

DRAFT

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

OCTOBER 26, 2010

The Board of County Commissioners convened in regular session on this Tuesday, October 26, 2010, at The Villages, Sumter County, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas 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; William Kleinsorge, Finance Director; Melissa Elliott, Deputy Clerk; Connie Webb, Deputy Clerk; and Derrill McAteer, 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 2nd Vice Chairman Mask, followed by the flag salute which was led by Chairman Gilpin.

1. TIMED ITEMS AND PUBLIC HEARINGS

a. 5:00 p.m. - Public Hearing - Vacate a Portion of Right-of-Way of CR 647N (Old Istachatta Green Settlement Road)

Chairman Gilpin called for a public hearing to consider the petition of Danny and Joyce Clay to vacate a portion of right-of-way of CR 647N (Old Istachatta Green Settlement Road). Proof of Publication, as advertised, filed herewith. The matter was tabled at the October 12, 2010 meeting until this evening.

Brad Cornelius, Planning Director, gave a summary of the petition. Mr. Cornelius advised that the portion being considered is part of a platted subdivision, River Retreats. The key issue in reviewing a petition for road closing is to assure that no property is denied appropriate access after the closing of the road or right-of-way. If closed three property owners will be affected, Danny and Joyce Clay, the petitioners, who own Lot 53 and a portion of Lot 52; John and Lorena Marek, who own Lot 78; and Richard and Carol Ann Hough, who own Lot 79 and Parcel L24=022. The Clays will continue to have access to CR 647N, the Mareks will continue to have access to CR 647N and CR 657, however the Hough property will no longer have access to CR 647N. Due to the common ownership and the unified use of Parcel L24=022 and Lot 79, the Houghs could access Parcel L24=022 through Lot 79 (CR 657). The deed to Parcel L24=022 includes an easement known as SW 70th Lane, which is an unpaved privately maintained road to provide access to the property. It is the responsibility of the owner to assure the condition of private roadways are suitable to provide access to their property. The Houghs assert that given the condition of SW 70th Lane, it is not a viable access to L24=022 as is the portion of CR 647N being considered for closing. The Houghs have filed a formal objection to the closing of CR 647N.

Mr. Cornelius advised that on July 19, 2005 the Board considered a request to close this same portion of CR 647N. At that time the Board denied the request due to their finding that it was the Board's policy to not "... vacate right-of-way that anyone needs or actually uses for access to their property." Mr. Cornelius advised that after listening to the tape of the July 19,

2005 hearing, staff could find no reference to the access off of SW 70th Lane and staff feels there is possibly more information available this evening than was in 2005. In addition, on June 9, 2005, Circuit Court Judge Booth issued a Final Judgment in reference to a suit between William Berens (former owner of the Houghs' property) and John and Lorena Marek regarding the status of CR 647N. The Final Judgment deemed the portion of CR 647N in question to be "... dedicated public right-of-way and should be open to use by the parties and the public for that purpose. " Mr. Cornelius advised that it is staff's opinion that the previous actions by the Board and Judge Booth in 2005 do not specifically preclude the ability of the current Board to vacate the portion of CR 647N if it finds that appropriate access is maintained for all parties. Staff does recommend the vacation and closing of the requested portion of CR 647N.

PUBLIC INPUT

Applicants, Joyce and Danny Clay, 8260 101st Court, Largo, Pinellas County, Florida addressed the Board regarding their petition. Ms. Clay presented photos for the record of the area in question.

Lorena and John Marek, 9491 CR 647N, Bushnell, spoke in favor of the closing.

Darryl Johnston, counsel for the Houghs, spoke against the closing and requested that the Board deny the request to close this portion of CR 647N. He provided a survey and photos of the area for the record.

Richard Hough, 9541 CR 647N, Bushnell, spoke against the proposed closing and discussed the hardships it will cause for him. There was discussion regarding the equipment that is stored on the property.

During Board discussion it was clarified that CR 647N is a County road and SW 70th Lane is a 911 road. Commissioner Breeden expressed that realistically CR 647N is the appropriate access to the Houghs' property and should not be vacated. Mr. Cornelius advised the Board that there is an active code case regarding the heavy vehicles on the Houghs' property. It was clarified that Lot 79 and the Houghs' 8 acres are two separate parcels and if Lot 79 were sold there would still be access to the 8 acres as referenced on the deed to the property.

10-26-10-1-a

Commissioner Hoffman moved, with a second by 2nd Vice Chairman Mask, to approve the petition of Danny and Joyce Clay to close and vacate that portion of CR 647N described as "that portion of Old Istachatta Street lying between Lot 78 and Lot 53 and a portion of Lot 52 to a point where the northerly extension of the west boundary of Magnolia Dr. would intersect with the southern boundary of Lot 52 as per plat of River Retreats, recorded in Plat Book 3, Page 42, Public Records of Sumter County, Florida" and the related resolution (Resolution No. 2010-47). The motion carried 3 - 2 with

Commissioner Breeden, and Chairman Gilpin voting nay.

b. 5:00 p.m. - Ordinance to Amend Sumter County Land Development Code- Appendix 13-D to Allow Alternative Roadway Curb and Gutter Section

Chairman Gilpin called for a public hearing to consider an ordinance of the Board of County Commissioners of Sumter County, Florida; amending the Sumter County Code to allow for alternative curb and gutter design, providing for severability; and providing for an effective date. Proof of Publication, as advertised, filed herewith.

Brad Cornelius, Planning Director, gave a summary of the proposed ordinance. The ordinance will allow for a deviation in terms of road construction design standards as to curb and gutter. An alternative curb and gutter section may be allowed subject to approval by Sumter County Public Works. The effective date of the ordinance will be November 1, 2010. The Zoning and Adjustment Board reviewed the proposed ordinance and recommended approval.

PUBLIC - There was no public input.

10-26-10-1-b

Commissioner Breeden moved, with a second by Commissioner Hoffman, to approve an ordinance (Ordinance No. 2010-16) to Amend the Sumter County Land Development Code, Appendix 13D to allow alternative roadway curb and gutter design as presented. The motion carried unanimously 5 - 0.

c. 5:30 p.m. - Public Hearing - Ordinance to Adopt Spring 2010 Cycle Large Scale Amendments- Sumter County Comprehensive Plan - DCA No. 10-1

Chairman Gilpin called for a public hearing to consider an ordinance to adopt the Spring 2010 Cycle Large Scale Amendments - Sumter County Comprehensive Plan - DCA No. 10-1. Proof of Publication, as advertised, filed herewith.

Brad Cornelius, Planning Director, advised that this is the final adoption hearing for the Spring Cycle of the 2010 Large Scale Comprehensive Plan Amendments. These proposed amendments were approved for transmittal by the Board in the Spring to the Florida Department of Community Affairs (DCA) for review. On September 24, 2010, DCA issued their Objections, Recommendations and Comments Report (ORC) to the proposed amendments. The two amendments are presented this evening.

1. CP-A2010-0001 (George Sola, et al. - Monarch Ranch) - This request is to change future land use from Agriculture to Industrial and inclusion in the Urban Development Area on 2,866 acres MOL. The subject property is located south of the Florida Turnpike to the east of I-75 and west of the CSX Railroad and north of the City of Coleman. The proposed amendment also includes a new policy to the Future Land Use Element to limit development entitlements and amends a policy to clarify that Sector Plans are only required for a

Development of Regional Impact that includes residential land uses. DCA raised five (5) objections to this proposed amendment. Staff is working with the applicant (Monarch Ranch) and their representatives have prepared a response to the objections raised by DCA.

2. CP-A2010-0002 (Sumter County) - This request is to add policies to the Intergovernmental Element reflecting the adopted Interlocal Service Boundary/Joint Planning Agreements with the Cities of Webster and Center Hill. DCA raised no objections to this request.

Staff believes the responses to the objections from DCA are appropriate and recommends that the Board approve the ordinance to adopt the amendments, CP-A2010-0001 and CP-A2010-0002.

PUBLIC - Heather Himes, Ackerman Senterfitt & Eidson, P.A., counsel for Monarch Ranch, spoke in favor of the ordinance.

10-26-10-1-c

Vice Chairman Burgess moved, with a second by 2nd Vice Chairman Mask, to approve the adoption of an ordinance (Ordinance No. 2010-17) to adopt Spring 2010 Cycle Large Scale Amendments - Sumter County Comprehensive Plan - DCA No. 10-1 The motion carried unanimously 5 - 0.

d. 5:30 pm - Public Hearing - Ordinance to Adopt FY 2010/11 to FY 2014/15 Schedule of Capital Improvements - Sumter County Comprehensive Plan Capital Improvements Element

Chairman Gilpin called for a public hearing to consider an ordinance to adopt the FY 2010/11 to FY 2014/15 Schedule of Capital Improvements - Sumter County Comprehensive Plan Capital Improvements Element. Proof of Publication, as advertised, filed herewith.

Brad Cornelius, Planning Director, advised that Section 163.3177(3)(b)(1), Florida Statutes, requires Sumter County to annually adopt a financially feasible 5-year schedule of capital improvements for the Capital Improvements Element of the Sumter County Comprehensive Plan. This 5-year schedule is intended to demonstrate the County is able to maintain the adopted level of service for public facilities as adopted within the Sumter County Comprehensive Plan. The County has adopted level of service standards for Recreation, Roads, Solid Waste, Drainage, Potable Water, Sewer, and Public Schools. The 5-year schedule of capital improvements only covers these facilities with adopted level of service standards.

The 5-year schedule of capital improvements proposed for adoption covers the period of FY 2010/11 to FY 2014/15. With the exception of a few Florida Department of Transportation (FDOT) projects and Public School projects, the projects and revenues included in the proposed 5-year schedule are taken from the Capital Improvement Plan (CIP) approved by the Board during the FY 2010/11 budget process.

PUBLIC - There was no public input.

10-26-10-1-d

Commissioner Hoffman moved, with a second by Commissioner Breeden, to approve the adoption of an ordinance (Ordinance No. 2010-18) to adopt FY 2010/11 to FY 2014/15 Schedule of Capital Improvements - Sumter County Comprehensive Plan Capital Improvements Element. The motion carried unanimously 5 - 0.

e. 5:30 pm - Public Hearing - Zoning and Adjustment Recommendations

Chairman Gilpin called for a public hearing to consider the recommendations of the Zoning and Adjustment Board. Both of the following cases were tabled at the October 12, 2010 meeting until this evening.

1. SS2010-0001 - Small Scale Land Use Amendment - Harry Harmer - NE 37th Place/Wildwood.

Brad Cornelius, Planning Director, advised that this case was tabled at the October 12, 2010 meeting until this meeting. The applicant, Harry Harmer, is requesting a small scale land use amendment on 9.99 acres MOL from Low Density Residential to Industrial. The purpose of the amendment is to provide for the future expansion of the South Wildwood Industrial Park. Nineteen notices were sent with 10 being returned in objection and none in favor. There was also a petition containing 71 signatures presented that opposes the requested change. The Zoning and Adjustment Board recommended approval by a vote of 10 to 0. Staff recommends approval.

PUBLIC - The following individuals spoke against the requested change: William Barth, 2973 CR 519A, Coleman; Austin Daggett, 2817 CR 519A, Coleman; Darlene Powell, 2926 CR 519A; and Carolyn Phillips, 2705 CR 519, Coleman.

Mr. Cornelius gave an explanation of the process used for the scheduling and notification of the public hearing for this matter.

10-26-10-1-e-1

Commissioner Breeden moved, with a second by Commissioner Hoffman, to approve SS2010-0001, application of Harry Harmer for Small Scale Land Use Amendment on 9.99 acres MOL from Low Density Residential to Industrial and the related ordinance (Ordinance No. 2010-19). The motion carried 4 - 1 with Vice Chairman Burgess voting nay.

*2. *R2010-0009 - Rezoning to ID (Industrial) - Harry Harmer - NE 37th Place/Wildwood*

Mr. Cornelius advised that this case is related to Case SS2010-0001 and was also tabled at the October 12, 2010 meeting until this meeting. The applicant, Harry Harmer, originally requested a rezoning from A10 to ID (Industrial) on 9.99 acres. At the Zoning and Adjustment Board public hearing on October 18, 2010 the applicant requested the rezoning be tabled to allow the applicant to resubmit the rezoning request as Planned Industrial (IP). The reason for the request is to assure the surrounding residential properties are appropriately protected from the extension of the South Wildwood Industrial Park to the west. The IP zoning is a site plan controlled zoning district that provides for additional protections for surrounding residential properties (i.e. increased buffering, limitation of uses, site access, etc.). The Zoning and Adjustment Board tabled this action (R2010-0009) by a vote of 10 to 0 to a date to be determined to allow the applicant to resubmit the rezoning request as Planned Industrial (IP). It is requested that this Board also table this application to a date to be determined to allow the applicant to resubmit the rezoning application as Planned Industrial (IP).

10-26-10-1-e-2

Vice Chairman Burgess moved, with a second by 2nd Vice Chairman Mask, to table R2010-0009, application of Harry Harmer to rezone approximately 9.99 acres MOL from A10 to ID (Industrial) as requested. The motion carried unanimously 5 - 0.

* Quasi Judicial Hearing

2. REPORTS AND INPUT

- a. Mr. Kenneth Thie, Director, Department Service Officer - Plaque Presentation - Veterans of Foreign Wars, Department of Florida, Service Office of the Year presented to Sumter County Veterans Services
- b. County Administrator
 1. Purchase Orders (For Information Only)

10-26-10-2-b-1

2. Contract Purchase Orders Report (For Information Only)

10-26-10-2-b-2

3. Significant Schedule of Items (For Information Only)

10-26-10-2-b-3

4. Department Surveys for August (For Information Only)

10-26-10-2-b-4

5. Department Surveys for September (For Information Only)

10-26-10-2-b-5

6. Road projects update report (For Information Only)

10-26-10-2-b-6

7. Facilities Development Update Report (For Information Only)

10-26-10-2-b-7

8. Recognition of Tonya Mullin for her Exceptional Customer Service (For Information Only)

10-26-10-2-b-8

9. Certificate of Appreciation Awarded to Sumter County Fire Rescue (For Information Only)

10-26-10-2-b-9

10. End of Year letter to Commissioners from Gloria Hayward, Clerk of Circuit Court and Correction of same to the Clerk's Court/Administration budget (For Information Only)

10-26-10-2-b-10

11. Letter from Department of Community Affairs regarding City of Bushnell Comprehensive Plan (For Information Only)

10-26-10-2-b-11

12. Letter of notification to Department of Environmental Protection Agency regarding the Sumter County Transfer Station (For Information Only)

10-26-10-2-b-12

13. Certificate of Consistency with the Consolidated Plan with Mid Florida Homeless Coalition (For Information Only)

10-26-10-2-b-13

14. Sumter County Right-of-Way Litigation Status Report from de la Parte and

Gilbert, P.A. (For Information Only)

10-26-10-2-b-14

15. Redistricting Process for the County Commissioners Districts (For Information Only)

Mr. Arnold discussed a meeting with School Board Superintendent Rick Shirley regarding the redistricting. Mr. Shirley advised Mr. Arnold that the School Board desires to have a school within each one of the School Board Districts and therefore will make it difficult for the County Commission district lines and the School Board district lines to run the same.

10-26-10-2-b-15

16. Letter from Sumter County Citizen, Bonnie Corvie, regarding Transit service (For Information Only)

10-26-10-2-b-16

17. Payroll Tax Savings from BENCOR Plans (For Information Only)

10-26-10-2-b-17

18. Appreciation Certificate from SCARC for Service and Support provided to their agency (For Information Only)

10-26-10-2-b-18

19. Waste Services of Florida, Inc. Continuation Certificate (For Information Only)

10-26-10-2-b-19

Mr. Arnold added the following items to his agenda.

20. Fuel Spill at Public Works

Mr. Arnold advised that the Board is aware that he has authorized an emergency purchase order to start the process for this matter. Staff is working with Advanced Environmental Technologies. The Department of Environmental Protection (DEP) has requested the County move forward with additional mitigation efforts. Mr. Arnold presented a change order for Purchase Order 53897 and the proposed contract with Advanced Environmental Technologies regarding this matter. The County Attorney is working with the vendor regarding some minor changes to the contract. Mr. Arnold advised that staff will be moving forward with cleanup efforts and he will keep the Board apprised of the situation.

10-26-10-2-b-20

21. Lake/Sumter EMS

Mr. Arnold advised that positive discussions continue regarding the level of service that Sumter County would like to have with Lake/Sumter EMS and the moving forward with the formal process of how they will commit to this process. Mr. Arnold has advised Lake/Sumter EMS that the County is seeking Requests for Proposals for ambulance service and Mr. Arnold further advised that he requested from Jim Judge that Lake/Sumter EMS be actively engaged in the process.

22. City of Coleman

Mr. Arnold advised that he had attended the City of Coleman meeting on October 25, 2010 related to Interlocal and Joint Service Boundary Agreements. The City Council set October 27, 2010 for the first formal reading of the proposed ordinance to adopt these agreements. Mr. Arnold discussed with the Board information discussed at the Coleman meeting regarding the County's support of the Coleman Library and proposed removal of County property on November 5, 2010. After discussion regarding the City of Coleman's moving forward with the proposed ordinance, it was the consensus of the Board for Mr. Arnold to advise the City of Coleman that the County would extend the deadline for the removal of the County property from the library until November 30, 2010 pending the outcome of the proposed ordinance regarding the Interlocal and Joint Service Boundary Agreements.

23. Golf Cart Access

Mr. Arnold advised that on Agenda Item 3.f.3 staff recommends option 1a not 1b as noted on the Executive Summary.

c. County Attorney

1. Notice of Executive Session (For Action)

Derrill McAteer, County Attorney, explained the requested Notice of Executive Session.

10-26-10-2-c-1

Commissioner Breeden moved, with a second by 2nd Vice Chairman Mask, to approve a Notice of Executive Session for November 9, 2010 at 1:00 p.m. at The Villages-Sumter County Service Center, Second Floor Conference Room, 7375 Powell Road, Wildwood, Florida. The motion carried unanimously 5 - 0.

d. Clerk of Court

Bill Kleinsorge, Finance Director, acknowledged receipt by the Clerk of the Southwest Florida Water Management District Fiscal Year 2010-2011 Budget-in-Brief.

10-26-10-2-d-1

e. Board Members

1. Commissioner Richard Hoffman - No report.

2. Commissioner Garry Breeden

Commissioner Breeden discussed locations for ribbon cuttings and safety issues.

3. 2nd Vice Chairman Randy Mask - No report.

4. Vice Chairman Don Burgess

Vice Chairman Burgess advised that he had attended a meeting of the Lake-Sumter Metropolitan Planning Organization and that they had received a letter from the Governor affirming the decision of the Lake-Sumter Metropolitan Planning Organization to expand the metropolitan planning area boundary to cover all of Sumter County. This will allow two additional votes (for a total of three) for Sumter County on the MPO Executive Board. Two will be members of the Sumter County Board of County Commissioners and the third will be from one of the municipalities in Sumter County, starting with the City of Bushnell.

10-26-10-2-e-4

Vice Chairman Burgess moved, with a second by Commissioner Breeden, to approve Commissioner Doug Gilpin be appointed as the additional vote representing the Sumter County Board of County Commissioners on the Lake-Sumter Metropolitan Planning Organization Executive Board. The motion carried unanimously 5 - 0.

5. Chairman Doug Gilpin

Chairman Gilpin advised that he had visited the Coleman Federal Correction Complex last week and met with Warden Jarvis regarding veteran employment opportunities at the prison.

f. Public Forum

Chris Norris, 1070 CR 439, Lake Panasoffkee, thanked the Board for the sidewalks on C-470 in Lake Panasoffkee.

Carl Bell, 214 Montoya Drive, The Villages, spoke in support of a golf cart crossing at

Buenos Aires Boulevard.

Lucy Borg, 925 Chula Court, Lady Lake, spoke on behalf of Buena Vista Medical Plaza in support of a golf cart crossing at Buenos Aires Boulevard. She read a letter from Kathleen A. Steepy, M.D. to the Board. This letter is part of agenda item 3.f.3.

Gary Kadow, 2412 Due West Drive, The Villages, spoke in favor of the golf cart access at Buenos Aires Boulevard.

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Special Meeting held on October 4, 2010 (Staff recommends approval).

10-26-10-3-a-1

Vice Chairman Burgess moved, with a second by 2nd Vice Chairman Mask, to approve the minutes of special meeting held on October 4, 2010. The motion carried unanimously 5 - 0.

2. Minutes of Regular Meeting held on October 12, 2010 (Staff recommends approval).

10-26-10-3-a-2

Commissioner Hoffman moved, with a second by Vice Chairman Burgess, to approve the minutes of the regular meeting held on October 12, 2010. The motion carried unanimously 5 - 0.

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. Schedule Public Hearing on November 9, 2010 at 5:00 p.m., at the Sumter County Government Annex in Bushnell, 910 North Main Street, Room 142, Bushnell, FL 33513 to amend Ordinance 2010-10 for the purposes of clarification. (Staff recommends approval).

10-26-10-3-b-1

Commissioner Breeden moved, with a second by Vice Chairman Burgess, to approve to schedule a public hearing on November 9, 2010 at 5:00 p.m., at the Sumter County Government Annex in Bushnell, 910 North Main Street, Room 142, Bushnell, FL 33513 to amend Ordinance 2010-10 for the purpose of clarification. The motion carried unanimously 5 - 0.

2. Schedule Public Hearing for The Villages of Sumter DRI Notice of Proposed Change 5th Amendment to 2nd Amended and Restated Development Order - The Villages of Lake-Sumter, Inc. on November 23, 2010 at 5:30 p.m. at The Parlor Room, Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, FL 32162 (Staff recommends approval).

10-26-10-3-b-2

Vice Chairman Burgess moved, with a second by 2nd Vice Chairman Mask, to approve to schedule a public hearing for The Villages of Sumter DRI Notice of Proposed Change 5th Amendment to 2nd Amended and Restated Development Order, The Villages of Lake-Sumter, Inc., on November 23, 2010 at 5:30 p.m. at The Parlor Room, Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, FL 32162. The motion carried unanimously 5 - 0.

3. Cancel Regular BOCC meeting scheduled on December 28, 2010 (Staff recommends approval).

10-26-10-3-b-3

2nd Vice Chairman Mask moved, with a second by Commissioner Breeden, to approve to cancel the regular scheduled meeting of the Sumter County Board of County Commissioners on December 28, 2010. The motion carried unanimously 5 - 0.

c. APPOINTMENTS

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

No action taken.

10-26-10-3-c-1

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

10-26-10-3-c-2

Commissioner Breeden moved, with a second by Vice Chairman Burgess, to approve the reappointment of Michael Rosa to the Zoning and Adjustment Board. The motion carried unanimously 5 - 0.

Chairman Gilpin moved, with a second by Commissioner Breeden, to approve the reappointment of Nathan Yoder to the Zoning and Adjustment Board. The motion carried unanimously 5 - 0.

Chairman Gilpin moved, with a second by Vice Chairman Burgess, to approve the reappointment of Woodrow Hill to the Zoning and Adjustment Board. The motion carried unanimously 5 - 0.

Commissioner Hoffman moved, with a second by Commissioner Breeden, to approve the reappointment of Gary Bishop to the Zoning and Adjustment Board. The motion carried unanimously 5 - 0.

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

No action taken.

10-26-10-3-c-3

4. Sumter County Tourist Development Council vacancies (Board's option).

No action taken.

10-26-10-3-c-4

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

10-26-10-3-c-5

Chairman Gilpin moved, with a second by 2nd Vice Chairman Mask, to approve the appointment of Jim Marvin to the Citizens Advisory Task Force. The motion carried unanimously 5 - 0.

d. FINANCIAL

1. Compensation Market Salary Study and the recommendations affecting classification/position range upgrades (Staff recommends option 1 or option 2).

10-26-10-3-d-1

Commissioner Breeden moved, with a second by Commissioner Hoffman, to approve the Compensation Market Salary Study, Option 2, - Funding at 100% the recommended adjustments for the Deputy Fire Chief and Fire Chief positions in the Fire Services Department. Based on input from the workshop, the Fire Services Department has evolved from an organization of volunteers to a unified organization with fulltime professional firefighters working 24 hour shifts and rapidly moving towards full ALS service. With this evolution our Shift Commanders are performing more at an exempt level and need to be reclassified as exempt personnel per the FLSA. This will require a range adjustment from their current range of 22

to a range 25 and is included in Option 2. To ensure that the Deputy Fire Chiefs and Fire Chief are compensated appropriately they would also require a range adjustment as recommended by the Evergreen Market Study. The motion carried 4 - 1 with Chairman Gilpin voting nay.

2. 2010-2011 Classification and Compensation Schedule to reflect the organizational change to the Information Technology Department (Staff recommends approval).

10-26-10-3-d-2

3. Purchase Order Approval (Staff recommends approval).

10-26-10-3-d-3

4. Budget Amendment A-4 (FY 10/11) Sumter County Road Impact Fund (Staff recommends approval).

10-26-10-3-d-4

5. Budget Amendment A-5 (FY 10/11) Capital Outlay Fund and Series 2006 Construction Fund (Staff recommends approval).

10-26-10-3-d-5

6. Budget Amendment A-118 (FY 09/10) General Fund concerning the WEB EOC Grant (Staff recommends approval).

10-26-10-3-d-6

7. Budget Amendment A-119 (FY 09/10) EMS County Grant and General Fund (Staff recommends approval).

10-26-10-3-d-7

8. Budget Amendment A-120 (FY 09/10) County Transportation Trust Fund (Staff recommends approval).

10-26-10-3-d-8

9. Fiscal Year 2009/2010 Local Mosquito Control, State Budget Amendment (Staff recommends approval).

10-26-10-3-d-9

10. Change Order Request to Purchase Order No. 52231 (Staff recommends approval).

10-26-10-3-d-10

11. Change Order Request to Purchase Order No. 53432 (Staff recommends approval).

10-26-10-3-d-11

12. Stipulated Final Judgment Concerning Parcels 101, 101-A, 102, 103, 104 and 105 (Staff recommends approval).

10-26-10-3-d-12

13. State Housing Initiatives Partnership (SHIP) Program Execution of Satisfaction of Mortgage and Payment Requests (Staff recommends approval).

10-26-10-3-d-13

14. Sumter County Solid Waste Disposal Fee Changes (Staff recommends approval).

This resolution (Resolution No. 2010-48) will be effective November 1, 2010.

10-26-10-3-d-14

15. Grant Adjustment Notice for the Edward Byrne Memorial Justice Assistance Grant, Drug Task Force IV, 2010-JAGC-SUMT-1-4X-096 (Staff recommends approval).

Sheriff Farmer has requested to move "Planning and Evaluation Fees" from the expense category to the salary and benefits category. The amount to be moved is \$2,478.06.

10-26-10-3-d-15

Commissioner Breeden moved, with a second by Vice Chairman Burgess, to approve Agenda Items 2 through 15 under Financial. The motion carried unanimously 5 - 0.

e. CONTRACTS AND AGREEMENTS

1. Contract with Capitol Solutions, LLC, for legislative lobbying services (Staff recommends approval).

10-26-10-3-e-1

2. Pac-Van Mobile Office Rental Agreement and Credit Application (Staff recommends approval.)

10-26-10-3-e-2

3. Work Order #5 and Letter of Agreement with Bowyer Singleton & Associates, Inc. for Development Review Engineering Services (Staff recommends approval).

10-26-10-3-e-3

4. Riverside Uniform Rental, Inc. Agreement (Staff recommends approval).

Clerk's Note: As of March 1, 2010 Riverside Uniform Rental, Inc. has merged with UniFirst Corporation.

10-26-10-3-e-4

5. Housing and Urban Development (HUD) Section 8 Voucher Program Contracts (Staff recommends approval).

10-26-10-3-e-5

6. Westlaw agreement and order form for Sumter County Sheriff's Office (Staff recommends approval).

10-26-10-3-e-6

7. ARRA C-476B from I-75 to C-476 Roadway Improvement Project Supplemental Agreement (Staff recommends approval).

10-26-10-3-e-7

8. George Nahas Chevrolet Credit Application for Building Services Vehicle Repair (Staff recommends approval).

10-26-10-3-e-8

9. Inmate Work Squad Contract with Florida Department of Corrections WS627 (Staff recommends approval).

This contract, #WS627, will replace #WS478 effective December 28, 2010.

10-26-10-3-e-9

10. First Amendment to the Agreement for the lease of Dark Fiber with The

Villages of Lake-Sumter, Inc. (Staff recommends approval).

10-26-10-3-e-10

11. Ground lease for the Solid Waste Digester with F.D.S. Disposal, Inc. (Staff recommends approval).

10-26-10-3-e-11

12. Contracts with Waste Management Inc. of Florida for hauling construction and demolition waste, solid waste and tires (Staff recommends approval).

Clerk's Note: There are three separate contracts with Waste Management Inc. of Florida, one for each type of waste.

10-26-10-3-e-12-a

10-26-10-3-e-12-b

10-26-10-3-e-12-c

13. Contract with Waste Services, Inc. for hauling and disposal of large tires (Staff recommends approval).

10-26-10-3-e-13

14. Accept scope of work and negotiated price with Kimley-Horn and Associates for the C-466A Phase III Widening Consulting Engineering Services (Staff recommends approval).

Clerk's Note: The Notice to Proceed for this project is part of this agenda packet.

10-26-10-3-e-14

Vice Chairman Burgess moved, with a second by 2nd Vice Chairman Mask, to approve Agenda Items 1 through 6 and 8 through 14 under Contracts and Agreements. The motion carried unanimously 5 - 0.

Commissioner Breeden moved, with a second by Vice Chairman Burgess, to approve Agenda Item 7 under Contracts and Agreements. The motion carried 4 - 1 with Commissioner Hoffman voting nay.

f. GENERAL ITEMS FOR CONSIDERATION

1. City of Bushnell, Interlocal Service Boundary Agreement, Status of C-475 (Board Option).

10-26-10-3-f-1

Commissioner Breeden moved, with a second by 2nd Vice Chairman Mask, to approve Option 1, "Because C-475, from C-470 to SR 48, is a Major Collector, as defined by the FHWA and the Sumter County Land Development Code, and is similar in function to Regionally Significant Roads defined by the MPO, the road should be maintained by the County regardless of annexation activity. The motion carried unanimously 5 - 0.

2. Request from Sumter Fair Association to allow alcohol at an event being held at the Agriculture Center on May 7, 2011 (Board's Option).

10-26-10-3-f-2

Vice Chairman Burgess moved, with a second by Commissioner Breeden, to approve a request from Sumter Fair Association to allow alcohol at an event being held at the Agriculture Center on May 7, 2011. The motion carried 4 - 1 with 2nd Vice Chairman Mask voting nay.

3. Golf Cart Access NW Side of Buenos Aires Blvd (Staff recommends option 1b).

There was lengthy discussion on this matter by Board members. Commissioner Hoffman provided a handout which was read into the record.

10-26-10-3-f-3

Commissioner Hoffman moved, with a second by Vice Chairman Burgess, to approve the adoption of a resolution (Resolution No. 2010-49) authorizing a golf cart crossing at El Camino Drive and Buenos Aires Boulevard eliminating #3 of the proposed Resolution which reads "The Board has determined that the golf carts may only operate in the area of this resolution during daylight hours." The motion carried 3 - 2 with Commissioner Breeden, and Chairman Gilpin voting nay.

4. Sumter County Board of County Commissioners, Sumter County, Vision, Mission and Values (Staff recommends approval).

10-26-10-3-f-4

5. Foreclosure Prevention Strategy added to the Affordable Housing Funds and Technical Revisions to the State Housing Initiatives Partnership (SHIP) program (Staff recommends approval).

10-26-10-3-f-5

6. VOS - Megan Villas, Sharon Morse Building Addition, and Bonifay Golf Course - Destin/Ft. Walton Nines Preliminary Plans reviewed at the October 11, 2010, Development Review Committee (DRC) meeting (Staff recommends approval).

10-26-10-3-f-6

7. Sumter County Transit Updated Zero Tolerance Substance Abuse Policy (Staff recommends approval).

10-26-10-3-f-7

8. Roadway Acceptance - Unit 139, Unit 173, Unit 148 (Staff recommends approval).

10-26-10-3-f-8

9. 2010 Strategic Economic Development Plan (Staff recommends approval).

10-26-10-3-f-9

10. Proceed with Application to the Department of Housing and Urban Development (HUD) for the Family Unification Program (FUP) (Staff recommends approval).

10-26-10-3-f-10

Commissioner Breeden moved, with a second by Vice Chairman Burgess, to approve Agenda Items 4 through 10 under General Items for Consideration. The motion carried unanimously 5 - 0.

4. ADJOURN

The meeting was adjourned at 8:00 pm.