

BOARD ACTION
December 1, 2020

CITIZEN QUESTION AND COMMENT PERIOD

Ms. Lee Conger, a concerned citizen, recalled that the Board had asked the City of Eustis for time rather than going to conveyance, but she opined that everything that had transpired since then had shut the door on collaboration. She hoped that the Board would be voting for the conveyance today.

Mr. Lloyd Kennedy, a resident of Burgess Terrace, said that he had hired Ms. Alison Yurko, an attorney, to help in this matter because he opined that there were other ways that the City of Eustis could have gotten to their area and that this was not in the spirit of the annexation law. He expressed appreciation for what the Board was doing, and he thought that proper planning was important. He expressed support for the deed on this piece of property, and for continuing planning with the City.

Mr. Sam Miller, an attorney with Akerman LLP, said he was speaking on behalf of Ms. Carol Harper, as trustee of the Carol Harper Living Trust. He commented that he was speaking against the resolution and the proposed transaction, and he opined that it was not a legitimate transfer of property and that it was in order to block a proper State-prescribed annexation. He stated that there was a legitimate process and procedure for Lake County to follow if it wished to challenge the proposed annexation under the Florida Statutes. He opined that there were issues with the notice of the current special meeting, and that the proposed transaction violated the declaration governing the reserve property. He relayed his understanding that the State of Florida, through the Florida Communities Trust (FCT), was supposed to have notice and provide consent to any transfer of this property. He relayed that there was currently a pending lawsuit with a hearing on the previous day, and that if the Board moved forward at the current meeting, they would have no choice but to continue the lawsuit; additionally, it was likely to expand. He opined that Lake County should participate in the State-prescribed process for challenging an annexation. He also indicated an understanding that there was a meeting scheduled between the staffs of Lake County and the City of Eustis and that if this was the ultimate goal, it was being accomplished.

Ms. Tammy Penya, a resident of Burgess Terrace, thanked the Board for the current meeting and for trying to continue efforts in good faith to work with the City of Eustis for joint planning this area. She supported the transition of the 25 feet to the conservation group, and she opined that growth was inevitable; however, she opined that having the right plans and infrastructure in place, along with ensuring that it was accommodating to the surrounding areas, was important. She thought that both parties should be able to agree on joint planning for this area.

APPROVED	<p>Tab 1. Request approval of Resolution 2020-214 conveying a portion of Alternate Key 3672046 to the Elaine Berol Taylor and Scott Bevan Taylor Foundation for conservation purposes. There is no fiscal impact. Commission District 5.</p> <p>Approved with the modification to reflect that on November 17, 2020, the Board had requested the City to postpone the annexation until no later than March 1, 2021.</p>	MARSH