

The Board of County Commissioners convened in regular session on this Tuesday, October 27, 2009, at The Villages, Sumter County, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas Gilpin, Vice Chairman, District No. 2; Don Burgess, District No. 3; Garry Breeden, Chairman, District No. 4; and Randy Mask, 2nd Vice Chairman, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; John Lege, Finance Director; Melissa Elliott, Deputy Clerk; Connie Webb, Deputy Clerk; and Derrill L. McAteer of The Hogan Law Firm, Attorneys for the Board. The meeting was called to order at 5:00 p.m. by Chairman Breeden, with the invocation given by Commissioner Mask, followed by the flag salute which was led by Vice Chairman Gilpin.

1. TIMED ITEMS AND PUBLIC HEARINGS

a. *None*

2. REPORTS AND INPUT

a. *Proclamation proclaiming November 2009 as Hospice Month*

Chairman Breeden read the proclamation into the record recognizing the month of November as Hospice Month.

102709-2-a

b. *County Administrator*

1. Purchase Orders approved by County Administrator - for information only

102709-2-b-1

2. Introduction of Barbara Shiflett - Library Services Manager and Joseph Quinn - Transit Manager - for information only

102709-2-b-2

3. Agreement with Withlacoochee Regional Planning Council for Professional Services on an as needed basis - for information only

Mr. Arnold advised that he does not recommend approval of this agreement until such time as there is a need for these services. At such time a contract will be developed associated with the services required.

102709-2-b-3

4. Facilities Development Projects Financial Status Report - for information only

102709-2-b-4

5. Road Projects Status Report - for information only

102709-2-b-5

6. Annual Fire and Life Safety Inspections of all restaurants, commercial kitchens, and food vendors - for information only

Mr. Arnold advised that this letter will be the beginning of the annual fire inspections. The inspection fee is \$50. There was discussion that since this is a new program, the County will work with these businesses to allow time to correct any violations that may be determined.

102709-2-b-6

7. Sumter County Fire Advisory Board draft minutes - October 7, 2009 - for information only

Mr. Arnold advised that John Johnson was shown as being both present and absent. It should be noted that he was present at the meeting.

102709-2-b-7

8. Development Review Committee minutes - September 14, 2009 and October 5, 2009 - for information only

102709-2-b-8

9. Zoning and Adjustment Board minutes - September 21, 2009 - for information only

102709-2-b-9

10. Budget Transfers T-508 through T-518 for Fiscal Year 2008/2009 and T-1 through T-2 for Fiscal Year 2009/2010 - for information only

102709-2-b-10

11. Sumter County Right-of-Way Litigation Status - for information only

102709-2-b-11

12. Lake Panasoffkee Draft Golf Cart Resolution - for information only

Mr. Arnold advised this will be on the November 10, 2009 agenda for consideration.

102709-2-b-12

13. Section 318.18(13) Florida Statutes - Assessment of Additional Court Costs Quarterly Summary - for information only

102709-2-b-13

14. Edward Byrne Memorial Justice Assistance Grant Local Solicitation Grant Award No. 2009-SB-B9-1090 and No. 2009-DJ-BX-1031 - for information only

Grant Award No. 2009-SB-B9-1090 is for \$65,526 and Grant Award No. 2009-DJ-BX-1031 is for \$15,924.

102709-2-b-14

15. Letter from Carver Law Group regarding SE 14th Terrace and SE 44th Place - for information only

Mr. Arnold advised that it is his intention to respond to the Carver Law Group informing them that they would be required to comply with the current Municipal Service Benefit Unit Ordinance adopted in 2006.

102709-2-b-15

16. Letter from Helen Parrett, Tax Collector's Office regarding office plans for CR 139, Wildwood Annex and Villages Annex - for direction

Tom Swain, Tax Collector, is requesting to keep his office on CR 466 and move the Wildwood Office to the CR 139 facility, when completed. He will be able to sufficiently operate both offices without hiring any additional personnel. Chairman Breeden discussed the possible loss of potential revenue from those citizens that might go to Lake County if the CR 466 office were closed. The consensus was there is no objection to Mr. Swain's request.

102709-2-b-16

17. Parks Signs - Rutland Park, Wahoo Community Building, Lake Panasoffkee Community Building, Marsh Bend "Outlet" Park, Croom-A-Coochee Park, Sumterville Community Building - for direction

Mr. Arnold advised that these sample signs are for information as well as direction. They are attempting to standardize the signs for the parks. Chairman Breeden advised he liked the consistency in the signage.

102709-2-b-17

18. Fletcher Marine Assignment - for direction

This is related to the liability obligation Southwest Florida Water Management District (SWFWMD) had with Fletcher Marine, Inc. (Fletcher) with regard to the dredging of Lake Panasoffkee. This was going to be assigned to Sumter County in order for the County to work directly with Fletcher and allow them to conclude the contractual obligation which included approximately \$1.2 million worth of shell material. Fletcher has yet to agree to the assignment and therefore SWFWMD has yet to transfer the deeds to the County for the property. The County Attorney has been working with Fletcher's attorney to set up a meeting to work through the issues that Fletcher has with regard to the assignment. Mr. Arnold requested that the Board allow him more flexibility to work with Fletcher in resolving this matter. Mr. Arnold also requested the Chairman's participation in the process. The consensus was to allow Mr. Arnold to look at options and work with Fletcher to resolve this issue.

19. Mr. Arnold advised that the agenda was updated to include a purchase order that was not previously included and the updated agenda has been made available to the public.

c. County Attorney

Derrill McAteer, County Attorney, noted that he attended a very positive meeting with officials from the City of Bushnell and Fire Chief Gulbrandsen regarding the Nova fire inspection and fire services lawsuit.

Mr. McAteer also noted that he is in the process of drafting a rescission ordinance of the Fire Fee Ordinance passed in 2008 due to the Legislature's action regarding collection of revenue for emergency services.

d. Clerk of Court - No report.

e. Board Members

1. Commissioner Don Burgess

Commissioner Burgess advised that he had attended the Lake Sumter Metropolitan Planning Organization (MPO) Executive Committee meeting on October 26, 2009 and will attend the general meeting on October 28, 2009. With regard to an increase in the the number of votes allowed Sumter County, he read the following into the record: "Throughout the last decade urbanization has quickly occurred in Northern Sumter County vastly expanding the once small urban area. Additionally, the City of Wildwood has planned major developments that will impact transportation facilities in the region. The municipalities of Bushnell, Coleman, Center Hill and Webster have taken a greater interest in the MPO process with all five municipalities afforded an ex officio position on the MPO."

The MPO is seeking redesignation to expand the formal MPO area to add all of Sumter County. Up until recently, the area of The Villages of Sumter County was the designated area. The new MPO area will encompass all of Sumter County and Lake County. The redesignation will add one permanent voting position to Sumter County for a total of two voting positions. The redesignation will also add one at large representative for the five municipalities with that position to rotate annually among the municipalities of Wildwood, Bushnell, Coleman, Center Hill, and Webster. While seeking redesignation, the MPO must submit a reapportionment plan which must meet the procedures established by applicable state and local law. This will take approximately four to six months as the MPO must go to each member of the MPO for their approval of the reapportionment plan. Once that is complete it must be presented to the Governor for his approval. Upon approval, this will place all of Sumter County within the MPO designated area as well as give Sumter County a total of three votes. Commissioner Burgess then provided a handout of the Lake-Sumter MPO 2009 Reapportionment Plan Map.

102709-2-e-1

2. Commissioner Dick Hoffman - No report.
3. Commissioner Randy Mask - No report.
4. Vice Chairman Doug Gilpin - No report.
5. Chairman Garry Breeden

Chairman Breeden discussed the cancellation of the workshops set for November 17 and December 15 as well as the rescheduling of the December 22 meeting to December 29. Commissioner Burgess advised he will not be available for December 22. Commissioner Mask advised he will not be available for the November 24 meeting. Board goals and the County Administrator's evaluation will be discussed at the January 2010 workshop.

f. Public Forum - None.

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Regular Meeting held on October 13, 2009 (Staff recommends approval).

<p>Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve the Minutes of the Regular Meeting held on October 13, 2009. The motion carried unanimously 5 - 0.</p>

2. Minutes of Workshop Meeting held on October 20, 2009 (Staff recommends

approval).

Commissioner Hoffman moved, with a second by Commissioner Burgess, to approve the Minutes of the Workshop Meeting held on October 20, 2009. The motion carried unanimously 5 - 0.

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. Schedule a Public Hearing for CR 107 Road Closing on December 8, 2009 at 5:00 p.m., located at the Sumter County Government Offices, 910 North Main Street, Bushnell, FL 33513 (Staff recommends approval).

Commissioner Mask moved, with a second by Vice Chairman Gilpin, to approve to schedule a Public Hearing for CR 107 Road Closing on December 8, 2009 at 5:00 p.m., located at the Sumter County Government Offices, 910 North Main Street, Bushnell, FL 33513. The motion carried unanimously 5 - 0.

102709-3-b-1

2. Cancel Workshop meeting scheduled on November 17, 2009 (Staff recommends approval).

There was discussion to cancel both the November 17, 2009 and December 15, 2009 workshop meetings. It was discussed to move the December 22, 2009 meeting to December 29, 2009. Mr. Arnold advised that he will not be available on that date.

Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve to cancel the workshop meetings scheduled for November 17, 2009 and December 15, 2009 as well as move the December 22, 2009 meeting to December 29, 2009. The December 29 meeting will be held in Room 142, Sumter County Government Offices, 910 North Main Street, Bushnell, Florida, beginning at 5:00 p.m. The motion carried unanimously 5 - 0.

102709-3-b-2

c. APPOINTMENTS

1. Well Florida Council vacancy (Board's option).

No action taken.

102709-3-c-1

d. CONTRACTS AND AGREEMENTS

1. IKON Office Solutions Work Order - US for Transit (Staff recommends approval).

102709-3-d-1

2. IKON Office Solutions Image Management Plus Commitments Document for Transit (Staff recommends approval).

102709-3-d-2

3. Fiscal Year 2009/2010 District V Medical Examiner Contract (Staff recommends approval).

This contract will run from October 1, 2009 through September 30, 2010. Sumter County's portion of the contractual obligation is \$247,878.41. This allocation is based on 9.1% of the total contract amount. This percentage is subject to change in future years based on population increases.

102709-3-d-3

4. Housing and Urban Development (HUD) Section 8 Voucher Program contracts (Staff recommends approval).

102709-3-d-4

5. Public Defender Information Technology Agreement (Staff recommends approval).

This is an agreement between the Public Defender and an Independent Contractor (Jennifer Lee). Sumter County has endorsed the agreement and agreed to pay the independent contractor pursuant to the terms and conditions of the agreement and the provisions set forth in Section 29.008, Florida Statutes. The term of this agreement is October 1, 2009 through September 30, 2010.

102709-3-d-5

Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve Items 1 through 5 under Contracts and Agreements. The motion carried unanimously 5 - 0.

e. FINANCIAL

1. Request to refund Sumter Native American Tribe for the Ceremonial Check received by Sumter County in 2007 in support of the Native American Park located West of Coleman (Staff recommends approval).

102709-3-e-1

2. Change Order Request to Purchase Order No. 53214 (Staff recommends approval).

102709-3-e-2

3. Budget Amendments A-154 and A-155 (FY 08/09) for School Board Driver Ed Program additional receipts and pass-through expenditures (Staff recommends approval).

102709-3-e-3

4. Budget Amendment A-156 (FY 08/09) for Facilities Development (Construction Services) (Staff recommends approval).

102709-3-e-4

5. Budget Amendment A-157 (FY 08/09) for Morse Boulevard Phase 1A Project (Staff recommends approval).

102709-3-e-5

6. Budget Amendments A-158 and A-159 (FY 08/09) for General Fund Additional Retiree Supplement to Health Fund (Staff recommends approval).

102709-3-e-6

7. Budget Amendment A-160 (FY 08/09) for Secondary Trust / C-468 Project (Staff recommends approval).

102709-3-e-7

8. Budget Amendment A-161 (FY 08/09) for Facilities Development (Construction Services) (Staff recommends approval).

102709-3-e-8

9. Budget Amendments A-162, A-163, A-164, and A-165 (FY 08/09) for Sumter County Fire Impact Administrative Fees (Staff recommends approval).

102709-3-e-9

10. Budget Amendment A-4 (FY 09/10) for Library Operations (Staff recommends approval).

102709-3-e-10

11. Budget Amendment A-5 (FY 09/10) for the Lake Okahumpka Park supply well pump house (Staff recommends approval).

102709-3-e-11

12. Budget Amendment A-6 (FY 09/10) for Road Impact - District 1 (Staff recommends approval).

102709-3-e-12

13. Purchase Orders (Staff recommends approval).

CLERK'S NOTE: See Agenda Item 3.f.13 for discussion on Purchase Order No. 53210 to Volkert & Associates, Inc. for \$62,250.

102709-3-e-13

Commissioner Burgess moved, with a second by Commissioner Hoffman, to approve Agenda Items 1 through 13 under Financial. The motion carried unanimously 5 - 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Inventory Transactions (Staff recommends approval).

102709-3-f-1

2. Acceptance of dedicated roadways within The Villages, Units 132, 133, 147, 105 West, South Morse Boulevard (Phase 4) and Odell Circle (Phase 4) (Staff recommends approval).

A portion of this road acceptance package will fall under the Villages Community Development District Road Maintenance Contract.

102709-3-f-2

3. Recovery Act Edward Byrne Memorial Justice Grant for the Florida Department of Law Enforcement (FDLE) (Staff recommends approval).

The grant is for the project entitled "Sumter County Stimulus Corrections/Law Enforcement Grant" in the amount of \$302,920. The Contract No. is 2010-ARRC-SUMT-4-W7-158.

Commissioner Hoffman addressed the Board and advised that his objection to receiving any stimulus money is based on principal and he does not feel any of his

fellow commissioners are any less conservative than he is.

Vice Chairman Gilpin moved, with a second by Commissioner Burgess, to approve the Recovery Act Edward Byrne Memorial Justice Grant for the Florida Department of Law Enforcement (FDLE). The motion carried 4 - 1 with Commissioner Hoffman voting nay.

102709-3-f-3

4. Overnight Vehicle Authorization for employees (Staff recommends approval.)

These authorizations are for David Harrell, Fire Services; Barney Blockyou, Fire Services; Cecil (Brad) Burris, Fire Services; Andrea Carlson, Fire Services; Leland Geek, Fire Services; William Gulbrandsen, Fire Services; William (Jackey) Jackson, Road and Bridge; Robert E. Kegan, Building Services; William Richards, Fire Services; Frank Taberner, Animal Control; and Alvin (Mark) Wilson, Road and Bridge.

102709-3-f-4

5. Approval of Release of Lien for Mark West Saunders/R11=033 (Staff recommends approval).

102709-3-f-5

6. Villages of Sumter - Amberjack Villas - Final Plat Approval (Staff recommends approval).

102709-3-f-6

7. Villages of Sumter - Altamonte Villas - Final Plat Approval (Staff recommends approval).

102709-3-f-7

8. Villages of Sumter - Unit 158 - Final Plat Approval (Staff recommends approval).

102709-3-f-8

9. Enter into contract negotiations for RFP 139-0-2009/AT with Bob Murray & Associates for the Executive Search for the Public Works Director (Staff recommends approval).

There were three bids received as follows: Bob Murray & Associates, Inc.; The Waters Consulting Group, Inc.; and Vega Ferrer Acevedo, LLC.

102709-3-f-9

10. Enter into contract negotiations with Bacon Group for RFQ 138-0-2009/AT (Staff recommends approval).

This RFQ is for architectural/engineering design services for renovation of Sumter County Fire & Rescue Stations #32 Oxford and #31 Wildwood and new construction prototype for #22 West Bushnell and #33 Coleman. There were fifteen bids received as follows: Senatore, Inc.; Skinner Vignola McLean, Inc.; SCMH Architects; Rowe Architects; Baker Barrios Architects; Powell Design Group, Inc.; Starner Ranaldi Planning & Architects, Inc.; Bacon Group, Inc.; EMO Architects, Inc.; Gora McGahey Architects; Architecture Studio, Inc.; PQH Group; KBJ Architects, Inc.; Stottler Stagg & Associates, Inc.; and KP Studio Architect.

The Selection Committee is requesting approval to enter into contract negotiations with Bacon Group, Inc. as the highest scored company. If negotiations are not able to be made with Bacon Group, Inc., contract negotiations will be entered into with Architecture Studio, Inc. as the second highest scored company. If negotiations are not able to be made with Bacon Group, Inc. or Architecture Studio, Inc., contract negotiations will be entered into with Baker Barrios Architects as the third highest scored company.

102709-3-f-10

102709-3-f-10 - Bacon

102709-3-f-10 - Architecture Studio

102709-3-f-10 - Baker

11. Certification of Credentials for Library Services Manager (Staff recommends approval).

102709-3-f-11

12. Sale of Glass Crusher to Lake County (Staff recommends approval).

102709-3-f-12

13. C-470 Outlet Bridge to SR 44 ARRA Project (Staff recommends approval).

DISCUSSION: Mr. Arnold advised that there have been numerous developments in the past two days regarding this item. The intent when this item was prepared was to move forward in staging the County for the second round of stimulus money that would go towards road projects. The County would be responsible to pay for the design and this road is certainly deserving of resurfacing. The County wanted to make sure they

were doing their due diligence by getting itself shovel ready for this particular project. Because of much lower bids than anticipated on the C-476 West Project and the C-48 East Project, the County finds itself with a significant amount of money remaining in the first round of Recovery Act funding for roads. Therefore the County is interested in moving forward with this project (C-470) and Mr. Arnold needs to consider several items. The design has to be complete, it has to be bid, and it has to be awarded by December 31, 2009. This is possible, however the cost will increase for this project to allow for numerous overtime hours to meet the deadlines. The request on the agenda for \$41,250 to Volkert & Associates, Inc. would be increased to \$62,250. Mr. Arnold advised there are sufficient monies to cover this additional amount.

102709-3-f-13

Commissioner Mask moved, with a second by Commissioner Burgess, to approve Purchase Order No. 53210 to Volkert & Associates, Inc. for the C-470 Resurfacing and Rehabilitation from Lake Panasoffkee Outlet Bridge to SR 44 in the amount of \$62,250. This includes 100% Complete Design Plans and Complete Bid Package delivered to Sumter County Public Works by 11/11/09 and the project awarded to the contractor by 12/31/09. The motion carried unanimously 5 - 0.

Even with the C-470 Project just approved, Mr. Arnold does not feel that the first round of stimulus monies will be consumed. There are two criteria that have to be met in order for projects to be eligible and meet the year-end deadline. First, the project has to be a federal aid system road and second, it has to be submitted to the MPO as one of the County's priority resurfacing projects and be acknowledged accordingly. This can be accomplished but obviously Mr. Arnold does not have the dollar amounts that will be associated with additional projects. He will followup at the November 24th meeting on where the County stands and what he has accomplished to be able to get additional road projects ready for resurfacing under this first round of monies available to Sumter County. The original intent with the C-470 project that the Board approved was to get prepared for the second round of stimulus money. He would also like to move forward with engineering for the second round projects. Some suggested projects are CR 476 between US 301 and SR 471, CR 673 (Veteran's Memorial Highway) between US 301 and I-75, and C-466 from US 301 to I-75. Mr. Arnold explained some of the possible challenges with these projects. After further discussion, it was suggested that the Board authorize Mr. Arnold and Mr. Kuhl to take the necessary actions to meet the criteria on the projects mentioned, and any other projects they feel are worth pursuing.

Commissioner Burgess moved, with a second by Vice Chairman Gilpin, to authorize Bradley Arnold and Gary Kuhl to take the necessary actions to proceed to meet the criteria on the following potential road projects: C-476 from US 301 to S-471; CR 673 from US 301 to I-75; and C-466 from US 301 to I-75 and other potential projects that they feel meet

the criteria necessary to move forward. The motion carried unanimously 5 - 0.

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve Items 1, 2 and 4 through 12 under General Items. The motion carried unanimously 5 - 0.

4. ADJOURN

Commissioner Burgess moved, with a second by Vice Chairman Gilpin, to adjourn at 5:55 p.m. The motion carried unanimously 5 - 0.