

PLANNING AND ZONING BOARD MEETING MINUTES TOWN OF LADY LAKE, FLORIDA

November 13, 2024

The Planning and Zoning Board meeting was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.

CALL TO ORDER: Chairwoman Dorilyn Furch

PLEDGE OF ALLEGIANCE: Led by Chairwoman Furch

ROLL CALL:

Member	Present
Brinson	YES
Saunders	YES
Galloway	YES
Auger	YES
Furch	YES

STAFF PRESENT:

Thad Carroll, Growth Management Director; Rebecca Higgins, Senior Planner; Malina Wright, Development Coordinator; Nancy Wilson, Town Clerk.

Attorney Taylor Tremel was also present.

NEW BUSINESS

A. Approval of Minutes

Planning and Zoning meeting minutes – October 14, 2024

Member Saunders made a motion to approve the October 14, 2024, Planning and Zoning Board meeting minutes as presented; Member Brinson seconded the motion. Motion carried 5-0.

B. Review of Meeting Protocol including the Sunshine Law, Public Records, Ethics and Meeting Procedures. (Taylor Tremel)

Attorney Tremel said he likes to give an annual overview of meeting protocol and the Sunshine Law. The Sunshine Law means business is conducted in an open forum the purpose of which is to provide the public a right of access to governmental proceedings and protect the public from “closed door” decision-making.

The Sunshine Law applies to any gathering of two or more members of an elected or appointed public board when they meet to discuss any matter which could foreseeably come before that board for action. The law also applies to advisory boards and staff committees if they have been given decision making authority.

There are three components to the law that include noticing the meeting, providing a record of the meeting in the form of minutes and conducting the meeting in the open. Reasonable notice of a meeting is necessary, and it requires giving the public reasonable and timely notice so they can decide whether to attend. Noticing a meeting on a Friday for a Monday meeting is considered reasonable. Notice to a subcommittee meeting that was buried within another agenda is considered a violation. A meeting is considered open to the public even if there is not adequate room in the regular meeting location. The public must be allowed to attend meetings and be given reasonable opportunity to be heard. Further, meetings cannot be held at exclusive or inaccessible facilities. Litigation matters can be discussed without the public present but the meeting must be noticed. Minutes of the meeting are required and must be written though an exact transcript is not necessary. Sound recordings of meetings cannot substitute for written minutes. Completion of the minutes must be timely.

There are some tips to avoid Sunshine Law violations such as not replying to “all” in an email, not using surrogates or go-betweens and not polling, which means contacting each member of the board or commission to ascertain the member's vote on a particular matter pending before that board or commission. If you have any questions about the meeting only contact a staff member.

There is no “statutory prohibition” against a council member posting comments on a privately maintained electronic bulletin board or blog. However, members of the board or commission must not engage in an exchange or discussion of matters that foreseeably will come before the board or commission for official action. It is incumbent upon members to avoid any action that could be construed as an attempt to evade the requirements of the law. Posting on a personal facebook page can create problems so avoidance is the best practice.

Penalties for violating the Sunshine Law include fines, nullification of Board or Commission decisions, removal from position and payment of attorney’s fees. Violations can be cured.

Public Records: all materials prepared or received while conducting official business of the town. The Florida Constitution gives every person the right to access government records. Public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

Ethics: Public officials must be independent and impartial, and their position must not be used for private gain. If you have to ask yourself if you can accept or do something, you probably should not do it. Public officials also must not use their official positions to secure a special privilege, benefit or exemption for themselves or others. Further, they must not use or disclose information not available to the public for personal gain. Public officials must not conduct business with their own agency. Disclosure is required if a conflict of interest or substantial benefit occurs but there must be substantial benefit to a board member or commissioner to result in violations. Ex-parte communications (communications not on the record) are discouraged but if they are made, they must be disclosed to ensure an open and impartial decision-making process. Distinguish between parties involved and participants at meetings; they are afforded different levels of due process. Parties have a direct interest in outcomes and participants have limited interest.

C. Ordinance 2024-26 - An Ordinance of the Town of Lady Lake, Lake County, Florida; Adopting Corrections, Updates, and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan; Providing for Repeal of all Ordinances and Parts of Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date. (Thad Carroll)

Growth Management Director Carroll stated that the Town must annually update the Five-Year Schedule of Capital Improvements pursuant to Florida Statutes. Some projects from last year have dropped off the schedule and others have been added. The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service standards are achieved and maintained. Funding sources are identified

Projects include water supply, sewer, solid waste, drainage, parks and recreation, IT, public schools, transportation, and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five-year capital improvement schedules from other entities.

There are no water, sewer, stormwater projects on the schedule and the town facility/library renovation project should be completed in September 2025. There are four Parks & Recreation projects and the Transportation Improvement schedule includes five projects with various funding sources. The Public School Improvement schedule includes additional seats at Villages Elementary School to open in 2025. IT improvement includes the fiber optic WAN project.

Member Galloway made a motion to forward Ordinance 2024-26 to the Town Commission with the recommendation of approval; Member Saunders seconded the motion.

Member	Vote
Brinson	YES
Saunders	YES
Galloway	YES
Auger	YES
Furch	YES

Motion carried 5-0.

CHAIRPERSON AND MEMBERS REPORT

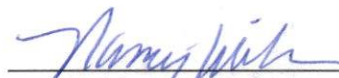
There were no comments.

PUBLIC COMMENT

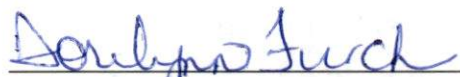
There were no comments.

ADJOURN

The meeting was adjourned at 6:12 p.m.



Nancy Wilson, Town Clerk



Dorilyn Furch, Chairperson