



Town Council Meeting

July 11, 2022 at 6:00 PM

Howey-in the-Hills Town Hall

101 N. Palm Ave.

Howey-in-the-Hills, FL 34737

Join Zoom Meeting:

<https://us06web.zoom.us/j/88587230413?pwd=bmdsTWdNSDY0UTICVUZ5cVhnenQ5QT09>

Meeting ID: 885 8723 0413 | **Passcode:** 896296

Due to COVID-19, the Town of Howey-in-the-Hills is limiting the number of public attendees at meetings to 10 individuals. The Town of Howey-in-the-Hills is also requesting all audience members to wear masks when attending the meeting. The Town encourages everyone who is interested in participating in the meeting to join virtually via ZOOM.

AGENDA

Call the Town Council Meeting to order
Pledge of Allegiance to the Flag

ROLL CALL

Acknowledgement of Quorum

AGENDA APPROVAL/REVIEW

CONSENT AGENDA

Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.

- 1.** The approval of the minutes and ratification and confirmation of all Town Council actions at the June 27, 2022 Town Council Meeting.

PUBLIC HEARING

OLD BUSINESS

- 2.** Consideration and Approval: **Appointment of Mary Arnold to the Parks & Recreation Board**

NEW BUSINESS

- 3.** Consideration and Approval: (First Reading) **Ordinance 2022-015 - Code Enforcement Citation**
- 4.** Consideration and Approval: **Mower Replacement**

DEPARTMENT REPORTS

- [5.](#) Town Hall
- [6.](#) Police Department
- [7.](#) Code Enforcement
- [8.](#) Public Works
- [9.](#) Library
10. Parks & Recreation Advisory Board / Special Events
11. Town Attorney
- [12.](#) Town Administrator / Finance Manager - Finance and Development Reports

COUNCIL MEMBER REPORTS

13. Mayor Pro-Tem Conroy
14. Councilor Lehning
15. Councilor Gallelli
16. Councilor Klein
17. Mayor MacFarlane

PUBLIC COMMENTS

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.

ADJOURNMENT

To Comply with Title II of the Americans with Disabilities Act (ADA):

Qualified individuals may get assistance through the Florida Relay Service by dialing 7-1-1. Florida Relay is a service provided to residents in the State of Florida who are Deaf, Hard of Hearing, Deaf/Blind, or Speech Disabled that connects them to standard (voice) telephone users. They utilize a wide array of technologies, such as Text Telephone (TTYs) and ASCII, Voice Carry-Over (VCO), Speech to Speech (STS), Relay Conference Captioning (RCC), CapTel, Voice, Hearing Carry-Over (HCO), Video Assisted Speech to Speech (VA-STs) and Enhanced Speech to Speech.

Howey Town Hall is inviting you to a scheduled Zoom meeting.

Topic: **Town Council Meeting**

Time: **Jul 11, 2022 06:00 PM Eastern Time** (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/88587230413?pwd=bmdsTWdNSDY0UTlCVUZ5cVhnenQ5QT09>

Meeting ID: 885 8723 0413

Passcode: 896296

Dial by your location

+1 646 558 8656 US (New York)

+1 346 248 7799 US (Houston)

Meeting ID: 885 8723 0413

Passcode: 896296

Find your local number: <https://us06web.zoom.us/j/kdg6Iwyt91>

Please Note: In accordance with F.S. 286.0105: Any person who desires to appeal any decision or recommendation at this meeting will need a record of the proceedings, and that for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. The Town of Howey-in-the-Hills does not prepare or provide this verbatim record. Note: In accordance with the F.S. 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact Town Hall, 101 N. Palm Avenue, Howey-in-the-Hills, FL 34737, (352) 324-2290 at least 48 business hours in advance of the meeting.



Town Council Meeting

June 27, 2022 at 6:00 PM

Howey-in-the-Hills Town Hall
101 N. Palm Ave.

Howey-in-the-Hills, FL 34737

MINUTES

Mayor MacFarlane called the Town Council Meeting to order at 6:00 p.m.
Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag.

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT:

Councilor George Lehning | Councilor Marie V. Gallelli | Councilor Rick Klein (via Zoom) | Mayor Pro-Tem Ed Conroy (via Zoom) | Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Administrator | John Brock, Town Clerk | George Brown, Police Lieutenant | James Southall, Public Utilities Supervisor (via Zoom) | Tara Hall, Library Director (via Zoom) | Tom Wilkes, Town Attorney (via Zoom) | Tom Harowski, Town Planner (via Zoom)

Motion made by Councilor Gallelli to allow Councilor Klein and Mayor Pro-Tem Conroy to participate and vote during the meeting remotely via Zoom due to extenuating circumstances; seconded by Councilor Lehning. Motion approved unanimously by voice vote.

AGENDA APPROVAL/REVIEW

Motion made by Councilor Gallelli to approve the meeting's agenda; seconded by Councilor Lehning. Motion approved unanimously by voice vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

CONSENT AGENDA

Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.

1. The approval of the minutes and ratification and confirmation of all Town Council actions at the June 13, 2022 Town Council Meeting.
2. The approval of the minutes and ratification and confirmation of all Town Council actions at the May 26, 2022 Town Council Workshop Meeting.

Motion made by Councilor Lehning to approve all items on the Consent Agenda; seconded by Councilor Gallelli.
Motion approved unanimously by roll-call vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

PUBLIC HEARING

None

OLD BUSINESS

3. Discussion: **Provide direction to Town staff regarding Planning Board recommendation to modify parking requirements for townhouse units.**

Mayor MacFarlane asked Town Administrator, Sean O'Keefe, to introduce and explain this topic. Mr. O'Keefe explained that the Planning & Zoning Board had made a recommendation to modify parking requirement for townhouse units.

Town Planner, Tom Harowski, explained that the Planning & Zoning Board had made a recommendation to amend the Land Development Code (LDC) to require townhouse multi-family dwellings to have a two-car garage. Currently the LDC only requires that a two-car garage for RE Rural Estate, SFR Single Family Residential, MDR-1 Medium Density Residential, and MDR-2 Medium Density Residential. Single-Family dwellings in TC-R Town Center Residential and TC-F Town Center Flex require only a one-car garage. Also, currently the LDC only requires a one-car garage for townhouses.

Mr. Harowski explained that the addition of the requirement for a two-car garage would impact the cost of new townhouses. Mr. Harowski explained that the addition of a two-car garage instead of a one-car garage would add approximately 200 square feet of garage space which, at \$80 a square foot, would equate to an approximately \$1,600 increase per townhouse to the builder.

Mr. Harowski explained that the Planning & Zoning Board had also discussed the aesthetics of the townhomes as it relates to adding a two-car garage. Mr. Harowski explained that, from the discussion of the Planning & Zoning Board, the conclusion and recommendation was that the addition of an additional off-street parking spot was more important than the aesthetics of the townhomes.

Mr. Harowski stated that, prior to the Town staff taking the time and expense to prepare an ordinance to change the LDC to require townhouses to have a two-car garage, it should be determined what the will of the Town Council was.

Mayor MacFarlane explained that this would not affect the Venezia Townhomes and Hillside Grove since their PUD agreements had already been approved with the old standards.

Mayor Pro-Tem Conroy stated that when he looked at other townhouses in the area (specifically Bishops Gate and Mission Inn), they have two-car garages already. Mayor Pro-Tem Conroy asked that, if the Town makes this rule for townhomes, whether it would preclude developers from utilizing

alleyways. Mr. Harowski explained that there would be nothing that prohibits the utilization of alleys. Mr. Harowski further explained that, if larger development had a creative idea that wanted to be considered, most of the larger developments utilize Planned Unit Developments (PUDs) which could take precedence.

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 200 E Croton Way – Mr. Tuite explained that he was in favor of requiring two-car garages.

Mayor MacFarlane closed Public Comment for this item.

It was decided that there was a consensus among the Town Councilors to amend the LDC to require townhouses to have two-car garages.

NEW BUSINESS

4. Consideration and Approval: **Appointment of Mary Arnold to the Parks & Recreation Board**

Mrs. Mary Arnold was not in attendance of the meeting.

Motion made by Councilor Gallelli to defer item to the next Town Council Meeting; seconded by Councilor Lehning. Motion was approved unanimously by voice vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

5. Consideration and Approval: **FGUA Interlocal Agreement**

Mayor MacFarlane asked Town Administrator, Sean O'Keefe, to introduce and explain this topic. Mr. O'Keefe explained that the Town Council had supported the engaging of professional consulting services to research any feasible options for the management, improvement, and expansion of utility services (within the Town and the Town's Interlocal Service Boundary Agreement area) as it relates to water and wastewater utilities. FGUA has created an Interlocal Agreement to work with the Town to complete these utility studies within a six-month timeframe. Mr. O'Keefe explained that the scope of work for the project would include management components and looking for sources of funding for water and wastewater.

Councilor Gallelli asked what the benefit to the Town was. Mr. O'Keefe explained that the rate study that was included was highly needed by the Town. Mr. O'Keefe also explained that the study would be looking for where the Town could expand wastewater services and water services for expected Town growth. Also, Mr. O'Keefe explained that the studies would assist in creating plans on how to acquire the funding necessary for growth in water and wastewater services.

Mayor Pro-Tem Conroy stated that he was in favor of the project, but he wanted to know where the \$83,000 for this project would come from and if Town staff had checked with other municipalities that have utilized FGUA's services to see how happy they were with the services. Mr. O'Keefe explained that the funding for this project would come from ARPA NEU funding. Mr. O'Keefe also explained that Sumter County received their plans from FGUA, and they immediately started enacting them.

Councilor Gallelli suggested that Mr. O’Keefe should speak with Sumter County to see how pleased they were with the services. Councilor Klein suggested that maybe the Town should look for more quotes for this type of service, and that \$83,000 seemed expensive.

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 200 E Croton Way – Mr. Tuite stated that he did not think FGUA had been vetted enough. Mr. Tuite also stated that he thinks the Town should focus on water and wastewater services.

Mayor MacFarlane closed Public Comment for this item.

Scott Towler, Assistant System Manager of Municipal Services for FGUA, and Will Fontaine, Operations Manager for FGUA, presented a short presentation from FGUA.

Motion made by Councilor Lehning to approve the agreement with FGUA; seconded by Councilor Gallelli.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

DEPARTMENT REPORTS

6. Town Hall Report

Town Clerk, John Brock, explained that the Election Qualifying period for Town Councilor seats 1, 2, and 3 would open up at noon on Monday, August 8, 2022 and would close on Friday, August 19, 2022 at noon. Mr. Brock explained that, to run for one of the Town Councilor seats, one would need to be 21 years of age or older, a registered voter, a resident of the Town of Howey-in-the-Hills for at least 1 year prior to first day of the election qualifying period, and must submit a petition of at least 25 Town Electors. Mr. Brock recommended that, if anyone had any questions, they could and should reach out to him.

Mr. Brock also reminded all those in attendance about the referendum on the Town’s two charter amendments that would be voted on during the August 23, 2022 primary election.

7. Town Administrator / Finance Manager - Finance and Development Reports

Town Administrator, Sean O’Keefe, explained that the Howey Men’s Club was working to create a Town Oktoberfest event. Mr. O’Keefe explained that the Town was working to create the Grove Square Park area that would accommodate food trucks and farmer’s market stalls. The June 30th workshop on the Thompson Grove development has been postponed to a later date due to a request from the developer.

Mr. O’Keefe also explained that the Town had closed on the purchase of the land necessary for the water treatment plant #3 and Well #5 and 6.

COUNCIL MEMBER REPORTS

8. Mayor Pro-Tem Conroy

Mayor Pro-Tem asked Town Clerk Brock if Town Hall had hired a new Building Services Clerk and Utility Billing Clerk. Mr. Brock explained that both positions had been filled.

Mayor Pro-Tem Conroy explained that he had attend an MPO meeting and that State Road 19 would be receiving a Long-Range Planning Study that went from Groveland all the way to Tavares (including Howey-in-the-Hills).

9. Councilor Lehning

Councilor Lehning stated that the Lake County Library Advisory Board had recently met and it was their recommendation that Howey-in-the-Hills would not receive Library Impact Fee funding for its book collection submittal. Councilor Lehning would like to see the Town Council and Town Administrator write a letter voicing the Town's disapproval to the Lake County Board of County Commissioners.

10. Councilor Gallelli

Councilor Gallelli stated that, if anyone had any questions about the Town Charter referendum, they should email those questions to one of the Town Councilors.

11. Councilor Klein

Councilor Klein asked when Town Hall would be open to the public on Fridays again. Mayor MacFarlane stated that this item could be revisited at a later date. Councilor Klein also asked Mr. O'Keefe if there was a start date for the installation of playground border and pads for workout items at Griffin Park. Mr. O'Keefe explained that those items were expected to arrive in the first or second week of July and installation would occur shortly after arrival.

12. Mayor MacFarlane

Mayor MacFarlane explained that the Town Attorney, Tom Wilkes, had informed her that the Town could not spend money on sending out informational materials about the charter referendum votes. Mayor MacFarlane explained that the Town still could and would host a public forum meeting to help educate the public on the referendum votes.

Mayor MacFarlane reminded the Town Council that they would need to schedule meetings to try to get legislative funding for water and wastewater plants.

Mayor MacFarlane also explained the Safe Streets for All federal program and that there was \$6 billion in available funding from that program that the Town should apply for.

Mayor MacFarlane asked the Town Administrator if there were any updates on any of the grants that the Town had gone after. Mr. O'Keefe explained that the Town had received the grant that would supply 120 laptops for homeschooled kids which would be administered through the Marianne Beck Memorial Library. Mr. O'Keefe explained the Town was still waiting to hear final word on the broadband grant application.

Mayor MacFarlane explained that the Town has been working diligently with its contractor Sara Whitaker to get a renewal of its Consumptive Use Permit (CUP) from the St. John River Water Management District. The Town was hoping to get a renewal for 20 years, but the Town may only get a CUP permit for as little as seven years.

Mr. O’Keefe reminded all those in attendance that the first Budget Workshop would occur on Wednesday, July 13th from 9 AM till noon and the second Budget Workshop would occur on Wednesday, July 27th from 2 PM till 5 PM.

Mayor MacFarlane asked for suggestions about when the Town could host public forum on the Town’s Charter Referendum.

PUBLIC COMMENTS

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.

Doug Hower, 444 Bellissimo Place – Mr. Hower stated that early voting for the Florida Primary Election and for the Town’s Charter Referendum would begin on August 11th.

Banks Helfrich, 9100 Sam’s Lake Road, Clermont FL – Mr. Helfrich welcomed everyone to summer and to election season and encouraged people to go out and vote. Mr. Helfrich implored people to bring civility to the election process.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that he was not in favor of allowing four lanes to go through the Town.

ADJOURNMENT

There being no further business to discuss, a motion was made by Councilor Lehning to adjourn the meeting; Councilor Gallelli seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 7:30 P.M. | **Attendees: 25**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk



Date: June 27, 2022
To: Mayor and Town Council
From: Sean O’Keefe, Town Administrator
Re: **Consideration and Approval:** Mary Arnold Parks & Recreation Board Application

Objective:

To fill the open spaces on the Town’s board with suitable volunteers.

Summary:

Mary Arnold has applied to fill the fifth of five seats on the Parks & Recreation board. She went through a review process with the Parks and Recreation board at their June meeting and received a board recommendation.

Recommended Motions:

The Town Council has the following options:

1. The Town Council motions to approve
OR
2. The Town Council motions to approve with the following conditions
OR
3. Motion to Deny

Fiscal Impact:

There is no fiscal impact.

Staff Recommendation:

The Parks and Recreation Board recommends approval.

TOWN OF HOWEY-IN-THE-HILLS

APPLICATION FOR BOARDS/COMMITTEES

Please Print Legibly

Name: Mary E. Arnold Date: 5-16-22
 Home Mailing Address: 303 Terracotta Ter, Howey in the Hills, FL 34737
 Home Physical Address: Same
 Florida Drivers License or ID: _____
 Phone Number: 571-212-4231 E-mail Address: 2 Lovemassage@gmail.com
 Education: AA Gen Ed, LPN (Ret) MT, Woodbridge BSA Instructor Team
 Business (Name & Type): Massage Therapy Instructor VA
 Business Address: _____
 Business Phone: _____ Position: _____
 Training or experience related to activities of boards or committees to which appointment is sought:
None President Black Forest Quilters (1997)
 Professional Organizations: Nursing (Ret) NCBTMB

Have you served on a Town Board(s)/Committee(s) in the past? Yes ☒ No

Name of Boards/Committee(s): _____ Dates Served: _____

Please check Board(s)/Committee(s) that interest you.

<input type="checkbox"/> Cemetery Board	<input type="checkbox"/> **Police Pension Board
<input type="checkbox"/> Historic Preservation Board	<input type="checkbox"/> **Planning & Zoning Board
<input type="checkbox"/> Library Board	<input checked="" type="checkbox"/> Parks & Recreation Board
	<input type="checkbox"/> Other

** Florida Commission on Ethics require board members to complete and submit Form 1, Statement of Financial Interests

I will attend meetings in accordance with the adopted policies of the Town of Howey-in-the-Hills. If at any time my business or professional interests conflict with the interests of this Board or Committee, I will not participate in such deliberations. References may be secured from the following individuals:

	Name	Address	Phone Number
1	<u>Sandra Deter</u>	<u>Burke, VA</u>	<u>703-201-4696</u>
2	<u>Dan O'Neill</u>	<u>Chesapeake, VA</u>	<u>757-201-1122</u>
3	<u>Hannah Lane</u>	<u>Leesburg, VA</u>	<u>703-771-4622</u>

Mary E. Arnold
Signature of Applicant

In completing this application, you are acknowledging that personal information you provide is subject to Florida's Public Records Policy as stated in Chapter 119, Florida Statutes, and Article I, Section 24 of the State Constitution.

Additional information may be attached to this form.

FOR TOWN HALL USE

Received by _____ Date _____
 Reviewed by Board _____
 Appointed by Town Council _____ Date _____



Date: July 7th, 2022

To: Mayor and Town Council

From: Azure Botts

Re: Ordinance, Code Enforcement Citation

Objective:

Amend Part II, “Administrative Legislation,” Chapter Eight “Code Enforcement Board and Special Master Procedure” of the Code of Ordinances; to correct existing verbiage, add a Code Enforcement citation program, and remove Sec. 8-17.

Summary:

Currently, the town does not have a Code Enforcement citation program. This program will allow the town’s Code Enforcement Officer to issue citations to an individual for the following circumstances,

fails to comply with a Notice of Violation; or

is a repeat violation; or

is a violation that presents a serious threat to the public health, safety, or welfare; or

the violation is irreparable or irreversible.

Possible Motions:

The Town Council has the following options:

1. The Town Council motions to approve
OR
2. The Town Council motions to approve with the following conditions
OR
3. Motion to Deny

Fiscal Impact:

Will create revenue for the Town.

Staff Recommendation:

Staff recommends the adoption of this ordinance.

ORDINANCE NO. 2022-015

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO CODE ENFORCEMENT; REVISING CHAPTER 8 OF THE TOWN'S CODE OF ORDINANCES TO AUTHORIZE THE TOWN TO USE A CODE ENFORCEMENT CITATION PROGRAM; DESIGNATING CODE ENFORCEMENT OFFICIALS; PROVIDING FOR PROCEDURES, INVESTIGATION OF VIOLATIONS, AND THE ISSUANCE OF CITATIONS; PROVIDING FOR THE PAYMENT OF FINES, COURT HEARINGS AND ADOPTING A SCHEDULE OF CIVIL PENALTIES AND FINES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Whereas, Chapter 8 of the Town of Howey-in-the-Hill's Code of Ordinances provides for the use of a code enforcement board or special magistrate to hold hearings and assess fines against violators of the Town's codes and ordinances.

Whereas, Part II of Chapter 162 of the Florida Statutes provides the Town Council with the ability to use additional and supplemental means of enforcing the Town's codes and ordinances, such as issuing citations.

Whereas, Subsection 162.21(5) of the Florida Statutes provides that the Town may enact an ordinance establishing procedures for issuing citations, including adopting a schedule of violations and penalties to be assessed by code enforcement officers.

Whereas, the Town Council now desires to amend the Chapter 8 of the Town's Code of Ordinances to provide the Town with the ability to issue citations to violators of the Town's codes and ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA:

Section 1. Recitals. The recitals set forth above are true and correct and constitute the legislative findings of the Town Council.

Section 2. Amendments to the Town of Howey-in-the-Hills' Code of Ordinances. Chapter 8 of the Town of Howey-in-the-Hills' Code of Ordinances is amended as shown by the addition of the underlined language and the deletion of the strike-through language as follows:

Chapter 8 - CODE ENFORCEMENT ~~BOARD AND SPECIAL MASTER PROCEDURE~~

Sec. 8-1. - Legislative findings.

The Town Council hereby makes the following legislative findings and declares them to be, in part, the legislative, legal, and public-policy basis for the enactment of this chapter:

(a) Pursuant to Chapter 162 of the Florida Statutes, the Town Council is empowered to create or abolish by ordinance local government code enforcement boards or special magistrates which have the authority to hold hearings and assess fines against violators of the Town's codes and ordinances.

(b) Additionally, pursuant to Chapter 162 of the Florida Statutes, the Town Council is empowered to use additional and supplemental means of enforcing Town codes and ordinances, such as issuing citations.

(c) It is the intent of this chapter to promote, protect and improve the health, safety and welfare of the citizens of the Town by (i) authorizing the creation of an Administrative Board and/or Special ~~Master~~ Magistrate with the authority to impose administrative fines and other non-criminal penalties, and/or (ii) enforce the Town's various codes and ordinances by citation to provide an equitable, expeditious, effective and inexpensive method of enforcing the codes and ordinances in force in the Town where a pending or repeated violation continues to exist, including but not limited to occupational license, fire, building, zoning and sign codes.

(c) The provisions of this chapter do not prohibit any alleged violation of the Town's ordinances or various codes from also being enforced in any court of competent jurisdiction.

Sec. 8-2. - Definitions.

In this chapter, the following terms shall have the meanings indicated:

Board Attorney means the Legal Counselor who represents the ~~board~~ Code Enforcement Board.

Code Enforcement Officer means any designated employee or agent of the Town whose duty it is to enforce codes and ordinances enacted by the Town.

Town Attorney means the Legal Counselor for the Town, including any assistant or designee.

Code Enforcement Board means the Town of Howey-in-the-Hills Code Enforcement Board or its Special ~~Master~~ Magistrate appointed by the Mayor and Town Council. Both have the same duties and functions.

Mayor means the Mayor of the Town of Howey-in-the-Hills or their designee.

Repeat violation means a violation of a provision of a code or ordinance by a person who has been previously found through a board or any other quasi-judicial or judicial process, to have

violated or who has admitted violating the same provision within five (5) years prior to the violation, notwithstanding the violations occur at different locations.

Various codes mean occupational license, fire, building, zoning, sign, and other similar technical codes.

ARTICLE I. CODE ENFORCEMENT BOARD AND SPECIAL MAGISTRATE

Sec. 8-3. - Code Enforcement Board created; composition; appointment; term of office; residency requirement; removal and vacancies; organization.

(a) The Town Council may appoint a five-member Code Enforcement Board (hereinafter the "Board"). All members shall be residents of the Town and shall serve without compensation, but may be reimbursed for such travel, mileage, and per-diem expenses as may be authorized by the Town Council or as otherwise provided by law. The Town Council may appoint up to two alternate members to serve on the Board in the absence of board members.

(b) Appointments to the Board shall be made on the basis of experience or interest in the subject matter jurisdiction of the Board, in the sole discretion of the Town Council. The membership shall whenever possible, include:

- (1) An architect;
- (2) A businessperson;
- (3) An engineer;
- (4) A general contractor;
- (5) A subcontractor;
- (6) A realtor.

(c) The initial appointments to the Board shall be as follows:

- (1) Two members shall be appointed for a term of one year each.
- (2) Two members shall be appointed for a term of two years each.
- (3) One member shall be appointed for a term of three years.

Thereafter, any appointment shall be made for a term of three years each. A member may be reappointed by the Town Council. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term of office.

(d) If any member of the Board fails to attend two of three successive meetings without cause and without prior approval of the chairperson of the Board, the

Board shall declare that member's office vacant, and the Town Council shall promptly fill such vacancy.

(e) Members of the Board may be suspended and removed from office for cause by the Town Council.

(f) At the first meeting of the Board, the members thereof shall elect a chairperson and a vice-chairperson, who shall both be voting members, from among its members. The presence of three or more members shall constitute a quorum of the Board necessary to take action.

(g) Minutes shall be maintained of all meetings and a record shall be maintained of all evidence considered by the Board at its hearings, and all meetings, hearings and proceedings shall be open to the public.

(h) The Town Council shall provide clerical and administrative support to the Board as may be reasonably required by the Board for the proper performance of its duties.

Sec. 8-4. - Special ~~Master~~ Magistrate.

(a) A Special ~~Master~~ Magistrate may be appointed as needed by the Town Council, and shall have all the duties and responsibilities and shall carry out the same functions and procedures as the Board.

(1) The Special ~~Master~~ Magistrate shall serve at a rate of compensation to be determined by the Town Council.

(2) If the Special ~~Master~~ Magistrate fails to attend two of three successive hearings without cause, the position shall be considered vacant, and the Town Council shall promptly fill such vacancy.

(3) The Special ~~Master~~ Magistrate may be suspended and removed from office for cause by the Town Council.

(b) Regular hearings before the Special ~~Master~~ Magistrate may be held as often as necessary.

(c) Minutes shall be maintained of all hearings and a record shall be maintained of all evidence considered by the Special ~~Master~~ Magistrate, and all hearings shall be open to the public.

(d) The Town Council shall provide clerical and administrative support to the Special ~~Master~~ Magistrate as may be reasonably required by the Special ~~Master~~ Magistrate for the proper performance of his or her duties.

Sec. 8-5. - Jurisdiction.

The Board and Special ~~Master~~ Magistrate shall have the jurisdiction to hear and decide alleged violations of all various codes and ordinances of the Town of Howey-in-the-Hills including all amendments thereto.

Sec. 8-6. - Legal counsel.

(a) An attorney may be appointed by the Town Council in accordance with applicable law and ordinances to be counsel to the Board.

(b) The Town's Attorney shall represent the Town, when necessary.

(c) In no event may the Town's Attorney serve in both capacities.

Sec. 8-7. - Powers of the Code Enforcement Board and Special ~~Master~~ Magistrate.

The Code Enforcement Board and Special ~~Master~~ Magistrate shall have the power to:

(a) Adopt rules for the conduct of their hearings.

(b) Subpoena alleged violators and witnesses to their hearings, which subpoenas shall be served by the sheriff's office.

(c) Subpoena records, surveys, plats and other documentary evidence to its hearings, which subpoenas shall be served by the sheriff's office.

(d) Take testimony under oath.

(e) Issue orders having the force and effect of law, commanding whatever steps are necessary to bring a violation into compliance.

(f) Establish and levy fines.

Sec. 8-8. - Enforcement procedures.

(a) It shall be the duty of the Code Enforcement Officer to initiate enforcement proceedings of the various codes and ordinances. No member of the Board or Special ~~Master~~ Magistrate shall have the power to initiate such enforcement proceedings.

(b) Except as provided in subsections (c) and (d) below, if a violation of the codes or ordinances is found, the Code Enforcement Officer shall first notify the violator and give him or her a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the Code Enforcement Officer shall notify the Board or Special ~~Master~~ Magistrate and request a hearing. The Board or Special ~~Master~~ Magistrate, through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be hand-delivered or mailed as provided by this chapter to said violator. At the option of the Board or Special ~~Master~~ Magistrate, notice may additionally be served by

publication or posting as provided pursuant to section 8-16 of this chapter. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Board or Special ~~Master~~ Magistrate even if the violation has been corrected prior to the hearing, and the notice shall so state.

(c) If the Code Enforcement Officer has reason to believe a violation or the condition causing a violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Code Enforcement Officer shall make a reasonable effort to notify the violator and may immediately notify the Board or Special ~~Master~~ Magistrate and request a hearing.

(d) If a repeat violation is found, the Code Enforcement Officer shall notify the violator but is not required to give the violator a reasonable time to correct the violation. The Code Enforcement Officer, upon notifying the violator of a repeat violation, shall notify the Board or Special ~~Master~~ Magistrate and request a hearing. The Board or Special ~~Master~~ Magistrate, through their clerical staff, shall schedule a hearing and shall provide notice pursuant to section 8-16 of this chapter. The case may be presented to the Board or Special ~~Master~~ Magistrate even if the repeat violation has been corrected prior to the hearing, and the notice shall so state.

(e) If the owner of property which is subject to an enforcement proceeding before an enforcement Board, Special ~~Master~~ Magistrate, or court transfers ownership of such property between the time the initial pleading was served and the time of the hearing, such owner shall:

(1) Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.

(2) Deliver to the prospective transferee a copy of the pleadings, notices, and other materials relating to the code enforcement proceeding received by the transferor.

(3) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.

(4) File a notice with the Code Enforcement Official of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within five days after the date of the transfer.

A failure to make the disclosures described in subsections (1), (2), and (3) before the transfer creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is held.

Sec. 8-9. - Hearing procedures.

- (a) Upon request of the Code Enforcement Officer or at such other times as may be necessary, the chairman of the Board may call a hearing of the Board, or the Special ~~Master~~ Magistrate may call a hearing. A hearing may also be called by written notice signed by at least two members of the Board.
- (b) Upon scheduling of a hearing, the Board or the Special ~~Master~~ Magistrate shall cause notice therefor to be furnished to the alleged violator by certified mail, return-receipt requested, by publication, or by personal service as further described in section 8-16 of this chapter. Said notice of hearing shall contain the date, time and place of the hearing and shall include the Code Enforcement Officer's sworn statement setting forth the nature of the violation and reference to the appropriate code or ordinance.
- (c) Assuming proper notice of the hearing has been provided to the alleged violator as provided in subsection (b) above, a hearing may proceed in the absence of the alleged violator.
- (d) At the hearing, the burden of proof shall be upon the Code Enforcement Officer to show, by a preponderance of the evidence that a violation exists.
- (e) All testimony shall be under oath and shall be recorded. The Board or Special ~~Master~~ Magistrate shall take testimony from the Code Enforcement Officer and alleged violator and from such other witnesses as may be called by the respective parties.
- (f) Formal rules of evidence shall not apply, but fundamental due process shall be observed and govern said proceedings.
- (g) Irrelevant, immaterial or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of the State of Florida.
- (h) Any member of the Board or the Special ~~Master~~ Magistrate, or the attorney representing the Board or Special ~~Master~~ Magistrate, may inquire of any witness before the Board or Special ~~Master~~ Magistrate. The alleged violator, or his attorney, and the Code Enforcement Officer shall be permitted to inquire of any witness before the Board or Special ~~Master~~ Magistrate and shall be permitted to present brief opening and closing statements.
- (i) At the conclusion of the hearing, the Board or the Special ~~Master~~ Magistrate shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with powers granted by Chapter 162, Florida Statutes, and this chapter. In a Board hearing, the finding shall be by motion approved by a majority of those members present and voting; except that at least three members of the Board must vote in order for the action to

be official. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed and, under the conditions specified in section 8-10 of this chapter, the cost of repairs may be included along with the fine if the order is not complied with by said date. The order shall be reduced to writing and mailed to the alleged violator within 15 working days after the hearing. A certified copy of such order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns. If an order is recorded in the public records pursuant to this subsection and the order is complied with by the date specified in the order, the Board shall issue an order acknowledging compliance that shall be recorded in the public records. A hearing is not required to issue such an order acknowledging compliance.

- (j) Each case before the Board or the Special ~~Master~~ Magistrate may be presented by the Code Enforcement Officer or a member of the Town's administrative staff. If the Town prevails in prosecuting a case before the Board, the Town shall be entitled to recover all costs incurred in prosecuting the case before the Board or Special ~~Master~~ Magistrate, ~~the Town shall be entitled to recover all costs incurred in prosecuting the case before the Board or Special Master,~~ and such costs may be included in the lien authorized by section 8-13.

Sec. 8-10. - Fine authorized.

The Board, upon notification by the Code Enforcement Officer, through the Code Enforcement Manager, that a previous order of the Board has not been complied with by the set time, or upon finding that a repeat violation has been committed, may order the violator to pay a fine in an amount specified in section 8-11 for each day the violation continues past the date set by the Board for compliance or, in the case of a repeat violation continues beginning with the date the repeat violation is found to have occurred by the Code Enforcement Officer. In addition, if the violation is a violation described in F.S. § 162.06(4), the Board shall notify the Town Council, which may make all reasonable repairs required to bring the property into compliance and charge the violator with the reasonable cost of the repairs along with the fine. If a finding of a violation or a repeat violation has been made, a hearing shall not be necessary for issuance of the order imposing the fine. If after due notice and hearing the Board finds a violation to be irreparable or irreversible in nature, it may order the violator to pay a fine as specified in section 8-11.

Sec. 8-11. - Amount of fine.

A fine imposed pursuant to this section shall not exceed \$250.00 per day for a first violation and shall not exceed \$500.00 per day for a repeat violation, and, in addition, may include all costs incurred by the Town to enforce its code and all repairs pursuant to section 8-10. However, if the Board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000.00 per violation.

Sec. 8-12. - Determination of fine amount.

(a) In determining the amount of the fine, if any, the Board shall consider the following factors:

- (1) The gravity of the violation;
- (2) Any actions taken by the violator to correct the violation; and
- (3) Any previous violations committed by the violator.

(b) The Board may reduce a fine imposed pursuant to this chapter.

Sec. 8-13. - Recording of fine, lien.

A certified copy of an order imposing a fine/lien may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists or, if the violator does not own the land, upon any other real or personal property owned by the violator. The Board may petition the Circuit Court for enforcement of the order in the same manner as a court judgment by the sheriffs of this state, including levy against the person's property; but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this chapter shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant to this section runs in favor of the Town Council, and the Town Council may execute a satisfaction or release of lien entered pursuant to this section. After three months from the filing of any such lien that remains unpaid, the Board may authorize the Town Attorney to foreclose on the lien. No lien created pursuant to the provisions of this section may be foreclosed on real property that is a homestead under Fla. Const., art. X, § 4.

Sec. 8-14. - Duration of lien.

No lien provided by this chapter shall continue for a longer period than 20 years after the certified copy of an order imposing a fine/lien has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction. In an action to foreclose on a lien, the prevailing party is entitled to recover all costs, including a reasonable attorney's fee incurred in the foreclosure. The Town Council shall be entitled to collect all costs incurred in recording and satisfying a valid lien. The continuation of the lien affected by the commencement of the action shall not be good against creditors or subsequent purchasers for valuable consideration without notice unless a notice of lis pendens is recorded.

Sec. 8-15. - Appeals.

(a) An aggrieved party, including the Town Council, may appeal a final administrative order of the Board or Special ~~Master~~ Magistrate to the circuit court. Any such appeal shall be filed within 30 days of the execution of the order to be appealed.

- (b) Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Board or Special ~~Master~~ Magistrate.

Sec. 8-16. - Notice requirements.

- (a) All notices required by this chapter shall be provided to the alleged violator by certified mail, return receipt requested, or by hand-delivery by the Town's law enforcement agency, Code Enforcement Officer, or other person designated by the Town Council, or by leaving the notice at the violator's usual place of residence with any person residing there who is above 15 years of age and informing such person of the contents of the notice.
- (b) In addition to providing notices as set forth in subsection (a), notice may also be served by publication or posting, as follows:
- (1) Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the county. The newspaper shall meet such requirements as are prescribed under Chapter 50 of the Florida Statutes for legal and official advertisements.
 - (2) Proof of publication shall be made as provided in sections 50.041 and 50.051 of the Florida Statutes.
 - (3) In lieu of publication as described in subsection (b)(1) such notice may be posted for at least ten days in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be at Town hall.
- (c) Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.
- (d) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand-delivery or by mail as required under subsection (a) of this section.
- (e) Evidence that an attempt has been made to hand-deliver or mail notice as provided in subsection (a), together with proof of publication or posting as provided in subsection (b), shall be sufficient to show that the notice requirements of this section have been met, without regard to whether the alleged violator actually received such notice.

Sec. 8-17. – Reserved

Sec. 8-18. - Conflict of interest provisions.

The following conflict of interest provisions shall apply to the members of the Board and to the Special ~~Master~~ Magistrate; failure on the part of a Board member or the Special ~~Master~~ Magistrate to comply with the provisions of this section shall constitute grounds for removal by the Town Council:

- (a) Upon appointment, each member of the Board and the Special ~~Master~~ Magistrate shall comply with the disclosure requirements imposed by Florida law; including sections 112.313 and 112.3145, of the Florida Statutes.
- (b) Additionally, each member of the Board and each Special ~~Master~~ Magistrate shall comply with the voting requirements imposed by Florida law; including sections 286.012 and 112.3143, of the Florida Statutes.
- (c) For a period of one year from the date of termination of office as a member of the Board or as Special ~~Master~~ Magistrate, such person is hereby expressly prohibited from acting as agent or attorney in any proceedings, petition or other matter before the Board or Special ~~Master~~ Magistrate.
- (d) No person who is or may become a party to a hearing before the Board or Special ~~Master~~ Magistrate shall communicate ex parte with any member of the Board or the Special ~~Master~~ Magistrate concerning that violation. This restriction shall extend to any person appearing or interceding on behalf of a party, whether or not such said person may have a direct personal or financial interest in the property subject of the alleged violation.
- (e) Nor shall any member of the Board or Special ~~Master~~ Magistrate communicate ex parte on his own volition with any party, representative of a party, or interceding person concerning an alleged violation; however, a member of the Board or the Special ~~Master~~ Magistrate may consider a request regarding the scheduling or continuance of hearings when such request is made in writing.

ARTICLE II. CODE ENFORCEMENT CITATION PROGRAM

Sec. 8-25. - Authorization of the code enforcement citation program.

The Town hereby creates a supplemental and additional method of enforcing its codes and ordinances by the issuance of citations for violation of various codes and ordinances. Nothing contained herein shall prohibit the Town's enforcement of its codes or ordinances by any other means.

Sec. 8-26. – Designation of code enforcement officers.

- (a) The Mayor is hereby authorized to designate agents and certain employees as code enforcement officers. Code enforcement officers so designated shall have the powers and limitations prescribed herein and by statute.

- (b) The training and qualifications of the code enforcement officers shall be established by the Mayor.

Sec. 8-27. – Applicable codes and ordinances.

Each of the various codes and ordinances of the Town may be enforced pursuant to the supplemental code enforcement citation procedures contained in this article. The various codes and ordinances shall include such codes and ordinances as they may be from time-to-time amended, renumbered, codified or recodified including codes and ordinances enacted subsequent to the adoption of this Article.

Sec. 8-28. - Procedures; investigation of violations; issuance of citations.

- (a) A code enforcement officer is authorized to issue a citation to any person for violation of any town code or ordinance when, based upon personal investigation, the code enforcement officer has reasonable cause to believe that a violation has occurred. The word “person” includes individuals, sole proprietorships, partnerships, companies, corporations, and all other business entities of all kinds.
- (b) Except as provided by subsection (c) below, the code enforcement officer shall provide notice to the person that the person has committed a violation of such code or ordinance and shall establish a reasonable time period within which the person must correct the violation. Such time period to correct the violation shall not exceed thirty (30) days.
- (c) If a repeat violation is found or if the code enforcement officer has reason to believe that the violation presents a serious threat to the public health, safety or welfare, or if the violation is irreparable or irreversible, a code enforcement officer is not required to provide the person with a reasonable time period to correct the violation prior to issuing a citation and may immediately issue a citation.
- (d) Written warning notices, if applicable, and citations shall be provided to the alleged violator by hand delivery by the code enforcement officer. In the absence of the alleged violator, issuance of a written warning notice or citation may be accomplished by leaving a copy at the alleged violator’s residence with any person residing in it who is above 15 years of age and informing the person of the contents, or by registered or certified mail, return receipt requested.
- (e) Issuance of a written warning notice or citation to a business may be accomplished by leaving a copy at the business during regular business hours with any employee and informing the employee of the contents, or by registered or certified mail, return receipt requested. Each employee of the business shall be deemed to be an agent of the business for service of warning notices and citations.
- (f) If upon personal investigation the code enforcement officer finds that the violation has not been corrected within the specified time period, a code

enforcement officer may issue a citation for a civil infraction to the person accused of committing the violation.

- (g) A citation shall include but not be limited to the following:
- (1) Date and time of issuance;
 - (2) Name of the code enforcement officer and jurisdiction;
 - (3) Name and address of the violator;
 - (4) Code section that has been violated;
 - (5) Brief description of the nature of the violation, including location, date and time of violation;
 - (6) Amount of the applicable civil penalty;
 - (7) Procedure for the person to follow to pay the civil penalty, or to contest the citation;
 - (8) Notice that if the person fails to pay the civil penalty within the time allowed, and fails to appear in court (if assigned to county court), or fails to request an administrative hearing within ten (10) calendar days of service (if the case is assigned to a special magistrate), then the person shall be deemed to have waived his or her rights to contest the citation and that, in such case, judgment may be entered up to the maximum civil penalty; and
 - (9) Notice that the person may be liable for reasonable costs of the hearing should the violator be found guilty of the violation.
- (h) Each violation of a Town code or ordinance is a separate civil infraction. Each day that such violation continues shall be deemed to constitute a separate civil infraction.
- (i) The maximum civil penalty or fine for each violation shall not exceed five hundred dollars (\$500.00).
- (j) After issuing a citation to an alleged violator, the code enforcement officer shall:
- (1) Provide the person cited with 1 copy;
 - (2) Retain 1 copy in the code enforcement officer's department or division file; and
 - (3) Deposit the original citation and 1 copy of the citation with the Lake County Clerk of Court.
- (k) If the person cited refuses to sign the citation, the code enforcement officer shall write the words "refused" or "refused to sign" in the space provided for the person's signature. The code enforcement officer shall then leave a copy of the citation with the person cited, if possible, and shall notify the Town's law enforcement and request filing of the necessary reports alleging a violation of Subsection 162.21(6) of the Florida Statutes, which provides that a person who willfully refuses to sign and accept a citation issued by a code enforcement officer shall be guilty of a misdemeanor of the second degree punishable as provided in Sections 775.082 or 775.083 of the Florida Statutes.

- 493
494 (l) Each person issued a citation shall have the following options: (i) to correct the
495 violation and pay the civil penalty in the manner indicated on the citation, if not
496 timely corrected; or (ii) Appear on the designated court date and contest the
497 citation before a Lake County judge. Failure to appear in county court on the
498 designated court date shall be deemed a waiver of the rights of the person to
499 contest the citation and may result in the imposition of a fine against the violator
500 for an amount up to the maximum civil penalty.
501

502 **Sec. 8-29. - Payment of fines; court hearings.**

- 503 (a) If the person elects not to contest the citation, the person shall pay in full the
504 applicable civil penalty within 14 days after issuance of the citation.
505
506 (b) If the person elects to pay the civil penalty the person shall be deemed to have
507 admitted the infraction and waived the right to a hearing.
508
509 (c) If the person cited fails to pay the civil penalty by the 14th day after issuance of
510 the citation or fails to request a court hearing within the time prescribed, the
511 person shall have waived any right to contest the citation and a judgment shall be
512 entered against the person cited in an amount up to the maximum civil penalty,
513 which shall not exceed \$500.00 per citation.
514
515 (d) If the person elects to contest the citation, the person shall appear in court before a
516 county court judge within 21 days of issuance of the citation to request a hearing
517 date.
518
519 (e) A county judge, after a hearing on the citation, shall make a determination
520 whether or not a violation of this article has been committed. If a violation is
521 found to have occurred, the county judge may impose a civil penalty up to the
522 maximum civil penalty in an amount not to exceed \$500.00 per citation, plus all
523 applicable court costs.
524
525 (f) The judge may provide for the civil penalty to be paid within such time as the
526 judge determines to be appropriate. If the person found to be in violation fails to
527 pay the fine within the time provided, a civil judgment shall be entered against
528 that person in the amount up to the maximum civil penalty, not to exceed \$500.00
529 per citation.
530
531 (g) Should the person cited schedule a hearing as provided for herein, and thereafter
532 fail to appear at such hearing, the person shall be deemed to have waived the right
533 to contest the citation and a civil judgment shall be entered against the person in
534 an amount up to the maximum civil penalty; provided, however, that the court
535 shall have the discretion to continue or reschedule any hearing when it determines
536 that doing so will further the interest of justice. In such an event, the clerk shall

notify the code enforcement officer and the person cited of the date and time of the new hearing.

Sec. 8-30. – Procedures for payment of civil penalty.

Payment of any civil penalty and applicable court costs imposed by civil judgment or county judge shall be made to the Clerk of the Court for Lake County. Thereafter, the clerk of the court shall remit the remaining balance to the Town. Once a judgment has been satisfied and all violations of the code or ordinance are brought into compliance, the necessary satisfaction of judgment shall be prepared by the code enforcement department for the Town and recorded in the Official Records of Lake County.

Sec. 8-31. - Violations and penalties.

Violations of the Town's codes or ordinances and the applicable civil penalties shall be classified as follows:

<u>Violation</u> <u>Classification</u>	<u>First</u> <u>Offense</u>	<u>Second (repeat)</u> <u>Offense</u>	<u>Third (repeat)</u> <u>Offense</u>
<u>Class I</u> <u>Property Maintenance</u>	<u>\$50.00</u>	<u>\$100.00</u>	<u>\$150.00</u>
<u>Class II</u> <u>Permits</u>	<u>\$100.00</u>	<u>\$200.00</u>	<u>\$300.00</u>
<u>Class III</u> <u>Environment</u>	<u>\$150.00</u>	<u>\$300.00</u>	<u>\$450.00</u>
<u>Class IV</u> <u>Life & Fire Safety</u>	<u>\$200.00</u>	<u>\$350.00</u>	<u>\$500.00</u>

Section 3. Severability. The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Codification. The provisions in Section 2 of this Ordinance shall become and be made a part of the Town's Code of Ordinances.

Section 5. Effective Date. This Ordinance takes effect immediately upon final adoption by the Town Council.

PASSED AND ORDAINED on _____, 2022, by the Town Council of the Town of Howey-in-the-Hills, Florida.

Martha MacFarlane, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY
for use and reliance by the Town of Howey-in-the-Hills, Florida, only.

John Brock, Town Clerk

Thomas J. Wilkes, Town Attorney

First Reading held _____, 2022

Second Reading, Public Hearing and Adoption held _____, 2022

Advertised _____, 2022



Date: July 6, 2022
To: Mayor and Town Council
From: Morgan Cates
Re: Mower Replacement

Objective:

To purchase a new Exmark LZS 60” Zero Turn Mower.

Summary:

The purpose of this request is to purchase a new Zero Turn Mower to replace an existing non-working mower.

Recommended Motions:

The Town Council has the following options:

1. The Town Council motions to approve
OR
2. The Town Council motions to approve with the following conditions
OR
3. Motion to Deny

Fiscal Impact:

There is an initial fiscal impact to the Town of \$12,799.00 as outlined in the attached Quote from Fields Equipment Company an approved vendor.

Staff Recommendation:

Approve the Public Works Director to purchase the new Exmark LZS 60” Zero Turn Mower.

Quote Summary
Prepared For:

TOWN OF HOWEY IN THE HILLS
101 N PALM AVE
HOWEY IN THE HILLS, FL 34737
Business: 352-324-2290
MCates@howey.org

Prepared By:

Andrew Vester
Fields Equipment Company
17215 Highway 27 North
Minneola, FL 34715-9273
Phone: 352-394-7181
avester@fieldsequip.com

Quote Id: 26996991
Created On: 30 June 2022
Last Modified On: 06 July 2022
Expiration Date: 29 July 2022

Equipment Summary	Selling Price	Qty	Extended
EXMARK LZS801CKA60RA1 60" RD Kawi FX Commercial Z-turn	\$ 12,799.00 X	1 =	\$ 12,799.00

Equipment Total	\$ 12,799.00
------------------------	---------------------

Quote Summary

Equipment Total	\$ 12,799.00
SubTotal	\$ 12,799.00
Est. Service Agreement Tax	\$ 0.00
Total	\$ 12,799.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 12,799.00

Salesperson : X _____

Accepted By : X _____



MEMO

To: Town Council

CC:

From: John Brock, Town Clerk

RE: June 2022 Month-End Town Hall Report

Date: 07/08/2022

General:

We hired our new Utility Billing Clerk, Kimberly Bohrer, and Building Services Clerk, Jack Pavlik, on 6/17/2022. They are both in process of training in their respective positions.

Due to the disruption with the Building Services Clerk's position the spreadsheet showing permits that were submitted in May and June are not currently unavailable. Our new Building Services Clerk is working on getting the backlog of permits submitted into the Black Mountain Permit system. We will submit May and June's numbers next month.

Utility Billing:

Top Utility Bill Bad Debt for June 2022

service_address	Action	total_balance	current_charges	past_due_amount
107 E MYRTLE ST	Lien - Turned Off	3228.82	25.65	3203.17
103 SIXTH AVE	Lien - Turned Off	757.05	25.65	731.40
122 W MAGNOLIA AVE		715.08	256.58	458.50
440 AVILA PL-IRRIGATION		607.62	215.21	392.41
311 E ORCHID WAY	Lien	509.27	118.62	390.65
23 CAMINO REAL		399.66	59.65	340.01
803 CAMINO REAL		386.86	58.49	328.37
720 CALABRIA WAY-IRRIGATION		1125.30	799.48	325.82
205 E LAUREL AVE	Lien	365.98	41.13	324.85
213 MESSINA PL-IRRIGATION		350.24	91.07	259.17
568 AVILA PL-POTABLE		355.70	132.68	223.02
213 MESSINA PL-POTABLE		288.96	94.62	194.34
111 ISLAND DR-IRRIGATION		251.10	60.22	190.88
325 TERRACOTTA TER-POTABLE		277.27	87.13	190.14

Activity Log Event Summary (Cumulative Totals)

Howey-in-the-Hills PD
(06/01/2022 - 06/30/2022)

Abandoned 911	1	Abandoned Vehicle	1
Alarm Activation	1	Animal Complaint	1
Anti-Social Behavior	6	Arrest	3
Assault & Battery	3	Assist other Agency- Alarms	5
Assist other Agency- Back-up	4	Assist other Agency- Child Services	1
Assist other Agency- In Progress calls	4	Assist other Agency- Medical Call	7
Assist other Agency- Other	6	Assist other Agency- Traffic	4
Burglary-vehicle	2	Case Follow-Up	4
Citizen Assist	1	Civil Complaint-Legal Advice	13
Civil Complaint-Legal Advice - Business	1	Disabled Vehicle (DAV)	4
Disturbance	2	Found / Lost Property	2
Fraud Investigation	1	Funeral Escort	3
Golf Cart Registration	1	Mental Health Illness	5
Patrol	241	Patrol-Busines	9
Patrol-School	63	Property Check-Boat Ramp	30
Property Check-Business	55	Property Check-Residence	60
Property Check-Schools/Govt. Bldg.	37	Property Check-Town Property	197
Property Damage	3	Public Relations	25
Reckless Driver	3	Road Hazard	6
Security Check Request	1	Suspicious Incident	3
Suspicious Person	4	Suspicious Vehicle	1
Suspicious Vehicle - Business	1	Traffic Complaint	1
Traffic Control	1	Traffic Crash	5
Traffic Stop-Civil Citation	195	Traffic Stop-Criminal Citation	10
Traffic Stop-warning	98	Traffic Watch	102
Well Being Check	2		

Total Number Of Events: 1,239

Code Summary Report Activity Type

Activity Date 06/01/2022 TO 06/01/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Initial Inspection	0	0	0	0	0	12	0	0	0	0	0	0	12
Meeting	0	0	0	0	0	1	0	0	0	0	0	0	1
Research	0	0	0	0	0	12	0	0	0	0	0	0	12
Totals:	0	0	0	0	0	25	0	0	0	0	0	0	25

Code Summary Report Violation Name

Violation Date 06/01/2022 TO 06/30/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Accumulation of Refuse Sec. 127-2	0	0	0	0	0	1	0	0	0	0	0	0	1
Excessive or Untended Growth of Vegetation Sec. 127-3	0	0	0	0	0	6	0	0	0	0	0	0	6
Water Restriction Sec. 171-123(c)(1)	0	0	0	0	0	5	0	0	0	0	0	0	5
Water Restriction Sec. 171-123(c)(2)	0	0	0	0	0	6	0	0	0	0	0	0	6
Totals:	0	0	0	0	0	18	0	0	0	0	0	0	18

Code Summary Report Activity Type

Activity Date 10/01/2021 TO 06/30/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Email	2	1	3	0	1	0	0	0	0	0	0	2	9
Initial Inspection	18	25	14	14	26	18	0	0	0	18	12	3	148
Issue Citation	0	0	0	0	0	0	0	0	0	2	0	0	2
Meeting	0	0	0	1	0	1	0	0	0	0	0	0	2
Office visit	1	0	2	0	0	0	0	0	0	0	0	1	4
Phone call	7	4	10	4	11	1	0	0	0	10	6	5	58
Re-Inspection	13	6	16	7	28	15	0	0	0	17	12	12	126
Research	2	0	10	1	17	14	0	0	0	0	2	2	48
Send Letter	2	3	13	3	6	2	0	0	0	4	3	1	37
Verbal Warning	0	0	0	0	0	0	0	0	0	0	1	0	1
Totals:	45	39	68	30	89	51	0	0	0	51	36	26	435

Code Summary Report Violation Name

Violation Date 10/01/2021 TO 06/30/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row	Total
Accumulation of Junk Sec. 127-4	4	1	1	2	1	0	0	0	0	0	6	0	15	
Accumulation of Refuse Sec. 127-2	4	0	0	2	0	1	0	0	0	0	5	0	12	
Excessive or Untended Growth of Vegetation Sec. 127-3	1	1	0	6	2	6	0	0	0	0	2	0	18	
Florida Building Code 105.1	2	1	1	1	1	0	0	0	0	4	0	2	12	
Land Clearing LDC Chap 7.13.00	0	0	1	0	0	0	0	0	0	0	0	0	1	
Movable Module Storage Units LDC 5.02.06	1	0	0	0	0	0	0	0	0	0	0	0	1	
Parking-Boats and RVs (A) Article I, Sec. 166-3	0	0	0	0	2	0	0	0	0	2	2	0	6	
Parking-Boats and RVs (C) Article I, Sec. 166-3	2	2	1	1	3	0	0	0	0	0	0	0	9	
Parking-Boats and RVs (D) Article I, Sec. 166-3	0	1	4	1	0	0	0	0	0	0	0	0	6	
Political Signs 5.03.05(K)	4	0	0	0	7	0	0	0	0	0	3	0	14	
Prohibited Signs 5.03.04	0	0	0	0	9	0	0	0	0	8	2	0	19	
Storm water Management 8.05.05	0	1	0	0	0	0	0	0	0	0	0	0	1	
Storm water Management 8.05.05 (K)(2)(o)	0	1	0	0	0	0	0	0	0	0	0	0	1	
Tree Permit LDC Chap 7.12.01	0	0	1	0	0	0	0	0	0	0	0	0	1	
Water Restriction Sec. 171-123(c)(1)	1	5	0	2	8	5	0	0	0	0	0	0	21	
Water Restriction Sec. 171-123(c)(2)	0	0	10	0	2	6	0	0	0	0	0	0	18	
Totals:	19	13	19	15	35	18	0	0	0	14	20	2	155	



Public Utilities

June 2022– Monthly Report

Activity	Location/ Address	Notes
Locates	North Section of Town	18 locates done for fiber optic line directional boring
Data log	Throughout Town	9 data logs for high water usage
Service Orders	Throughout Town	24 water utility service orders
Repairs	Lift Station 1	Electrical repair of blown Surge protector



Public Works

June 2022 – Monthly Report

Activity	Location/ Address	Notes
Road Maintenance / Potholes		
Street Signs		
Stormwater/Drainage		
Sidewalk Maintenance	Town Hall	Pressure washed sidewalks at Town Hall
Building Maintenance	Town Hall Library	Contractor cleaned all vents and air ducts in Town Hall and Council Chambers. Removed shields from Library counter.
Grounds Maintenance	Griffin Park	Added landscape rock and new rope to bird sculpture
Tree Trimming/Tree Removal	Mission Lane N. Hamlin Ave	Removed multiple limbs from right of way that came down during storm. 2 Trees removed by Contractor
Mowing/Weed Eating	Main Water Plant Well # 3 Lakeshore Blvd	Monthly Maintenance mowing, weed eating and edging
Boardwalk Repairs	Sara Maude Mason Nature Preserve	See attached Monthly Report
Landscape/Irrigation/Lot Grading Inspections/Sidewalk Inspections	Talichet Phase 1	6 Landscape/Irrigation Inspections 6 Lot Grading Inspections 6 Sidewalk Inspections

Additional Notes:

- Contractors are working on installing underground power, power meters and new pavers at Grove Square.



Sara Maude Mason Nature Preserve

June 2022 – Monthly Report

Materials Purchased: No new materials have been purchased this month. New lumber supplier has been acquired, PW will purchase lumber when it has been delivered to the supplier.

Work Performed: Installed 10 walkboards, Trimmed/Removed tree limbs along nature trail, Monitoring motion activated security cameras along the boardwalk to report vandalism to Howey PD (will installed more cameras as needed). Installed bench at entrance to Boardwalk.



**Library Director's Report
Marianne Beck Memorial Library
For the Month of June 2022**

Statistics for June 2022

KOHA: 1,756, emagazines: 11, ebooks: 110, audiobooks: 41 for total KOHA: 1,907. New patrons: 32. Computer hours used: 109. Broadband used: 85.53.

Funds collected for June:

Copies/Fax: \$68.80 **Fines:** \$32.80 **Total:** \$ 101.60 **FOL:** \$282.50

Activities during the month of June:

Public Works came and repaired the Dutch door between the main library and the LEC. They also removed a fixture to storage and adjusted the timer for the outside porch lights again.

The Summer Reading Program (SRP) was held each Thursday in June. Hannah and her volunteers taught each class except the last that was hosted and taught by Eileen for the Trout Nature Center. Each class consisted of games and crafts. The students were asked to read and record on a bingo card books at their age level. They received a stamp for each category fulfilled. When the card was completed they were awarded a book of their choice to be added to the library's collection. On July 7th a pizza party will be held to close out the in library SRP. In July, each student that participated in the SRP will have an opportunity to extend the SRP by choosing a STEM project to complete at home while reading books that relate to the project they have chosen.

June's movie night brought in 51 patrons to watch "Frozen". Sno cones and popcorn was served as refreshments.

The FOL Masquerade Ball was a wonderful success! The FOL did a great job organizing and implementing the ball. 150 residents join us for the first ball. The FOL took in approximately \$21,000, after expenses their profit was approximately \$5,800. They have residents and companies already expresses interest in next year's masquerade ball.

June 17th prizes were awarded for the 2nd volume of “Young Writers of Howey” volume 2.

Ages 10 and above: 1st: “The Piano” by Lila Garaguso

2nd: “Sundry Reflections Upon Food” by Grayson Terry

3rd: “Pizza is a Salad” by David Terry

Ages 9 and under: 1st: “Flowers in the Garden” by Estyella O’Keefe

2nd: “Going on an Adventure” by Blythe Darby Mcilvaine

3rd: “Insects” by Zechariah Szydlik

3rd (tie): “Playing in the Dirt” by Kent Mcilvaine

Each person that attended the masquerade ball received a copy in their “swag” bag.

The Library Education Center (LEC) continues to grow in its rentals. For July we have four outside organizations using it and in August we have five organizations that have reserved the LEC. This is in addition to the library programs that are already scheduled monthly. August 23rd the LEC will be used for the elections.

Respectively submitted by
Tara Hall, Library Director

HOWEY-IN-THE-HILLS FINANCIAL REPORT

Jun-22

<u>REVENUES</u>	<u>FYE</u> <u>2021</u>	<u>RECEIVED</u> <u>SINCE LAST REP.</u>	<u>RECEIVED</u> <u>YEAR-TO-DATE</u>	<u>ESTIMATED</u> <u>REVENUE</u>	<u>REVENUE</u> <u>TO BE RECEIVED</u>	<u>PERCENT</u> <u>RECEIVED</u>	<u>DIFFERENCE</u> <u>FROM LAST REP.</u>
GENERAL	\$ 2,490,840.72	\$ 15,147.97	\$ 1,486,891.06	\$ 2,074,421.00	\$ 587,529.94	72%	1%
POLICE ADV TRAINING	\$ 3,318.28	\$ 276.00	\$ 1,975.90	\$ 3,000.00	\$ 1,024.10	66%	9%
WATER IMPACT FEES*	\$ 201,671.56	\$ -	\$ 44,111.48	\$ 50,000.00	\$ 5,888.52	88%	0%
PARK IMPACT FEES*	\$ 93,591.14	\$ -	\$ 21,409.78	\$ 40,000.00	\$ 18,590.22	54%	0%
POLICE IMPACT FEES*	\$ 101,152.17	\$ -	\$ 22,806.07	\$ 90,000.00	\$ 67,193.93	25%	0%
INFRASTRUCTURE FUND	\$ 216,889.55	\$ 1,012.16	\$ 173,009.67	\$ 219,707.00	\$ 46,697.33	79%	0%
BUILDING FUND		\$ 2,804.24	\$ 126,832.80	\$ -	\$ (126,832.80)	#DIV/0!	
WATER/SANITATION FUND	\$ 1,067,854.09	\$ 90,371.11	\$ 1,350,048.80	\$ 1,126,500.00	\$ (223,548.80)	120%	8%
POLICE RETIREMENT	\$ 486,776.74	\$ -	\$ (23,614.30)	\$ 214,653.00	\$ 238,267.30	-11%	0%
TOTALS	\$ 4,662,094.25	\$ 109,611.48	\$ 3,203,471.26	\$ 3,818,281.00	\$ 614,809.74	84%	3%

*Subtotal for Impact Fees Revenues \$ 88,327.33

<u>EXPENDITURES</u>	<u>FYE</u> <u>2021</u>	<u>COMMITTED</u> <u>SINCE LAST REP.</u>	<u>COMMITTED</u> <u>YEAR-TO-DATE</u>	<u>CURRENT</u> <u>APPROPRIATION</u>	<u>AVAILABLE</u> <u>APPROPRIATION</u>	<u>PERCENT</u> <u>COMMITTED</u>	<u>DIFFERENCE</u> <u>FROM LAST REP.</u>
GENERAL	\$ 1,963,604.45	\$ 177,917.17	\$ 1,562,215.59	\$ 2,074,421.00	\$ 512,205.41	75%	9%
POLICE ADV TRAINING	\$ 1,950.82	\$ -	\$ -	\$ 3,100.00	\$ 3,100.00	0%	0%
WATER IMPACT FEES*	\$ 2,598.45	\$ -	\$ -	\$ 54,000.00	\$ 54,000.00		
PARK IMPACT FEES*	\$ 11,675.00	\$ -	\$ 17,899.12	\$ 29,456.00	\$ 11,556.88		
POLICE IMPACT FEES*	\$ 31,022.45	\$ -	\$ 61,668.37	\$ 78,600.00	\$ 16,931.63		
INFRASTRUCTURE FUND	\$ 108,974.72	\$ -	\$ 102,723.37	\$ 178,523.00	\$ 178,523.00	58%	0%
BUILDING FUND			\$ 65,936.45	\$ -	\$ -	#DIV/0!	#DIV/0!
WATER/SANITATION FUND	\$ 921,015.41	\$ 83,850.22	\$ 883,419.90	\$ 1,125,769.00	\$ 242,349.10	78%	7%
POLICE RETIREMENT	\$ 93,290.98	\$ -	\$ 51,138.70	\$ 79,438.00	\$ 28,299.30	64%	0%
TOTALS	\$ 3,134,132.28	\$ 261,767.39	\$ 2,745,001.50	\$ 3,623,307.00	\$ 1,046,965.32	76%	7%

*Subtotal for Impact Fees Expenditures \$ 79,567.49

HOWEY IN THE HILLS **FINANCIAL REPORT** **Jun-22**

ACCOUNTS

151200

Florida Prime Account**STATE BOARD ADMINISTRATION BALANCE** (usually comes in 2nd week of month)

SBA FUND A	\$	19,091.57
INTEREST RECEIVED (APY 0.10%)	\$	1.38
TOTAL	\$	19,092.95

101076

SEACOAST MONEY MARKET ACCOUNT

(RESERVES)	BEGINNING BALANCE	\$	658,507.36
	TRANSFERS IN (OUT)		
	INTEREST RECEIVED (APY 0.05%)	\$	27.07
	ENDING BALANCE	\$	658,534.43

101080

SEACOAST #2 MONEY MARKET ACCOUNT

(BISHOPS GATE)	BEGINNING BALANCE		2,925.99
Sinking Fund	TRANSFERS IN (OUT)		
	INTEREST RECEIVED (APY 0.01%)	\$	0.03
	ENDING BALANCE	\$	2,926.02

101005

SEACOAST CHECKING ACCOUNT (Operating)

Operating Checking	BEGINNING BALANCE	\$	2,614,689.42
	REVENUES DEPOSITED	\$	207,097.86
	TRANSFERS IN (OUT)		
	EXPENDITURES CLEARED	\$	(295,011.92)
	ENDING BALANCE	\$	2,526,775.36

101160

SEASIDE MONEY MARKET ACCOUNT

	BEGINNING BALANCE	\$	343,229.94
	TRANSFERS IN (OUT)	\$	-
	INTEREST RECEIVED (APY 0.10%)	\$	28.21
	ENDING BALANCE	\$	343,258.15

101110

SEASIDE CHECKING ACCOUNT (Pays to Loan)

	BEGINNING BALANCE	\$	18,083.56
	TRANSFERS IN (OUT)		
	DEPOSITED	\$	-
	ENDING BALANCE	\$	18,083.56

101120

SEASIDE SRF LOAN SWEEP ACCOUNT

	BEGINNING BALANCE	\$	2,490.97
	TRANSFERS IN (OUT)		
	EXPENDITURES CLEARED		
	ENDING BALANCE	\$	2,490.97

TOTAL **\$** **3,571,161.44**

United Community Bank (renamed from Seaside)

LOANS

FDEP SRF LOAN (2.71%/2.12% interest)*

BEGINNING BALANCE	\$	1,322,737.88
TRANSFERS IN (OUT)		\$0.00
ALLOCATED TO PRINCIPAL		\$0.00
ALLOCATED TO INTEREST		\$0.00
ENDING BALANCE	\$	1,322,737.88

*payments of \$72,314.68 are made in April and Oct. and will continue until 2032

TOTAL **\$** **1,322,737.88**

HOWEY-IN-THE-HILLS FINANCIAL REPORT (Previous Month)

May-22

(revenues and expenditures updated one month after initial report completion)

<u>REVENUES</u>	<u>Balance Brought Forward</u>	<u>FYE 2021</u>	<u>RECEIVED CURRENT MON.</u>	<u>RECEIVED YEAR-TO-DATE</u>	<u>ESTIMATED REVENUE</u>	<u>REVENUE TO BE RECEIVED</u>	<u>PERCENT RECEIVED</u>
GENERAL	\$ 796,058	\$ 2,490,840.72	\$ 75,768.80	\$ 1,471,743.09	\$ 2,074,421.00	\$ 602,677.91	71%
POLICE ADV TRAINING		\$ 3,318.28	\$ 275.43	\$ 1,699.90	\$ 3,000.00	\$ 1,300.10	57%
WATER IMPACT FEES*	\$ 731,659	\$ 201,671.56	\$ 3,150.82	\$ 44,111.48	\$ 50,000.00	\$ 5,888.52	88%
PARK IMPACT FEES*	\$ 273,129	\$ 93,591.14	\$ 1,138.96	\$ 21,409.78	\$ 40,000.00	\$ 18,590.22	54%
POLICE IMPACT FEES*	\$ 273,218	\$ 101,152.17	\$ 1,213.24	\$ 22,806.07	\$ 90,000.00	\$ 67,193.93	25%
INFRASTRUCTURE FUND	\$109,297	\$ 216,889.55	\$ 32,173.24	\$ 171,997.51	\$ 219,707.00	\$ 47,709.49	78%
BUILDING FUND	\$ 158,928		\$ 5,643.29	\$ 124,028.56	\$ -		
WATER/SANITATION FUND		\$ 1,067,854.09	\$ 106,345.12	\$ 1,259,677.69	\$ 1,126,500.00	\$ (133,177.69)	112%
POLICE RETIREMENT	\$1,676,709	\$ 486,776.74	\$ 16,949.36	\$ (23,614.30)	\$ 214,653.00	\$ 238,267.30	-11%
TOTALS		\$ 4,662,094.25	\$ 242,658.26	\$ 3,093,859.78	\$ 3,818,281.00	\$ 848,449.78	81%

*Subtotal for Impact Fees Revenues

\$ 88,327.33

<u>EXPENDITURES</u>	<u>FYE 2021</u>	<u>COMMITTED CURRENT MON.</u>	<u>COMMITTED YEAR-TO-DATE</u>	<u>CURRENT APPROPRIATION</u>	<u>AVAILABLE APPROPRIATION</u>	<u>PERCENT COMM.</u>
GENERAL	\$ 1,963,604.45	\$ 168,868.92	\$ 1,384,298.42	\$ 2,074,421.00	\$ 690,122.58	67%
POLICE ADV TRAINING	\$ 1,950.82	\$ -	\$ -	\$ 3,100.00	\$ 3,100.00	0%
WATER IMPACT FEES*	\$ 2,598.45	\$ -	\$ -	\$ 54,000.00	\$ 54,000.00	
PARK IMPACT FEES*	\$ 11,675.00	\$ -	\$ 17,899.12	\$ 29,456.00	\$ 11,556.88	
POLICE IMPACT FEES*	\$ 31,022.45	\$ -	\$ 61,668.37	\$ 78,600.00	\$ 16,931.63	
INFRASTRUCTURE FUND	\$ 108,974.72	\$ -	\$ 102,723.37	\$ 178,523.00	\$ 75,799.63	58%
BUILDING FUND		\$ 5,466.92	\$ 60,291.08	\$ -	\$ (60,291.08)	#DIV/0!
WATER/SANITATION FUND	\$ 921,015.41	\$ 63,827.64	\$ 799,569.68	\$ 1,125,769.00	\$ 326,199.32	71%
POLICE RETIREMENT	\$ 93,290.98	\$ 5,442.49	\$ 51,138.70	\$ 79,438.00	\$ 28,299.30	64%
TOTALS	\$ 3,134,132.28	\$ 243,605.97	\$ 2,477,588.74	\$ 3,623,307.00	\$ 1,145,718.26	68%

*Subtotal for Impact Fees Expenditures

\$ 79,567.49