

The Board of County Commissioners convened in regular session on this Tuesday, December 29, 2009, at Bushnell, Sumter County, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Doug Gilpin, Chairman, District No. 2; Don Burgess, Vice Chairman, District No. 3; Garry Breeden, 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; 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 Gilpin, with the invocation given by Commissioner Mask, followed by the flag salute which was led by Commissioner Breeden.

1. TIMED ITEMS AND PUBLIC HEARINGS

- a. *5:00 p.m. Public Hearing to Adopt Ordinance to Amend Land Development Code to Allow Platting of Recreational Vehicle Parks and Individual Sale of Recreational Vehicle Lots (Staff recommends approval).*

Chairman Gilpin called for a public hearing to consider "An Ordinance of Sumter County, Florida, Providing for the Record Platting of Recreational Vehicle Parks, Providing for Severability, Conflicts, Repealing, and Codification, and Providing for an Effective Date" (Ordinance No. 2009-27). Proof of Publication, as advertised, filed herewith.

Brad Cornelius, Planning Manager, gave a summary of this matter and advised that the proposed ordinance removes the prohibition on individual lot sales and platting for recreational vehicle parks and provides for the platting of recreational vehicle parks through the standard platting procedures of the County's Land Development Code and Florida Statutes. The proposed ordinance does not change any of the standards or requirements for the approval of an RVPUD. It simply provides an opportunity to develop a recreational vehicle park in response to changing market demands that may prefer owning a lot rather than renting a lot.

The Development Review Committee reviewed the proposed ordinance and recommended approval subject to recommendations from the Florida Department of Health (Sumter County Health Department). They recommended revisions to clarify consistency with Florida Statutes and Florida Administrative Code permitting requirements for recreational vehicle parks. The Zoning & Adjustment Board also recommended approval of the proposed ordinance subject to the recommendations of the Sumter County Health Department by a vote of 8-0. The proposed ordinance being presented includes the revisions recommended by the Sumter County Health Department, the Development Review Committee, and the Zoning & Adjustment Board.

PUBLIC - There was no public input.

Commissioner Breeden moved, with a second by Vice Chairman Burgess, to adopt an ordinance of Sumter County, Florida, providing for the record platting of recreational vehicle parks, providing for severability, conflicts, repealing, and condification, and providing an effective date (Ordinance No. 2009-27). The motion carried unanimously 5 - 0.

122909-1-a

- b. 5:00 p.m. - Public Hearing - Amendment to Sumter County Code Chapter 4-Animal Control (Staff recommends approval).

Chairman Gilpin called for a public hearing to consider "An Ordinance of Sumter County, Florida, Amending Certain Definitions and Provisions of Chapter Four of the Sumter County Code Related to Animal Control, Providing for Codification, Providing for Severability, and Providing an Effective Date" Proof of Publication, as advertised, filed herewith.

Bradley Arnold gave a summary of the proposed ordinance. He advised that the proposed definition and provisions changes are as follows: (1) new definitions of feral and hybrid animals; (2) new hearing procedures employing the Sumter County Special Master; (3) new procedures for impoundment and possible destruction of feral and hybrid animals; (4) new procedures for governance of animal care establishments; (5) new provisions for abandoned livestock; (6) new regulations regarding pets in county parks; (7) new regulations regarding sterilization of outdoor cats; (8) amended hearing procedures to conform with Special Master; (9) establishment of fines and fees by resolution.

After lengthy discussion on some of the proposed changes, it was suggested that the proposed ordinance be tabled for further research and input.

Vice Chairman Burgess moved, with a second by Commissioner Mask, to table the public hearing to consider "An Ordinance of Sumter County, Florida, Amending Certain Definitions and Provisions of Chapter Four of the Sumter County Code Related to Animal Control, Providing for Codification, Providing for Severability, and Providing an Effective Date" until January 26, 2010 at 5:00 p.m. at Colony Cottage Recreation Center in The Villages, Florida. The motion carried unanimously 5 - 0.

122909-1-b

- c. 5:30 PM - Public Hearing - Zoning and Adjustment Board (ZAB) Recommendations

Chairman Gilpin called for a public hearing to consider the recommendations of the ZAB. Proof of Publication, as advertised, filed herewith.

Chairman Gilpin 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 Gilpin 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."

1. *R2009-0024 - Rezoning to RR1 - Edwin Keiler, Sr. - C-462/Wildwood

Brad Cornelius, Planning Manager, presented the following information. The applicant is requesting to rezone 0.96 acres MOL from RR1C to RR1 to allow the placement of a Class "B" mobile home. Staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval. There were six notices sent and none were returned. The ZAB recommended approval by a vote of 8-0.

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

PUBLIC - There was no public input.

Commissioner Hoffman moved, with a second by Commissioner Breeden, to approve Case No. R2009-0024, request by Edwin Keiler, Sr. to rezone 0.96 acres MOL from RR1C to RR1 to allow the placement of a Class "B" mobile home. The motion carried unanimously 5 - 0.

122909-1-c-1

2. *R2009-0025 - Rezoning to RR1C - Rocco Development - CR 121/Wildwood

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

Brad Cornelius, Planning Manager, presented the following information. The applicant is requesting to rezone 37.82 acres MOL from A5 and RR1 to RR1C to bring the property into compliance with the Future Land Use Map. Mr. Cornelius explained that the RR1C zoning designation allows for only one dwelling unit per acre. This is the

same designation as assigned to the Fox Hollow Subdivision which borders the property. The applicant stated he has no plans to develop the property at this time. Staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval. There were 24 notices sent with 14 being returned in objection. The ZAB recommended approval by a vote of 8-0.

PUBLIC - There was no public input.

Vice Chairman Burgess moved, with a second by Commissioner Hoffman, to approve Case No. R2009-0025 - request by Rocco Development to rezone 37.82 acres MOL from A5 and RR1 to RR1C to bring the property into compliance with the Future Land Use Map. The motion carried 4 - 1 with Chairman Gilpin voting nay.

122909-1-c-2

3. *R2009-0023 - Rezoning to RVPUD - 674 Properties, LLC - CR 673/St.Catherine

The Chairman polled the Board Members for ex parte communications, either written or verbal, related to this case. Commissioner Hoffman - none; Commissioner Breeden - conversation with Mr. Moffit wherein he advised that the Oxendine property had been acquired which resolved an access problem; Vice Chairman Burgess - none; Commissioner Mask - none; and Chairman Gilpin - conversation with Tom Moffitt regarding the acquisition of the Oxendine property and that there was a firm agreement in place with the City of Bushnell.

Brad Cornelius, Planning Manager, presented a history of the property. The applicant is requesting a rezoning on 128 acres MOL from A5 and a non-vested C1 to RVPUD to allow for the development of a 385-lot recreational vehicle park. The development plan for the proposed recreational vehicle park includes the platting and sale of individual lots and the placement of accessory "living" structures on the lots. The Development Review Committee has reviewed the proposed RVPUD and recommended approval. There were 23 notices sent with 5 being returned in objection. The ZAB recommended approval by a vote of 7-1 (Mr. Cornelius noted for the record that the Staff Report reflects a vote of 8-1) subject to the following conditions:

1. Development of the RVPUD shall be consistent with the conceptual master plan and support documentation submitted as part of the application, as may be amended by the Board of County Commissioners at the final hearing for approval for the RVPUD;

2. The applicant shall design and construct an eastbound left-turn lane from C-673 to the project driveway and a westbound right-turn taper from C-673 to the project driveway as required by Sumter County Public Works;

3. The applicant shall obtain a commercial driveway permit from Sumter County Public Works for the driveway connection to C-673;

4. The applicant shall dedicate to the County the northern half of the right-of-way for C-673;

5. The applicant shall obtain all proper permits and implement applicable management plans required by State and Federal agencies related to impacts to protected wildlife species on site;

6. The applicant shall obtain all proper permits from State agencies related to the implementation of the on-site potable water system and extension and connection of sewer;

7. The applicant shall utilize Florida Friendly Landscaping;

8. Approval of the conceptual site plan is subject to approval by the Federal Emergency Management Agency of a Letter of Map Revision submitted by Kimley-Horn & Associates, Inc. for the subject property. If FEMA does not approve the revised 100-year floodplains, then the applicant must apply for an amendment to this RVPUD to revise the conceptual site plan;

9. Approval of the RVPUD is subject to a finding of compliance by the Florida Department of Community Affairs of future land use map amendment CP-A2008-0001 and its related remedial amendment (Policy 7.1.17.3) adopted by the Board of County Commissioners on November 24, 2009 (DCA #09-1) and the amendments becoming effective pursuant to Chapter 163, Florida Statutes;

10. The project shall comply with Policy 7.1.17.3 of the Future Land Use Element of the Sumter County Comprehensive Plan. The project identified on the Future Land Use Map as 04-5 and known as the Southern Villas RV Resort shall adhere to the following standards:

a. The Southern Villas project is a Recreational Vehicle Park ("Project") that will be developed as an RV Planned Unit Development (RVPUD) by 674 Property, LLC ("Owner"). The Project shall utilize CR 673 as an access point with an additional emergency access provided from CR 674 and CR 654A. The Project shall provide the necessary screening and buffering to ensure compatibility between adjacent land uses. The screening and buffering shall be determined through the RVPUD zoning process.

b. The maximum number of RV spaces shall be 400 and shall be limited to Class "A" motor homes and motorcoaches as defined by Section 320.01, Florida Statutes, and the Sumter County Land Development Code. Occupancy of RV units shall be restricted to persons fifty (50) years of age or older. Any accessory uses on individual lots shall be set forth in the RVPUD zoning, including any nonresidential structures.

c. No publicly dedicated roadways will be constructed within the property and the County shall have no obligation for the improvement or maintenance of private roads and road rights-of-way within the property. The County has no obligation or responsibility for the improvement or maintenance of such roadways and shall look solely to the Owner or the Homeowner's Association formed for that purpose for improving and maintaining the roads and rights-of-way.

d. The Project shall be served by central sanitary sewer service from the City of Bushnell. This will be accomplished through the installation of a sanitary sewer force main which is limited in size diameter, not greater than six inches, to provide the minimum flow required to transfer waste water to the City of Bushnell's sanitary sewer system. The County agrees that no new development will be authorized to connect to this line for a distance of 12,300 feet or 2.33 miles, running north along U.S. Highway 301 from the intersection of CR 673 and US 301. Also, pursuant to the agreement entered into between the City of Bushnell and the developer on September 10, 2009 and amended on September 25, 2009, the City of Bushnell agrees that no new development will be authorized to connect to this line for a distance of 12,300 feet or 2.33 miles, running north along US Highway 301 from the intersection of CR 673 and US 301.

e. The extension of sewer lines shall be constructed by the Owner, at the Owner's expense, to ensure that the City of Bushnell can provide sufficient sanitary sewer capacity for the total approved number of RV units (400 units) and nonresidential square footage. Prior to any development approvals for the Project, the existence of sufficient sewer service capacity shall be confirmed by an executed Developer Agreement between the Owner and the City of Bushnell for the provision of the required sanitary sewer services. The County shall coordinate with the City of Bushnell to adopt the required sanitary sewer improvements into the first three years of the five-year capital improvement plan of the City of Bushnell's Comprehensive Plan at the City's next regularly scheduled update of its capital improvements plan.

f. The Owner shall install, at the Owner's expense, an on-site potable water system, including a well, pump, and treatment system, which are sized to provide the minimum capacity required to serve the Project, including the capacity to meet minimum fire flow requirements.

g. Surface water and storm water management shall be engineered and designed to serve the entire Project pursuant to permits issued by the Southwest Florida Water Management District and as required by the Sumter County Land Development Code. The County shall have no obligation for the improvements or maintenance of such surface water and storm water management system. Each owner of any portion of the Project shall look solely to the Owner or a Homeowner's Association formed for that purpose for such improvements and maintenance.

h. No development shall occur in the 100-year floodplain or wetlands. The Owner shall place the undeveloped portion of the property that is identified as open

space, the 100-year floodplain, and delineated wetlands in a conservation easement, in a manner and form allowed by state law. Such easement shall be recorded in the Public Records of Sumter County, Florida, with the understanding that it is binding on the Owner's successors and assigns.

i. The Owner shall create a Homeowner's Association (the "Association"). Each owner within the Property shall be a member of the Association. The Association shall have the authority and responsibility to maintain, repair, and replace roads and rights-of-way; and the surface water and storm water management system referenced in Policies 7.1.17.3c and f above, as well as, all tracts, water retention areas, and other common areas.

j. All site improvements, structures, and signs shall be permitted by Sumter County pursuant to the County's Land Development Code and normal permitting requirements.

11. Sight lighting installations shall be designed and installed to be fully shielded (full cutoff) and shall have a maximum lamp wattage of 250 watts HID, or lumen equivalent;

12. The applicant shall enter into an impact fee agreement with the Board of County Commissioners for the payment of applicable road and fire impact fees;

13. All conditions of this approval shall run with the land and be binding on all future owners or assigns; and

14. Accessory structures, not larger than 20% of lot area or 1,000 square feet, whichever is less, shall be permitted.

PUBLIC

Randall Thornton, Attorney, was present on behalf of the applicant. Mr. Thornton introduced Merle Bishop of Kimley-Horn and Associates who gave a short presentation. Mr. Bishop advised that the applicant is aware that the property is in a rural area and has low density rural neighbors and is very sensitive to compatibility issues. This is a mixed-use community and will have a clubhouse as well as a general store. Mr. Bishop provided a site plan for display to the audience.

Mark Kisenwether, 10958 CR 738H, Webster, having been sworn, expressed concern about water consumption and possible future use of the sewer line.

Susan Lancto, 9050 CR 674, Bushell, having been sworn, advised that she owns 30 acres which abuts the subject property. She suggested consolidation of the permitting process. She provided a photo of past flooding problems in the area and expressed concern on what flooding problems the development would add. She also discussed concerns with tree removal and the effect on wildlife. She commented on responsibly

of maintenance to fencing and other common areas. She inquired if the residents would be allowed to rent their respective properties to outsiders and if the clubhouse would be rented to outsiders. Ms. Lancto also advised the Board that she would be appealing the Board's decision on this matter.

Randall Thornton responded to the public's comments. He advised that the sewer line for this project is being paid for by the developer and not the taxpayers of Sumter County. He advised that every effort will be made to save as many trees as possible. Mr. Thornton advised that the permanent maintenance in this project will be handled through a homeowners association and paid for by the residents of the development. He advised that the clubhouse, general store and amenities in the development are limited strictly to residents. The homeowners association will not be renting the clubhouse to the general public. The developer feels it can meet all of the requirements and special conditions and that it will be compatible with the neighbors.

Commissioner Mask moved, with a second by Chairman Gilpin, to approve Case No. R2009-0023 - request by 674 Properties, LLC to rezone 128 acres MOL from A5 and a non-vested C1 to RVPUD to allow for the development of a 385-lot recreational vehicle park subject to the conditions recommended by the Zoning and Adjustment Board. The motion carried unanimously 5 - 0.

122909-1-c-3

122909-1-c-3(a)

122909-1-c-3(b)

122909-1-c-3(c)

122909-1-c-3(d)

122909-1-c-3(e)

4. *R2009-0001 - Amendment to RPUD for Village Park Center - Village Park Investors, LLC - C-466/Lady Lake

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

Brad Cornelius, Planning Manager, presented the following information. The applicant is requesting an amendment to a previously approved residential planned unit

development (RPUD) on 46.54 acres MOL. The amendment is to revise the conceptual master plan under a previous RPUD approval to allow for the expanded platting of individual residential lots; decrease the number of dwelling units from 177 to 163, expand the area covered by the RPUD to include a commercial tract adjacent to the original RPUD; and reconfigure the conceptual master plan to provide for a more cohesive and compatible development project.

The Development Review Committee (DRC) after final review recommended approval of the amendment to the RPUD subject to the following conditions:

1. The project shall be developed consistent with the conceptual master plan and preliminary engineering plan as approved by the Board of County Commissioners; and

2. The applicant shall enter into a Development Agreement with the County, pursuant to Section 163.3220, Florida Statutes.

There were 15 notices sent out with six being returned in favor subject to a condition related to a stack block wall along the eastern property line. The ZAB recommended approval of the amendment subject to the recommended conditions of the DRC by a vote of 8-0.

David Springstead, Springstead Engineering, having been sworn, explained the stack block wall. This wall will be modeled after similar walls within The Villages.

PUBLIC - There was no public input.

Vice Chairman Burgess moved, with a second by Commissioner Breeden, to approve Case No. R2009-0001 - Amendment to RPUD for Village Park Center - Village Park Investors, LLC - subject to the recommended conditions of the DRC. The motion carried unanimously 5 - 0.

122909-1-c-4

- d. 5:30 p.m. Public Hearing to Adopt Local Government Development Agreement with Village Park Associates, LLC et al. for Village Park Center RPUD (Staff recommends approval).*

The Chairman called for a public hearing to consider the adoption of a "Site and Concurrency Development Agreement Pursuant to Chapter 163, Florida Statutes [Village Park Center PUD] between Village Park Associates, LLC, Village Park Center Investors, LLC, JP Developers, LLC, Village Park Estate Homes, LLC, Village Park Center Property Owners Association, Inc., Orange Blossom Utilities, Inc., Village Park at 466, LLC, Ronald Miller, Patricia Reid, Michele Little, and the County of Sumter. Proof Of Publication, as advertised, filed herewith.

Brad Cornelius, Planning Manager, presented the following information. This matter is related to Case No. R2009-0001. Village Park Associates, LLC, et al. applied for a rezoning to amend a residential planned unit development (RPUD) on approximately 48 acres for Village Park Center. Village Park Center contains approximately 163 dwelling units and 151,696 square feet of commercial/office uses. Due to the significant scale of the project, a condition of approval of the rezoning for this project (R2009-001) includes the execution of a Local Government Development Agreement pursuant to Chapter 163, Florida Statutes, between the County and the Park's developer, Village Park Associates, LLC, et al. The Agreement has been reviewed by the County Attorney. Mr. Cornelius advised that the block stack wall must be in place by March 1, 2010.

The proposed Local Government Development Agreement for Village Park Center provides in part: (1) consolidation of previous Memorandum of Agreement for the subject property; (2) limitation that project is an age-restricted project (55 years or older); (3) 20-year term agreement; (4) establishment of a property owner's association (POA) to maintain all project infrastructure; (5) limitation of the uses and intensities consistent with the amendment to the RPUD (R2009-0001); (6) increased buffering standards, particularly along the eastern boundary; (7) requirement for installation by developer of traffic signal at the project entrance and C-466 when warranted; (8) confirmation that project will be served by appropriate public services; (9) requirement for an annual report to the County of the status of the project and compliance with conditions of the Development Agreement; and (10) termination provisions.

Chapter 163, Florida Statutes, requires the County to hold two (2) public hearings to execute a Development Agreement. The statute allows for one of the public hearings, at the option of the local government, to be held by the Local Planning Agency with the second public hearing held by the local government Governing Body. The Sumter County Zoning & Adjustment Board (ZAB) is the County's designated Local Planning Agency. Consequently, the ZAB held a public hearing on December 7, 2009 as the first required public hearing, and recommended approval by a vote of 8-0. The hearing being held tonight is the second and final hearing as required by the statute.

PUBLIC - There was no public input.

Commissioner Breeden moved, with a second by Commissioner Mask, to approve the adoption of the Local Government Development Agreement with Village Park Associates, LLC et al. for Village Park Center RPUD as presented. The motion carried unanimously 5 - 0.

122909-1-d

*Quasi Judicial Hearing

2. REPORTS AND INPUT

a. County Administrator

1. Purchase Orders (For Information Only)

122909-2-a-1

2. Road Projects update report (For Information Only)

122909-2-a-2

3. Facilities Development Project updates (For Information only)

122909-2-a-3

4. November 2009 Tourism Report (For Information Only)

122909-2-a-4

5. Health Claims Responsibility Act Claims (HCRA) Report for November 2009 (For Information Only)

122909-2-a-5

6. November 2009 Chamber Report (For Information Only)

122909-2-a-6

7. Sumter County 2009 State Homeland Security Grant Program - Exercise After Action Report (For Information Only)

122909-2-a-7

8. Functional Exercise Response Items - Fire Rescue (For Information Only). A functional exercise involving a possible Haz-Mat release was part of an EOC exercise earlier in 2009. As Sumter County Fire Rescue now has Haz-Mat Decontamination capability, the review team suggested further training on this discipline with other local response agencies.

122909-2-a-8

9. Florida Model Jail Standards Peer Review Inspection Report (For Information Only)

122909-2-a-9

10. November 2009 - Personnel Activity Report (For Information Only)

122909-2-a-10

11. 2009 Annual Report (For Information Only)

122909-2-a-11

12. Bob Murray and Associates brochure for executive search of Sumter County Public Works Director (For Information Only)

122909-2-a-12

13. November 2009 Survey Reports for Various Departments (For Information Only).

122909-2-a-13

14. Sumter County Board of County Commissioners - Major Revenue Collection Report through FY 2008/09 (For Information Only)

122909-2-a-14

15. Sumter County Board of County Commissioners - Major Revenue Collection Report through FY 2009/10 (For Information Only)

122909-2-a-15

16. Sumter County Right of Way Litigation Status - CR 139 and CR 462 (For Information Only)

122909-2-a-16

17. Review completion of FY 08/09 goals, review of draft FY 09/10 goals, and County Administrator evaluation (For Direction)

The County Administrator evaluations were given to Connie Webb, Deputy Clerk, by the Commissioners. Mr. Arnold will schedule individual meetings with the Commissioners for discussion of each evaluation.

Under comments for the Board goals, Commissioner Breeden expressed a desire for research regarding employee insurance programs. Commissioner Hoffman would like that research to include Health Savings Accounts. Vice Chairman Burgess wants additional research on the GASB 45 issue and how the surrounding counties are approaching this matter.

122909-2-a-17

18. Assignment of Panasoffkee Shell Settlement Agreement (For Direction).

Mr. Arnold discussed the assignment and proposed options presented by Fletcher Marine. After Board discussion, it was a consensus for Mr. Arnold to enter into discussions with the Southwest Florida Water Management District to attempt to come to a conclusion to this matter.

122909-2-a-18

19. Letter to City of Coleman re permitting

Mr. Arnold advised that the contract with the City of Coleman for the issuance of building permits, providing inspections and code enforcement has expired. This letter advises that the last day these services will be provided is January 31, 2010. The consensus of the Board was for Mr. Arnold to proceed with the letter.

122909-2-a-19

20. Additional Purchase Orders

Mr. Arnold presented additional purchase orders for consideration under Agenda Item 3.f.1. These purchase orders are tied to budget amendments being considered later in the agenda and will need to be approved subject to the approval of the corresponding budget amendment. The purchase order numbers are 52731, 52732, 53397 and 53398.

122909-2-a-20

b. County Attorney

Derrill McAteer advised that the Kisenwethers have executed the Joint Stipulation of Dismissal with Prejudice and it has been recorded with the Clerk.

122909-2-b-1

Mr. McAteer entered into the record a Quit Claim Deed from Sumter County to the City of Wildwood that was approved on November 10, 2009. The deed is recorded in Official Record book 2141 at Page 706 of the Public Records of Sumter County, Florida.

122909-2-b-2

c. Clerk of Court - No report.

d. Board Members

1. Commissioner Dick Hoffman - No report.

2. Commissioner Garry Breeden

Commissioner Breeden recommended an increase from \$30 to \$50 per meeting for the Zoning and Adjustment Board members. The consensus was for Bradley Arnold to place this on a future agenda for consideration.

3. Vice Chairman Don Burgess

Vice Chairman Burgess advised that he had attended a ceremony at Dade Battlefield Historic State Park honoring the soldiers that died in the first battle of the Second Seminole War on December 28, 1935. He advised that the annual reenactment of the battle will be held January 2 and 3, 2010 at Dade Battlefield Historic State Park and encouraged everyone to attend.

Chairman Burgess also advised that he was contacted by a citizen of District 3 requesting that the Sumter County Commission pass a resolution directed to the Marion County Commission to deny an application to put a gambling facility in Marion County on Highway 301 near the Sumter County Line. He advised that he has responded that in his personal opinion the Sumter County Board should not pursue this as it is outside of Sumter County's jurisdiction. The consensus of the Board is that it is not a Sumter County issue and therefore should not be pursued.

4. 2nd Vice Chairman Randy Mask - No report.

5. Chairman Doug Gilpin - No report.

e. Public Forum

Clyde Hunt, 12 Wilderness Drive, Lake Panasoffkee, addressed the Board on his request to the Board to improve an earthen dike and culverts on his property which will be considered by the Board under Agenda Item 3.f.10.

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Regular Meeting held on November 10, 2009 (Staff recommends approval).

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve Minutes of Regular Meeting held on November 10, 2009. The motion carried unanimously 5 - 0.

2. Minutes of Regular Meeting held on November 24, 2009 (Staff recommends

approval).

Vice Chairman Burgess moved, with a second by Commissioner Breeden, to approve Minutes of Regular Meeting held on November 24, 2009. The motion carried unanimously 5 - 0.

3. Minutes of Regular Meeting held on December 8, 2009 (Staff recommends approval).

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve Minutes of Regular Meeting held on December 8, 2009. The motion carried unanimously 5 - 0.

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. None

c. APPOINTMENTS

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

No action taken.

122909-3-c-1

2. Zoning and Adjustment Board vacancy (Board's option).

Commissioner Breeden moved, with a second by Commissioner Mask, to approve the appointment of Mike Rosa for the District 4 vacancy on the Zoning and Adjustment Board. The motion carried unanimously 5 - 0.

122909-3-c-2

3. Review of appointees and terms on the Tourist Development Council (Board's Option).

No action taken.

122909-3-c-3

d. CONTRACTS AND AGREEMENTS

1. Contract Extension for Generator Repair "Power Pro-Tech Generators" (Staff recommends approval).

122909-3-d-1

2. Contract Extension for Landscape Services "Circle C Landscape Services" (Staff recommends approval).

122909-3-d-2

3. Contract Extension for Generator Repair "Genset Services, Inc." (Staff Recommends Approval).

122909-3-d-3

4. Contract Extension for Plumbing Services "Mark A. Weber Plumbing" (Staff recommends approval).

122909-3-d-4

5. Renew the Operator/Coordination contract between Sumter County Association of Retarded Citizens and Sumter County Transit (Staff recommends approval).

122909-3-d-5

6. Transportation Agreement between Sumter County Youth Center and Sumter County Transit (Staff recommends approval).

122909-3-d-6

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

122909-3-d-7

8. Morse Boulevard Phase 1, 1A, and 2 Change Order #4 (Staff does not recommend approval).

Gary Kuhl, Public Works Director, advised that the contract was to have been completed on December 16, 2009 and explained the reasoning for staff's recommendation of denial of the request.

Bradley Neal of C.W. Roberts Contracting explained the delay in completion.

Bradley Arnold, County Administrator, explained that it was felt that the request for the extension was a way to avoid liquidated damages. Mr. Arnold suggested that the Board could consider the liquidated damages at the completion of the project rather than grant the extension.

After further discussion, this item was pulled and there was no action taken on this

matter.

122909-3-d-8

9. Award and enter into contract with Croft Contracting Inc., for ITB 143-0-2009/AT C-470 Sidewalk (Staff recommends approval).

Seven bids were received in no particular order with pricing as follows: Art Walker Construction, Inc. - \$327,750.81; Beesley Construction - \$325,611.41; Croft Contracting, Inc. - \$299,590.05; Daly-Zilch - \$349,870.00; R. Cobb Construction - \$499,000.43; RJP Enterprises, Inc. - \$421,207.50; and Semper Fi Services - \$337,473.42. The Selection Review Committee reviewed the bids and agreed that Croft Contracting, Inc. had the lowest bid, submitted all required paperwork, and their total figures calculated correctly for an award figure of \$299,590.05. The project is scheduled to begin on January 11, 2010 with ninety working construction days and a scheduled completion date of April 10, 2010.

122909-3-d-9

10. C-470 N Sidewalk ARRA Project Construction Oversight and Inspecting Services (Staff recommends approval).

122909-3-d-10

Commissioner Mask moved, with a second by Commissioner Breedon, to approve Items 9 and 10 under Contracts and Agreements. The motion carried 4 - 1 with Commissioner Hoffman voting nay.

11. Renewal contract between DART, Inc. and Animal Control Services (Staff recommends approval).

122909-3-d-11

12. Revisions to the Sumter County Health Department Contract Funding (Staff recommends approval).

122909-3-d-12

Vice Chairman Burgess moved, with a second by Commissioner Hoffman, to approve Items 1 through 7, 11, and 12 under Contracts and Agreements. The motion carried unanimously 5 - 0.

e. FINANCIAL

1. Purchase Order Approval (Staff recommends approval).

CLERK'S NOTE: Purchase order numbers 52731, 52732, 53397 and 53398 were added to the agenda by Mr. Arnold and are subject to approval of the corresponding budget amendment.

122909-3-e-1

2. Budget Amendment A-31 (FY 09/10) Public Works Director Executive Search Services (Staff recommends approval).

122909-3-e-2

3. Budget Amendment A-32 (FY 09/10) State Criminal Alien Assistance Program (Staff recommends approval).

122909-3-e-3

4. Budget Amendment A-33 (FY 09/10) Wildwood Police Department PSAP Project (Staff recommends approval).

122909-3-e-4

5. Budget Amendment A-34 (FY 09/10) Crime Prevention Funds (Staff recommends approval).

122909-3-e-5

6. Budget Amendment A-35 (FY 09/10) Capital Outlay - Fire Station #31 - Wildwood (Staff recommends approval).

122909-3-e-6

7. Budget Amendment A-36 (FY 09/10) Capital Outlay - Fire Station #22 - West Bushnell (Staff recommends approval).

122909-3-e-7

Vice Chairman Burgess moved, with a second by Commissioner Mask, to approve Items 6 and 7 under Financial. The motion carried 4 - 1 with Commissioner Hoffman voting nay.

8. Budget Amendment A-37 (FY 09/10) To Fund 196 State Mosquito Control Program and Amend State Anthropol Control Budget (Staff recommends approval).

122909-3-e-8

9. Budget Amendment A-38 (FY 09/10) To Fund 195 Local Mosquito Control Program and Amend State Arthropod Control Budget (Staff recommends approval).

122909-3-e-9

10. Budget Amendment A-39 (FY 09/10) US 301 from CR 214 to CR 204 - Sumter County Road Construction Impact Fees (Staff recommends approval).

122909-3-e-10

11. Budget Amendment A-40 (FY 09/10) Court Improvement Fund (Staff recommends approval).

122909-3-e-11

12. Budget Amendment A-41 (FY 09/10) Coleman Community Redevelopment Area - Tax Increment Financing (Staff recommends approval).

122909-3-e-12

13. Budget Amendment A-42 (FY 09/10) for the West Bushnell Fire & Rescue Station #22 (Staff recommends approval).

122909-3-e-13

14. State Housing Initiatives Partnership (SHIP) Program payment requests (Staff recommends approval).

122909-3-e-14

Commissioner Breeden moved, with a second by Commissioner Mask, to approve Items 1 through 5 and 8 through 14 under Financial which will include the additional purchase orders presented by Mr. Arnold. The motion carried unanimously 5 - 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Resolution adopting a fine and fee schedule for Animal Control Services pursuant to Chapter 4 of the Sumter County Code, as amended (Staff recommends approval).

CLERK'S NOTE: This item was pulled by the County Administrator until January 26, 2010 when the corresponding ordinance will be considered.

122909-3-f-1

2. Roadway Acceptance - Portion of The Villages District 5, District 6, and District 7 (Staff recommends approval).

122909-3-f-2

3. Adopt List of Local Mitigation Strategies Task Force Projects by Resolution (No. 2009-100) (Staff recommends approval). Sumter County must maintain a current County Emergency Management Plan (CEMP) on file with the State Division of Emergency Management. Included in the CEMP is a list of projects and situations that are deemed to need improvement from their current state as they might pose a risk to the safety, health or welfare of the citizens of Sumter County in the event of severe weather, terrorist activity or other disaster, either natural or man-made. This list is determined by a team of local public safety, health and government officials identified as the Local Mitigation Strategies Task Force (LMSTF). The LMSTF determines the list, ranks same and recommends its inclusion in the CEMP. Only the BOCC can approve the list and the CEMP which is then submitted to the State of Florida Division of Emergency Management for review.

122909-3-f-3

4. VOS - Creekside Medical Center of Excellence Preliminary Plans and Memorandum of Agreement (MOA) reviewed at the December 9, 2009 Development Review Committee (DRC) meeting (Staff recommends approval).

122909-3-f-4 - Aqt Only

122909-3-f-4 - maps

5. Proceed with code lien foreclosures for parcels T16=031 (T16031), G30=028 (G30028), M30B070, F31C173, L13B158, F30B080, T09=014 (TD9014), M11=013 (M11013), L24C021, F32Q133, C13=008 (C13008), F31B110, D30A349, J04A048, D01C179, T15=111 (T15111) (Staff recommends approval).

122909-3-f-5

6. Inventory Transactions (Staff recommends approval).

122909-3-f-6

7. Approve overnight vehicle use for Walter Andes, Lorenzo Brooks, Michael Fain, Mike Jacobs, Thomas Messer, and Jerry Rhoden (Staff recommends approval.)

122909-3-f-7

8. Royal Park Florida Recreation Development Assistance Program (FRDAP) Closeout Notice of Limitation of Use/Site Dedication (Staff recommends approval).

122909-3-f-8

9. EMS Grant Application for FY 09/10 (Staff recommends approval).

Commissioner Breeden moved, with a second by Commissioner Mask, to approve Items 2 through 9 under General Items for Consideration. The motion carried unanimously 5 - 0.

122909-3-f-9

10. Consideration of request, by Mr. Clyde Hunt, to improve an earthen dike and culverts located on his property near CR 650 (Staff recommends denial of request).

There was discussion on this matter.

Commissioner Hoffman moved, with a second by Vice Chairman Burgess, to deny the request of Clyde Hunt to improve an earthen dike and culverts located on his property near CR 650. The motion carried 4 - 1 with Commissioner Breeden voting nay.

122909-3-f-10

4. ADJOURN

Commissioner Mask moved, with a second by Vice Chairman Burgess, to adjourn at 8:01 p.m. The motion carried unanimously 5 - 0.