

Commissioner Dunnick expressed concern for how the requirements would be enforced.

Mr. Rob Magnaghi, Acting County Manager, agreed to review the issues with the County Attorney and the Tax Collector's Office.

The Board agreed for the requirement of an occupational license to be reviewed based upon the type of show held at the facility; whether the license is obtained by the sponsor of the event or by each individual vendor; the benefit of the proceeds received from the events; and whether the profit or not-for-profit status would change the requirement.

Ms. Lane answered Commissioner Whaley that each vendor at the flea markets is required to obtain a license. She responded to Commissioner Dunnick a continuance of the ordinance will not impact the show and fair scheduled to begin next week.

A MOTION was made by Commissioner Pate and SECONDED by Commissioner Arrington that the Board continue for two (2) weeks Ordinance 96-4, pertaining to occupational license taxes, to allow the Staff to complete research. MOTION carried 5-0.

2. HEARINGS
UTILITIES
A 440

no agreement received for the record

The Clerk of the Board presented proof-of-publication of notice of public hearing to consider the application of Jones Intercable, Incorporated, for a cable television franchise to provide service for the Celebration community.

Mr. Charlie Raley, Vice President of Government Relations for Jones Intercable, introduced to the Board other representatives in attendance from the company. He stated a packet of information was previously submitted to the Board for review. He discussed the history and current status of the company; the cable service being provided to subscribers in twenty (20) states; the headquarters being located in Englewood, Colorado; the commitments of the company; and then related examples of the types of programming provided across the United States, as well as the service which will be provided to the Celebration Village. He agreed to submit a copy of the lineup for the cable system. He pointed out on June 01, 1996, approximately eighty (80) channels will be delivered. He then explained the company will continue to fill the channel lineup over a period of time; however, a base of consumers is first necessary to determine the interest.

Mr. Tom Carlock, Corporate Counsel for Jones Intercable, responded to questions from the County Attorney at this time. He answered the service will strengthen and improve the economic impact to the private property in the Celebration community. He replied both State and Federal law require a franchise, whereby there is currently no other cable television provider in that community. He felt it appropriate for a franchise to be granted

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for Celebration. He responded further in regard to the capacity of the public rights-of-way to accommodate the proposed cable system. He stated the company is not aware of any limitations in the public rights-of-way. He stated the facilities will be placed with electric, gas, and power. He clarified there will be no need to dig in the rights-of-way at a future date in order for the services to be provided. He expressed uncertainty whether the cable is being laid in the Community Development District or County rights-of-way. He also responded that initially, the company is anticipating a cable system of approximately 80 channels being provided. He continued after the service has begun, other opportunities that exist in the market will be reviewed.

Mr. Carlock responded to the County Attorney regarding the potential disruption to existing users of the public rights-of-way to be used by the cable system. He explained the advantage of obtaining the franchise to be that there are no residents in the Celebration community at this time; therefore, there should be no disruption or inconvenience for property owners in the area. He replied concerning the financial ability of the company to perform that the company is listed as one of the top ten (10) cable television companies in the Country. He anticipated financing and building the system through internal earnings, and in addition, there is an available line of credit of five hundred million dollars (\$500,000,000). He clarified the line of credit has not been utilized to date, whereby there are more than adequate financial resources to participate in the project. He continued that whatever the favorite cable television programming, the product brings to every community the ability to focus on their televisions every evening. He hoped the residents of Celebration will enjoy the programming.

In response to Mr. Jim Scott, Buenaventura Lakes (B.V.L.), Chairman Owen explained the company has contracted with Disney Development Company (D.D.C.) to provide services in the Celebration community.

Mr. Neal Bowen, County Attorney, answered Mr. Harry Robinson, B.V.L., the County only grants non-exclusive franchises. He clarified the County has no involvement with private contractual commitments in B.V.L.

Mr. Raley replied to Mr. Casmore Shaw, Pineridge Estates, that the company would give consideration to the County Commission meetings being broadcast.

Ms. Kathryn Hattaway, Manager of Government Relations of D.D.C., clarified for the County Attorney that Jones Intercable will utilize the communication conduits and lines that remain from Vista United when the utility lines were originally placed in the area. She understood the majority, if not all of the lines, are located on C.D.D. property.

Mr. Rally agreed with the County Attorney that the company will pay the three percent (3%) of gross revenues franchise fee to the

County, as required with all cable franchises with the County.

A MOTION was made by Commissioner Whaley and SECONDED by Commissioner Dunnick that the Board approve the application for a cable television franchise and authorize the Chairman to sign the franchise agreement between Osceola County and Jones Intercable, Incorporated, based on all conditions of the Ordinance having been met. MOTION carried 5-0.

- 3. BUILDING DEPARTMENT
COUNTY ATTORNEY
COUNTY MANAGER
HEARINGS
A 1115

PUBLIC HEARING/UNSAFE PREMISES CASE #95-15: A request from the Building Department for the Board of County Commissioners to ratify the decision of the Building Department concerning Unsafe Premises Case #95-15, Mike Miller, for property at 5555 Myakka Avenue, Intercession City, Florida, 33848, legally described as Lots 12, 13, and 14, less the east 50' thereof, Block 16, Intercocean City, Section "A", according to the Plat thereof as recorded in Plat Book 1, Page 169, of the Public Records of Osceola County, Florida.

Pursuant to the November 06, 1995, Order Directing Repair/Demolition of Unsafe Structure for Case #95-15, the Building Department has determined that the owner has met all requirements prescribed in the above Order.

Mr. Gene Innocenti, Building Director, explained the request to be that the Board ratify the requirements previously placed on the property. He related the property owner has met all requirements of the Board, and the project can proceed. He explained the location of the property to Commissioner Arrington. He stated drawings have been signed and submitted to the Building Department.

A MOTION was made by Commissioner Pate and SECONDED by Commissioner Arrington that the Board dismiss Unsafe Premises #95-15, as the applicant has met the conditions imposed; Mike Miller. MOTION carried 5-0.

4. PLANNING REVIEW AGENDA:

- 1. ZONING
A 1200

DRI 95-06

BSLF II WESTHOLME: Request to approve a Notification of Proposed Change for the Lindfields Development of Regional Impact "DRI", located on the south side of U.S. 192, east and west of Lindfields Boulevard.

The Planning Department and the Planning Commission recommend

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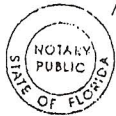
State of Florida } s.s.
COUNTY OF ORANGE

Before the undersigned authority personally appeared Kelly Demmo, who on oath says that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily newspaper published at KISSIMMEE in OSCEOLA County, Florida; that the attached copy of advertisement, being a NOTICE OF CABLE T in the matter of FEBRUARY 5, 1996 in the OSCEOLA Court, was published in said newspaper in the issue; of 01/14/96

Affiant further says that the said Orlando Sentinel is a newspaper published at KISSIMMEE in said OSCEOLA County, Florida, and that the said newspaper has heretofore been continuously published in said OSCEOLA County, Florida, each Week Day and has been entered as second-class mail matter at the post office in KISSIMMEE in said OSCEOLA County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation, any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledged before me this 17 day of January, 19 96, by Kelly Demmo who is personally known to me and who did take an oath.

(SEAL)



BEVERLY C. SIMMONS
My Comm Exp. 3/10/97
Bonded By Service Ins
No. CC263839

Personally Known Other I. O.

NOTICE OF CABLE TV FRANCHISE APPLICATION / PUBLIC HEARING
PLEASE TAKE NOTICE that on Monday, February 5, 1996, at 10:30 a.m. or as soon thereafter, as it may be heard, the Osceola County Board of County Commissioners shall hear and consider the application of Jones Intercable, Inc. for a franchise to provide cable television service in Osceola County. The franchise service area, if granted, would be to provide cable television programming to the Celebration area and other areas of unincorporated Osceola County, Florida as may be granted by the County Commission. All interested persons are invited to attend and make their comments known. Other applications for the same franchise area are hereby invited. If a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting, a record of the proceeding will be needed and for such purposes, it may be needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY OSC732411 JAN. 14, 1995