

The Board of County Commissioners (Board) convened in regular session on this Tuesday, October 23, 2012, at The Villages, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas Gilpin, Vice Chairman, District No. 2; Donald 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; Bill Kleinsorge, Finance Director; Connie Webb, Deputy Clerk; and George Angeliadis of The Hogan Law Firm, Attorneys for the Board. Chairman Breeden called the meeting to order at 5:00 p.m. with the invocation given by 2nd Vice Chairman Mask followed by the flag salute led by Commissioner Hoffman.

1. TIMED ITEMS AND PUBLIC HEARINGS

- a. 5:00 PM - Public Hearing - Ordinance to Amend the Boundaries of the North Sumter County Utility Dependent District (the District), Amend the Governing Board of the District, and acknowledge the provisions of Section 125.01(1)(k)2, Florida Statutes

Chairman Breeden called for a public hearing to consider "An Ordinance of the Sumter County Board of County Commissioners relating to the North Sumter County Utility Dependent District; amending Ordinance 2012-10; amending the district boundary; amending the governing board of the district; and providing for an effective date." Proof of Publication, as advertised filed herewith.

Karl Holley, Development Services Director, presented the ordinance (2012-14) for consideration. The North Sumter County Utility Dependent District (District) is a special district created by the Board in accordance with the provisions of Florida Statute Chapters 125 and 189, and provides utility services to areas in and around The Villages DRIs. The District was created by the Board in 2010 (Ordinance 2010-10). It is periodically necessary to amend Ordinance 2010-10 to improve efficiency and reflect administrative needs. The District proposes the following amendments:

- 1) Expand the District boundaries to improve efficiency and serve developing areas.
- 2) Update membership of the District Board governing body.
- 3) Allow for solid waste collection and disposal services pursuant to Section 125.01(1)(k)2, Florida Statutes.

PUBLIC - There was no public input.

10-23-12-1-a

Vice Chairman Gilpin moved, with a second by 2nd Vice Chairman Mask, to approve to adopt an Ordinance (2012-14) to Amend the Boundaries of the North Sumter County Utility Dependent District (the District), Amend the Governing Board of the District, and acknowledge the provisions of Section 125.01(1)(k)2, Florida Statutes. The motion carried unanimously 5 – 0.

- b. 5:30 PM - Public Hearing - Zoning and Adjustment Board recommendations and/or Development Review Committee recommendations

Chairman Breeden called for a public hearing to consider the recommendations of the Zoning and Adjustment Board (ZAB) and/or Development Review Committee (DRC). Proof of Publication, as advertised, filed herewith. Chairman Breeden advised that "If you plan to speak during any of the public hearings on an item listed under number 1 of the agenda which is marked with an asterisk, indicating it is quasi judicial in nature, please rise and be sworn." Those responding were sworn in by Connie Webb, Deputy Clerk. Chairman Breeden 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."

Chairman Breeden went on to say that the procedure for tonight for the public hearings will be as follows: There will be a staff presentation which will include staff's recommendation on the issue. There will be an applicant's presentation if they so desire. The Board will then allow for public comment on the issue followed by the applicant's rebuttal on the issue. At that time public input will end and the Board will then discuss the issue and make a decision.

Karl Holley, Development Services Director, presented the following ZAB cases for consideration.

- 1.* R2012-0042 Rezone 60.23 acres MOL from Municipality, A5 and RR to A10C - SDC Services III, Inc., et al. - Taylor Avenue/Coleman

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

The applicant, SDC Services III, Inc., et al., is requesting to rezone 60.23 acres MOL from Municipality, A5 and RR to A10C to bring the property into compliance with the Future Land Use Map. This property was within the corporate limits of the City of Coleman and has been de-annexed. At the time of de-annexation it was not assigned a land use or zoning classification by the County. The County has subsequently assigned a land use classification through amendment of the comprehensive plan. This is a vested operating airport and the zoning being requested is consistent with private airport operation with a conditional use approval. There were 18 notices sent with two being returned in favor. The ZAB recommended approval by a vote of 5-0.

PUBLIC - There was no public input.

10-23-12-1-b-1

Commissioner Burgess moved, with a second by Commissioner Hoffman, to approve *R2012-0042 - Request of applicant, SDC Services III, Inc., et al., to rezone 60.23 acres MOL from Municipality, A5 and RR to A10C and adopt the related resolution (2012-53). The motion carried unanimously 5 – 0.

2. *R2012-0043 Rezone 3.12 acres MOL from non-compliant A5 to RR1C - Leslie Ira Anderson and Nancy Louise Wolven - C575/Bushnell

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

The applicants, Leslie Ira Anderson and Nancy Louise Wolven, are requesting to rezone 3.12 acres MOL from a non-compliant A5 to RR1C to correct zoning classification on a vested parcel of record.

PUBLIC - There was no public input.

10-23-12-1-b-2

2nd Vice Chairman Mask moved, with a second by Commissioner Hoffman, to approve *R2012-0043 - Request of applicants, Leslie Ira Anderson and Nancy Louise Wolven, to rezone 3.12 acres MOL from non-compliant A5 to RR1C and adopt the related resolution (2012.54). The motion carried unanimously 5 – 0.

3. *S2012-0005 - Major Special Use Permit to allow a sport shooting facility on 80.75 acres MOL - NW 102nd Boulevard/Oxford

The Chairman polled the Board Members for ex parte communications, written or verbal, related to this case and they responded as follows:

Commissioner Burgess advised he has received numerous emails on the matter along with speaking to Randall Thornton.

Vice Chairman Gilpin advised he has received numerous emails, spoken with Randall Thornton, and responded to many of the emails.

Commissioner Hoffman advised he has received numerous emails, spoken with Randall Thornton, and received a letter from Randall Thornton regarding this matter as well as another zoning case.

2nd Vice Chairman Mask advised he has received numerous emails and spoken with Kevin Webb, Randall Thornton, Shawn Williams, George Angeliadis, and Bradley Arnold.

Chairman Breeden advised he has spoken with Randall Thornton and James Wade as well as receiving numerous emails.

At the suggestion of the County Attorney, Chairman Breeden polled the Board as to anyone who had visited the site in question, Commissioner Burgess - yes; Vice Chairman Gilpin - yes; Commissioner Hoffman - yes; 2nd Vice Chairman Mask - yes; Chairman Breeden - he has been to the site but not in reference to this particular case.

County Attorney also referenced the letter from Randall Thornton to the Commissioners which will be included as part of the record.

Karl Holley, Planning and Development Services Director, presented the following case for consideration. The applicant, Brad D. Martin, is requesting a special use permit to allow for a sports shooting range on 80.75 acres MOL. There were nine notices sent out with two being returned in objection. The Zoning & Adjustment Board (ZAB) held a public hearing on October 15, 2012 and recommended approval by a vote of 5-0 subject to the following conditions:

1. The special use approval shall be for the exclusive use of Brad D. Martin dba The Long Hammock Shooters Club, or any corporate entity or LLC formed by Brad D. Martin, in the capacity as president or managing member, for the purposes of utilizing the subject property as a sport shooting range, and shall not be assignable to any other individual or entity.
2. The applicant shall provide a monthly traffic monitoring report to the County to measure the number of cars visiting the facility. The traffic monitoring shall continue for one (1) year from the opening of the permitted facility. If the traffic monitoring indicates a significant traffic impact to C475, then the applicant shall implement improvements or other actions that mitigate the impact to C475. The mitigation improvements or actions shall be approved by the County. The

applicant shall be responsible for the cost of the mitigation improvements or actions.

3. The facility shall be developed consistent with the layout provided as part of the application. Any change to the layout that is deemed significant by the County shall require this special use to be amended. In addition, prior to the inception of shooting activities at the proposed facility, the applicant shall provide to the County a report from a range design or safety expert acceptable to the County indicating that the proposed facility has the proper design and operational features to ensure containment of all discharged ammunition on the proposed range site.

4. The facility shall be operated consistent with the information provided as part of the application. Any change in the operation of the facility or these conditions shall require this special use permit to be amended.

5. The facility shall be operated in a manner which, to the extent reasonably possible, minimizes noise impacts to surrounding properties.

6. Special events at the facility shall be limited to a maximum of four (4) per year. If a special event is anticipated to attract 200 or more people per day or exceed three (3) days in length, then the special event shall be required to be approved by the County subject to thresholds for review of special events contained in Section 13-103 of the Land Development Code.

7. There shall be no lighting of the facility with the exception of security lighting and temporary lighting approved as part of a special event.

8. The hours of operation of the facility shall be from 10:00 a.m. to Sunset from Monday through Saturday. Sunday hours will be from 12:00 p.m. to Sunset. The hours may be extended as part of an official law enforcement training program. The facility shall not operate later than 10:00 p.m. under any circumstances. The facility shall not operate on Thanksgiving Day, Christmas Day, or New Years Day.

9. If it is determined by the County that the facility is operating in violation of these conditions or is resulting in negative impacts to public safety, health, or welfare, then this special use may be suspended or revoked by the County.

Mr. Holley discussed the Staff Report which is part of the record.

CLERK'S NOTE: Due to the complexity of this matter and extensive discussion, a complete transcript will be attached to these minutes as part of the permanent record. Below is a list of all individuals that spoke either for or against the requested permit.

PUBLIC - The following individuals addressed the Board on this matter. There were several items submitted for the record during this portion of the hearing and are attached to and included as part of the permanent record.

James Wade, Counsel for Applicant, 116 Bushnell Plaza, Bushnell;
Brad Martin, Applicant, 1760 NW 102 Boulevard, Wildwood (previously sworn);
Bob Athanasiou, 3240 Hampton Lane, The Villages (previously sworn);
Randall Thornton, Counsel for Citizens in objection, 2031 N C-470, Lake Panasoffkee;
Brian Seymour, Gunster Law Firm, 800 S.E. Monterey Commons Boulevard, Suite 200, Stuart;
Greg Beliveau, 1162 Camp Avenue, Mount Dora (previously sworn), appeared as an expert on behalf of the opposing parties;
Mohammed Abdallah, 1507 S. Hiawasse Road, Suite 212, Orlando (previously sworn), appeared as an expert on behalf of the opposing parties;
John Tabor, 10272 NW 27 Drive, Wildwood (sworn by Deputy Clerk);
Natalie Carroll, 2664 NW 102 Boulevard, Wildwood (previously sworn);
William Ward, 1995 CR 246S, Oxford (previously sworn);
Dave Carroll, 2664 NW 102 Boulevard, Wildwood (previously sworn);
Kevin Webb, 2088 NW 102 Boulevard, Wildwood (sworn by Deputy Clerk);
Michael Manion, 525 Inner Circle, The Villages (previously sworn);
Dan Ashley, 123 CR 475, Wildwood (sworn by Deputy Clerk);
Deborah Chan, 14 Juniper Pass Trail, Ocala (sworn by Deputy Clerk);
William Blackwelder, 2660 CR 321, Bushnell (sworn by Deputy Clerk);
Eddie Parrett, 430 South Minstrel Avenue, Inverness (sworn by Deputy Clerk);
Cathy Webb, 2088 NW 102 Boulevard, Wildwood (sworn by Deputy Clerk); and
Bob Thurston, 3152 Gooding Place, The Villages (sworn by Deputy Clerk).

Several of the landowners that spoke also discussed the impact of the additional traffic that would occur on NW 102 Boulevard (which is not maintained by the County) if the proposed shooting range is approved.

The public portion of the hearing was closed at 8:35 p.m.

Following the public portion of the hearing, the applicant provided rebuttal which was followed by Board discussion.

10-23-12-1-b-3; 10-23-12-1-b-3-backup; 10-23-12-1-b-3-Ex 1; 10-23-12-1-b-3-Ex 2; 10-23-12-1-b-3-Ex 3; 10-23-12-1-b-3-Ex 4; 10-23-12-1-b-3-Ex 5; 10-23-12-1-b-3-Ex 6; 10-23-12-1-b-3-Ex 7; 10-23-12-1-b-3-RNT Ltr; 10-23-12-1-b-3-public input; 10-23-12-1-b-3-Transcript

Commissioner Burgess moved, with a second by Chairman Breeden, to approve *S2012-0005 - Request by applicant, Brad Martin, for a Major Special Use Permit to allow a sport shooting facility on 80.75 acres MOL. The motion failed 2 – 3 with Commissioners Gilpin, Hoffman and Mask voting nay.

* Quasi Judicial

2. REPORTS AND INPUT

- a. Proclamation recognizing the week of November 18-24, 2012 as National Farm-City Week

Chairman Breeden acknowledged a Proclamation recognizing November 18-24, 2012 as National Farm-City Week. Bradley Arnold, County Administrator, will present this to the appropriate parties.

10-23-12-2-a

- b. Proclamation recognizing November as National Hospice and Palliative Care Month

Chairman Breeden read into the record a Proclamation recognizing November as National Hospice and Palliative Care Month. Cheryl Rumbley of Cornerstone Hospice and Palliative Care was present to receive the Proclamation.

10-23-12-2-b

- c. Proclamation recognizing November as Pancreatic Cancer Awareness Month

Chairman Breeden acknowledged a Proclamation recognizing November 2012 as Pancreatic Cancer Awareness Month. The Clerk's Office will see that the Proclamation is forwarded to the appropriate parties.

10-23-12-2-c

- d. County Administrator
 1. Significant Schedule of Items (For Information Only)

10-23-12-2-d-1

2. BOCC Road Project Summary (For Information Only)

10-23-12-2-d-2

3. Facilities Development Bi-Monthly Report October 23, 2012 (For Information Only)

10-23-12-2-d-3

4. Department Surveys September 2012 (For Information Only)

10-23-12-2-d-4

5. Sumter Fair Association, Inc. Business Financial Plan 2012 (For Information Only)

10-23-12-2-d-5

6. Correspondence from Michael Manion regarding Sumswift Agreement (For Information Only)

10-23-12-2-d-6

7. Letter to Mr. Ronnie Owens from The Office of The Attorney General regarding a City of Coleman utility complaint (For Information Only)

10-23-12-2-d-7

8. Federal Emergency Management Agency's formal approval of Sumter County Local Mitigation Strategy Plan (For Information Only)

This plan has been approved for five years and will expire on August 1, 2015.

10-23-12-2-d-8

9. Emergency Management On-Site Monitoring Report (For Information Only)

This is related to Agreement No. 12-DS-20-05-70-01-487.

10-23-12-2-d-9

10. Letter from U.S. House of Representatives regarding Federal Transportation Reauthorization Bill (For Information Only)

This Bill is entitled "Moving Ahead for Progress in the 21st Century (MAP-21)".

10-23-12-2-d-10

11. Notification of Publication of the Building Code Effectiveness Grading Schedule (For Information Only)

This is notification from ISO of the results of the analysis of the building code adoption and/or enforcement program improvements Sumter County has made since September 11, 2012. As a result of these improvements, the Building Code Effectiveness Grading Schedule (BCEGS) Classification that ISO will implement for Sumter County is a Class 4 for one and two family residential property and a Class 3 for commercial and industrial property. The BCEGS classification will apply to new buildings receiving a Certificate of Occupancy beginning January 1, 2012.

10-23-12-2-d-11

12. Overnight vehicle use forms for Brad Burris, Frank Ennist, Leland Greek, William (Jackey) Jackson, Frank Taberner, Alvin (Mark) Wilson (For Information Only)

10-23-12-2-d-12

13. Requests from the Community of Royal, Inc. (For Direction)

At the October 9, 2012, Cliff Hughes, Chairman of the Community of Royal, Inc., submitted a formal request to the Board asking that Royal Park, the Community Building, and the Fire Station property be transferred to the Community of Royal, Inc. along with six months worth of operating funds. He also made a verbal request for access to Royal Park for the purposes of developing a community garden. The Board directed Mr. Arnold to gather information for presentation at this meeting. Mr. Arnold presented a summary to the Board of the history of the park, community building, and fire station. If the Board is inclined to direct staff to prepare the property for transfer, the following activities would need to occur to meet Florida Statute 125.35:

1. The Board would need to act on a date certain to declare the property surplus.
2. Determination of the property value via the Property Appraiser. If this value is greater than \$15,000 then the on-call appraiser will be engaged to determine the listing price.
3. The property will be listed with the on-call broker.
4. The State of Florida will be contacted for the purposes of repayment of the \$50,000.
5. The Community of Royal, Inc. can then submit an offer to acquire the property to which Mr. Arnold would not recommend paying six months of operational funding as part of the sale of the property.

If the Board is NOT inclined to transfer the property then the status quo of maintaining the park and community building will continue; however, a determination of the fire station future use/demolition will need to be considered.

As to the community garden request, Mr. Arnold advised that Public Works is willing to support access for this purpose in an area that will not impact the septic drain fields or other operations aspects of the park and community building.

CONSENSUS to schedule the transfer of the property for discussion at a future workshop. **CONSENSUS** to allow community garden with minimal fencing.

10-23-12-2-d-13

e. County Attorney

1. LifeStream update (For Information Only)

George Angeliadis discussed a recent meeting that was held with representatives of LifeStream.

10-23-12-2-e-1

2. Warranty Deed for 5 acre parcel related to property swap with City of Webster (For Information Only)

This Deed transfers Parcel #S01=137 from the City of Webster to Sumter County. It is recorded in OR Book 2498, Page 690, Public Records of Sumter County, Florida. **CLERK'S NOTE:** For reference purposes this property is part of what is known as the "Sizemore" property.

10-23-12-2-e-2

f. Clerk of Circuit Court- No Report.

g. Board Members

1. Commissioner Burgess

Commissioner Burgess commented that he had attended the Bushnell Fall Festival last weekend and felt it was a successful event.

2. Vice Chairman Gilpin

Vice Chairman Gilpin advised he had the honor of escorting "Little Miss Lake Panasoffkee" in the Fall Festival Parade.

He also advised that tremendous cleanup efforts continue in the Lake Panasoffkee area by the community/citizens.

3. Commissioner Hoffman

Commissioner Hoffman commented on this being his final meeting as a Commissioner and thanked the citizens of Sumter County for allowing him to serve as one of their Commissioners for the past eight years. He also thanked Mr. Arnold and members of his administrative staff, past and present, for their assistance during his time on the Board.

Commissioner Hoffman discussed a letter he received regarding the outstanding service and assistance provided by the Veteran Services Office.

He next thanked his fellow Board members for the service they provide and wished them well in the future.

4. 2nd Vice Chairman Mask

2nd Vice Chairman Mask also discussed this being his last meeting as a Commissioner and some of the accomplishments by the Board over the last eight years.

5. Chairman Breeden- No report.

h. Public Forum

Don Simpson, 1225 Carvello Drive, The Villages, addressed the Board regarding concern over poor planning for renovations at the Sheriff's Office at The Government Annex. This concerned the painting of a wall that was scheduled for demolition shortly thereafter. He also discussed the resurfacing of Buena Vista below CR466 and from El Camino Circle north to the County Line. Mr. Arnold responded to Mr. Simpson's concerns.

Bernhard Guenther, 1224 Pendleton Circle, The Villages, discussed concerns with voter fraud. He inquired as to the last time the voter records in Sumter County have been reviewed for duplicity or deceased individuals that have not been removed. Mr. Guenther was directed to contact the Supervisor of Elections for this information.

3. NEW BUSINESS - ACTION REQUIRED

a. MINUTES

1. Minutes of Regular Meeting held on October 9, 2012 (Staff recommends approval).

10-23-12-3-a-1

Vice Chairman Gilpin moved, with a second by 2nd Vice Chairman Mask, to approve minutes of the regular meeting held on October 9, 2012. The motion carried unanimously 5 0.

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. Cancel Board of County Commissioners meeting on December 25, 2012 (Staff recommends approval).

10-23-12-3-b-1

2nd Vice Chairman Mask moved, with a second by Vice Chairman Gilpin, to approve cancel the Board of County Commissioners meeting scheduled for December 25, 2012. The motion carried unanimously 5 – 0.

c. APPOINTMENTS

1. None

d. FINANCIAL

1. Purchase Order Approval (Staff recommends approval).

PO #000032, in the amount of \$332,800.00, payable to The Villages Tech Solutions for TSC Consulting/Special Projects.

PO #000045, in the amount of \$118,671.32, payable to Sumter Communications for Tower Agreement April 2012-Mar 2032.

PO #000053, in the amount of \$429,701.40, payable to URS Corporation for 1988 Jail Renovation.

PO #000058, in the amount of \$90,600.00, payable to Wildwood Auto Repair, Inc. for 2012/2013 Heavy & Light Vehicle Maintenance.

PO #000060, in the amount of \$26,000.00, payable to Wildwood Auto Repair, Inc. for Oil Changes and Light Maintenance.

PO #000074, in the amount of \$25,985.00, payable to Ring Power Lift Trucks for I.C. Pneumatic Tire Forklift.

PO #000075, in the amount of \$65,420.00, payable to URS Corporation for CDA/AS Joint Use Facility.

PO #000083, in the amount of \$74,586.37, payable to ZHA Incorporated for Project Management Services - Lake Pan Library & Joint Parking.

PO #000084, in the amount of \$66,859.75, payable to ZHA Incorporated for Project Management Services - Lake Pan Fire Station.

PO #000085, in the amount of \$73,177.27, payable to ZHA Incorporated for Project Management Services - Webster Library.

PO #000086, in the amount of \$74,344.75, payable to ZHA Incorporated for Project Management Services, Webster Fire Station.

PO #000166, in the amount of \$57,888.00, payable to The Brickman Group LTD for Landscaping and Mowing Maintenance for parts of C466A and Powell Road.

PO #000182, in the amount of \$158,663.50, payable to C.W. Roberts Contracting for CR529A Resurfacing Project.

PO #000185, in the amount of \$58,004.00, payable to Department of Corrections for SCI Work Squad #685 for maintenance of county rights-of-way.

PO #000189, in the amount of \$79,636.00, payable to FL Department of Juvenile Justice for County and State Juvenile Detention Cost Share Project (10/1/12 - 10/31/12).

PO #000194, in the amount of \$2,186,838.94, payable to Ranger Construction Industries for C469 Resurfacing Project from C48 to SR50.

PO #000197, in the amount of \$31,000.00, payable to Overdrive, Inc. for E-books and annual maintenance contracts for libraries.

PO #000203, in the amount of \$116,000.00, payable to Sumter Fair Association for payments to the Sumter County Fair Association for maintenance of the Ag Center Building.

PO #000214, in the amount of \$307,807.60, payable to Design services for the Judicial Center Renovation Project.

PO #000221, in the amount of \$414,757.62, payable to Pave-rite, Inc. for C48 Resurfacing Project from SR471 west approximately one (1) mile.

PO #000260, in the amount of \$115,820.00, payable to Amerifactors for emergency repairs, maintenance, and planned maintenance of traffic lights.

PO #000274, in the amount of \$48,213.00, payable to VSC Fire and Security for contract purchase order for contract services with VSC Fire and Security.

PO #000275, in the amount of \$66,420.00, payable to SCARC, Inc. for SCARC mowing contract.

PO #000276, in the amount of \$55,200.00, payable to The Brickman Group for Brickman Landscaping Contract.

PO #000277, in the amount of \$176,747.00, payable to USSI for Contract PO for USSI Janitorial Services.

PO #000293, in the amount of \$43,296.00, payable to Climate Control Mechanical Svc. for Climate Control (HVAC Monthly Maintenance).

PO #000323, in the amount of \$39,708.48, payable to Leslie Duffy for Fifth Judicial Court Technology User Support Analyst.

PO #000324, in the amount of \$170,096.00, payable to Flexcorp for FSA ASO fees and claims.

PO #000330, in the amount of \$253,640.76, payable to Marion County BOCC for Contract Services for Medical Examiner 2012/2013.
TR000007, in the amount of \$1,279,602.00, to Ride Right, LLC for Sumter County's Public Transportation.

10-23-12-3-d-1

2. Budget Amendment A-79 (FY 2011/2012) General Fund (Staff recommends approval).

The purpose of this budget amendment is to cover permit fee waivers for Building Services for the September Fee Waiver Report for Fiscal Year 2011/2012.

10-23-12-3-d-2

3. Budget Amendment A-7 (FY 2012/2013) General Fund - Economic Development Budget (Staff recommends approval).

The purpose of this budget amendment is to establish a line item budget for economic development expenditures anticipated in FY 2012/2013. This line item was not established during the normal budget process pending analysis of the County's Economic Development Program and associated costs.

10-23-12-3-d-3

4. Budget Amendment A-8 (FY 2012/2013) for General Fund - Administrative Services (Staff recommends approval).

The purpose of this budget amendment is to move training funds from FY 2011/2012 to FY 2012/2013 for Future Media Concepts. IT was anticipating that these funds would be expended in FY 2011/2012; however, the classes will now be attended in FY 2012/2013. This training is a 5-course package that includes classes which are essential to the administration duties associated with Civic Plus and other software used routinely by Administrative Services Staff.

10-23-12-3-d-4

5. Budget Amendment A-9 (FY 2012/2013) for Radio Communication Fund (Staff recommends approval).

The purpose of this budget amendment is to move funds from FY 2011/2012 to FY 2012/2013 for TUSA Consulting Services to cover work not completed per contract.

10-23-12-3-d-5

6. Budget Amendment A-10 (FY 12/13) for Sumter Fire Fund (Staff recommends approval).

The purpose of this budget amendment is for payment of Bunker Gear, Wild Land Gear and uniforms that were ordered in FY 2011/2012 but were not delivered by September 30, 2012. This amendment will move funds from FY 2011/2012 to FY 2012/2013.

10-23-12-3-d-6

7. Sumter County Tourism Development Council Grant Application Recommendation for 16th Annual Nature Coast Civil War Reenactment (Staff recommends approval).

This is a request from the Nature Coast Civil War Committee in the amount of \$3,200 to fund advertisement for the 16th Annual Nature Coast Civil War Reenactment. The Tourist Development Council (TDC) voted 5-0 to recommend funding in the amount of \$3,200. The Board's options are: (1) Fund the TDC's recommended amount of \$3,200; (2) Fund an amount at Board's option; and (3) Do not fund the grant request.

10-23-12-3-d-7

Vice Chairman Gilpin moved, with a second by 2nd Vice Chairman Mask, to approve Agenda Items 1 through 7 under Financial with Option 1 on Agenda Item 7. The motion carried unanimously 5 – 0.

e. CONTRACTS AND AGREEMENTS

1. Termination of grant numbers 11-CC-A6-05-70-01-378, 10-CI-A6-05-70-01-303, and 10-CI-43-05-70-01-274 (Staff recommends approval).

The Sumter County Emergency Management, under the Sheriff's Office, accepted three Community Emergency Response Team/Citizen Corps grants from the Florida Division of Emergency Management in Fiscal Years 2009 and 2010. The Board assumed responsibility for the Emergency Management Program on October 1, 2011. The Board no longer wishes to pursue the Community Emergency Response Team/Citizen Corps Program. The Florida Division of Emergency Management is aware of this request and it will have no impact on future grant applications. The grants and amounts being de-obligated are: (1) Community Emergency Response Team Grant FY09, \$5,485.25; (2) Community Emergency Response Team Grant FY 10, \$10,125.00; and (3) Citizens Corps Grant FY 10, \$10,125.00.

10-23-12-3-e-1

2. State Homeland Security Grant Program Agreement Modification (Staff recommends approval).

In 2009, Sumter County entered into a Grant Agreement (10DS-39-05-37-01-314) with the State of Florida's Division of Emergency Management for \$84,500. The funds were provided as part of the Department of Homeland Security's State Homeland Security Grant Program. This Program provides funds for local emergency management planning, training, and disaster exercises. So far Sumter County has expended \$70,678.81 of those funds. The grant expired on June 30, 2012 and the Florida Division of Emergency Management has granted an extension through November 30, 2012 to expend the remainder of these funds, \$13,821.19. These funds will be used toward the development of the County's Post Disaster Redevelopment Plan.

10-23-12-3-e-2

3. Adopt-A-Highway Litter Removal Agreement with Mildred Matthews (Staff recommends approval).

This Agreement is for the period October 23, 2012 through October 23, 2014 for litter removal on CR734 for a total of 2.0 miles.

10-23-12-3-e-3

4. Adopt-A-Highway Litter Removal Agreement with Triple Gait Ranch (Staff recommends approval).

This Agreement is for the period October 23, 2012 through October 23, 2014 for litter removal from Hwy 301 to the end of CR542E; entire length of CR542G; and entire length of CR542H for a total of 2.78 miles.

10-23-12-3-e-4

5. Change Order No.1 from Titan Construction Management, LLC for ITB 016-0-2012/AT Sumter County John C. Parker Bridge Joint Sealing (Staff recommends approval).

This Change Order is to reduce the original contract amount from \$39,900.00 to \$35,910.00 (difference of \$3,990.00). An estimation of five (5) longitudinal joints on each segment was submitted in the bid. During construction, it was verified that the north segment has four (4) longitudinal joints and the south segment has five (5). The project is complete and has been approved by the Engineer of Record.

10-23-12-3-e-5

6. Contract between the Florida Department of Corrections and Sumter County Board of County Commissioners (Staff recommends approval).

This Contract #WS788 is for the period December 28, 2012 through December 27, 2013. The contract may be renewed at the option of the Board for one additional one year period after the initial contract period. Inmate labor is utilized by Road and Bridge to assist with trimming of hedges, mowing, weed eating, pickup of debris along County rights-of-way and on County property. The inmates also assist with the clean out around culvert ends and guardrails as well as asphalt work and edge repair.

10-23-12-3-e-6

7. Small County Road Assistance Program Agreement (SCRAP) 431896-1-58-01 for the Widening and Resurfacing of CR542W from US301 to C475 and Resolution authorizing Chairman's signature. (Staff recommends approval).

This Agreement is for the widening and resurfacing of approximately 2,000 feet on CR542W from US301 to C475. Should the total construction cost exceed the grant amount of \$362,500.00, the Public Works Division will provide the additional funds. There is also a resolution (2012-55) authorizing Chairman Breeden to execute the Agreement.

10-23-12-3-e-7

8. MOU Amendment 1 with FDOT for C470 and C475 ROW Acquisition for I-75 and Parcels 100 and 110 Deeds to FDOT (Staff recommends approval).

The Board approved the Memorandum of Understanding (MOU) for FDOT Project Number FPN 242626-3 on March 8, 2011. This project is for the improvement of the interchange at I-75 and C470 and requires transfer of County right-of-way to FDOT. The proposed amendment to the original MOU is to include CR475 into all terms and conditions of the original Agreement. Except as modified in this proposed amendment, all of the terms and conditions of the original MOU will remain in full force and effect. Also part of this agenda item is the transfer of Parcel 100 (along CR475) and Parcel 110 (along C470) and the resolutions (2012-56 and 2012-57) authorizing the Chairman's signature on the Deeds transferring these parcels.

10-23-12-3-e-8

9. Stormwater Program Management Support FY 2013 (Staff recommends approval).

This is a proposal from AMEC Environment & Infrastructure, Inc. in the amount of \$99,832 for Professional Engineering Services for Sumter County Stormwater Program Support - Task Assignment 3, AMEC Project No. 600053.1.

10-23-12-3-e-9

10. Non-Profit Impact Fee Agreement for Oxford Assembly of God Church, Inc. (Staff recommends approval).

Sumter County Ordinance 2009-24 exempts qualified non-profit organizations from the County's road impact fees and for those impact fees to be reimbursed from the County's General Fund. Oxford Assembly of God Church, Inc. has submitted a building permit to the Building Department to construct a 25,045 square foot sanctuary. The road impact fees due for this expansion are \$38,594.35. The Ordinance allows for an exemption of up to 5,000 square feet, which is \$7,705.00 in road impact fees. After the exemption the Church will owe \$30,889.35 in road impact fees. Staff finds the exemption of the Sumter Road Impact Fees meet the requirements of Ordinance 2009-24 and requests the Board to execute the Agreement.

10-23-12-3-e-10

11. CR468 4-Lane Department of the Army Permit (Staff recommends approval).

This project will improve approximately two miles of existing roadway from two lanes to four lanes and will result in approximately 2.18+/- acres of jurisdictional wetland impacts. The project site lies within the Withlacoochee Drainage Basin for which mitigation options are extremely limited. The Green Swamp Mitigation Bank (GSMB) was recently approved to sell mitigation credits that service the Withlacoochee Drainage Basin. During the permitting process it was determined that 1.16 credits would be required to offset the 2.18+/- acres of wetland impacts. The purchase of the 1.16 credits from GSMB was previously approved by the Board.

On July 26, 2012, the Southwest Florida Water Management District (SWFWMD) issued Permit No. 43023013.002 authorizing the proposed C468 improvement activities and associated wetland impacts and mitigation.

On October 2, 2012, the U.S. Army Corps of Engineers (ACOE) issued Permit No. SAJ-2010 03060(IP-SCW) authorizing the proposed C468 improvement activities and associated wetland impacts.

Condition #6 of the ACOE Permit and Condition #16 of the SWFWMD Permit require verification that the mitigation credits have been purchased from the GSMB. That verification is included as part of this agenda packet and will be attached to the permanent minutes.

10-23-12-3-e-11

12. Public Works North Annex Architect Engineer Proposal by Lunz Prebor and Fowler for Design and Permitting (Staff recommends approval).

This is a proposal from Lunz Prebor and Fowler Architects in the amount of \$42,130 for Architect-Engineer Services related to the design and permitting of the Public Works Division North Annex which will be built in the vicinity of The Villages Sumter County Services Center, just west of the Mobile Library parking area.

10-23-12-3-e-12

13. Scope of Services for Lake Panasoffkee Wastewater Study Update by DRMP (Staff recommends approval).

This is a proposal from DRMP in the amount of \$35,000 to provide a Lake Panasoffkee Wastewater Study Update. The services consist of updating the original study and investigating the feasibility of constructing a basic wastewater collection and transmission system along the C470 corridor and connecting to the Bushnell wastewater treatment plant defined in this Scope of Services.

10-23-12-3-e-13

14. Award of the Florida Department of Law Enforcement Edward Byrne Memorial (Staff recommends approval).

The Florida Department of Law Enforcement is awarding Sumter County an Edward Byrne Memorial Justice Assistance Grant (No. 2013-JAGC-SUMT-1-D7-234) in the amount of \$51,100.00 for the project entitled "Sumter County Drug Task Force VII." These funds will be utilized for the purpose of reducing crime and improving public safety.

10-23-12-3-e-14

15. Memorandum of Understanding (MOU) between Enterprise Florida, Inc. (EFI) and Sumter County Economic Development (Staff recommends approval).

This Memorandum of Understanding is to document the current cooperation between Sumter County Economic Development and Enterprise Florida, Inc. and acknowledge that Sumter County Economic Development is the economic development of Sumter County.

10-23-12-3-e-15

16. FY 2013 Highway Safety Program with Volkert, Inc. (Staff recommends approval).

This is a proposal from Volkert, Inc. in the amount of \$50,000 to provide Professional Services for the Sumter County Highway Safety Program during FY 2013.

10-23-12-3-e-16

17. Cancel CenturyLink Data Circuits at Tri-County and Royal Fire Stations (Staff recommends approval).

This termination which will be effective November 24, 2012 is for Fire Station #34 (Royal) and Fire Station #11 (TriCounty) which are no longer being used.

10-23-12-3-e-17

18. Termination of CenturyLink data services and enter into agreement with Brighthouse (Staff recommends approval).

This is for termination, for "cause" of six data contracts with CenturyLink and to enter into contract with Brighthouse Networks to provide service for the following six sites: Fire Station #31 (Wildwood), Fire Station #33 (South Wildwood), Fire Station #12 (Webster), EC Rowell Library (Webster), Fire Station #22 (West Bushnell), and Fire Station #14 (Center Hill).

10-23-12-3-e-18

19. Equitable Sharing Agreement and Certification, and Annual Certification Report with the United States Department of Justice (Staff recommends approval).

The Federal Equitable Sharing Agreement, entered into by the Federal Government and the Sumter County Sheriff's Office, and the Board sets forth the

requirements for participation in the Federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned, which are equitably shared with participating law enforcement agencies. By executing this agreement, the Sheriff's Office agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the Federal Equitable Sharing Program. Receipt of the signed Equitable Sharing Agreement and Certification is a prerequisite to receiving any equitably shared cash, property, or proceeds.

10-23-12-3-e-19

20. 3rd Amendment to the Fire and Security Alarm Contract with VSC Fire & Security (Staff recommends approval).

This is for the period October 23, 2012 through August 9, 2013.

10-23-12-3-e-20; 10-23-12-3-e-20-backup

2nd Vice Chairman Mask moved, with a second by Commissioner Hoffman, to approve Agenda Items 1 through 20 under Contracts and Agreements. The motion carried unanimously 5 – 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Inventory Transactions (Staff recommends approval).

10-23-12-3-f-1

2. Approval of Release of Lien for Robert and Clarine McCall (Staff recommends approval).

A code enforcement lien was filed against Parcel N15A037 on July 5, 2012. The property was found in compliance on June 5, 2009. Staff costs in the amount of \$400.96 were paid on October 9, 2012.

10-23-12-3-f-2

3. Approval of Sumter County Wayfinding Signage Master Plan (Staff recommends approval).

This Master Plan is Phase I of the Wayfinding Signage Master Plan Development Project approved by the Board on October 25, 2011. This will lay the foundation for Phase II which will provide for the fabrication and installation of the wayfinding signs. Once the Plan is approved it will be submitted to FDOT for approval prior to implementation.

10-23-12-3-f-3

4. Road Naming Process Policy (Staff recommends approval).

This policy is for the road naming process for commercial or large residential subdivisions, 911, new County and MSBU roads.

10-23-12-3-f-4

5. Lake Panasoffkee Golf Cart Resolution for CR464 - CR485 (Staff recommends approval).

This Resolution (2012-58) is for the operation of golf carts in accordance with SCC 17-3(a) on roads between and including CR464 and CR485. The Public Works Division has contacted the Sheriff's Office and received no negative feedback.

10-23-12-3-f-5

6. Board acceptance of the following roadways within The Villages - Unit 154 (Staff recommends approval).

The acceptance of Unit 154 will increase the County's current roadway infrastructure by .871 miles.

10-23-12-3-f-6

7. Approve the revision to the Employee Manual, Appendix C - Vehicle Use Policy to clarify Overnight Vehicle Assignment and alcohol and drug testing requirements (Staff recommends approval).

This revision clarifies that during overnight vehicle assignments the vehicle should remain in Sumter County. Clarification is also needed to specify when a drug and/or alcohol test is required. The current policy is too restrictive and does not take into consideration when the employee is not at fault or when damage is minimal.

10-23-12-3-f-7

8. Staff Seeks Board's Approval to Eliminate Code Enforcement Courtesy Notice Period (Staff recommends approval).

Vice Chairman Gilpin requested this item be pulled for discussion. After discussion this item was **WITHDRAWN** from the agenda by the County Administrator.

10-23-12-3-f-8

9. The Cow Palace 60% design status and Board decision to proceed (Staff recommends approval).

The focus of this Project is to (1) Replace and improve the bleachers with retractable bleachers and stage that will provide greater flexibility in usage of the facility. The current bleachers do not meet current Florida Bleacher or ADA codes. (2) Life safety and other code compliance upgrades. (3) ADA upgrades to the Cow Palace from the Sumter County Section 504/ADA Transition Plan completed in early 2012. **CLERK'S NOTE:** There was lengthy discussion by the Board on this matter.

10-23-12-3-f-9

Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve not to proceed with the improvements recommended in the 60% design plans and to proceed with the immediate condemnation of the Cow Palace portion of the building since these life/safety issues will not be completed. The motion carried 4 – 1 with Chairman Breeden voting nay.

10. The Villages Request for Additional Sign Panels on Four Existing Mast Arm Assemblies at Buena Vista and Morse Boulevard. (Staff recommends approval).

10-23-12-3-f-10

11. Reject all bids for ITB 024-0-2012/AT - Sumter County Shell Base Relocation due to SUMSWIFT Shotgun Sports, Inc. vacating their contract (Staff recommends approval).

ITB 024-0-2012/AT - Sumter County Shell Base Relocation was broadcast on September 26, 2012. Bids were due on October 10, 2012 at 2:00 p.m. and were opened at 2:05 p.m. at The Villages Sumter County Service Center, Wildwood. There were seven bids received as follows: (1) Rainey Construction Company - \$479,559.50; (2) Daly & Zilch (Florida), Inc. - \$586,724.00; (3) Boykin Construction, Inc. - \$589,173.10; (4) Pave-Rite, Inc. - \$739,319.49; (5) Croft Contracting Inc. - \$741,900.00; (6) C.W. Roberts Construction, Inc. - \$822,102.00; and (7) D.A.B. Constructors, Inc. - \$1,000,000.00. The Selection Committee met on October 12, 2012 to discuss and review the bids. They agreed to recommend that the Board award and enter into contract with Rainey Construction Company. However, since that time, SUMSWIFT Shotgun Sports, Inc. has vacated their contract with Sumter County for the public shotgun sporting facility, so the urgency to expend shell base relocation funds is not necessary at this time. Therefore, it is being recommended to REJECT all bids at this time.

10-23-12-3-f-11 10-23-12-3-f-11-ITB; 10-23-12-3-f-11-Boykin; 10-23-12-3-f-11-CW Roberts; 10-23-12-3-f-11-DAB; 10-23-12-3-f-11-Daly&Zilch; 10-23-12-3-f-11-PaveRite; 10-23-12-3-f-11-Rainey

Commissioner Hoffman moved, with a second by 2nd Vice Chairman Mask, to approve Agenda Items 1 through 7 and 10 through 11 under General Items for Discussion. The motion carried unanimously 5 – 0.

This being the last meeting before the change in the Board, Chairman Breeden presented a plaque to both Commissioner Hoffman and 2nd Vice Chairman Mask honoring them for their time and dedication in serving the citizens of Sumter County as County Commissioners for the last eight years.

4. ADJOURN

The meeting was adjourned at 10:20 p.m.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SUMTER COUNTY, FLORIDA

By _____
GLORIA R. HAYWARD
CLERK & AUDITOR

By _____
DOUG GILPIN
CHAIRMAN