

Resolution No. 2023-012

***RESOLUTION***  
*of the*  
**Town Council**  
*for the*  
**Town of Howey-in-the-Hills, Florida**  
*regarding*  
**Dispatch Services**

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**WHEREAS**, in Lake County, Florida, the Honorable Peyton C. Grinnell, Sheriff of Lake County, operates and provides the service of law enforcement dispatch; and

**WHEREAS**, the Board of County Commissioners of Lake County, Florida, funds the Sheriff's law enforcement dispatch service from the county's general fund; and

**WHEREAS**, the primary funding source for the county's general fund is the levy by the Board of County Commissioners of ad valorem taxes countywide; and

**WHEREAS**, the taxpayers of all Lake County, both within and outside of its cities and towns, pay county property taxes, the revenues of which are deposited into the county's general fund and used in part to finance the Sheriff's law enforcement dispatch service; and

**WHEREAS**, Sheriff Grinnell has informed municipalities that he is terminating the dispatch service for each and every city and town in Lake County that does not enter into an "Agreement for Law Enforcement Dispatch Services;" and

**WHEREAS**, under his agreement Sheriff Grinnell requires each city and town to pay each year a sum equal to \$12.00 per capita; and

**WHEREAS**, the Sheriff is requiring no such agreement and is imposing no such per-capita charge on the Board of County Commissioners or the residents and taxpayers of the unincorporated areas of Lake County; and

**WHEREAS**, the Sheriff seems clear that he will cease providing dispatch service to each city and town that declines to enter into the Sheriff's agreement and pay the annual per-capita sum; and

**WHEREAS**, as of the date of this resolution the Town of Howey-in-the-Hills and other cities and towns in Lake County have declined to enter into the Sheriff's agreement and to pay the annual per-capita sum required by the agreement; and

**WHEREAS**, the Sheriff's dispatch service will continue to be funded in large part by the county's general fund regardless of whether some or all cities and towns enter into or decline to enter into the Sheriff's agreement; and

**WHEREAS**, the upshot of the Sheriff's annual per-capita payment requirement and the unwillingness of one or more towns and cities to agree to it is that the Sheriff's dispatch service will be funded from the county's general-fund revenue, but no real and substantial benefit will accrue to the property or residents of the declining cities and towns; and

**WHEREAS**, under these circumstances the funding of the dispatch service violates or will violate the prohibition in subsection 125.01(7) of Florida Statutes.

***NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA:***

**Section 1. Violation of statute.**

a) Because one or more cities or towns have declined or will decline to enter into the agreement demanded by the Sheriff, no real and substantial benefit from the dispatch service will accrue to the property or residents of those cities and towns. Under that circumstance, subsection 125.01(7) of Florida Statutes will prohibit the Board of County Commissioners and the Sheriff from using the revenues from the countywide levy of property taxes to fund the dispatch service.

b) The continued funding of the Sheriff's dispatch service from the county's general fund, therefore, will violate subsection 125.01(7) of Florida Statutes.

**Section 2. Petition.**

a) As authorized by subsection 125.01(6) of Florida Statutes, the Town Council of the Town of Howey-in-the-Hills herewith petitions the Board of County Commissioners to develop an appropriate mechanism to finance the Sheriff's dispatch service for Fiscal Year 2024-2025, as well as for the current fiscal year and for all fiscal years thereafter.

b) Under paragraph 125.01(6)(a) of Florida Statutes the appropriate mechanism for this issue would include (but perhaps not be limited to):

- i. taxes, special assessments, or service charges levied or imposed solely upon residents and property in the unincorporated areas of Lake County;

- ii. the establishment of a municipal service taxing or benefit unit pursuant to paragraph 125.01(1)(q) of Florida Statutes; or
- iii. remitting the identified cost of the Sheriff's dispatch service paid from revenues required to be expended on a countywide basis to the Town of Howey-in-the-Hills and the other cities and towns declining to enter into the Sheriff's agreement, each year within six months of the adoption of the Lake County budget, all in the proportion the amounts of county ad valorem taxes collected within the Town and the other declining cities and towns bear to the total amount of countywide ad valorem taxes collected by Lake County.

c) The Town of Howey-in-the-Hills believes the Board of County Commissioners has as well the option simply to increase funding for the Sheriff's dispatch service from the county's general fund, subject to the Sheriff dropping his requirement for each city and town to enter into his agreement and to pay the per-capita fee.

***RESOLVED this 13<sup>th</sup> day of November, 2023.***

**TOWN OF HOWEY-IN-THE-HILLS,  
FLORIDA**

By: its Town Council

By: \_\_\_\_\_  
**Hon. Martha MacFarlane, Mayor**

ATTEST:

APPROVED AS TO FORM AND LEGALITY  
(for the use and reliance by the Town only)

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John M Brock, Town Clerk

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Thomas J Wilkes, Town Attorney