mail return receipt on Tuesday, May 27, 2014. The property will also be posted on Tuesday, May 27, 2014.

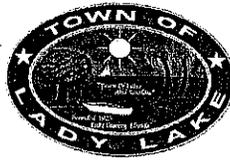
COMMENTS:

- The applicant has submitted another variance application concurrently with this variance application requesting the Electronic Message Board/Marquee Sign to be allowed to be increased in size from 14 square feet to 30 square feet on the existing freestanding sign.

Public Hearings:

The **Planning and Zoning Board** will review the application for Resolution 2014-111 at its regular meeting on Monday, June 9, 2014 at 6:00 p.m.

The **Town Commission** will review the application for Resolution 2014-111 for final consideration at its regular meeting on Monday, July 7, 2014 at 6:00 p.m.



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE : July 7, 2014

SUBJECT: Consideration of Working out an Agreement with Fruitland Park to possibly treat their daily flow Wastewater at the Lady Lake Wastewater Treatment Facility via a System Interconnection.

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION: Approval for Staff to Work with Fruitland Park to see if we can come to terms for an agreement to treat their daily flow Wastewater via a system interconnection.

SUMMARY: The City of Fruitland Park has contacted the Town to see if we are interested in working out an agreement with them to treat their total daily flow Wastewater for the next eight to ten years by way of a system interconnection. The current flows being treated at the Fruitland Park facility is in the 70,000 gallons per day range. These current flows would not detrimentally affect the Lady Lake Treatment Facility. The potential requested treatment allocation amounts mentioned by the Fruitland Park staff were in the 200,000 to 300,000 gallons per day range to handle any future growth during the possible agreement term. If the Commission is interested in this possibility, then staff would begin working with Fruitland Park to see if we could come to terms on an agreement. Staff would bring the tentative terms back to the Commission along with the pros and cons. If the Commission was satisfied with the terms, staff would then work with Derek on the agreement and bring it back to the Commission for final approval.

FISCAL IMPACT: N/A

- [] Capital Budget
[] Operating
[] Other

ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution
[] Other
[] Support Documents

DEPARTMENT HEAD HR
FINANCE DEPARTMENT
TOWN MANAGER

Submitted
Approved as to Form
Approved as to Budget Requirements
Approved Agenda Item for: 7/7/14

Date 6/30/14
Date
Date
Date 6/30/14

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely
[] Continued to Date Certain [] Approved with Modification