

DRAFT

REGULAR MEETING BOARD OF COUNTY COMMISSIONERS SEPTEMBER 22, 2009

The Board of County Commissioners convened in regular session on this Tuesday, September 22, 2009, at The Villages, Sumter County, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas Gilpin, Vice Chairman, District No. 2; Don Burgess, District No. 3; Garry Breeden, Chairman, District No. 4; and Randy Mask, 2nd Vice Chairman, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; John Lege, Finance Director; Melissa Elliott, Deputy Clerk; Connie Webb, Deputy Clerk; and Derrill L. McAteer of The Hogan Law Firm, Attorneys for the Board. The meeting was called to order at 5:00 p.m. by Chairman Breeden, with the invocation given by Commissioner Mask, followed by the flag salute which was led by Vice Chairman Gilpin.

1. TIMED ITEMS AND PUBLIC HEARINGS

- a. *Ordinance to Adopt Interlocal Service Boundary Agreement with the City of Center Hill - 5:00 p.m. Public Hearing (Staff recommends approval).*

Chairman Breeden called for a public hearing to consider "An Ordinance of Sumter County, Florida; Adopting the Interlocal Service Boundary and Joint Planning Assessment Agreement Between the City of Center Hill and Sumter County; Provding for Conflict; and Providing for an Effective Date." Proof of Publication, as advertised, filed herewith.

Bradley Arnold, County Administrator, gave an overview of the proposed ordinance.

PUBLIC - There was no public input.

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve an Ordinance of Sumter County, Florida; Adopting the Interlocal Service Boundary and Joint Planning Assessment Agreement Between the City of Center Hill and Sumter County; Provding for Conflict; and Providing for an Effective Date. The motion carried unanimously 5 - 0.

092209-1-a

2. REPORTS AND INPUT

- a. *Proclamation designating September 28, 2009 as Family Day*
Chairman Breeden read the proclamation into the record.

092209-2-a

- b. *Proclamation: Declaring the week of October 4 - 10, 2009 as Fire Preventior.*

Week

Chairman Breeden read the proclamation into the record.

092209-2-b

c. *County Administrator's Report*

Chairman Breeden advised that Mr. Arnold has requested to add agenda items 14 through 17 to his report. An updated report has been provided.

Vice Chairman Gilpin moved, with a second by Commissioner Burgess, to approve the addition of items 14 through 17 to the County Administrator's report. The motion carried unanimously 5 - 0.

Mr. Arnold introduced Art Bisner, the new Purchasing Manager.

1. Purchase Orders approved by County Administrator - for information only
2. Significant Schedule Items - for information only
3. Facilities Development Projects Financial Status and Master Building Report - for information only

092209-2-c-3

4. Road Projects Status Report - for information only

092209-2-c-4

5. Budget Transfers T-437 through T-455 - for information only

092209-2-c-5

6. Health Care Responsibility Act Claims - for information only

092209-2-c-6

7. Development Review Committee Agenda for 9-14-2009 - for information only

8. Resolution of the School Board in support of redefining the required local effort calculation to only include students residing in Sumter County - for information only

092209-2-c-8

9. Request from State Attorney's Office to hold a yard sale on County Property with all proceeds going to Relay for Life - for information only

10. Sumter County Fire Rescue Advanced Life Support Intent - for information only

092209-2-c-10

11. Lake Sumter Metropolitan Planning Organization White Paper regarding position piece on Interlocal Service Boundary Agreement - for information only

092209-2-c-11

12. Florida Department of Transportation Project Information - for information only

13. 738H Access - Mark and Mary Kisenwether, Defendants - for direction

Mr. Arnold advised that the County at no time had any intention to design or construct an improved emergency access route. The goal from the beginning was to provide an emergency access/evacuation route for the residents in the CR 738 area at the least cost possible. The suit filed against the Kisenwethers resulted from their dispute of the existing access in the possession of Sumter County which connects the County right-of-way to the Rice Cattle Company and T.G. Lee access. After discussion it was the consensus to terminate the lawsuit but delay the termination of the agreements with T.G. Lee and Rice Cattle Company.

Vice Chairman Gilpin moved, with a second by Commissioner Burgess, to approve the termination of the lawsuit against the Kisenwethers with the understanding that the agreements with T.G. Lee and Rice Cattle Company will remain in effect at this time. The motion carried unanimously 5 - 0.

092209-2-c-13

14. Tropical Storm Fay Federally Funded Public Assistance Agreement with State of Florida Division of Emergency Management (Contract No. 09-PA-C2-05-70-02-505; FIPS No. 119-US7X6-00) - for direction

Commissioner Burgess moved, with a second by Commissioner Mask, to approve the Tropical Storm Fay Federally Funded Public Assistance Agreement with the State of Florida Division of Emergency Management. The motion carried unanimously 5 - 0.

092209-2-c-14

15. Modification to Subgrant Agreement - Fire Station No. 9 Wind Retrofit Project (Agreement No. 07HM-4@05-70-01-031; Project No. 1545-81-R) - for direction

Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve the execution by Fire Chief Bill Gulbrandsen of the Modification to Subgrant Agreement - Fire Station No. 9 Wind Retrofit Project. The motion carried unanimously 5 - 0.

092209-2-c-15

16. Change Order Request from C.W. Roberts for repair of additional areas between the bridges on Morse Boulevard - for direction

Commissioner Burgess moved, with a second by Vice Chairman Gilpin, to approve the Change Order Request from C.W. Roberts for repair of additional areas between the bridges on Morse Boulevard. The motion carried unanimously 5 - 0.

092209-2-c-16

17. Interlocal Agreement for Consolidation of the Bushnell Library with the Sumter County Library System - for direction

Mr. Arnold advised that the City of Bushnell will be responsible for the building proper, all the grounds, the parking lot, and the water and sewer. The County will be responsible for the preventative maintenance on the HVAC, cleaning in the building, support for the phone and interconnectivity, and the electrical. The Bushnell City Council approved this agreement at their meeting on September 21, 2009.

Commissioner Hoffman moved, with a second by Vice Chairman Gilpin, to approve the Interlocal Agreement for Consolidation of the Bushnell Library with the Sumter County Library System. The motion carried unanimously 5 - 0.

092209-2-c-17

d. County Attorney - No report.

e. Clerk of Court - No report.

f. Board Members

1. Commissioner Don Burgess - No report.
2. Commissioner Dick Hoffman - No report.
3. Commissioner Randy Mask -No report.
4. Vice Chairman Doug Gilpin

Vice Chairman Gilpin made note of how well the work is going on the Morse Boulevard Project. He also discussed the upcoming construction of the Service Center and the opportunity to employ local contractors, thereby assisting in the reduction of the unemployment rate in Sumter County.

5. Chairman Garry Breeden - No report.

g. Public Forum

Mr. Gayle Tierman, SCORE Branch of the Small Business Administration, Leesburg, has been assisting the Native American Family Tribe since last summer in the preparation of a business plan and filling out of their request for a grant from the Tourist Development Council. He continues to work with them in an advisory/mentoring capacity. Mr. Tierman gave a summary of the efforts that have been made by the Native American Family Tribe over the past few months regarding the Native American Park at Lake Panasoffkee.

Mark and Mary Kisenwether, 10958 CR 738H, Webster, thanked the Board for terminating the lawsuit discussed earlier in the meeting. Mr. Kisenwether provided the Board with an Agreement for Deed and other correspondence regarding this issue and the easement in question.

Ivory Gray, 10594 CR 229, Oxford is the part-time Manager of the Royal Historical Enrichment Art Program. They would like to thank the Board for the use of the facility in Royal over the summer. It allowed them to operate a summer program for the youth in the Royal and surrounding areas that was sponsored by the Young Performing Artists and Royal Library Association. She also thanked the Board for the Family Day Proclamation referenced earlier in the meeting.

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Regular Meeting held on September 8, 2009 (Staff recommends approval).

Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve the Minutes of the Regular Meeting held on September 8, 2009. The motion carried unanimously 5 - 0.

2. Minutes of First Budget Hearing held on September 14, 2009 (Staff recommends approval).

Commissioner Hoffman moved, with a second by Commissioner Burgess, to approve the Minutes of the First Budget Hearing held on September 14, 2009. The motion carried unanimously 5 - 0.

3. Minutes of Workshop Meeting held on September 15, 2009 (Staff recommends approval).

Commissioner Burgess moved, with a second by Vice Chairman Gilpin, to approve the Minutes of the Workshop Meeting held on September 15, 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.

092209-3-c-1

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

No action taken.

092209-3-c-2

d. CONTRACTS AND AGREEMENTS

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

092209-3-d-1

2. Traffic Signal Maintenance Agreement Amendment #1 (Staff recommends approval).

092209-3-d-2

3. Florida Dept. of Corrections Amendment #1 for Work Squad Contract #WS478 (Staff recommends approval).

092209-3-d-3

4. Bright House Networks Business Service Order Form - 10 Mbps Metro Ethernet Service to Lake Panasoffkee Library/Fire Station and Solid Waste/Animal Control Facilities (Staff recommends approval).

092209-3-d-4

5. 90 Day Notice of Termination of the Sumter County Native American Family Tribe Contract (Staff recommends approval).

092209-3-d-5

6. 10 Day Notice of Termination of the Lake Panasoffkee Sumter County Park Management Agreement (Native American Family Tribe Site) (Staff recommends approval).

092209-3-d-6

7. Water, Wastewater and Refuse Water Utility Agreement between the City of Wildwood and Sumter County (Staff recommends approval).

092209-3-d-7

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

e. FINANCIAL

1. Purchase Order Approval (Staff Recommends Approval).

092209-3-e-1

2. Budget Amendment A-148 for Group Insurance Fund (Staff Recommends Approval).

092209-3-e-2

3. Budget Amendment A-149 for the Group Insurance Fund (Staff Recommends Approval).

092209-3-e-3

4. Request for funding from the Young Performing Artists (YPAs) (Staff Recommends Approval).

092209-3-e-4

5. State Housing Initiatives Partnership (SHIP) Program Satisfaction of Mortgage and Payments (Staff recommends approval).

092209-3-e-5

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve Items 1 through 5 under Financial. The motion carried unanimously 5 - 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Request for Approval for Florida Department of Transportation (FDOT) to Gain a Forty-Five Day Temporary Construction Easement on County Property, Located at Northwest Quadrant of I-75 and CR 475, for the Purpose of Removing Billboards and signature authority for County Administrator (Staff Recommends Approval).

092209-3-f-1

2. Request to proceed with design and permitting of stormwater mitigation ditch blocks on CR 115A (Staff Recommend Approval).

092209-3-f-2

3. Temporary Road Closing Request from the City of Bushnell for the Fall Festival Parade (Staff Recommends Approval).

092209-3-f-3

4. Transfer of the Lake Deaton Park, Oxford Park, and Oxford Community Center to the City of Wildwood per the Interlocal Service Boundary Agreement adopted by Ordinance (Staff recommends approval).

092209-3-f-4

5. Stipulated Final Judgment for expert fees and cost and attorneys' costs concerning Parcel 115 for US 301 2A Project (Staff recommends approval).

092209-3-f-5

6. Inventory Transactions (Staff Recommends Approval).

092209-3-f-6

7. CR 139 and C-466A Phase II Project Inspection Services (Staff recommends approval).

092209-3-f-7

Vice Chairman Gilpin moved, with a second by Commissioner Burgess, to approve Items 1 through 7 under General Items for Discussion. The

motion carried unanimously 5 - 0.

4. ADJOURN

Commissioner Mask moved, with a second by Commissioner Burgess, to adjourn at 5:55 p.m. The motion carried unanimously 5 - 0.