
**REGULAR MEETING
LAKE HELEN CITY COMMISSION
CITY COMMISSION CHAMBERS
October 1, 2009
7:00 PM**

MINUTES

A REGULAR MEETING of the City Commission of the City of Lake Helen, Florida was called to order by Mayor Joan Duffy at 7:00 p.m. Present were Vice Mayor Buddy Snowden, Commissioner Cameron Lane and Commissioner Vernon Burton. Excused absent was Commissioner Ann Robbins. Also present were City Attorney Lonnie Groot and City Administrator Don Findell.

INVOCATION AND PLEDGE OF ALLEGIANCE

Atty. Groot led the invocation and pledge of allegiance.

DELETIONS OR MODIFICATIONS TO AGENDA

Admin. Findell requested submittal of an addition to the agenda as Commission Consideration; Item 7C; Consideration of certification of final taxable value and millage rate.

Mayor Duffy stated Ms. Schnebly was unable to attend the meeting because of a prescheduled County Council meeting. We will delete 2.a) at this time.

COMMISSION ANNOUNCEMENTS

1. MINUTES: Regular Meeting of September 3, 2009

Not available at this time.

2. CONSENT AGENDA:

a) Proclamation recognizing Tura Schnebly for her many years of service on the PLDRC

b) Agreement for mosquito and weed control services

Admin. Admin. Findell: This is the annual agreement the city executes with Volusia County to provide for mosquito management services and ancillary weed control services. One of the things that is important to note is a conversation with Mayor Duffy and Jonas Stewart, director of Mosquito Control, in which it was indicated to him that from time to time the City gets caught

off guard with some of the bills the City receives. We came up with a better way to deal with some of services in that when we now request a service; rather than just filling that request, they will email or fax the cost of the service first. It has not been a problem in previous years. Some of the ways the bills are being sent out to individual cities would lead you to believe the service is costing more than it has been, historically. The way it is accounted for is different so it would behoove us to have that cost estimate provided before the service is provided.

Mayor Duffy: As in the July 4th spraying costs ?....

Admin. Findell: The issues during this past July 4th is what brought this to mind as in staff thought the amount of that service was more than it should have been given the county wide nature of the event.

Mayor Duffy: So then we need to approve or disapprove? Last year there was more detail in the agreement.

Admin. Findell: In this particular agreement the objective is for the County to provide an overall statement rather than individual costs that may be confusing

Mayor Duffy: ...and we are to call them as we need them. Any Comments?

Comm. Lane: Is this service strictly on an as needed basis or is there a base charge?

Admin. Findell: There are two separate charges. They maintain a chicken sentinel cage with some basic monthly services around 2-4 hundred dollars. Then they provide spraying on request. I am working on the sentinel chicken issue to bring costs down.

c) Bills – October 1, 2009

Mayor Duffy: Brent Millikan is still working on the audit.

Comm. Burton: Is the siren pole... is that for the installation?

Admin. Findell: The West Crane Service.... that was for installation.

Comm. Burton: When will that siren be operational?

Admin. Findell: It will be operational as soon as they set up or install the equipment that needs to be installed at the Police Department and set up the software. The siren itself is operational but the software needs to be installed

Vice-mayor Snowden: The unit is operational now. They have tested it. They just need to connect the relays. It is very loud. We can alert DeLand with what we have.

MOTION by Vice-mayor Snowden to approved the consent agenda as presented. **SECOND** by Comm. Burton. **Motion** carried unanimously.

3. PRESENTATIONS

None

4. BI-MONTHLY REPORTS:

- a) City Engineer - No Report.
- b) Local Planning Agency (PLDRC) - No report.
- c) Historic Preservation Board – No report.
- d) Parks and Recreation Board – No report.

5. PUBLIC HEARING:

Ms. Vivian Griffin, 801 West Ohio Avenue approached the podium: I am here to ask if something can be done at Church Street and Orange Camp. We can come in from DeLand but cannot go out. We have to go all the way down to Pennsylvania to get to Orange Camp and go into DeLand. We were going in and out there before. It is wider now and down the other end of the bridge, off the interstate, they can go east, west, north and south. If we have an emergency in there it would be terrible. Nothing can get in there because it is one way and that should not be.

Mayor Duffy: DOT ... when they built the bridge and extended it... the people at the top of the bridge cannot see you coming out at Church Street and could broadside you.

Ms. Griffin: They could put signs up like 'slow down' or something.

Admin. Findell: The issue is, and we discussed this with DOT at length prior to construction, that the location of Church Street is such, as the Mayor described, it creates a safety hazard. If you have turns going into Church from both directions.... For DOT is does not meet the federal highway administration safety standards. So they had no choice but to make the street a right in and a right out.

Ms. Griffin: It does not make sense. We are already on a reservation over there. Pennsylvania Avenue is not going to last long with all the delivery trucks and traffic on it.

Admin. Findell: Stop signs will not cure the problem there. It is simply too short a distance from the top of the hill to Church Street.

Mayor Duffy: I thought you could turn right out of Church Street and do down and make a u-turn.

Comm. Burton: Like when you go out to Ms. Cody's house... like you are going into Cody's driveway they paved a u-turn lane. The concept is...

Ms. Griffin: That is paved for the Cody's. You cannot make a u-turn there.

Comm. Burton: They paved it for use of u-turns. One of the other things that happened is when they built the bridge and widened the road.... The peak of the bridge is now right up on Church Street and even now people coming behind you that do not know the area... they are right up behind you.

Ms. Griffin: I am concerned that we cannot get out. What if there is an emergency?

Comm. Burton: The fire trucks, if they needed to go down Church Street can go over the triangle divider... in an emergency.

There was a discussion regarding which area of Main Street was available to make a u-turn.

Ms. Griffin: There is not excuse... it should have been done right the first place.

Comm. Snowden: It was designed to be much different than what it is today. The turn off was supposed to go down further. They raised the height of the overpass 8' over the previous overpass. We fought for a long time with DOT to remedy this situation.

Ms. Griffin: Why can't we get some lines over there on the roads. We do not have decent roads over there anyway. We get a lot of traffic from the Shoestring Theater... 200 cars when they have those plays. We have no streets; no sidewalks; we get nothing done over there. We are tax payers too.

Comm. Snowden: Any way to get the roads striped on Church Street?

Admin. Findell: We would have to contract to do that. The City does not have the equipment to do it.

Comm. Snowden: Can the County do it?

Admin. Findell: We would have to pay the County to do it, which is not inexpensive.

Comm. Lane: Maybe when they do the paving with our stimulus package.....?

6. COMMISSION CONSIDERATION:

A) Consideration of request by Boy Scout Troop 590 to operate a small food concession at this year's Christmas Tree Lighting Ceremony.

Sean Hedengren, 3985 Appaloosa Trail, approached the podium: I am here with Alan Schmoyer and we are members of Troop 590 of Lake Helen, Florida. We have been selected with three other boys of Lake Helen to be part of Central Florida 2010 National Jamboree contingent that will be headed to Virginia in July 2010 to celebrate the 100th anniversary of boy scouting in America. We are among 250 scouts representing central Florida.

Alan Schmoyer, Deltona: The fees associated with this are \$1,745 which includes transport equipment camping gear and misc. So far we have organized one fundraiser and raised \$183 per scout to help offset the fees associated with the trip. There are several more fundraisers in planning.

Sean Hedengren: We seek permission from the City Commission to operate a small concession at this year's Christmas parade and tree lighting ceremony to be held at the Legion Hall.

Mayor Duffy: You are using the Legion Hall?

Audience member indicated the scouts were using the Legion Hall parking lot.

Mayor Duffy: Why would you not want to be in Blake Park?

Audience member indicated the scouts did not want to infringe on the ceremony.

Mayor Duffy: I appreciate that... this year it may be a bit different than last year because the Christmas tree lighting will be complicated. Nothing has been absolutely set. This is the year of the Home Tour. Parks & Recreation wanted the parade that day but cannot have it during the Home Tour. I believe they are having the parade the week after the Home Tour. Mr. Mullen wishes to light the tree before the Home Tour. So, that would put it back to the first Tuesday in December, which is the way it was until the parade last year. I agree we need the tree lit for the home tour. So that would be December 1st. We will need to confirm that.

Comm. Snowden: This is our local scout troop and certainly we would want to, as a community, support the scouts. I am in favor of having this fund raiser in the park. Do not be discouraged that the City appears to be throwing all these obstacles because we feel your need.

Comm. Burton: I also appreciate that you wished not to infringe; it is an honor that scouts are there. I respect that and would be more than happy to agree to whatever you need to make additional funds. You can do it both times.

Mayor Duffy: The Crafty Ladies only use a portion of the pavilion to give out cider and popcorn.

There was a discussion with audience members associated with the Boy Scout troop.

Lewis Long, 176 Euclid Avenue North approached the podium and presented Scout Hedengren and Scout Schmoyer a donation check.

MOTION by Comm. Burton to allow Boy Scout Troop to sell concessions in Blake Park for the Annual Tree Lighting Ceremony and Parade. **SECOND** by Snowden. **Motion** carried unanimously.

Rick Basso, 1017 Lake Helen Osteen approached the podium: Can City Hall man a box where any of the citizens can make a donation to this organization?

Mayor Duffy: I am sure we could put something on the counter at City Hall.

Comm. Burton: I would suggest to contact the Parks & Recreation who have locations that allow them to put jars up for July 4th. You might want to speak to the Parks & Recreation Board at the next meeting.

B) Consideration of applications for PLDRC appointment (tabled from the September 17, 2009 meeting).

Mayor Duffy: We had two names submitted for the vacant PLDRC; Roger Sonnenfeld, who is also on the Voluisia Growth Management Commission and Lou Benton, who has been previously on the Planning Board. Mr. Sonnenfeld withdrew his name because he could not serve on two boards. So we have Mr. Benton.

Alan Cooke, 792 Oak Tree Lane approached the podium: I apologize that I did not make the October 17th Commission Meeting and did not get a chance to speak on this subject. I would like to make an appeal to the Commission that is, as far as I was concerned, all the years I can remember... I understood when you put in an application for board positions the applications stayed in the file. When an opening comes up if you have an application in; it still stands. Other people can put in applications and everything, but they would be kept in the file for open positions. Mr. Findell said it was advertised on the board but it only said 'Volunteers for Boards' not which boards. If I was here on the 17th I would have voiced my opinion because they changed the ruling we have had and I think all the applicants should have been notified. So, I appeal to the Commission the consideration of including the people who already have applications with the City.

Comm. Burton: I would like to add that a number of people have spoken with me. I have three here that had submitted and likewise thought the applications would have been considered. I did explain there was a time limit set by the Commission... which may have not been transmitted to them. The only reason I am bringing this up because you have... I did explain to them there had been a cut off period.

Comm. Lane: Are they still interested?

Comm. Burton: Yes.

Comm. Lane: Are we up against a time pressure here to fill this position?

Admin. Findell: No, you will just have a vacant position. The only issues that arises is when you have an action item that comes up for vote you may have an opportunity for a tie.

Comm. Lane: I would offer a **MOTION** to once again table this to allow whoever would like to put in an application with a time frame for the Commission to review and consider all applicants.

Mayor Duffy: Is there a time limit on applications on file?

Admin. Findell: This is discretionary on the part of the Commission. When we discussed this item previously one of the things I asked was if the Commission wanted to bring forth the applications that were in the file. There may have been a miscommunication in that discussion. It was my understanding the Commission did not want them brought forward because they were nearly a year old at that time and the application process had been open for two months at that time.

Mr. Benton: It seems like every time this issue comes up the rules get changed. At one time whoever had an application, that was qualified for it, first wound up with the board. If you folks

do not want me to fill out an application then speak up; because every time my name comes up you are tabling it for some unknown reason. If you don't want me to have an application in there then speak up because that is what it appears to be... because a lot of people are saying it. The rules get changed every time. Two weeks ago you put it out on the board... it was advertised. It seems like you don't want me here. You can't keep changing the rules.

Mayor Duffy: I remember at last meeting your application had a name and address and you had written; same; same; same on the rest of the application.

Mr. Benton: What would I change on it? I served 7 years on the PLDRRC; 4 years on the Commission and have fifty years of experience in the construction industry.

Comm. Burton: Just out of clarification, the application that Ed Blackman submitted is what had 'same' on it and there was nothing else that explained. What Nancy did was add, at the day of the meeting, the application Mr. Blackman submitted in the file. The motion that was cast was that the Blackman and Woods would be accepted. What was left were two people; Lou and Roger who were seeking the seat. When we decided to table the meeting it was to give a date certain that anybody who wanted to submit their names do so. We set a date and the day of the meeting were two applications; Lou and Roger. Roger had an apparent conflict of interest and it turned out that Roger could not be a part of the board. These names that I have are the names I received a year ago. They had every right to see the notice that was posted and they might have had the same assumption as Cookie did. Now we are here to make a decision about Cookie's request. The other individuals I spoke with is a dead issue. I was under the impression tonight that was consideration of Lou and Roger. Now that I know that Roger is ineligible to serve it would have been my decision there was only one person left. I do not feel that it would be characteristic for the members of this board to say they do not want you on the board. You have taught me yourself that it should be - what is good for one should be good for all. Cookie brings an issue up and to take up his consideration would only be fair to take up the consideration for everyone. That is not being favoritism or discriminatory; it is just fair and open.

Comm. Lane: There is a motion on the floor to table and I would like to say that, first of all, the appearance that this is personal; I assure you it is not. I know your qualifications and knowledge. I would like to add to the motion that everybody who has had an application in the past... that staff call and bring forward any interested parties to this process. Everybody should have that opportunity.

Admin. Findell: Are you talking about the applications that go back to November?

Comm. Burton: When I was elected and had been serving on the PLDRRC; there was a vacant seat. It then came up that someone who had an application in for 4 years or 2 years and was... first would be considered for the position. I felt that was not a fair way to do it without considering the rest of the applications. So when I was elected when the position was open they asked for applications. These are only the three applications that were submitted.. that I have.

Mayor Duffy: When was yours submitted Mr. Cooke.

Mr. Cooke: In November. If you are going to change something you need to notify everyone. Mr. Findell brought up a good point about the time frame for keeping applications. I believe there were five of us at the time in November. It does not matter the order of the applications.

Comm. Lane: Perhaps we should go back two years.

Mr. Benton: I am not saying this to be favoritism. The PLDRC has seven members. On October 12th you have a subdivision coming up. If you have a tie vote you have a no vote. And that is the object of seven people on the board; so you are handicapping that.

Atty. Groot: That is not correct. A tie vote is not a 'no' vote or a 'yes' vote. It is a tie vote. There can be a tie vote if there is not a full body present... then it is a vote of no action. If there was a recommendation being made; if the process was to continue to the City Commission with a tie vote it would be presented that way.

Admin. Findell: Which was done at a previous meeting and the tie vote was clearly presented to the City Commission. I wanted to say two things: 1) On the first come first serve; filing an application and then expecting that your application is next in line to be appointed to that particular board... I have heard that said a couple of years ago as being practiced in the past. I have been here ten years and that has not been practiced. 2) As far as the subdivision before the PLDRC; the issue of a tie vote is not an issue because the PLDRC does not have discretionary authority to deny the application if in fact the plat meets all the requirements of the Florida statutes. That is what they will be weighing....if it meets those requirements. Then they are compelled to send that on to the City Commission. The same thing applies to the City Commission.

Comm. Snowden: I think this is an example of a system failure because every year this City rotates off 40-60% of the sitting body.... Either reelected or replaced. I think it is a challenge to the Commission that when we have vacancies... particularly the Planning Board... that we serve as recruiters. Perhaps staff contacting people may be a good way to go, but at the same time I think it is all right for Commissioners to recruit someone that has an interest in serving. We know those in the community that may be willing to serve and the city well. As far as the motion last meeting, Lou, it was not directed against you. We were trying to be fair to the City; to all. There was no hidden agenda. Now we know that Mr. Sonnenfeld cannot serve, Mr. Cooke has brought up issues and there is some grey area. In fairness to everyone it is worthwhile looking into it. Your application reflects the same date stamp as the other applications in the file. It is a valid point. I appreciate your past service on the Planning Board and City Commission. I cannot think of another individual that has expressed such a willingness to serve. I think we need to make a decision that includes everyone.... and I **SECOND** the motion.

Motion carried unanimously.

Mayor Duffy: We will be sure that all applicants are considered at our next meeting.

Cooke: Does that mean we need to put in new applications?

Atty. Groot: The Motion was to contact applicants back to two years.

Rick Basso: I would recommend there be a note on the applications to be considered for any position if it is not updated within a two year period the application is null and void.

7C) Consideration of the Certification of the Final Taxable Value and Millage Rate

Admin. Findell: We received from the property appraiser, yesterday, the certified final taxable value. This is something they complete at the end of the budgetary process. The preliminary taxable value, as we had noted during the budgetary process that we received on July 1st, was \$102,013,019. The final taxable value, after the property appraiser made all their adjustments for the coming fiscal year, is \$100,088,095. So, the taxable value has gone down about 1.89% since July. Sometimes the taxable value goes up; sometimes down. In this instance ours went down. The significance is that there is a provision in the State statutes that the property appraiser advises each year, that if taxable value declines by more than 1%, you have the opportunity to adjust the millage rate to generate the same revenue that would have been generated by the millage rate you adopted. In order to generate the same revenue that the adopted millage rate was at 5.218 you would have to increase the millage rate approximately one tenth of a mil. This year that change in the millage rate is about \$10,000. If you leave the millage rate the way it is, you would generate \$10,000 less than what we planned for during the budget. At this point you have basically the decision as to whether you wish to increase the millage rate to recapture the \$10,000 or whether you wish to leave the millage rate the same as what as we adopted.

Mayor Duffy: And what would the change be?

Admin. Findell: Basically 5.318.

Comm. Burton: This was my first budget hearing. One of the things I learned is that... we were given a task; state mandated, that we come up with a millage. When we voted on the millage, based on the parameters laid out, we had the option to reduce it but not increase. The fact that we can increase it has now been triggered by the fact that the amount the County declared our value was dropped by more than a percentage. So now we are in the position to be able to increase the millage by one tenth of a mil.

Admin. Findell: Basically, the decision you need to make is whether to recapture that revenue you had planned for to support the budget or whether you wish to absorb the \$10,000 loss in the budget.

Comm. Burton: Could we recapture that loss by restructuring some of the things we are spending?

Admin. Findell: You certainly could do that. One of the other things... and probably a better way to deal with it, if you took that approach, is just to monitor the budget as you go through the year. The reason you would do that is... for instance if sales tax revenues increase then that revenue would offset this \$10,000 reduction. You may wish to put off, perhaps, a capital project such as repairing a portion of the public works roof until later in the year to see how the revenue is looking. You have a lot of opportunities. If we capture our property taxes at a 100% rather than 98% then that would offset the \$10,000 as well.

Mayor Duffy: I would hate to see the City going more into the reserves in the coming year.

Mr. Benton: We always set the maximum mil rate. The instructions you got... when you set the mil rate at 5.218.. when you did the budget and when the paper work came out from the tax

appraisers office... you cannot increase it. I do not know where the problem is. Once you set the mil rate you can't go up because you need it when the public gets their tax bill.

Admin. Findell: Let me explain this. What was said earlier regarding setting the millage rate was true up to a point. When we developed the budget and set the millage rate... once the tentative millage rate is set and transmitted to the property appraisers office that rate cannot be raised in subsequent budget hearings. It can be lowered but not raised. That millage rate is based, to some degree on the preliminary taxable value figures that the property appraiser provides the first of July. From July to the end of September the property appraiser is in a continuing process in adjusting the final taxable value. They provide the final taxable value to the cities somewhere near the end of September. The statutory provision is that if that final taxable value is greater than 1% of what the preliminary taxable value was that was given in July then you may adjust the budget either up or down to support the property tax revenue you estimated you would collect at the millage rate you established. This does not have anything to do with the established millage rate at 5.218 except to say that you can increase the amount of the final taxable value by the difference from the preliminary taxable value.

Mr. Benton: So the paper we got from the County stating the mil rate is useless.

Comm. Lane: What they do is give themselves wiggle room. If they mess up too badly they do not want us to bear the burden of their mistake.

Mr. Benton: Every budget meeting I ever went to you set your budget at the max and you can roll back but you cannot go above what you set.

Comm. Lane: This is the first time that taxable values have fallen like this in recent history.

Mr. Benton: I disagree because they fell back in the 70's and 80's. The document the citizens got are totally wrong if you increase the mil rate. What was said if you go back and listen to the tapes is we've got to do it before such and such date because the paperwork has to go out. Now you are saying it is a government mistake.

Admin. Findell: From July to September the property appraiser is dealing with appeals and issues where people wish to combine properties to save taxes. I cooperate with individuals in the City who are looking for a way to reduce taxes of which one way is to combine properties. That affects the final taxable value. If someone appeals their tax rate and the property appraiser agrees, they have the ability to make adjustments and that ends up being reflected in the final value. The state legislature established this process a long time ago by which the final millage can be adjusted up or down to support the revenue that was anticipated to be generated by the millage rate that was established. This the first year in recent history where we have exceeded this 1%.

Comm. Burton: On your tax bill there is a cut off period of September 18th for appeals. In other words, your taxable real estate was set at \$3500 and you were eligible for an exemption because of being handicapped and you submitted that exemption by September 18th then that \$3500 would disappear. So those all across the County probably took the same approach – 'is there something I can do to legally to adjust my taxes by the 18th?' Once they did it, the County crunched those numbers.... If you had to go higher you could send out a notice. There is a provision that if you raise the millage rate you will have to send a letter.

Admin. Findell: That is correct under normal requirements of the legislation. This is also part of the taxing legislation but this is what you might call extraordinary because it only comes into effect when a threshold is triggered which is a 1% decline or increase of the final taxable value.

Lewis Long approached the podium: September 18th is not exactly the final cutoff date either. I called an attorney's office for a friend about how you disagree with the assessment and I was informed that they were in the process of entering four properties. The law office told me that when you get your date they may deny it but you can still appeal. So this process is going on and down the road we may see further reductions in assessments.

Comm. Snowden: At the 5.218 we had a good turnout for the budget hearing. We had two dissenting votes. I think there was a level of comfort at 5.218. I think if the community pulls together and the economy improves a little bit, that \$10,000 deficit may not be as great as it sounds at this time. I would be inclined to stay where we are.

Admin. Findell: From a historical aspect, the other time this occurred was about eight years ago. At that point in time we stayed at the millage rate that we adopted at the last budget hearing. I was explaining what your options are.

Comm. Lane: I think we can absorb that loss and I think it will be politically unpopular to raise that rate at this time.

MOTION by Comm. Lane to not raise the millage rate and to leave the millage rate at 5.218.
SECOND by Comm. Snowden. **Motion** carried unanimously.

7. COMMISSION DISCUSSION: None

8. STAFF REPORTS:

a) City Attorney:

Atty. Groot: I received a letter from Mary Lorenz and she attached a statement she planned on making at the last meeting. I came to two conclusions after reading the letter; the first being that she would make a very good lawyer and will make a very good presentation when she argues zoning issues regarding the tavern area. The second conclusion is that this statement should be made at that time.

Comm. Lane: She contacted me about some of those points. Could you maybe prepare a statement for us addressing some of the points she made? Perhaps we should wait for it to be an agenda item. I want to be able to tell her we are expecting more information from you.

Atty. Groot: After that meeting with the reporter, Ron White, he said: well did she not have first amendment right to speak. Of course she did, but the right to due process is also in the constitution which is why you have people talk at the same meeting about the same issue. Aside from wanting to make statements about pending applications... her view is that the property should be rezoned and that is separate and distinct from the application. When I say rezoned it is that certain issues should not be allowed there. It is not invalid. She is a very intelligent person, but rezoning is a different issue. That is another question for another day, maybe.

b) Police Chief: No report

c) City Administrator: No report.

d) Code Enforcement Officer: No report

9. MAYOR'S REPORT AND COMMISSIONERS' REPORT BY ZONE:

Zone 1: No report

Zone 2:

Comm. Burton: In looking at the I-4 interchange where they are putting in plants and shrubbery, I would like to let the people know that as a result of a citizen coming to this podium they brought up the fact that I-4 widening was tearing up the trees in the community. The Commission had not been able to address it because it seemed to be that DOT was exercising eminent domain power. This citizen contacted another city, well... I am the person that brought it to the Commission who asked me to contact another city. I went to Pat Patterson's office who contacted the project manager and a group came to city hall for discussion. It was determined that the subcontractor had removed far more trees than they should have. Because of this meeting, they went back to the drawing board and came up with additional plans with more money on the table and the shrubbery is a result of all that. The people that had the most problem were on Virginia Avenue where the highway was closest to their houses. This landscaping is not benefitting them but the entire city.

Mayor Duffy: I was looking at the landscape plans today and Carmen Avenue will get the trees. That is the one that runs along I-4. They will get some buffering.

Comm. Burton: I just wanted to thank the Commission preceding us that got this started. The reason DOT came up with the money is because it was in a fund that traditionally gets rolled over.

Mayor Duffy: The other thing of interest is that DOT will be maintaining the trees for a year.

Admin. Findell: The contractor will be maintaining the trees for the first year after planting. If DOT and the City is satisfied with the work the contractor has done and the maintenance that is performed then the contractor will be released.

Zone 3: No report.

Zone 4: No report.

Mayor:

Mayor Duffy: I am on the oversight committee for the Board of Education that meets just twice a year and, if it is the general consensus of the Commission, I would like to continue on that committee. The seat does not have to be an official of the City. I have been attending for the past few years and would like to continue.

Comm. Snowden: I would certainly like to see you continue that public service.

Mayor Duffy: For the people who have children in High School, they are having a meeting on Monday, October 12 at 6 pm in the DeLand High School cafeteria regarding discussion of the opening of the new school in Orange City for next year. At the present time all of Lake Helen students will still go to DeLand High.

Comm. Burton: Countywide, a mortgage company was brought into a nationwide lawsuit and has made a settlement for the State of Florida and there is 4 million dollars in the pot. For those that have lost a house that was purchased through Countrywide from January 1st to December 31st of 2007 you are eligible to apply for funds from this class action settlement.

ADJOURNMENT:

The Regular Meeting of the City Commission of the City of Lake Helen, Florida was adjourned at approximately 8:50 p.m.

Joan Duffy
Mayor

Wendie Levings
Recording Secretary