

The Board of County Commissioners convened in regular session on this Tuesday, October 13, 2009, at Bushnell, Sumter County, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas Gilpin, Vice Chairman, District No. 2; Don Burgess, District No. 3; Garry Breeden, Chairman, District No. 4; and Randy Mask, 2nd Vice Chairman, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; John Lege, Finance Director; Melissa Elliott, Deputy Clerk; Connie Webb, Deputy Clerk; and Derrill L. McAteer of The Hogan Law Firm, Attorneys for the Board. The meeting was called to order at 5:00 p.m. by Chairman Breeden, with the invocation given by Commissioner Mask, followed by the flag salute which was led by Vice Chairman Gilpin.

Chairman Breeden announced that since the majority of the audience was present for the discussion on the relocation of the Panasoffkee Cemetery, that item would be addressed first. CLERK'S NOTE: See Agenda Item 2.c.16.

1. TIMED ITEMS AND PUBLIC HEARINGS

a. 5:00 p.m. - Public Hearing - Amend The Villages Fire Rescue Impact Fee Ordinance to Exempt Non-Profit Corporations and Reimburse Impact Fee Fund from General Fund

Chairman Breeden called for a public hearing to consider "AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, TO BE KNOWN AS THE VILLAGES FIRE RESCUE IMPACT FEE ORDINANCE; PROVIDING FOR DEFINITIONS APPLICABLE TO THE ORDINANCE; PROVIDING LEGISLATIVE FINDINGS AND RULES OF CONSTRUCTION; ADOPTING A CERTAIN IMPACT FEE STUDY; PROVIDING FOR IMPOSITION OF FIRE RESCUE IMPACT FEES WITHIN THE VILLAGES; PROVIDING FOR LEGISLATIVE FINDINGS APPLICABLE TO FIRE RESCUE IMPACT FEES; PROVIDING FOR THE PAYMENT AND USE OF FIRE RESCUE IMPACT FEES COLLECTED; PERMITTING AN ALTERNATIVE CALCULATION OF FIRE RESCUE IMPACT FEES; PROVIDING FOR AN INDIVIDUAL CALCULATION OF FIRE RESCUE IMPACT FEES; PROVIDING FOR CHANGES IN SIZE AND USE; PROVIDING FOR DONATIONS AND CREDITS FOR DEVELOPER CONTRIBUTIONS; PROVIDING CERTAIN EXEMPTIONS; REQUIRING REVIEW OF THE IMPACT FEE STUDY AND THE FIRE RESCUE IMPACT FEE ORDINANCE; DECLARATION OF EXCLUSION FROM ADMINISTRATIVE PROCEDURES ACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE." Proof of Publication, as advertised, filed herewith.

Bradley Arnold, County Administrator, presented the proposed amendment which is to exempt non-profit corporations and provide for a reimbursement to the impact fee fund from the general fund. In order to qualify for the exemption the non-profit must: (1) submit written verification of their non-profit status consistent with the definition; (2) own

the property where the construction will occur; and (3) enter into an agreement with the Board that requires the non-profit corporation to utilize the constructed space for their own operations and may not sell the property for at least 3 years. In addition, the proposed amendment limits the value of the exempted impact fees to the value of impact fees for one dwelling unit per parcel or 5,000 square feet of gross floor area for non-residential construction. The non-profit corporation is responsible for payment of impact fees for the portion of construction in excess of one dwelling unit per parcel or 5,000 square feet of gross floor area of non-residential construction.

PUBLIC - There was no public input.

Derrill McAteer, County Attorney, noted for the record that the title of the proposed ordinance is much shorter than what was noticed in the newspaper. He does not consider this to be a problem for this proposed ordinance or the next proposed amended ordinance regarding fire impact fees. Sufficient notice was given.

Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, AMENDING CHAPTER 8, ARTICLE II, OF THE SUMTER COUNTY CODE, AMENDING THE VILLAGES FIRE RESCUE IMPACT FEE ORDINANCE TO PROVIDE FOR AN EXEMPTION FOR QUALIFIED NONPROFIT CORPORATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Ordinance No. 2009-22) The motion carried unanimously 5 - 0.

101309-1-a

- b. 5:00 p.m. - Public Hearing - Amend Sumter County Fire Rescue Impact Fee Ordinance to Exempt Non-Profit Corporations and Reimburse Impact Fee Fund from General Fund

Chairman Breeden called for a Public Hearing to consider "AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, TO BE KNOWN AS THE SUMTER COUNTY FIRE RESCUE IMPACT FEE ORDINANCE; PROVIDING FOR DEFINITIONS APPLICABLE TO THE ORDINANCE; PROVIDING LEGISLATIVE FINDINGS AND RULES OF CONSTRUCTION; ADOPTING A CERTAIN IMPACT FEE STUDY; PROVIDING FOR IMPOSITION OF FIRE RESCUE IMPACT FEES; PROVIDING FOR LEGISLATIVE FINDINGS APPLICABLE TO FIRE RESCUE IMPACT FEES; PROVIDING FOR THE PAYMENT AND USE OF FIRE RESCUE IMPACT FEES COLLECTED; PERMITTING AN ALTERNATIVE CALCULATION OF FIRE RESCUE IMPACT FEES; PROVIDING FOR AN INDIVIDUAL CALCULATION OF FIRE RESCUE IMPACT FEES; PROVIDING FOR CHANGES IN SIZE AND USE; PROVIDING FOR DONATIONS AND CREDITS FOR DEVELOPER CONTRIBUTIONS; PROVIDING CERTAIN EXEMPTIONS; REQUIRING REVIEW OF THE IMPACT FEE STUDY AND THE FIRE RESCUE IMPACT FEE ORDINANCE; DECLARATION OF EXCLUSION FROM ADMINISTRATIVE PROCEDURES ACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE." Proof of Publication, as advertised,

filed herewith.

Mr. Arnold advised that this proposed amendment includes the same stipulations presented in the previously adopted ordinance.

PUBLIC - There was no public input.

Commissioner Hoffman moved, with a second by Commissioner Burgess, to approve AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, AMENDING CHAPTER 8, ARTICLE III, OF THE SUMTER COUNTY CODE, AMENDING THE SUMTER COUNTY FIRE RESCUE IMPACT FEE ORDINANCE TO PROVIDE FOR AN EXEMPTION FOR QUALIFIED NON-PROFIT CORPORATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Ordinance No. 2009-23) The motion carried unanimously 5 - 0.

101309-1-b

- c. 5:00 p.m. - Public Hearing - Amend the Road Impact Fee Ordinance to Exempt Non-Profit Corporations and Reimburse Impact Fee Fund from General Fund

Chairman Breeden called for a Public Hearing to consider "AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA; AMENDING ARTICLE III, CHAPTER 20, OF THE SUMTER COUNTY CODE; AMENDING THE ROAD IMPACT FEE ORDINANCE TO PROVIDE FOR NEW FEES AND OTHER REVISED PROVISIONS; PROVIDING CERTAIN EXEMPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE." Proof of Publication, as advertised, filed herewith.

Mr. Arnold advised that this proposed amendment includes the same stipulations presented in the previously adopted ordinances.

PUBLIC - There was no public input.

Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA; AMENDING ARTICLE III, CHAPTER 20, OF THE SUMTER COUNTY CODE, AMENDING THE ROAD IMPACT FEE ORDINANCE TO PROVIDE FOR NEW FEES AND OTHER REVISED PROVISIONS; PROVIDING CERTAIN EXEMPTIONS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Ordinance No. 2009-24) The motion carried unanimously 5 - 0.

101309-1-c

- d. 5:30 p.m. - Public Hearing - Stipulated Settlement Agreement with the Florida

Department of Community Affairs Regarding CP-A2008-0001 Future Land Use Map Amendment for 674 Properties, LLC

Chairman Breeden called for a Public Hearing to consider a Stipulated Settlement Agreement with the Florida Department of Community Affairs Regarding CP-A2008-0001 Future Land Use Map Amendment for 674 Properties, LLC. Proof of Publication, as advertised, filed herewith.

Brad Cornelius, Planning Manager, presented the proposed Stipulated Settlement Agreement with the Florida Department of Community Affairs (DCA). On February 10, 2009 the Board adopted a Future Land Use Amendment (CP-A2008-0001) from Agriculture to Mixed Use for a recreational vehicle park on 139 acres. On April 8, 2009 the DCA issued a Notice of Intent to find the subject future land use amendment not in compliance with Chapter 163, Florida Statutes, and Rule 9J-5, Florida Administrative Code. DCA contends the future land use amendment is not in compliance because it is not supported by appropriate data and analysis demonstrating the maximum development potential as needed to accommodate the projected population within the planning timeframe of the County's Comprehensive Plan; the future land use amendment constitutes urban sprawl; the data and analysis provided do not demonstrate that the site is suitable for the development allowed by the future land use amendment based on the environmental characteristics of the site; and the transportation analysis is not based on the maximum development potential.

Following direction from the Board, staff and the applicant held several meetings with DCA staff to discuss DCA's concerns and negotiate a stipulated settlement agreement with DCA to resolve the compliance issues. The negotiations with DCA revealed their primary objection is the potential encouragement of premature conversion of rural land to urban land due to the extension of potable water and sewer services from the City of Bushnell to the site (i.e. urban sprawl). To resolve this objection, the applicant eliminated the extension of the potable water line and will utilize an on-site potable water treatment facility, limited the sewer line to 6" in diameter, and included a prohibition of future connections to the sewer line from C-673 to approximately 2.33 miles to the north along US 301. Mr. Cornelius went on to discuss the policy to be adopted into the Future Land Use Element of the Comprehensive Plan which is a condition of the Stipulated Settlement Agreement.

On October 6, 2009 staff received notification from DCA legal staff that DCA Secretary Pelham has agreed that the adoption of this policy will resolve all of DCA's objections to the proposed amendment. If the Board approves the proposed Stipulated Settlement Agreement, then staff will prepare the required remedial amendment to adopt the policy and provide public notice of the adoption hearing for the remedial amendment. It is anticipated that this hearing will be in November.

PUBLIC - There was no public input.

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

approve the Stipulated Settlement Agreement with the Florida Department of Community Affairs Regarding CP-A2008-0001 Future Land Use Map Amendment for 674 Properties, LLC. The motion carried unanimously 5 - 0.

101309-1-d

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

Chairman Breeden called for a Public Hearing to consider the recommendations of the Zoning and Adjustment Board. Proof of Publication, as advertised, filed herewith.

Chairman Breeden 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 Breeden 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. *R2009-0017 - Rezoning to ID (Industrial) - James Ike Rainey - CR 127/Wildwood

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

Brad Cornelius, Planning Manager, advised that the applicant is requesting the rezoning of 0.96 acres MOL from a non-compliant A5 to ID to bring the property into compliance with the Future Land Use Map. The property is located adjacent to the City of Wildwood and in the Interlocal Service Boundary Area/Joint Planning Area (ISBA/JPA) with the City of Wildwood. This rezoning is consistent with the ISBA/JPA. There were nine notices sent with one being returned in objection and four in favor. The Zoning and Adjustment Board recommended approval by a vote of 10-0.

PUBLIC - There was no public input.

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve Case No. R2009-0017, request of applicant, James Ike Rainey, to rezone to ID (Industrial) to bring the property into compliance with the Future Land Use Map. The motion carried unanimously 5 - 0.

101309-1-e-1

2. *R2009-0018 - Rezoning to RR1C - Daniel & Kathleen Button - CR 317B/Bushnell

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

Brad Cornelius, Planning Manager, advised the applicant is requesting the rezoning of 2 acres MOL from a non-compliant A5 to RR1C to complete a lineal transfer from grandparents to grandchild. There were 11 notices sent with none being returned. The Zoning and Adjustment Board recommended approval by a vote of 10-0.

PUBLIC - There was no public input.

Commissioner Mask moved, with a second by Commissioner Burgess, to approve Case No. R2009-0018, request of applicant, Daniel and Kathleen Button, to rezone to RR1C to complete a lineal transfer. The motion carried unanimously 5 - 0.

101309-1-e-2

* Quasi Judicial Hearing

2. REPORTS AND INPUT

a. Proclamation designating October 12th through 18th, 2009 as American Paratrooper Week

Chairman Breeden read the proclamation into the record.

Commissioner Burgess moved, with a second by Commissioner Mask, to approve a Proclamation designating October 12th through 18th, 2009 as American Paratrooper Week. The motion carried unanimously 5 - 0.

101309-2-a

b. Proclamation designating the month of October, 2009 as Residents' Rights Month

Chairman Breeden read the proclamation into the record.

Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve a Proclamation designating the month of October, 2009 as

Residents' Rights Month. The motion carried unanimously 5 - 0.

101309-2-b

c. County Administrator

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

101309-2-c-3

4. Road Projects Status Report - for information only

101309-2-c-4

5. Department Surveys for Facilities Maintenance, Building Services, Planning and Development, Mosquito Control, Parks and Recreation, Transit, Probation, Villages Library, Lake Panasoffkee Library, E C Rowell Library and Library on Wheels - for information only

6. Budget Transfers T-487 through T-507 - for information only

7. Reduction to Withlacoochee Regional Planning Council dues - for information only

101309-2-c-7

8. September 2009 Personnel Activity Report - for information only

101309-2-c-8

9. Lake & Sumter Dirtiest Jobs Article in Style Magazine - for information only

101309-2-c-9

10. September 2, 2009 Sumter County Fire Advisory Board Minutes - for information only

11. Sumter County School Board - Southern Association of Colleges and Schools Accreditation Visit Briefing on October 9, 2009 and Interview on October 26, 2009 - for information only

12. Sumter County Economic Development Council - Office Report - August 26,

2009 through September 21, 2009 - for information only

101309-2-c-12

13. FY 09 American Recovery and Reinvestment Act - Assistance to Firefighters Station Construction Grant - for information only

This represents approximately \$2.1 million in funds that would be applied to the construction of the West Bushnell Fire Station, the new Coleman Fire Station and renovation of the Wildwood Fire Station.

Commissioner Mask moved, with a second by Commissioner Burgess, to approve the acceptance of the FY 09 American Recovery and Reinvestment Act - Assistance to Firefighters Station Construction Grant. The motion carried 4 - 1 with Commissioner Hoffman voting nay.

14. Croom-a-coochee Modular Office - for information only

Mr. Arnold advised that mold has been detected in the facility. Lake Sumter EMS has moved their equipment out of the facility.

15. Proposed Data Center Migration - for information only

16. Lake Panasoffkee Cemetery update - for direction

Mr. Arnold gave an update on the results of the analysis of the cemetery. Project Fire has decided not to locate in Sumter County. The final report of the ground penetrating radar was received and it reflects there are 59 identified graves and 11 possible graves instead of the initial estimate of 24. In light of this, should the Board choose not to relocate the cemetery, Mr. Arnold discussed a conceptual markup that indicates constructing additional fencing around the cemetery that would be bordered on the west by CR 529, to the north by the current access road, to the east approximately 50 feet from the closest point of the existing fence and the same on the south to allow for an appropriate buffer around the existing cemetery so that the remaining property which is currently zoned industrial could be utilized for the intended purpose. The map also indicates relocation of the Solid Waste fence for operational purposes to allow for 24/7 access by the public to the cemetery. He has forwarded this information to Richard Eastbrook, University of South Florida, and Billy Ray, Sumter County Historical Society, and encourages the community to continue the research to properly identify the graves.

Vice Chairman Gilpin moved, with a second by Commissioner Burgess, to approve not to go forward with the relocation of the Panasoffkee Cemetery and to authorize the County Administrator to pursue the recommended fencing, buffers and access, and work with the

**Historical Society for the placement of this cemetery on the State Registry.
The motion carried unanimously 5 - 0.**

After the vote Larry Jett inquired if there were any plans to relocate the cemetery at CR 219. Mr. Arnold advised that to the best of his knowledge the County only holds title to two cemeteries, the Panasoffkee Cemetery and the Wild Cow Prairie Cemetery along with one grave site located in a County right-of-way on C-470. Chairman Breeden advised that the Board is not currently aware of any activity relative to the CR 219 cemetery. Commissioner Mask thanked Billy Ray for his efforts on behalf of the Sumter County Historical Society with regard to the Panasoffkee Cemetery. James Hargabrook approached the podium and thanked the Board for their decision.

101309-2-c-16

17. Final Certification of Compliance Transmittal to Florida Department of Revenue - for information only

101309-2-c-17

18. Florida Department of Transportation Project 424883-1 SR 35 (US 301) Milland Resurface - for information only

101309-2-c-18

19. Exterior wall plaque for The Villages Sumter County Service Center - for information only

The **consensus** was to proceed with this design.

101309-2-c-19

20. Letter to Charles Cook, Villages Center Community Development District, regarding Proposed Roundabout Signage - for direction

This will be discussed at the next workshop.

21. Closing Bushnell Public Library on Saturday, October 17, 2009 for Fall Festival - for information only

22. Mr. Arnold provided a handout regarding the cost of meeting the 2012 touchscreen ADA equipment requirements. The Florida Association of Supervisors of Elections and the Florida Association of Counties are encouraging the Legislature to postpone this implementation until 2016. Ms. Krauss has indicated that the estimated cost to Sumter County will be \$360,000.

Commissioner Hoffman moved, with a second by Commissioner Burgess, to approve to provide a letter of support to Karen Krauss, Supervisor of Elections, to extend the deadline to 2016. The motion carried unanimously 5 - 0.

101309-2-c-22

23. Mr. Arnold discussed the roll the Chairman is taking in the automated agenda process.

d. County Attorney - No report.

e. Clerk of Court - No report.

f. Board Members

1. Commissioner Don Burgess - No report.

2. Commissioner Dick Hoffman

Commissioner Hoffman discussed a summary report of the Withlacoochee Regional Water Supply Authority meeting held on September 16, 2009.

101309-2-f-2

3. Commissioner Randy Mask - No report.

4. Vice Chairman Doug Gilpin - No report.

5. Chairman Garry Breeden - No report.

g. Public Forum

Howard Oxendine, 5904 CR 551A, Bushnell, spoke on behalf of the Native American Family Tribe. They feel they are being mistreated and discriminated against because of the recent termination by the County of the Sumter County American Tribe Contract. Mr. Oxendine advised that the Tribe had voted to turn their papers over to an attorney and authorize him/her to work with the County. It was requested that the County return the \$2,000 contribution made by the Native American Family Tribe towards the Native American Park.

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Workshop Meeting held on September 22, 2009 (Staff recommends approval).

Commissioner Burgess moved, with a second by Commissioner Mask, to approve the Minutes of the Workshop Meeting held on September 22, 2009. The motion carried unanimously 5 - 0.

2. Minutes of Final Budget Hearing held on September 28, 2009 (Staff recommends approval).

Commissioner Hoffman moved, with a second by Commissioner Burgess, to approve the Minutes of the Final Budget Hearing held on September 28, 2009. The motion carried unanimously 5 - 0.

3. Minutes of Regular Meeting held on September 29, 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 29, 2009. The motion carried unanimously 5 - 0.

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. Set public hearing to consider revision of the Utility Allowance Schedule form used for all Section 8 Assisted Housing Units on November 10, 2009 at 5:00 p.m., located at the Sumter County Government Offices, Room 142, 910 North Main Street, Bushnell, FL 33513 (Board's option).

Commissioner Mask moved, with a second by Commissioner Burgess, to approve to set a public hearing to consider revision of the Utility Allowance Schedule form used for all Section 8 Assisted Housing Units on November 10, 2009 at 5:00 p.m., located at the Sumter County Government Offices, Room 142, 910 North Main Street, Bushnell, FL 33513. The motion carried unanimously 5 - 0.

101309-3-b-1

2. Resolution setting public hearing for public right-of-way vacation on November 24, 2009, at 5:00 p.m. at Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, Florida (Staff recommends approval).

Right-of way south of CR-44A was deeded to the County for the CR 139 extension before the decision was made to realign CR 139 to intersect with SR 44 and Signature Drive to create a four-way stop. This right-of-way is no longer needed due to the realignment. Additional prescriptive right-of-way is also included in this consideration as it is no longer needed due to the realignment.

Vice Chairman Gilpin moved, with a second by Commissioner

Burgess, to approve A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, AUTHORIZING AND APPROVING THE SCHEDULING OF A PUBLIC HEARING PURSUANT TO SECTION 336.09, FLORIDA STATUTES, TO CONSIDER THE VACATION OF PUBLIC RIGHT-OF-WAY WITH NOTICE TO BE PROPERLY PUBLISHED AS REQUIRED BY LAW (Resolution No. 2009-85). The hearing is scheduled for November 24, 2009, at 5:00 p.m. at Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, Florida. The motion carried unanimously 5 - 0.

101309-3-b-2

c. APPOINTMENTS

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

No action taken.

101309-3-c-1

d. CONTRACTS AND AGREEMENTS

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

101309-3-d-1

2. Escrow agreement with Blackburn Bros Construction LLC. (Staff recommends approval).

101309-3-d-2

3. Escrow agreement with T & D Pool & Spa Construction, Inc. (Staff recommends approval).

101309-3-d-3

4. Annual funding contract for court-related technology for the Office of State Attorney (Staff recommends approval).

This contract provides for reimbursement to the Office of the State Attorney for one state employee assigned to the Bushnell State Attorney's Office and a prorated percentage of costs for circuit-wide employees who also perform related technology work for the Office of the State Attorney for a total of \$85,000 annually.

101309-3-d-4

5. Notice of Funding for the Multi-Year Joint Participation Agreement between the

State of Florida Department of Transportation and Sumter County Transit (Staff recommends approval).

This notification of funding for FY 2009/2010 is for \$273,451 which will cover the cost of approximately 22,788 trips. The agreement requires a 50/50 match. The amount budgeted in FY 2009/2010 is \$264,415 making an increase in match of \$9,036 which is anticipated through fare box and donations.

101309-3-d-5

6. Transportation Agreement with Mid Florida Community Services Inc. (Staff recommends approval).

101309-3-d-6

7. Transportation Agreement with City of Bushnell (Staff recommends approval).

101309-3-d-7

8. Solid Waste Continuing Engineering Service Contract with Kimley-Horn & Associates, Work Order Number 2 (Staff recommends approval).

Kimley-Horn & Associates will conduct a study to determine alternatives for leachate water disposal.

101309-3-d-8

9. Award and enter into contract with Greg Construction for RFP137 0 2009/AT - New Construction for Security Vestibule Entrance less Section 17 (Staff recommends approval).

The contract amount is \$1,336,475. The project is scheduled to be effective October 13, 2009 with a working period of 210 days providing for a termination date of May 11, 2010.

101309-3-d-9

10. Amendment No. 2 Revised to agreement with A. D. Morgan Inc. (Staff recommends approval).

The objective of this contract extension, utilizing the remaining project contingency funds, is to replace building systems components in the 1988 Main Jail which are reaching the end of their life cycle and will become problematic.

11. Renewal of Interlocal Agreement for Disposal of Large Animals with Citrus County (Staff recommends approval).

101309-3-d-11

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

e. *FINANCIAL*

1. Purchase Order Approval (Staff Recommends Approval).

101309-3-e-1

2. State Housing Initiatives Partnership (SHIP) Emergency Repair Bids (Staff recommends approval).

101309-3-e-2

3. Certificate regarding matching funds for Federal Election Activities grant (Staff recommends approval).

This grant requires certification that the Board of County Commissioners will provide matching funds for the grant.

101309-3-e-3

4. State Housing Initiatives Partnership (SHIP) Payment Requests (Staff recommends approval).

101309-3-e-4

5. Crime Prevention funds allocation for "on-call" nurses pay (Staff recommends approval)

101309-3-e-5

6. Change Order Request to Purchase Order No. 52308 (Staff recommends approval).

This Blanket Purchase Order for Bushnell Tire Company was an estimation of yearly usage. The remaining balance on the Purchase Order will not cover Invoice #B202767 for the purchase and mounting of six tires on September 21, 2009. Therefore, this request is to add additional funding needed to cover the invoice.

101309-3-e-6

7. Change Order Request to Purchase Order No. 53153 (Staff recommends approval).

The original quote by Ten-8 Fire Equipment to Fire Services for shipping costs were more than the quoted estimate and an error in transferring numbers from the quote to the purchase order resulted in a calculation error, therefore requiring a Change Order to be processed. Note: the Change Order does not change the low price vendor.

101309-3-e-7

8. Change Order Request to Purchase Order No. 53128 (Staff recommends approval).

The original quote from DSM to Information Technology did not include shipping costs for the purchase of one HP Lefthand P4500 3.6TB SAS Storage System. Therefore, the Change Order is required.

9. Change to Work Order #6 with Volkert & Associates on American Recovery Reinvestment Act Resurfacing Projects (Staff recommends approval).

The request before the Board is for an increase to Work Order #6 to cover additional work completed as of 9/30/09 in the amount of \$36,505 and anticipated work from 10/1/09 through 11/30/09 in the amount of \$3,000.

Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve a change to Work Order #6 with Volkert & Associates on American Recovery Reinvestment Act Resurfacing Projects. The motion carried 4 - 1 with Commissioner Hoffman voting nay.

101309-3-e-9

10. Budget Amendment A-151 (FY 08/09) from Reserve for Contingencies to Detention Center for Inmate Housing (Staff recommends approval).

101309-3-e-10

11. Budget Amendment A-152 (FY 08/09) for Road Impact District I (Staff recommends approval).

101309-3-e-11

12. Budget Amendment A-153 (FY 08/09) for State Mosquito Control Program (Staff recommends approval).

101309-3-e-12

13. Budget Amendment A-1 (FY 09/10) for Transfer to Property Appraiser (Staff recommends approval).

101309-3-e-13

14. Budget Amendment A-2 (FY 09/10) for the Southwest Florida Water Management District (SWFWMD) Rain Barrel Grant (Staff recommends approval).

101309-3-e-14

15. Budget Amendment A-3 (FY 09/10) for the Southwest Florida Water Management District (SWFWMD) 2009 Community Education Grant (Staff recommends approval).

101309-3-e-15

Commissioner Burgess moved, with a second by Vice Chairman Gilpin, to approve Items 1 through 8 and 10 through 15 under Financial. The motion carried unanimously 5 - 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Recommendation of Award to E5 Solutions Inc., for RFP E1-2009/AT (Economic Development Marketing and Program Support) and enter into contract negotiations (Board's option).

There were seven proposals submitted for this Request for Proposals for Economic Development Marketing and Program Support. They were: (1) E5 Solutions, Inc. - \$349,880 combined annual price; (2) Konosens Research - \$131,700 for one year; (3) Tenunited LTD (Enguage) - \$121,000 total price listed; (4) Strategic Planning Group, Inc. - various hourly rates listed; (5) Sumter County Economic Development Council - \$325,000; (6) Gold & Associates - \$5,000 per month; and (7) Real Estate Research - various hourly rates listed. Real Estate Research withdrew their proposal on September 23, 2009. After review the Selection Committee recommended E5 Solutions, Inc. There was discussion on this item and Commissioner Mask suggested it be tabled to allow more time for review.

Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve the recommendation of the Selection Committee to award E5 Solutions Inc. for RFP E1-2009/AT (Economic Development Marketing and Program Support) and authorize Bradley Arnold to enter into contract negotiations. The motion carried 4 - 1 with Commissioner Mask voting nay.

101309-3-f-1

2. Satisfaction of Lien for Preston Wise (Staff recommends approval).

101309-3-f-2

3. State Housing Initiatives Partnership (SHIP) Payment Method Change for Rent Deposit Strategy (Staff recommends approval).

101309-3-f-3

101309-3-f-3

4. Inventory Transactions (Staff Recommends Approval).

101309-3-f-4

5. Roadway Functional Classification Changes - Buena Vista Boulevard, El Camino Real/Morse Boulevard, Morse Boulevard, and CR 472 (Staff recommends approval).

101309-3-f-5

6. Bushnell Fall Festival 2009 Parade Assistance (Staff recommends option 1-assist with manpower, trucks, barricades, road closure and detour signs).

101309-3-f-6

7. Request from Pine Level Cemetery Association to close a portion of CR 106 on October 24, 2009 from 12:00 p.m. to 10:00 p.m. for their Fall Festival (Staff recommends approval).

101309-3-f-7

8. Approve the revision to Schedule A of the 2009-2010 Classification and Compensation Schedule for OPS Scale and Introductory Period (probationary) Adjustment. (Staff recommends approval).

101309-3-f-8

9. Library Services Long Range Plan of Service (Staff recommends approval).

101309-3-f-9

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

4. ADJOURN

Commissioner Burgess moved, with a second by Commissioner Mask, to adjourn at 6:30 p.m. The motion carried unanimously 5 - 0.