

The Board of County Commissioners convened in regular session on this Tuesday, September 27, 2011, at The Villages, Sumter County, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Doug Gilpin, 2nd Vice Chairman, District No. 2; Don Burgess, Chairman, District No. 3; Garry Breeden, Vice Chairman, District No. 4; and Randy Mask, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; Bill Kleinsorge, Finance Director; Connie Webb, Deputy Clerk; and George Angeliadis of The Hogan Law Firm, Attorneys for the Board. Chairman Burgess called the meeting to order at 5:00 p.m. with the invocation given by Commissioner Mask followed by the flag salute led by Commissioner Hoffman.

1. TIMED ITEMS AND PUBLIC HEARINGS

- a. 5:00 pm - Public Hearing - Consider Ordinance to Amend Section 13-203 of the Sumter County Code to Amend Role of Alternate Members of the Zoning and Adjustment Board

Chairman Burgess called for a public hearing to consider an ordinance of the Board of County Commissioners of Sumter County, Florida, amending Section 13-203 of the Sumter County Code, to amend the role of the alternate members of the Zoning and Adjustment Board; providing for repeal of ordinances in conflict herewith; providing for severability; providing for codification; and providing for an effective date. Proof of Publication, as advertised, filed herewith.

Bradley Arnold, County Administrator, gave a summary of the proposed ordinance. The proposed ordinance amends Section 13-203(e)(2)a of the Sumter County Code as follows:

- a. All regular members shall vote on each motion unless a regular member abstains because of a conflict of interest, or unless otherwise prohibited by law. Conflict of Interest forms shall be filed with the ZAB secretary when applicable. Notwithstanding the quorum provision above, An alternate member shall only may vote if one (1) or more regular members are absent. However, in no case shall more than five (5) regular or alternate members vote. All alternate members may participate in any discussion related to a matter regardless of their ability to vote. The use of an alternate member to vote, as needed, shall rotate between the two (2) alternate members on a per meeting basis. needed to establish a quorum as previously defined.

Staff recommends approval along with the Zoning and Adjustment Board who held a public hearing on September 10, 2011 and recommended approval by a vote of 4-0.

PUBLIC - There was no public input.

09-27-11-1-a

2nd Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve the Ordinance (Ord. No. 2011-14) to Amend Section 13-203 of the Sumter County Code to Amend Role of Alternate Members of the Zoning and Adjustment Board. The motion carried unanimously 5 – 0.

- b. 5:30 pm - Public Hearing - Zoning and Adjustment Board recommendations

Chairman Burgess called for a public hearing to consider the recommendations of the Zoning and Adjustment Board. Proof of Publication, as advertised, filed herewith.

1. CPA2011-0002 Transmittal of Proposed Comprehensive Plan Text Amendment to Delete the Optional Concurrency Requirements for Transportation, Parks and Recreation, and Public Schools

Brad Cornelius, Director of Planning and Development, gave a summary of the proposed amendment. The Zoning and Adjustment Board recommended approval of the proposed amendment by a vote of 4-0.

PUBLIC - There was no public input.

09-27-11-1-b-1

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve CPA2011-0002 - Transmittal of Proposed Comprehensive Plan Text Amendment to Delete the Optional Concurrency Requirements for Transportation, Parks and Recreation, and Public Schools. The motion carried unanimously 5 – 0.

2. S2011-0002 – Tommy's Hauling - CR 526 - Sumterville

The applicant is requesting a Special Use Permit to allow the excavation of sand. Staff has requested additional information from the applicant to proceed with the request. The Zoning and Adjustment Board has tabled this request until October 17, 2011 and it is requested that this Board table this hearing until October 25, 2011.

09-27-11-1-b-2

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to table S2011-0002 – Tommy’s Hauling - CR 526 - Sumterville until October 25, 2011 at 5:30 pm, Colony Cottage Recreation Center, Parlor Room, 510 Colony Boulevard, The Villages, FL 32162. The motion carried unanimously 5 – 0.

3. CPA2011-0001 Transmittal of Proposed Large Scale Comprehensive Plan Amendment - Sumter Electric Cooperative (SECO), Sumterville area

Brad Cornelius, Director of Planning and Development, gave a summary of the requested amendment. SECO has submitted an application to change the Future Land Use from Commercial and Low Density Residential to Industrial on 60.56 acres MOL. Staff has reviewed the proposed amendment and recommends that it be transmitted to the appropriate state agencies for their review and comment. The Zoning and Adjustment Board recommended approval by a vote of 4-0. If transmitted, this amendment is anticipated to come back to the BOCC in November 2011 for a final adoption hearing. Mr. Cornelius advised that the proposed amendment has been furnished to the City of Bushnell and they have no objection. There were 26 notices sent with three (3) being returned in objection and two (2) in favor. **(CLERK’S NOTE: Commissioner Mask filed with the Clerk Form 8B – Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers as SECO is his employer and therefore abstained from voting.)**

Roxanne Mastrantonio, Land Rights Agent for SECO, gave a PowerPoint presentation in support of SECO’s application.

Jeffrey Schaffer, Senior Project Manager, Weaver Boos Consultants, along with Sean Parks, gave a brief presentation also.

PUBLIC - There was no public input.

09-27-11-1-b-3

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve CPA2011-0001 Transmittal of Proposed Large Scale Comprehensive Plan Amendment - Sumter Electric Cooperative. (CLERK’S NOTE: Commissioner Mask filed with the Clerk Form 8B – Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers as SECO is his employer and therefore abstained from voting.) The motion carried unanimously 4 – 0.

Chairman Burgess advised that "If you plan to speak during any of the public hearings listed under number 1 of the agenda which are marked with an asterisk, indicating they are quasi judicial in nature, please rise and be sworn." Those responding were sworn in by Connie Webb, Deputy Clerk. Chairman Burgess

reminded the audience that "only competent, substantial, fact based testimony or evidence will be considered by the Board in deciding the quasi judicial matters listed on today's agenda. Pure speculation or opinion, not based on competent facts, cannot be legally considered by the Board in weighing the appropriateness of the quasi judicial application. If you intend to speak on an item marked "quasi judicial," please keep this in mind. Finally, please state your name, address and whether or not you have been sworn when you approach the podium to speak on a quasi judicial matter."

4. *R2011-0025 - Rezone to ID (Industrial) - SECO - SR 471/US 301/Sumterville

The Chairman polled the Board Members for ex parte communications, either written or verbal, related to this case. Commissioner Hoffman-none; 2nd Vice Chairman Gilpin - none; Vice Chairman Breeden-none; and Chairman Burgess-none.

Brad Cornelius, Director of Planning and Development, gave a summary of the requested action. The applicant is requesting a rezoning on 35 acres MOL from RR, A5, R2C, RR1 and R2M to ID (Industrial) to bring the property into compliance with the Future Land Use Map. The applicant is requesting to incorporate the property into their existing operations. There were 26 notices sent with three (3) being returned in objection and two (2) in favor. The Zoning and Adjustment Board recommended approval by a vote of 4-0. Mr. Cornelius advised that there was an error in the staff report, the Commissioner's District should be 2 instead of 4. (**CLERK'S NOTE:** Commissioner Mask filed with the Clerk Form 8B – Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers as SECO is his employer and therefore abstained from voting.)

PUBLIC - There was no public input.

09-27-11-1-b-4

Vice Chairman Breeden moved, with a second by 2nd Vice Chairman Gilpin, to approve *R2011-0025 - SECO - SR 471/US 301/Sumterville - rezoning on 35 acres MOL from RR, A5, R2C, RR1 and R2M to ID (Industrial) to bring the property into compliance with the Future Land Use Map and the related resolution (Res. No. 2011-48). (CLERK'S NOTE: Commissioner Mask filed with the Clerk Form 8B – Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers as SECO is his employer and therefore abstained from voting.) The motion carried unanimously 4 – 0.

5. *R2011-0021 - Rezoning to R4C - Elijah and Louise Aron - SE 1st Terrace/Bushnell

The Chairman polled the Board Members for ex parte communications, either written or verbal, related to this case. Commissioner Hoffman-none; Commissioner Mask - none; 2nd Vice Chairman Gilpin - none; Vice Chairman Breeden-none; and Chairman Burgess-none.

Brad Cornelius, Director of Planning and Zoning, gave a summary of the requested action. The applicant is requesting a rezoning on 1.59 acres MOL from a non-compliant RR, non-compliant A1 and RR to R4C to bring the property into compliance with the Future Land Use Map. There were seven (7) notices sent with one (1) being returned in favor. The Zoning and Adjustment Board recommended approval by a vote of 4-0.

PUBLIC - There was no public input.

09-27-11-1-b-5

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve *R2011-0021 - Elijah and Louise Aron - Rezoning on 1.59 acres MOL from a non-compliant RR, non-compliant A1 and RR to R4C to bring the property into compliance with the Future Land Use Map and the related Resolution (Res. No. 2011-49). The motion carried unanimously 5 – 0.

6. *R2011-0022 - Rezoning to RR1C - Clark and Barbara Caruthers - CR 229/Wildwood

The Chairman polled the Board Members for ex parte communications, either written or verbal, related to this case. Commissioner Hoffman-none; Commissioner Mask - none; 2nd Vice Chairman Gilpin - none; Vice Chairman Breeden-none; and Chairman Burgess-none.

Brad Cornelius, Director of Planning and Zoning, gave a summary of the requested action. The applicant is requesting a rezoning on 7.1 acres MOL from RR5C to RR1C to complete lineal transfers. The property is 9.1 acres of which two acres were previously rezoned to RR1C. The lineal transfers are two from parents to children and one from grandparents to grandchild. The deeds contain the correct lineal transfer verbiage. There were 11 notices sent with none being returned. The Zoning and Adjustment Board recommended approval by a vote of 4-0.

PUBLIC - There was no public input.

09-27-11-1-b-6

Commissioner Mask moved, with a second by Commissioner Hoffman, to approve *R2011-0022 - Clark and Barbara Caruthers - Rezoning on 7.1 acres MOL from RR5C to RR1C to complete lineal transfers and the related Resolution (Res. No. 2011-50). The motion carried unanimously 5 – 0.

*Quasi Judicial Hearing

2. REPORTS AND INPUT

a. County Administrator

1. Recognition of Tonya Mullan as Driver of the Year 2011

09-27-11-2-a-1

2. Introduction of Frank Ennist, Deputy Chief of Operations for Sumter County Fire and EMS

09-27-11-2-a-2

3. Introduction of Lorrie Simmons, Sumter County Financial Services Coordinator

09-27-11-2-a-3

4. Hearing for Appeal of Staff Determination Filed by Lynn Townsend Burnett for RCM Construction, Inc. Subdivision of Land (Withdrawn - No Action Required)

This item was tabled at the August 23, 2011 meeting to allow time for staff to review information submitted by Ms. Burnett and to continue efforts to try and resolve the issue. On August 31, 2011, Mr. Cornelius received an email from Ms. Burnett stating that RCM Construction, Inc. has decided to pursue the replat of the property consistent with the staff determination. Mr. Arnold has approved the waiver of the \$900 application fee, however, the applicant will be responsible for paying the cost of the County's survey review and recording of the replat. On September 19, 2011, staff received an email from the applicant's representative withdrawing the appeal. Consequently, no action is required by the Board.

09-27-11-2-a-4

5. Purchase Orders (For Information Only)

09-27-11-2-a-5

6. Significant Schedule of Items (For Information Only)

09-27-11-2-a-6

7. Road Project Update Report (For Information Only)

09-27-11-2-a-7

8. Facilities Development Update Report (For Information Only)

09-27-11-2-a-8

9. Department Surveys for August (For Information Only)

09-27-11-2-a-9

10. Sumter County August Misdemeanor Probation Status Report - August 2011 (For Information Only)

09-27-11-2-a-10

11. Animal Control Services - Performance Measures - August 2011 (For Information Only)

09-27-11-2-a-11

12. Major Revenue Collection Report (For Information Only)

09-27-11-2-a-12

13. General James A. Van Fleet State Trail Management Plan Public Meeting Announcement on October 5, 2011, 10:00 am, held at Polk City Government Center (For Information Only)

09-27-11-2-a-13

14. Health Care Responsibility Act Claims August 2011 (For Information Only)

09-27-11-2-a-14

15. Florida Association of Counties 2011 Preliminary County Property Tax Summary (For Information Only)

09-27-11-2-a-15

16. Florida Association of Counties Trust Letter - Claim No. FAC2101-16-1 (For Information Only)

CLERK'S NOTE: This pertains to a claim by John McCoy, in which the letter states that the statute of limitations has passed and therefore Mr. McCoy is not entitled to any recovery.

09-27-11-2-a-16

17. National Association of Counties (NACO) Participation and Membership Benefits Report (For Information Only)

09-27-11-2-a-17

18. Sumter Landing Community Development District adopted budget for Fiscal Year 2011/2012 (For Information Only)

09-27-11-2-a-18

19. Village Center Community Development District adopted budget for Fiscal Year 2011/2012 (For Information Only)

09-27-11-2-a-19

20. Village Community Development District No. 1 adopted budget for Fiscal Year 2011/2012 (For Information Only)

09-27-11-2-a-20

21. Village Community Development District No. 2 adopted budget for Fiscal Year 2011/2012 (For Information Only)

09-27-11-2-a-21

22. Village Community Development District No. 3 adopted budget for Fiscal Year 2011/2012 (For Information Only)

09-27-11-2-a-22

23. Village Community Development District No. 10 adopted budget for Fiscal Year 2011/2012 (For Information Only)

09-27-11-2-a-23

24. Southwest Florida Water Management District public input meetings for update to schedule for establishment of minimum flows and levels (For Information Only)

09-27-11-2-a-24

25. Certificate of Financial Responsibility with Florida Department of Environmental Protection related to aboveground and below ground storage tanks (For Information Only).

09-27-11-2-a-25

26. Letter to present to Legislative Delegation at meeting scheduled in Sumter County on October 13, 2011 (For Direction)

There was consensus by the Board for Chairman to sign this letter.

09-27-11-2-a-26

27. Request from Sheriff Bill Farmer for Sheriff's Youth Ranches to utilize the rear parking lot of the Sumter County Annex on CR 466 in The Villages (For Direction, added to agenda on 9/23/2011)

There was consensus to allow the Sheriff's request.

09-27-11-2-a-27

28. Mr. Arnold requested that the Interlocal Agreement Between Lake County, Florida and Sumter County, Florida for County-Wide Communications System be added as Agenda Item 3.e.27.

2nd Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve the amendment of the Agenda by the County Administrator to add Agenda Item 3.e.27 - Interlocal Agreement Between Lake County, Florida and Sumter County, Florida for County-Wide Communications System. The motion carried unanimously 5 – 0.

b. County Attorney

1. Request for Attorney General Opinion related to LifeStream Behavioral Center funding (For Direction)

09-27-11-2-b-1

Vice Chairman Breeden moved, with a second by Commissioner Hoffman, to approve the Request for Attorney General Opinion related to LifeStream Behavioral Center funding. The motion carried unanimously 5 – 0.

c. Clerk of Court - No report.

d. Board Members

1. Workforce Central Florida (For Discussion)

After discussion, the consensus was for the Board to support Governor Scott's directive on this issue.

09-27-11-2-d-1

2. Commissioner Richard Hoffman - No report.

3. Commissioner Randy Mask

Commissioner Mask advised that he had attended the annual SCARC Banquet and was presented with a Certificate of Appreciation for the Board of County Commissioners in appreciation of their service and support to SCARC, Inc. which Commissioner Mask presented to Chairman Burgess.

09-27-11-2-d-3 - SCARC

4. 2nd Vice Chairman Gilpin

2nd Vice Chairman Gilpin advised he would save his comments for the discussion on Workforce Central Florida.

5. Vice Chairman Breeden - No report.

6. Chairman Burgess - No report.

e. Public Forum

John McCoy, 7104 CR 614, Bushnell, FL, gave a lengthy presentation to the Board regarding an ongoing problem with flooding on his property which began in 1998. Mr. McCoy also provided a handout which is part of the permanent record. There was discussion regarding Mr. McCoy signing a release which would release the County from any liability in this matter and Mr. McCoy advised that he would not sign any such release.

09-27-11-2-e-McCoy

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Budget Hearing held on September 12, 2011 (Staff recommends approval).

09-27-11-3-a-1

Commissioner Mask moved, with a second by Vice Chairman Breeden, to approve the minutes of the Budget Hearing held on September 12, 2011. The motion carried unanimously 5 – 0.

2. Minutes of Regular meeting held on September 13, 2011 (Staff recommends approval).

09-27-11-3-a-2

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve the minutes of the regular meeting held on September 13, 2011. The motion carried unanimously 5 – 0.

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. Schedule Public Hearing for Road Closing for CR 488 on November 8, 2011 at 5:00 pm at the Bushnell Government Offices, 910 N. Main Street, Room 142, Bushnell, FL (Staff recommends approval, item added to agenda 9/23/11).

09-27-11-3-b-1

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve to schedule a Public Hearing for Road Closing for CR 488 on November 8, 2011 at 5:00 pm at the Bushnell Government Offices, 910 N. Main Street, Room 142, Bushnell, FL. The motion carried unanimously 5 - 0.

c. APPOINTMENTS

1. Bicycle Pedestrian Advisory Committee (BPAC) vacancy (Board's option).

There was no action taken.

09-27-11-3-c-1

2. Enterprise Zone Development Agency vacancies (Board's option).

09-27-11-3-c-2

2nd Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve the appointment of Richard Harenstein as the Planning Sector Member on the Enterprise Zone Development Agency. The motion carried unanimously 5 - 0.

3. Industrial Development Authority vacancy (Board's option).

There was no action taken.

09-27-11-3-c-3

d. FINANCIAL

1. Budget Amendment A-91 (FY 10/11) Capital Outlay Reserve Fund (Staff recommends approval).

The purpose of this budget amendment is to cover new fixtures and repairs including the installation of shelves, radio antennas, automatic doors, and irrigation repairs at the fire stations.

09-27-11-3-d-1

2. Budget Amendment A-92 (FY 10/11) Transit Fund (Staff recommends approval).

The purpose of this budget amendment is to fund the payout of severance packages to employees affected by the privatization of Transit Services. This

payout includes Severance Pay, Sick Leave, and Vacation Leave in accordance with BOCC policies.

09-27-11-3-d-2

3. Budget Amendment A-93 (FY 10/11) Transfer to Property Appraiser (Staff recommends approval).

The purpose of this budget amendment is to correct Budget Amendment #67 on which the County provided an additional \$65,000 in funding for software to the Property Appraiser. When the request was made, the BOCC believed the \$65,000 requested was its share of the expense. However, the BOCC portion should have been the \$65,000 times the BOCC allocation of 95.904% which equaled \$62,337 funded. This amendment corrects that oversight. The correct amount of \$62,337 has been paid to the Property Appraiser.

09-27-11-3-d-3

4. Budget Amendment A-94 (FY 10/11) Capital Outlay Reserve Fund (Staff recommends approval).

The purpose of this budget amendment is to cover the cost of Mid State Electric installing generators for the Sheriff's Office and VoIP (Voice over Internet Protocol) projects.

09-27-11-3-d-4

5. Change Order Request to Purchase Order No. 54073 (Staff recommends approval).

This increase to PO #54073 (The Villages Technology Solutions Group) by \$50,000 is to cover expenses for the remaining Fiscal Year 2010/2011 for General IT and Programming Services.

09-27-11-3-d-5

6. Change Order Request to Purchase Order No. 54074 (Staff recommends approval).

This increase to PO #54074 (DSM Technology Consultants) by \$398 is to cover expenses through September 30, 2011.

09-27-11-3-d-6

7. Change Order Request to Purchase Order No. 54690 (Staff recommends approval).

This increase to PO #54690 (Architecture Studio) by \$29,375 is to cover the additional design services for the Animal Control Barn, Pasture, and the Euthanasia Facility for the proposed CDA Fee Collection and Animal Control Administration Building.

09-27-11-3-d-7

8. Purchase Order Approval (Staff recommends approval, item updated 9/23/11).

CLERK'S NOTE: P.O. #54606 was pulled by Mr. Arnold pending the decision on Cherry Lake.

09-27-11-3-d-8

9. Request for funding from the Young Performing Artists (YPAs) (Staff Recommends Approval).

09-27-11-3-d-9

2nd Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve Agenda Items 1 through 9 under Financial with the exception of Purchase Order No. 54606 which was pulled at the request of the County Administrator. The motion carried unanimously 5 – 0.

e. CONTRACTS AND AGREEMENTS

1. Amendment 1 to Memorandum of Understanding (MOU) with Department of Agricultural and Consumer Services (DACS) and Florida Forest Service for TG Lee Tract Wetland Restoration Site (Staff recommends approval).

The original MOU with DACS, Division of Forestry (n/k/a Florida Forest Service) was implemented on April 27, 2010 and was focused on providing wetland mitigation for the wetlands that would be impacted as part of the C468 widening project from the new Florida Turnpike interchange at C468 to SR44 and also future widening of C470. To expedite final design and permitting the County is purchasing credits from the Green Swamp Mitigation Bank (GSMB) for C468. The County still has future wetland mitigation requirements as it widens C470 in the future and other potential wetland impacts related to replacing the bridge over Jumper Creek on C475 and possibly others.

Wetland mitigation credits can cost as much as, or more than, \$150,000 per credit and C470 will require several. Therefore, staff recommends that the MOU and conceptual plan be amended to remove references to C468, retain reference to C470, and add Jumper Creek Bridge and others. It also provides for the new name of the Division of Forestry, which is now the Florida Forestry Service (FFS) and provides for input from FFS on the design task order and review comments on the 60% plans. This action will serve two purposes: (1) It will provide wetland mitigation for future County road projects; and (2) It will restore parts of the TG Lee tract to its natural wetland configuration.

09-27-11-3-e-1

2. Annual Contract with the State of Florida Department of Health for the operation of the Sumter County Health Department (Staff recommends approval).

09-27-11-3-e-2

3. Annual funding agreement with Mid Florida Community Services, Inc. (Staff recommends approval).

The 2011/2012 Fiscal Year Budget contains funding for Mid Florida Community Services in the amount of \$1,040.

09-27-11-3-e-3

4. Annual funding contract for court-related technology for the Office of State Attorney. (Staff recommends approval).

The contract provides for reimbursement to the Office of the State Attorney for one state employee assigned to the Bushnell State Attorney's Office and a prorated percentage of costs for circuit-wide employees who also perform related technology work for the Office of the State Attorney for a total of \$89,400 annually.

09-27-11-3-e-4

5. Annual funding agreement with SCARC, Inc. (Staff recommends approval).

The 2011/2012 Fiscal Year Budget contains funding for SCARC, Inc. in the amount of \$40,000.

09-27-11-3-e-5

6. Annual Review of SBCCI, Inc. Residential Inspection Contract, 2.7% Rate Increase Based on Consumer Price Index (CPI-U) for March 2011 (Staff recommends approval).

The County's Building Services Department has an existing contract for building inspection services with SBCCI, Inc. for all new residential and commercial construction within The Villages DRI. The contract includes a clause that on October 1 of each year the lump sum price for the inspection of new homes in The Villages DRI changes based on the Consumer Price Index (CPI-U) from March of that year (i.e., March 1, 2011 CPI-U used to calculate October 1, 2011 price). This equates to a 2.7% increase in the price for home inspection compared to October 1, 2010. The anticipated budget impact is \$12,452 (based on 2,200 new homes). The increase in price will not be passed on to the customers but will be absorbed by the Building Services budget.

This item was pulled for discussion and a separate vote at the request of 2nd Vice Chairman Gilpin.

09-27-11-3-e-6

7. Application for Fiscal Year 2011-2012 State Aid to Library Grant (Staff recommends approval).

Grant funding for Fiscal Year 2011-2012 is \$35,462 in operating funds and \$209,615 in equalization funding. In order to be eligible for these funds, the necessary application must be completed, executed by the Chairman and returned to the Department of State, Division of Library and Information Services prior to October 1, 2011.

09-27-11-3-e-7

8. Approve Memorandum of Agreement (MOA) between the Board of County Commissioners and the Sumter County Sheriff's Office related to janitorial services (Staff recommends approval).

The purpose of this MOA is for janitorial cleaning at County locations specified within the MOA. The cost for these services will be allocated through the BOCC budget process annually with an impact of \$43,709.

09-27-11-3-e-8

9. Award and enter into contract with Arbor Care Tree Services as the Primary Contractor and with Furlong Tree Services as the Secondary Contractor for ITB 018-0-2011/AT Sumter County Routine Tree Services (Staff recommends approval).

The Selection Committee met on September 20, 2011 to discuss the five bids submitted: (1) USA Services; (2) Furlong Tree Service; (3) Paff Tree Service, LLC; (4) Rae L. Wilson, Enterprises; and (5) Arbor Care Tree Service. The Selection Committee is recommending Arbor Care Tree Service as the primary contractor and Furlong Tree Service as the secondary contractor. Two contracts are being recommended in case of an unforeseen event/storm.

09-27-11-3-e-9; 09-27-11-3-e-9-Arbor Care; 09-27-11-3-e-9-Furlong

10. Contract with PDCS, LLC for Building Inspection and Plan Review Services (Staff recommends approval).

On July 12, 2011 the Board approved for staff to enter into contract negotiations with PDCS, LLC for building inspection services for non-residential structures. The term of the proposed contract is October 1, 2011 to December 31, 2014. The anticipated cost for Fiscal Year 2011-2012 is \$262,500.

09-27-11-3-e-10

11. Contract Change Order 12 for Emmett Sapp Builders Inc. for The Villages Sumter County Service Center (Staff recommends approval).

This change order in the amount of \$12,761.70 is for an increase in scope of work to remove counter tops, patch and repaint walls, replace carpet base to renovate the Transit Office to accommodate the Transit contract management staff and to provide power/data for four wall-mounted TV's.

09-27-11-3-e-11

12. Contract Change Order 30 South Wildwood Fire Station #33 with Emmett Sapp Builders (Staff recommends approval).

This change order in the amount of \$19,036.50 is for an increase in scope of work for installation of pantry shelves, two-radio antennas, and a washer/extractor for gear cleaning, and to add duct detectors per the Fire Marshal.

This item was pulled for a separate vote at the request of Commissioner Hoffman.

09-27-11-3-e-12

13. Contract Change Order 31 West Bushnell Fire Station #22 with Emmett Sapp Builders (Staff recommends approval).

The change order in the amount of \$22,154.80 is for an increase in scope of work to install two-way radio antennas, automatic door openers, vct base flooring, washer/extractor for gear cleaning, repair damaged irrigation, and to add duct detectors per the Fire Marshal.

This item was pulled for a separate vote at the request of Commissioner Hoffman.

09-27-11-3-e-13

14. Contract Change Order 32 Downtown Wildwood Fire Station #31 with Emmett Sapp Builders (Staff recommends approval).

This change order in the amount of \$28,395.20 is for an increase in scope of work to install solar panel structures, door additions and associated framing, install pantry shelves, interior/exterior signage and building plaque, as well as epoxy flooring for apparatus bay, electrical room, bunk gear storage room and mechanical room.

This item was pulled for a separate vote at the request of Commissioner Hoffman.

09-27-11-3-e-14

15. Contract Renewal for Continuing Engineering and Hydrogeological Services with Tetra Tech, Inc. (Staff recommends approval).

This will renew the contract for an additional three (3) year period (September 30, 2014). The scope and terms of the proposed contract are the same as in the existing contract. The anticipated annual cost is \$42,000 (\$126,000 for the three years).

09-27-11-3-e-15

16. First Amendment to Agreement between the Southwest Florida Water Management District (SWFWMD) and Sumter County Board of County Commissioners (BOCC) for Big Prairie and Gant Lake Watershed Management Plan L787 (Staff recommends approval).

This amendment will extend the cooperative funding for the Big Prairie and Gant Lake Watershed Management Plans through January 31, 2013.

09-27-11-3-e-16

17. Memorandum of Understanding with the University of Florida for Cooperative Extension Service services (Staff recommends approval).

The Florida Extension Service (County Agent) was established as an integral part of the Institute of Food and Agricultural Sciences (IFAS), University of Florida, for the public purpose of "extending" research-based educational information from the University to the people of the State of Florida on subjects relating to agriculture, aquaculture, family and consumer sciences, 4-H youth development, environmental horticulture, natural resources, Sea Grant, energy and other programs deemed necessary. For several years, Sumter County has partnered with the University of Florida through a Memorandum of Understanding to provide the dissemination of these services to the public. The document being presented for consideration this evening will extend the agreement through September 30, 2012.

This item was pulled for a separate vote at the request of 2nd Vice Chairman Gilpin.

09-27-11-3-e-17

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

This agreement is between the Public Defender's Office and Angie Lewis, Independent Contractor. Ms. Lewis will invoice Sumter County directly on a bi-weekly basis once the invoice is approved by the Public Defender's Office. The funds covering services under this agreement have been budgeted for in FY 2011/2012.

09-27-11-3-e-18

19. Transportation Agreement with City of Bushnell for Bushnell Fall Festival (Staff recommends approval).

This contract will be effective for one day (10/15/2011) from 8:00 AM to 5:00 PM for Bushnell's Fall Festival.

09-27-11-3-e-19

20. Contract with Capitol Solutions, LLC, for state lobbying services (Staff recommends approval).

This is for state lobbying services for FY 2011/2012 in the amount of \$60,000.

09-27-11-3-e-20

21. Funding agreement with LifeStream (Staff recommends approval).

This agreement is for the period October 1, 2011 through December 31, 2011 in the total amount of \$22,500. Future funding will be determined once a legal opinion by the Attorney General is made regarding the County's local match requirements for LifeStream.

09-27-11-3-e-21

22. Landstone Development of Regional Impact - Impact Fee Credit Agreement for Proportionate Share Contributions Associated with C-470 Widening from CR 501 to Sumter County Line (Staff recommends approval).

The Landstone Development of Regional Impact (DRI) is a proposed large scale mixed-use project within the City of Wildwood on the south side of C470 at CR 501. The Transportation Proportionate Share Agreement for the DRI provides the opportunity for the Developer to enter into a transportation impact fee agreement with the County to provide for either credits or reimbursement for the costs of widening C470 from CR 501 to the Sumter County line. The projected cost for the C470 project is \$19,338,961. The proposed agreement allows the cost to increase up to 120% if the project is not competitively bid. Given this potential escalation, the maximum impact fee credit or reimbursement is \$23,206,753. The proposed agreement provides for a maximum impact fee credit to not exceed the total value of all transportation impact fees generated by the full build-out of the DRI. Based on current impact fee rates, the anticipated total value of all transportation impact fees generated by the DRI is \$23,916,945. The potential transportation impact fee revenue generation by the DRI (\$23,916,945) exceeds the maximum County obligation (\$23,206,753) under the

proposed Agreement. This has been reviewed by the County Attorney with no objection.

09-27-11-3-e-22

23. Approve grant agreement between the American Society for the Prevention of Cruelty to Animals (ASPCA) and Sumter County BOCC/Animal Services to implement a Project entitled "Stipends for Code 3 Cruelty Education for Animal Control Officers" (Staff recommends approval).

This is a \$10,000 grant (no match required) from the ASPCA which will be used to pay for class registration, air fare, hotels and meals for Animal Control Officers to attend cruelty investigation classes.

09-27-11-3-e-23

24. Contract for Purchase and Sale along with the Security Agreement for Pledge of Payments between The Villages of Lake-Sumter, Inc. (Seller) and Village Center Community Development District (Purchaser) for property, fire station, fixtures, and equipment (Staff recommends approval).

This is for the purchase by the Village Center Community Development District from The Villages of Lake-Sumter, Inc. of property, fire station furniture, fixtures, and equipment located at Morse Boulevard and CR466A.

09-27-11-3-e-24

25. Termination Agreement between Lake County and Sumter County related to Lake-Sumter Emergency Medical Services, Inc. (Staff recommends approval).

This is related to the dissolution of Lake-Sumter EMS, Inc.

09-27-11-3-e-25

26. Contract with State of Florida, Division of Emergency Management for 2011-2012 Florida Division of Emergency Management Hazards Analysis (Staff recommends approval, item added to agenda 9/23/11).

This contract is for the performance of the 2011-2012 Florida Division of Emergency Management Hazards Analysis. The Hazards Analysis requires site visits and submission of finding to the Florida Division of Emergency Management. This year 16 of 23 sites are required to be visited and reported on.

The reports are due by November 1, 2011 (8 sites) and February 1, 2012 (8 sites).

09-27-11-3-e-26

27. Interlocal Agreement Between Lake County, Florida and Sumter County, Florida for County-Wide Communications System.

CLERK'S NOTE: This item was added by the County Administrator. This Agreement provides for payment by Sumter County to Lake County for the provision of radios utilizing the Lake County Radio System by Rural Metro. The cost is \$33,858.88 per year.

09-27-11-3-e-27

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve Agenda Items 1 through 5, 7 through 11, 15, 16, and 18 through 27 (#27 was added to the agenda this evening) under Contracts and Agreements. The motion carried unanimously 5 – 0.

Chairman Burgess moved, with a second by Vice Chairman Breeden, to approve Agenda Item 6 under Contracts and Agreements. The motion carried unanimously 5 – 0.

Vice Chairman Breeden moved, with a second by Commissioner Mask, to approve Agenda Items 12 through 14 under Contracts and Agreements. The motion carried 4 – 1, with Commissioner Hoffman voting nay.

Vice Chairman Breeden moved, with a second by Commissioner Mask, to approve Agenda Item 17 under Contracts and Agreements. The motion carried 4 – 1, with 2nd Vice Chairman Gilpin voting nay.

f. GENERAL ITEMS FOR CONSIDERATION

1. Request from Guardian Ad Litem to have a yard/bake sale on County property located at 115 North Florida Street on Monday, October 3, 2011 (Board's Option).

Option 1: Grant permission for Guardian Ad Litem to have a yard sale with no signs.

Option 2: Grant permission for Guardian Ad Litem to have a yard sale and for the placement of private signs on Sumter County property or right-of-way if there is a rational basis for the granting of the permit which furthers the interest of the health, safety and welfare of the public at large in accordance with Sumter

County Code, Chapter 13-Land Development Code, Article IV-General Development Standards, Division 16- Public Property Aesthetics Protection.

Option 3 - Deny permission for Guardian Ad Litem to have a yard sale.

09-27-11-3-f-1

2. Approve the 2011-2012 Classification and Compensation Schedule and revised job descriptions (Staff recommends approval).

09-27-11-3-f-2

3. Approve the revision to the Employee Manual to include various policies and revisions to conform to changes in Federal and State laws (Staff recommends approval).

09-27-11-3-f-3

4. New Citizens Drop Off Area (CDA) Operations Manual and Permits Preparation Task Order (Staff recommends approval).

The (CDA) is preparing to locate to a new facility next year near the Animal Services (AS) area. This will include new office space collocated in a joint AS/CDA building and a new lay down area for household waste, C&D, brush, tires, recycling, and others. Prior to relocating the County is required by Florida Department of Environmental Protection (FDEP) to prepare and obtain approval of new permits for the waste tire facility and the waste processing facility (formerly the transfer station, now the CDA) as well as develop a new Operations Manual to manage these activities.

Springstead Engineering, Inc. will prepare the new permits and update the Operations Manual during the period from September 28, 2011 to January 11, 2012 for the CDA. This includes time for the FDEP to review and comment. The fee is not-to-exceed \$33,460.

09-27-11-3-f-4

5. Petition for Road Closing CR 488 (Staff recommends tabling item pending approval of item NB B1).

CLERK'S NOTE: This item is being pulled at the request of the County Administrator until such time as the Public Hearing is scheduled on this matter (See Agenda Item B1 for documentation).

6. Property Donation from Barbara McClendon, Parcel J04A015 to Satisfy Code Case CE2011-0092 and Waive Staff Costs of \$361.06 (Staff recommends approval).

09-27-11-3-f-6

7. Reduce Residential Building Permit Fees by 25% (Staff recommends approval).

09-27-11-3-f-7

8. Request for permission to close the Bushnell Public Library during the Bushnell Fall Festival on October 15, 2011 (Staff recommends approval).

09-27-11-3-f-8

9. Request to Approve a Special Event Temporary Use Permit for Brown's Farm Festival (Staff recommends approval).

09-27-11-3-f-9

10. Stormwater Management Program Development Task Order (Staff recommends approval).

This task order in the amount of \$129,866.40 with AMEC-BCI provides for:

1. identify existing basin studies and recommend additional studies;
2. update and expand the GIS database of stormwater facilities and infrastructure and identify locations and elevations using GPS;
3. develop maintenance plan for canals that the County is responsible for;
4. identify parcels and structures impacted by changes to the DFIRMS;
5. analysis of stormwater needs due to growth, including pending mitigation requirements dictated by the TMDL (total maximum daily loads) and NNC (numeric nutrient criteria);
6. evaluate short term priorities for stormwater projects and prepare cooperative funding applications to SWFWMD for the County.

09-27-11-3-f-10

11. Sumter County Highway Safety Program Task Order (Staff recommends approval).

Public Works recommends the creation of a Sumter County Highway Safety Program to identify and prioritize high crash road segments/locations, intersections and locations that have high potential for accidents and develop solutions to correct them. This would include seeking Safety Funds allocated to

FDOT from Federal Traffic Safety Funds and County funding. Public Works also recommends creation of the Traffic Safety Work Group (TSWG) with members from local government agencies to coordinate safety efforts. Volkert, Inc. has submitted a proposal in the amount of \$40,000 to assist in the development of the Sumter County Highway Safety Program, preparation of the prioritized list of projects, and assist in forming the TSWG.

09-27-11-3-f-11

12. Villages of Sumter - Approve Villages of Sumter - Unit 205 and Gilchrist Postal Park & NRC reviewed at the September 12, 2011, Development Review Committee (DRC) Meeting (Staff recommends approval).

VOS - Unit 205 - Develop a 237-unit residential subdivision and related infrastructure on 70.45 acres MOL in The Villages.

VOS - Gilchrist Postal Park and NRC - Construct a postal facility, neighborhood recreation center, and related infrastructure on 2.02 acres MOL in The Villages.

09-27-11-3-f-12

13. Revised Health Plan Premiums for Employees, Retirees and COBRA and FCL Group and Voluntary Life Revised Documents (Staff recommends approval).

This is the Florida Combined Life (FCL) Group and Voluntary Life Agreement and Revised Health Plan Premiums for Employees, Retirees and Cobra for FY 2011-2012.

09-27-11-3-f-13

14. Florida Recreational Development Assistance Program Grant #F50297 Reimbursement to Florida Department of Environmental Protection (Staff recommends approval).

CLERK'S NOTE: Mr. Arnold requested that this item be pulled pending the outcome of discussions from the September 26, 2011 Budget Hearing regarding Cherry Park. He and the County Attorney have developed two concepts which he recommends the Board approve both so that the community of Cherry Lake can choose which one they would like to pursue. The first option is the full transfer of the County property with appurtenances to a legal entity with a reversion clause. The second option is to lease the property to a legal entity whereby there would be contractual requirements as well as insurance requirements. Both options meet the approval of the budget which ceases the County's maintenance of that particular park and shifts the responsibility to the legal entity. Mr. Arnold recommended the Board allow two weeks for the Cherry

Lake Community to make their decision and take appropriate steps. Consensus was for Mr. Arnold to proceed.

09-27-11-3-f-14

15. Inventory Transactions (Staff recommends approval).

09-27-11-3-f-15

16. Approval of the PGIT Auto and Workers Compensation proposals along with VFIS Option 2 for \$54,008.30 with \$20,000 UIM and a \$2,000 Deductible to mirror the current and proposed PGIT coverage (Staff recommends approval).

Brown & Brown of Florida, Inc. secured proposals for one year insurance renewals from the following carriers for the period October 1, 2011 through October 1, 2012.

VFIS - Auto Fire Services Only - \$54,008.30 Option 1 - \$30,000 UIM with \$1,000 Deductible

VFIS - Auto Fire Services Only - \$54,008.30 Option 2 - \$20,000 UIM with \$2,000 Deductible

PGIT - Auto excluding Fire Services - \$68,600

PGIT - Workers Compensation - \$137,180.

Staff recommends approval of the PGIT Auto and Workers Compensation proposals along with VFIS Option 2 for \$54,008.30 with \$20,000 UIM and a \$2,000 Deductible to mirror the current and proposed PGIT coverage.

09-27-11-3-f-16

17. Authorize Staff to enter into contract negotiations with Kimley-Horn and Associates, Inc. on RFQ016-0-2011/AT Sumter County C469 Resurfacing Design and Permitting from CR 48 to SR 50 (Staff recommends approval).

There were nine (9) proposals received as follows: (1) Civil-Tech Consulting Engineers, Inc.; (2) DRMP, Inc.; (3) H&B Consulting Engineers, Inc.; (4) Kimley-Horn and Associates, Inc.; (5) The LPA Group Incorporated (Baker); (6) Pigeon-Roberts & Associates, LLC; (7) Springstead Engineers, Inc.; (8) Volkert, Inc.; and (9) Wade-Trim. The Selection Committee recommends that the Board authorize staff to enter into contract with Kimley-Horn and Associates, Inc.

09-27-11-3-f-17

Vice Chairman Breeden moved, with a second by Commissioner Hoffman, to approve Option 1 for Agenda Item 1 under General Items for Consideration. The motion carried unanimously 5 – 0.

Vice Chairman Breeden moved, with a second by 2nd Vice Chairman Gilpin, to approve Agenda Items 2 through 4, 6 through 13, and 15 through 17 under General Items for Consideration. The motion carried unanimously 5 – 0.

ADJOURN

The meeting was adjourned at 6:40 p.m.