

The Board of County Commissioners convened in regular session on this Tuesday, August 11, 2009, at Bushnell, Sumter County, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas Gilpin, Vice Chairman, District No. 2; Don Burgess, District No. 3; Garry Breeden, Chairman, District No. 4; and Randy Mask, 2nd Vice Chairman, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; John Lege, Finance Director; Melissa Elliott, Deputy Clerk; Connie Webb, Deputy Clerk; and Derrill L. McAteer of The Hogan Law Firm, Attorneys for the Board. The meeting was called to order at 5:00 p.m. by Chairman Breeden, with the invocation given by Commissioner Mask, followed by the flag salute which was led by Vice Chairman Gilpin.

1. TIMED ITEMS AND PUBLIC HEARINGS

a. 5:00 p.m. Public Hearing Amendment to Noise Ordinance

Chairman Breeden called for a public hearing to consider an ordinance of Sumter County, Florida, providing for the amendment of Chapter 16, Article VI of the Sumter County Code with the purpose of imposing greater restrictions on nuisance noise generation within the jurisdictional boundaries of Sumter County, providing for severability and providing for an effective date. Proof of Publication, as advertised, filed herewith. Bradley Arnold gave a summary of the proposed ordinance. The primary purpose of the amendment is to change the wording from "within one thousand (1,000) feet" to "at a point located one thousand (1,000) feet".

PUBLIC - There was no public input.

There was discussion by the Board regarding the methodology that would be used to measure the distance and the accuracy of that measurement.

<p>Commissioner Hoffman moved, with a second by Commissioner Mask, to approve the ordinance as presented (Ordinance No. 2009-16). The motion carried unanimously 5 - 0.</p>
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b. 5:30 p.m. Public Hearing Large Scale Comprehensive Plan Amendments

Brad Cornelius, Planning Manager, presented the following Large Scale Comprehensive Plan Amendments for consideration by the Board. Proof of Publication, as advertised, filed herewith.

i. CP-A2009-0001 - Sumter, LLC

Mr. Cornelius advised that this is an application to change 180 acres from Agriculture and Commercial to Industrial and Public/Institutional/Education, include

the property in the Urban Development Boundary, and add a policy to the Future Land Use Element limiting the development entitlements to the property. Staff has reviewed this proposed amendment and recommended transmittal to the Florida Department of Community Affairs for their review and comment. The Zoning and Adjustment Board has also reviewed this and recommended transmittal by a vote of 10-0.

PUBLIC - There was no public input.

Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve the transmittal of CP-A2009-0001, Sumter LLC, to the Florida Department of Community Affairs for review and comment. The motion carried unanimously 5 - 0.

ii. CP-A2009-0003 - Sumter County

Mr. Cornelius advised that this application, which is consistent with Chapter 171, Part II, Florida Statutes, is to add new policy to the Intergovernmental Coordination Element to reflect the adoption of the Interlocal Service Boundary/Joint Planning Agreement between the County and the City of Wildwood on April 14, 2009 (Ordinance 2009-07). Staff has reviewed this proposed amendment and recommended transmittal to the Florida Department of Community Affairs for their review and comment. The Zoning and Adjustment Board has also reviewed this and recommended transmittal by a vote of 9-1.

PUBLIC - There was no public input.

Commissioner Hoffman moved, with a second by Commissioner Burgess, to approve the transmittal of CP-A2009-0003, Sumter County, to the Florida Department of Community Affairs for review and comment. The motion carried unanimously 5 - 0.

* Quasi Judicial Hearing

2. REPORTS AND INPUT

a. Proclamation recognizing August 9-15, 2009 as Health Center Week

Chairman Breeden read the proclamation into the record.

Commissioner Burgess moved, with a second by Vice Chairman Gilpin, to approve a Proclamation recognizing August 9-15, 2009 as Health Center Week. The motion carried unanimously 5 - 0.

b. County Administrator

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

2. Significant Schedule Items - for information only

3. Department Surveys - Facility Maintenance, Building Services, Planning, Zoning and Development, Mosquito Control, Parks and Recreation, Road and Bridge, Solid Waste, Animal Control, Community Services, Housing, Probation, Veterans Services, Libraries - for information only.

4. SWFWMD Water Use Permit Applications for Sumter Correctional Institute, Villages of Lake Sumter, Inc., and Sumter County BOCC - for information only.

5. Meeting with Florida Department of Transportation Secretary Kopelousos - for information only.

Mr. Arnold advised that there was discussion regarding the intersection of SR 48 and Main Street in Bushnell, the FDOT study regarding US 301/CR 475, and a letter to Ginny Brown-Waite regarding the I-75/C-466 interchange.

6. Certification of Taxable Year - for information only.

7. Tourist Development Council Report prepared by the Sumter County Chamber of Commerce - for information only.

8. Preliminary Recommendations for Achieving Florida's 75% Recycling Goal, prepared by FDEP - for information only.

9. Morse Boulevard speed limit signage - for information only.

10. Fire Service Employee Recognition of Advanced Certifications - for direction.

Mr. Arnold recognized Deputy Chief Brad Burris, Commander Robert Hanson and Commander Brian Tucker for their accomplishments.

11. SB2108 in effect July 30, 2009 - for direction.

Mr. Arnold advised that this Senate Bill allows the Board, if they so choose, to increase the surcharge of \$15.00 for non-criminal traffic violations or criminal violations listed in Section 318.17, F.S., to fund state court facilities, to \$30. The **consensus** of the Board is to pursue the increase.

12. Meeting with Judges Hallman, Skidmore, and Morley - Courtroom in Existing Jail - for direction.

Mr. Arnold explained the proposal to construct a courtroom in the existing jail in space vacated with the completion of the new jail facility and how it would be funded. This would provide an additional courtroom while waiting on monies to come in to expand

courtrooms on the first floor of the Judicial Building. It would also cut down on personnel necessary to move inmates from the jail facility to the Judicial Building for court proceedings. The judges recognize the positive aspect of this proposed courtroom. After discussion, the **consensus** of the Board is to proceed with this concept.

13. Purchase Order to DSM for Server Storage System and Virtualization Software - for direction.

Mr. Arnold requested that PO No. 53128 in the amount of \$107,578.00 be added to the Purchase Orders for consideration later in the meeting.

14. Mr. Arnold discussed drainage pipe issues on property owned by Mr. Hunt on CR 650. The County does not have a drainage easement for this property. Mr. Arnold advised that research has indicated that these pipes were installed in 1998 following heavy storm events whereby an emergency was declared. The property owner has requested that the County consider either extending the pipes or removing the pipes. These pipes have grates on the ends and have caused problems when debris collects on the grates and has to be removed during flood events. Mr. Arnold recommends that the grates be removed to allow free flow of water. He does not recommend removal of the pipes. Due to the lack of a drainage easement, the Board may desire to consider requesting a drainage easement in exchange for a limited extension of the pipes contingent on SWFWMD permitting. After discussion the **consensus** was to have Mr. Arnold pursue a permanent easement from Mr. Hunt in exchange for the County removing the grates and putting the appropriate extension on the pipes.

15. Request from the City of Wildwood related to the naming of the new public library at CR 139.

16. Mr. Arnold advised that Gary Kuhl, Public Works Director, has raised the issue of a one-day closure of CR 475 north of SR 44 and bounded on the North by C-466 between August 17, 2009 and August 28, 2009 to allow for the removal of unsuitable materials and placement of suitable materials for the construction project

Vice Chairman Gilpin moved, with a second by Commissioner Burgess, to approve the one day closure of CR 475 as described sometime between August 17, 2009 and August 28, 2009 for removal of muck and replacement of suitable material. The motion carried unanimously 5 - 0.

17. Contracts associated with the Small County Consolidated Grant that provides assistance in the amount of \$78,787 to offset costs at Solid Waste.

c. County Attorney

Mr. McAteer explained the two resolutions provided by de la Parte & Gilbert authorizing Sumter County to exercise its eminent domain power in acquiring Parcels 125 and 126 for the CR 139, CR 462 and CR 466-A Improvement Project. The owners of these

parcels, Russell D. Vick (Parcel 125) and Royce Virgil and Alice Marie Vick (Parcel 126), have requested an additional \$3,000 per parcel to settle the matter. Mr. McAteer recommended that the Board consider incorporating a small form contract with a good faith estimate as part of future settlement offers. The **consensus** was to have eminent domain counsel start including this form.

Commissioner Mask moved, with a second by Commissioner Hoffman, to approve a Resolution amending prior Resolution No. 2009-22, authorizing Sumter County, Florida to exercise eminent domain power to acquire certain property interests in Sumter County, Florida, to construct, operate, and maintain expansions, improvements and/or other alterations concerning County Road 139, County Road 462 and County Road 466A (west of County Road 139), with respect to Parcel No. 125. The motion carried unanimously 5 - 0.

Commissioner Burgess moved, with a second by Vice Chairman Gilpin, to approve a Resolution amending prior Resolution No. 2009-22, authorizing Sumter County, Florida to exercise eminent domain power to acquire certain property interests in Sumter County, Florida, to construct, operate, and maintain expansions, improvements and/or other alterations concerning County Road 139, County Road 462 and County Road 466A (west of County Road 139), with respect to Parcel No. 126. The motion carried unanimously 5 - 0.

Commissioner Hoffman moved, with a second by Commissioner Mask, to authorize the County Attorney and County Administrator to make a counter offer of \$3,000 per parcel (Parcel 125 and Parcel 126) to the Vicks with a closing date no later than August 20, 2009. The motion carried unanimously 5 - 0.

Mr. McAteer advised that suit has been filed against Mr. and Mrs. Kisenwether regarding the easement issue on CR 738H.

Mr. McAteer discussed Agenda Item 3.d.3 - "Assignment and Acceptance of the Settlement Agreement and Release of Southwest Florida Water Management District Parcel Nos. 19-528-144X and 19-528-146S." Mr. McAteer expressed concern with the last sentence which reads "Additionally, Assignee agrees to be jointly and severally liable with Fletcher Marine, Inc., the other party to the Agreement, in the event of any breach of the terms and conditions of the Agreement, in accordance with Paragraph 8 of the Agreement." Mr. McAteer advised that this has no relevance to Paragraph 8 of the Agreement referenced. He is currently in discussions with SWFWMD regarding this and would suggest tabling this until the August 25, 2009 meeting.

d. Clerk of Court - No report.

e. Board Members

Commissioner Don Burgess

Commissioner Burgess congratulated Sheriff Bill Farmer and Captain Tom Moffitt on their presentation at the ribbon cutting today for the new jail facility.

Commissioner Dick Hoffman

Commissioner Hoffman discussed an e-mail from Jack Sullivan, Withlacoochee Regional Water Supply Authority, regarding the August 18 workshop.

Commissioner Hoffman discussed an e-mail advising that Mr. Dillmore, Florida Department of Transportation, has information regarding the resurfacing of US 441/27 in Sumter County. There was discussion regarding this and the developer's obligation. Mr. Arnold advised that Sumter County has no obligation of any kind for improvement on US 441/27.

Commissioner Randy Mask - No report.

Vice Chairman Doug Gilpin

Vice Chairman Gilpin gave an update on the Industrial Development Authority (IDA). He discussed an e-mail which he provided to the Board and the Clerk. The IDA did not follow the recommendation of this Board for the selection committee and set in place a selection committee comprised of nine members including all the members of the IDA versus an appropriate City/County/IDA mix as proposed by this Board. Vice Chairman Gilpin expressed an interest in having someone from the business sector as a member of the selection committee. After further discussion the following motion was made:

Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve the restructure of our economic development effort as follows: The IDA will function as an industrial bond conduit only (refer to Option 6 originally presented at the BOCC workshop with the IDA). A new committee will be formed comprised of a mix of City, County and Business officials to manage the selection of a firm to manage and market Sumter County's economic development efforts and therefore will take ownership of the RSQ that was posted, will be the selection committee, and will shorten the time listed in the RSQ for the receipt of qualifications to have a firm selected for this effort (refer to Option 6 originally presented at the BOCC workshop with the IDA). The motion carried unanimously 5 - 0.

Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve the appointment of Bill Keen, Dale Barnes, Ed Wolf, John Davis and Doug Gilpin to be the selection committee in this process. The motion carried unanimously 5 - 0.

Mr. Arnold was directed to prepare a letter for Chairman Breeden's signature to the IDA advising them of the action taken this evening.

f. Public Forum

Mark Kisenwether, 10958 CR 738H, Webster, addressed the Board regarding the emergency access for CR 738H. He advised the Board that he has been trying to get public records from Sumter County since December, 2008 and feels he has been denied access to these records. He also expressed that he feels he has been threatened by the County Attorney, Derrill McAteer, in telephone conversations. Mr. Arnold advised that since Mr. McAteer advised earlier in the meeting that suit has been filed regarding the easement in this matter, it will be necessary for Mr. Arnold to advise staff to refer any questions, etc. regarding this matter to the County Attorney. Mr. McAteer advised that he has not denied Mr. Kisenwether any request nor has he threatened him.

Mary Kisenwether, 10958 CR 738H, Webster, advised that they feel there is no resolution other than going to Court. She also advised that they have notified the State Attorney of the County's violation of the Freedom of Information Act.

It was requested that all of the Kesinwethers' correspondence be provided to Bradley Arnold, County Administrator. Mr. Arnold provided the Board with a history of this matter.

Nina McMullen, 1484 SW 69 Road, Bushnell addressed the Board regarding flooding around her home during recent heavy rains (CR 607). She provided photos and a survey to the Board for their review. She requested that the Board take whatever action it can to alleviate this flooding problem. It was requested that Gary Kuhl, Public Works Director, review the situation and prepare a summary for the Board. Mr. Arnold will address this under his time at the August 25, 2009 meeting.

g. Notes, Reports, and Items for the file as attached

1. Notes - No Action Required

a. Civil Restitution Lien Orders for Roger M. Cogdell, Lee Oliver Patterson, Twaveus Weaver, Andrew David Churchhill, and Johnny Edwards.

b. Notice to Owner from DAB Constructors, Inc. for limerock road base materials provided for the CR 475 widening from SR 44 to CR 473.

c. Subpoena in the Circuit Court of Sumter County, Civil Division regarding Duncan Bros., Inc. vs. Burlingame Industries, Inc. and Eagle Roofing Products Florida LLC.

d. Budget transfers A-352 through A-371.

2. Reports

a. Personnel Activity Report for July 2009.

3. Filed Items

a. Letter from Alfred Glenn Brown to all Commissioners dated July 20, 2009 regarding Tracy Point Fish Camp outside bar permit request.

b. Letter from Jim Judge, Lake Sumter Emergency Medical Services, dated July 17, 2009 regarding June 2009 statistics.

c. Letter from Tonya Tayl, Royal Homecoming Committee, dated July 17, 2009 regarding Annual Traditional Royal Homecoming Celebration.

d. Village Community Development District No. 6 minutes of meeting held on May 15, 2009.

e. Village Community Development District No. 8 minutes of meeting held on May 15, 2009.

f. Village Community Development District No. 7 minutes of meeting held on May 15, 2009.

g. Village Community Development District No. 2 minutes of meeting held on June 12, 2009.

h. Village Community Development District No. 3 minutes of meeting held on June 12, 2009.

i. Village Community Development District No. 5 minutes of meeting held on May 15, 2009.

j. Village Community Development District No. 5 minutes of meeting held on June 5, 2009.

k. Sumter Landing Community Development District minutes of meeting held on June 11, 2009.

l. Sumter Landing Community Development District minutes of meeting held on May 14, 2009.

m. Village Community Development District No. 1 minutes of meeting held on May 12, 2009.

n. Village Community Development District No. 1 minutes of meeting held on June 12, 2009.

- o. Village Community Development District No. 6 minutes of meeting held on June 5, 2009.
- p. Village Community Development District No. 7 minutes of meeting held on June 5, 2009.
- q. Village Community Development District No. 8 minutes of meeting held on June 5, 2009.
- r. Village Community Development District No. 6 minutes of budget workshop held on March 24, 2009.
- s. Village Community Development District No. 5 minutes of budget workshop held on May 19, 2009.
- t. Village Community Development District No. 3 minutes of budget workshop held on May 12, 2009.
- u. Village Community Development District No. 2 minutes of budget workshop held on May 12, 2009.
- v. Development Review Committee Meeting Minutes of meeting held on July 6, 2009.
- w. Letter from Chuck Lane, Southwest Florida Water Management District, to Bradley Arnold, County Administrator, dated July 24, 2009 regarding payment in lieu of taxes for lands acquired by the Southwest Florida Water Management District from 1998-2008.
- x. Letter from Allen Brinkman to Commissioner Breeden dated July 18, 2009 regarding affordable housing assistance through Wachovia Bank.
- y. Letter from Janice Reynolds to all Commissioners dated July 22, 2009 regarding Tracy Point Fish Camp.
- z. Village Community Development District No. 6 minutes of meeting held on May 19, 2009.
- aa. Memoranda from County Administrator to all Commissioners dated 7-21-09 through 8-7-09.

3. NEW BUSINESS - ACTION REQUIRED

a. *MINUTES*

- 1. Minutes of Regular Meeting held on July 21, 2009 (Staff recommends approval).

Commissioner Mask moved, with a second by Vice Chairman Gilpin,

to approve Minutes of Regular Meeting held on July 21, 2009. The motion carried unanimously 5 - 0.

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. Request from City of Coleman to change time of Joint Meeting scheduled on August 26th at 5:00 PM to 6:00 PM, located at the Sumter County Government Offices in Bushnell, Room 142 (Staff recommends approval).

Commissioner Burgess moved, with a second by Commissioner Mask, to approve the request from City of Coleman to change time of Joint Meeting scheduled on August 26th at 5:00 PM to 6:00 PM, located at the Sumter County Government Offices in Bushnell, Room 142. The motion carried unanimously 5 - 0.

2. Schedule a Special Called Joint Meeting between the Sumter County Board of County Commissioners and the City of Bushnell to consider a resolution regarding the fire plan review responsibilities for the City of Bushnell on August 17, 2009 at 5:00 PM, located at the Sumter County Government Offices in Bushnell, Room 142 (Staff recommends approval).

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve to schedule a Special Called Joint Meeting between the Sumter County Board of County Commissioners and the City of Bushnell to consider a resolution regarding the fire plan review responsibilities for the City of Bushnell on August 17, 2009 at 5:00 PM, located at the Sumter County Government Offices in Bushnell, Room 142. The motion carried 4 - 1 with Commissioner Hoffman voting nay.

c. APPOINTMENTS

1. Well Florida Council vacancy (Board's option). No action taken.

d. CONTRACTS AND AGREEMENTS

1. Interlocal Agreement with the City of Wildwood regarding Law Enforcement Communications Equipment and Air Conditioning Equipment (Staff recommends approval).
2. Interlocal Agreement with the City of Wildwood regarding Law Enforcement Communications Equipment and Tower Usage (Staff recommends approval).
3. Assignment and Acceptance of the Settlement Agreement and Release of Southwest Florida Water Management District Parcel Nos. 19-528-144X and 19-528-146S (Staff recommends approval).

Vice Chairman Gilpin moved, with a second by Commissioner

Burgess, to table this item until August 25, 2009 as recommended by the County Attorney earlier in the meeting. The motion carried unanimously 5 - 0.

4. Agreement with Tindale Oliver & Associates for Fire Impact Fee Update Study Services (Staff recommends approval).
5. First Amendment to Agreement with S.C.A.R.C. for mowing services (Staff recommends approval).
6. National Telecommunications and Information Administration (NTIA) Broadband Technology Opportunity Program (BTOP) Partnership Agreement with State Library and Archives of Florida (Staff recommends approval).
7. Amendment No.4 to Agreement with Mark Cook Builders for Tax Collector and Property Appraiser Project, Fire Station 14 Project, and Public Defenders Office Project (Staff recommends approval).
8. ONOC, LLC Server Hosting Contract (Staff recommends approval).

Clerk's Note: Mr. Arnold advised that the contract is with DSM.Net instead of ONOC, LLC. Mr. Arnold also advised that the indemnification language has been removed from the most recent version which has been provided to the Clerk. Derrill McAteer explained his reasons for having this language removed.

9. Business Service Order for a 50 Mbps Metro Ethernet Point to Point Connection with server hosting company ONOC, LLC (Staff recommends approval).

Clerk's Note: Mr. Arnold advised that this is a contract with Bright House Networks, LLC and the Terms and Conditions have been provided to the Clerk.

10. Interlocal Agreement between Sumter County, Lake County and the Lake-Sumter Metropolitan Planning Organization Forming a Partnership to Create an Energy Efficiency and Conservation Strategy (EECS) for each county (Staff recommends approval).

Commissioner Burgess moved, with a second by Vice Chairman Gilpin, to approve Interlocal Agreement between Sumter County, Lake County and the Lake-Sumter Metropolitan Planning Organization Forming a Partnership to Create an Energy Efficiency and Conservation Strategy (EECS) for each county. The motion carried 4 - 1 with Commissioner Hoffman voting nay.

Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve Items 1 and 2 and Items 4 through 9 under Contracts and

Agreements with noted changes. The motion carried unanimously 5 - 0.

e. FINANCIAL

1. Purchase Orders (Staff recommends approval).

Clerk's Note: Purchase Order No. 53128 was added earlier in the meeting.

2. Escrow Agreement with Gingerich Construction (Staff recommends approval).
3. Escrow Agreement with Mclain Electric, Inc. (Staff recommends approval).
4. Escrow Agreement with Solar Trek, Inc. (Staff recommends approval).
5. Change Order request from Springstead Engineering, related to C-470 PD&E Study Project Purchase Order No. 52249 (Staff recommends approval).
6. Annual Certified Budget for Mosquito Control for Fiscal Year 2009/2010 (Staff recommends approval).
7. Invoices for various road projects on CR 475, CR 528, C-468 4-Lane, CR 616, CR 139, C-466 A Phase II, US 301 2A, Morse Phase 1 A and Morse Phase 2 (Staff recommends approval).
8. Request for payment of Invoice No. 64767, from Central Testing Laboratory, for work performed at the Center Hill Fire Station Project (Staff recommends approval).
9. Request for payment of Invoice No. 4, from Lazer-Tek, for work performed at the Tax Collector and Property Appraisers Project (Staff recommends approval).
10. Request for payment of Invoice No. 0801-4, from Architecture Studio Inc., for civil engineering services at the Judicial Building Project (Staff recommends approval).
11. Request for payment of Invoice No. 6, from Mark Cook Builders, for work performed at the Public Defenders Project (Staff recommends approval).
12. Request for payment of Invoice No. 6, from Mark Cook Builders, for work performed at the Tax Collector and Property Appraiser's Project (Staff recommends approval).
13. Request for payment of Invoice No. 6, from Mark Cook Builders, for work performed at the Center Hill Fire Station Project (Staff recommends approval).
14. Request for payment of Invoice No. 22, from Strollo Architects, for design and construction efforts related to the Jail Expansion Project (Staff recommends approval).

15. Request for payment of Invoice No. 22 from A.D. Morgan Corporation for building construction efforts related to the Jail Expansion Project (Staff recommends approval).
16. Refund of payment of ad-valorem taxes to CSX Transportation (Staff recommends approval).
17. Budget Amendment A-136, transfer from Reserve for Contingencies to Information Technology (Staff recommends approval).

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve Items 1 through 17 with the addition of Purchase Order No. 53128 under Item 1 under Financial. The motion carried unanimously 5 - 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Authorization for County Administrator to approve invoices and payments related to construction projects (Staff recommends approval).
2. Resolution updating the Sumter County Health Department fees (Staff recommends approval).
3. Transfer of truck, CC-194-SUR to City of Umatilla Fire Department (Staff recommends approval).
4. Transfer of truck, CC-140-TRAN to Lifestream Behavioral Center (Staff recommends approval).
5. Renewal of Waste Services of Florida, Inc. Performance and Payment Bond (Staff recommends approval).
6. Revised retiree insurance premium rate sheet effective October 1, 2009 (Staff recommends approval).
7. Revision of the 2008-2009 Classification and Compensation Schedule, Schedule C - Fulltime Firefighter Certification Incentive (Staff recommends approval).
8. Inventory transactions (Staff recommends approval).

Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve Items 1 through 8 under General Items. The motion carried unanimously 5 - 0.

Derril McAteer requested to address the Board and advised that due to the accusation made against him earlier in the meeting he would like to go on the record and state that he has "never threatened a citizen of this County regarding a legal issue."

4. ADJOURN

Commissioner Mask moved, with a second by Commissioner Burgess, to adjourn at 7:28 p.m. The motion carried unanimously 5 - 0.