

DRAFT

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

JULY 27, 2010

The Board of County Commissioners convened in regular session on this Tuesday, July 27, 2010, at Colony Cottage, The Villages, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas Gilpin, Chairman, District No. 2; Donald 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; William Kleinsorge, Finance Director; Melissa Elliott, Deputy Clerk; and Derrill McAteer of The Hogan Law Firm, Attorneys for the Board. Chairman Gilpin 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 Vice Chairman Burgess.

1. TIMED ITEMS AND PUBLIC HEARINGS

a. 5:00 p.m. - Public Hearing for C 470 from I-75 to the Lake County Line Project Development and Environment Study

Chairman Gilpin called for the final public hearing regarding the future alignment and widening of C-470 to conclude the preliminary design and environmental study and corridor analysis for County Road 470 from Interstate 75 to the Lake County Line in Sumter County. Proof of Publication, as advertised, filed herewith.

Derrill McAteer, County Attorney, made note for the record that 2nd Vice Chairman Mask is unable to participate in this matter due to the fact that his employer, Sumter Electric Cooperative (SECO), will likely be affected by the outcome of this hearing.

Bradley Arnold, County Administrator, advised the Board that this final public hearing is to determine the best option for the routing and widening of C-470 and US 301 in the Sumterville area. Mr. Arnold advised that there are a total of 7 options, all of which are up for consideration, however, staff feels the best options for consideration are Option 7 which accomplishes the task of realignment but will adversely affect Shady Brook RV Park and Golf Course or Option 1 which will maintain the existing alignment but will still allow for the four-laning of C-470.

Ralph Bovey, Dyer, Riddle, Mills and Precourt, Inc. (DRMP), gave an overview of the results of the C-470 Preliminary Design and Environmental Study.

PUBLIC INPUT - The following individuals approached the Board regarding this matter, many of whom noted they were in favor of Option 1 and many that expressed their concern over the cost of the project.

Jim Duncan, Chief Executive Officer, Sumter Electric Cooperative; Marie Saluzare, 2773 CR 546A; Pat Coker, Shady Brook; Hugh Hughes, Shady Brook; Pam Hughes, Shady Brook; Paula Phillips, Shady Brook; Arthur Bekwett, Shady Brook; Nick Weaver, Shady Brook;

Charles Lang, Shady Brook; Carolyn Middleton, Shady Brook; Bob Norton, Shady Brook; Scottie Middleton, Shady Brook; Jane Ferneer, The Villages; Amy Miller, The Villages; Norm Shaffer, Shady Brook; Randall Thornton, Lake Panasoffkee; Linda Wood, Sumterville; Representative OToole; Larry Asbrooke, Shady Brook; Mike Shufeld, Shady Brook; Felix Adams, Bushnell; Bill McCormic, Shady Brook; John Carmichael, Leesburg; Emily Keeler, Wildwood; Micah Adams; Bob Ruth, Webster; Margarita Soranno, Lake Panasoffkee; Ada Carmichael, Leesburg; Larry Hilaker, Shady Brook; Marilyn Henderson, Shady Brook; Gene Henderson, Shady Brook; Jack Williams, Lake County; Ray Shandlin, Shady Brook; Bill Howton, General Manager, Dixie Lime and Stone Company; Jim Cardone, Shady Brook; Jim Holmes, Shady Brook; T.J. Fish, Executive Director, Lake Sumter MPO; Paul Bovie, Shady Brook; Betty Bequet, Shady Brook; Patricia Yandoora, Shady Brook; Peggy Berdorf, Lady Lake; and Elaine Carmichael Buzzer, Shady Brook. **CLERK'S NOTE:** Ms. Buzzer provided a copy of an e-mail received from Mike Foote which was read into the record, along with numerous petitions from the community.

07-27-10-1-a-public

Board discussion.

07-27-10-1-a

07-27-10-1-a-PowerPoint

07-27-10-1-a-emails

07-27-10-1-a-petitions

<p>Vice Chairman Burgess moved, with a second by Commissioner Breeden, to maintain the existing C-470 alignment and indicate the Board's desire to widen C-470 from the Lake County Line to US 301 and widen C-470W from US 301 to I-75, these two separate arms of C-470 to be connected by US 301 and the Board desires US 301 to be widened to meet future traffic flow at the appropriate time. The motion carried unanimously 4 - 0.</p>
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There was a short recess at this time.

- b. 5:00 p.m. - Public Hearing amending the adopted Interlocal Service Boundary and Joint Planning Agreement between the City of Wildwood and Sumter County; providing for conflict; providing for codification, and providing for an effective date via ordinance (Staff recommends approval).

Chairman Gilpin called for a public hearing to consider an ordinance of Sumter County, Florida; amending the adopted Interlocal Service Boundary and Joint Planning Agreement between the City of Wildwood and Sumter County; providing for conflict; providing for

codification, and providing for an effective date. Proof of Publication, as advertised, filed herewith.

Bradley Arnold, County Administrator, gave a summary of the proposed amendment to the Interlocal Service Boundary and Joint Planning Agreement between the City of Wildwood and Sumter County that was adopted on April 14, 2009. The City and the County have found it necessary to add a Transit Subagreement, Economic Development Subagreement, a Building Services Subagreement and an amended Law Enforcement Subagreement to the Interlocal Service Boundary Agreement.

Public Input - Robert Smith, City Manager, City of Wildwood, thanked the Board for the good working relationship between the County and Wildwood on this matter.

07-27-10-1-b

Commissioner Breeden moved, with a second by 2nd Vice Chairman Mask, to approve an ordinance of Sumter County, Florida; amending the adopted Interlocal Service Boundary and Joint Planning Agreement between the City of Wildwood and Sumter County; providing for conflict; providing for codification, and providing for an effective date along with the Transit Subagreement, Economic Development Subagreement, Building Services Subagreement and the amended Law Enforcement Subagreement as presented by Mr. Arnold (2010-12). The motion carried unanimously 5 - 0.

c. 5:30 p.m. - Public Hearing - Zoning and Adjustment Board recommendations

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 Melissa Elliott, 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. *S2010-0007 - Major Special Use Permit to allow Wastewater Spray Field - 5C Limited Partnership of Central Florida - C-48/Center Hill

Chairman Gilpin called for a public hearing to consider a Major Special Use Permit to allow wastewater spray field. Proof of Publication, as advertised, filed herewith.

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; 2nd Vice Chairman Mask-none; and Chairman Gilpin-none.

Brad Cornelius, Planning Manager, advised that the applicant, 5C Limited Partnership of Central Florida, is requesting a Major Special Use to allow a wastewater spray field on 47.50 acres MOL. There were five notices sent with one being returned in objection. The Zoning and Adjustment Board recommended approval by a vote of 11-0 with the following conditions: (1) operation of the spray field shall be in full compliance with the conditions of FDEP Permit #FLA013532 and any other applicable agency permits; (2) a 50' buffer shall be maintained as shown on the plans for the spray field dated 2/23/10 submitted as part of the record for the project; (3) no more than five (5) spray heads shall operate at one time; and (4) operation of the spray field shall be limited to only the day shift of the Central Beef facility.

Public Input - There was no public input.

07-27-10-1-c

<p>2nd Vice Chairman Mask moved, with a second by Commissioner Breeden, to approve S2010-0007, request by 5C Limited Partnership of Central Florida for a Major Special Use Permit to allow a wastewater spray field on 47.50 acres MOL as presented. The motion carried unanimously 5 - 0.</p>
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* Quasi Judicial Hearing

2. REPORTS AND INPUT

a. County Administrator

Mr. Arnold introduced Leon Armstrong, U.S. Census Bureau, who advised that Sumter County went from a 62% participation rate in the 2000 Census to 82% participation rate in the 2010 Census. This is one of the highest percentage increases in the State of Florida. Because of this effort he presented a plaque to Sumter County from the U.S. Census Bureau.

07-27-10-Census

1. Recognition of graduates from the Certified County Commissioner program from the Florida Association of Counties. Chairman Gilpin has received the designation of Advanced Certified County Commissioner and Vice Chairman Burgess has received the designation of Certified County Commissioner (For Information)

07-27-10-2-a-1

2. Purchase Orders (For Information Only)

07-27-10-2-a-2

3. Facilities Development Project Update (For Information Only)

07-27-10-2-a-3

4. Significant Schedule of Items (For Information Only)

07-27-10-2-a-4

5. Department Surveys for June (For Information Only)

07-27-10-2-a-5

6. Major Revenue Collection Report through FY 2009/10 (For Information)

07-27-10-2-a-6

7. Volkert Field Meeting Report regarding flooding concerns at Osteen Property along CR 115A (For Information Only)

07-27-10-2-a-7

8. Revised Monthly Right-of-Way Litigation Status Report regarding CR 139, CR 462, CR 468 - 4 Lane, CR 468 - Turnpike and CR 466A - Phase II (For Information Only)

07-27-10-2-a-8

9. Letter from Department of Health and Rehabilitative Services to Mr. Harold House regarding evaluation of water quality from well constructed October 1989 - Bushnell dated February 24, 1992 (For Information)

07-27-10-2-a-9

10. Correction to Bright House Networks Agreement for 60 Mbps ME at The Villages Sumter County Service Center (For Information)

07-27-10-2-a-10

11. Hold Harmless Agreement with VSC Fire & Security, Inc. (For Information)

07-27-10-2-a-11

12. Improved National Flood Insurance Program Community Rating System - Increase in Flood Hazard Insurance Discount (For Information)

07-27-10-2-a-12

13. News Article regarding collective bargaining mandate passes House (For Information)

07-27-10-2-a-13

14. Village Park Center Landscape Buffer and Wall Construction (For Information)

07-27-10-2-a-14

15. Information for the BlackBerry 8530 Phone (For Direction)

07-27-10-2-a-15

16. 318.18(13) Florida Statutes Assessment of Additional Court Costs Quarter Summary (For Direction)

07-27-10-2-a-16

17. Future widening of US441/27 from NE 136th Avenue to Marion County (For Direction)

Consensus is to support the Lake-Sumter MPO as requested on this issue.

07-27-10-2-a-17

18. Letter from Mr. Paul Amo regarding initial complaint initiated with the Sumter County Sheriff's Office (For Direction)

Consensus is for Mr. Arnold to respond with a letter thanking Mr. Amo for his information.

07-27-10-2-a-18

19. Request to prepare ordinance to extend hours of sale of alcoholic beverages (For Direction)

Consensus is to maintain existing hours of operation.

07-27-10-2-a-19

Mr. Arnold added the following item:

20. Purchase Order # 53911 and the associated change order.

07-27-10-2-a-20

b. County Attorney

1. Order Approving Standard Offer Contract and Related Tariffs for Progress Energy by the Florida Public Service Commission (For Information).

07-27-10-2-b-1

2. Mr. McAteer read into the record the two deeds from the closing which was held last week. Right-of-Way Deed from Bobby E. Hunt and Carolyn P. Hunt to Sumter County, OR Book 2211, Page 383, and Right-of-Way Deed from Grace Tabernacle of Worship, Inc. to Sumter County, OR Book 2211, Page 371, Public Records of Sumter County, Florida.

07-27-10-2-b-2

c. Clerk of Court - No report.

d. Board Members

1. Commissioner Hoffman - No report.
2. Commissioner Breeden - No report.
3. 2nd Vice Chairman Mask

2nd Vice Chairman Mask reported that the Bushnell Dixie Youth League, 9 and 10 year olds, will be going to the World Series in Louisiana on August 5, 2010.

4. Vice Chairman Burgess - No report.
5. Chairman Gilpin - No report.

e. Public Forum

Gwen Gant, 883 CR 229, Wildwood, addressed the Board regarding the 97th Road (CR 229) resurfacing project in Royal.

Richard Walsman, 1092 Ruby Road, The Villages, addressed the Board regarding his concern over the benefits and salaries of government employees.

07-27-10-2-e-1

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Regular meeting held on July 13, 2010 (Staff recommends approval).

07-27-10-3-a-1

Vice Chairman Burgess moved, with a second by 2nd Vice Chairman Mask, to approve the minutes of the regular meeting held on July 13, 2010. The motion carried unanimously 5 - 0.

2. Minutes of Budget Workshops held on July 15, 2010 and July 16, 2010 (Staff recommends approval).

07-27-10-3-a-2

Commissioner Hoffman moved, with a second by Commissioner Breeden, to approve the minutes of the Budget Workshops held on July 15, 2010 and July 16, 2010. The motion carried unanimously 5 - 0.

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. Schedule Public Hearing for August 24, 2010 at 5:00 PM at the Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, FL 32162 to consider Amendment and update of Chapters 2, 3, 13, 16 and 18 of the Sumter County Code, providing for codification providing for severability, and providing for an effective date via Ordinance (Staff recommends approval).

07-27-10-3-b-1

Commissioner Breeden moved, with a second by Vice Chairman Burgess, to approve to schedule a Public Hearing for August 24, 2010 at 5:00 PM at the Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, FL 32162 to consider Amendment and update of Chapters 2, 3, 13, 16 and 18 of the Sumter County Code, providing for codification providing for severability, and providing for an effective date via Ordinance. The motion carried unanimously 5 - 0.

c. APPOINTMENTS

1. Library Advisory Board vacancies (Board's option).

07-27-10-3-c-1

Commissioner Hoffman moved, with a second by Commissioner Breeden, to approve the appointment of Gail Burgess to the Library Advisory Board as an at large member. The motion carried unanimously 5 - 0.

2. Citizens Advisory Task Force vacancies (Board's option).

No action taken.

07-27-10-3-c-2

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

No action taken.

07-27-10-3-c-3

4. Construction Industry Licensing Board vacancy (Board's option).

No action taken.

07-27-10-3-c-4

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

No action taken.

d. FINANCIAL

1. Purchase Order Approval (Staff recommends approval).

CLERK'S NOTE: This will include Purchase Order #53911 and the associated change order that Mr. Arnold discussed earlier in the meeting.

07-27-10-3-d-1

2. State Housing Initiatives Partnership (SHIP) Program payment request (Staff recommends approval).

07-27-10-3-d-2

3. Greg Construction Change Order 4 (Staff recommends approval).

07-27-10-3-d-3

4. Approve Tentative Millage Rate and Schedule Public Hearing Dates for Millage and Budget Adoption for FY 2010/11 for September 13, 2010 at 6:00 PM at 910 North Main Street, Bushnell in the Bushnell Government Annex Building, Room 142 and September 27, 2010 at 6:00 PM at 510 Colony Boulevard, The Villages in the Colony Cottage Recreation Center, Parlor Room (Staff recommends approval).

07-27-10-3-d-4

Commissioner Breeden moved, with a second by 2nd Vice Chairman Mask, to approve Agenda Items 1 through 4 under Financial with the noted changes under Item 1. The motion carried unanimously 5 - 0.

e. CONTRACTS AND AGREEMENTS

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

07-27-10-3-e-1

2. FACC Services Group, LLC Credit Card Participation Agreement.

07-27-10-3-e-2

3. Award and enter into contract with Steven Counts, Inc. for ITB 160-0-2010/ATC-466 Buena Vista Blvd. Turn Lane (Staff recommends approval).

07-27-10-3-e-3

4. Award and enter into contract with C.W. Roberts Contracting, Inc. for ITB 162-0-2010/AT Local Resurfacing Contract No. 1 with the removal of CR 416S, CR 416N and CR 555 from the contract (Staff recommends approval).

07-27-10-3-e-4

5. Time extension request for removal of surplus bid item CC-182-LF Digester #2 from ITB 146-0-2010/AT (Staff recommends approval).

07-27-10-3-e-5

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

07-27-10-3-e-6

7. Installation and Access Agreement with Bright House Networks, LLC for 50 mbps Metro Ethernet connection at Service Center location (Staff recommends approval).

07-27-10-3-e-7

2nd Vice Chairman Mask moved, with a second by Commissioner Breeden, to approve Agenda Items 1 through 7 under Contracts and

Agreements. The motion carried unanimously 5 - 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Approval on Waiver of Staff Costs for Homer R. and Penny R. Lancaster (Staff recommends approval).

07-27-10-3-f-1

2. Housing and Urban Development (HUD) Section 8 Voucher Program Five Year Plan. Execute the PHA Certifications of Compliance with PHA Plan and Related Regulations Form HUD-50077 to accompany the Streamlined Five Year PHA Plan for Fiscal Year beginning October 1, 2010 and authorize submission of the Plan (Staff recommends approval).

07-27-10-3-f-2

3. State Housing Initiatives Partnership (SHIP) Program bid approvals (Staff recommends approval).

07-27-10-3-f-3

4. VOS - Sawgrass Villas - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-4

5. VOS- Fairhope Villas - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-5

6. VOS - Juniper Villas - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-6

7. VOS - Southern Star Villas - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-7

8. VOS - Fairwinds Villas - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-8

9. VOS - Windermere Villas - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-9

10. VOS - Cottonwood Villas - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-10

11. VOS - Unit 151 - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-11

12. VOS - Unit 152 - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-12

13. VOS - Unit 153 - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-13

14. VOS - Unit 154 - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-14

15. VOS - Unit 155 - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-15

16. VOS - Unit 159 - Major Development - Final Plat Approval (Staff recommends approval).

07-27-10-3-f-16

17. Atlantis Car Wash - Major Development - Preliminary Approval (Staff recommends approval)

07-27-10-3-f-17-a

07-27-10-3-f-17-b

07-27-10-3-f-17-c

18. Approval for Release of Lien for Cedar Acres, Inc. (Staff recommends approval).

07-27-10-3-f-18

19. Inventory Transactions (Staff recommends approval).

07-27-10-3-f-19

20. Group Health Employee, Cobra Recipient and Retiree Premium Rates (Staff recommends approval).

07-27-10-3-f-20

21. Amend the 2009/2010 Classification and Compensation Schedule to reflect the organizational change to the Solid Waste Department of the Public Works division (Staff recommends approval)

07-27-10-3-f-21

Vice Chairman Burgess moved, with a second by 2nd Vice Chairman Mask, to approve Agenda Items 1 through 21 under General Items for Consideration. The motion carried unanimously 5 - 0.

4. ADJOURN

The meeting was adjourned at 8:15 p.m.