

The Board of Sumter County Commissioners (BOCC/Board) convened in a regular session on Tuesday, December 8, 2020, at the Everglades Recreation Center in The Villages, Florida, with the following members present to wit: Gary Search, District No. 1; Doug Gilpin, District No. 2; Craig Estep, District No. 3, Vice Chairman; Garry Breeden, Chairman, District No. 4; and Oren Miller, 2nd Vice Chairman, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; Bill Kleinsorge, Finance Director; Caroline Alrestimawi, Deputy Clerk; and Jennifer Rey of The Hogan Law Firm, Attorneys for the Board. Commissioner Breeden called the meeting to order at 5:00 p.m. with the invocation given by Commissioner Estep followed by the flag salute led by Commissioner Search. The complete audio recording of this meeting is available by request through the Clerk's Website - www.sumterclerk.com.

1. TIMED ITEMS & PUBLIC HEARINGS

- a. 5:00 PM – Public Hearing and Consideration of Termination of a Development Agreement as provided for and by Chapter 163, Florida Statutes, Between Sumter County and Alpe Properties, LLC and Oscar Alvarez (Planning and Zoning Special Master Recommendation Pending).

Karl Holley, Development Services Director, presented this item. A landowner is requesting to terminate a development agreement for a project that was not constructed. The 2009 development agreement provided for 20,000 square-foot of commercial warehouses, offices, and storage yards clustered on the upland portions of the property. Florida Statutes allows for development agreements to be terminated by mutual consent of the parties. Termination of this development agreement will allow the property to be developed consistent with adopted codes and standards. The Planning and Zoning Special Master recommended approval.

PUBLIC - There was no input from the public.

12-8-20-2-a-1

Commissioner Miller moved, with a second by Commissioner Search, to Approve termination of a Development Agreement as provided for and by Chapter 163, Florida Statutes, Between Sumter County and Alpe Properties, LLC and Oscar Alvarez. The motion carried unanimously 5 – 0.

- b. 5:00 PM – Public Hearing to Amend Chapter 13 of the Land Development Code Regarding Section 13-592 Private Signs and Temporary Displays on Public Property (Planning and Zoning Special Master recommendation to be provided).

Karl Holley, Development Services Director, presented this item. The Florida Legislature enacted CS/SB 7066, which became Chapter 2019-162 and took effect July 1, 2019, amending Section 102.031(4)(e), Florida Statutes, to provide as follows: “The owner, operator, or lessee of the property on which a polling

place or an early voting site is located, or an agent or employee thereof, may not prohibit the solicitation of voters outside of the no-solicitation zone during polling hours.” The Sumter County Supervisor of Elections sought an advisory opinion from the State of Florida, Secretary of State, Division of Elections as to the enforceability of Sumter County’s sign ordinance, Section 13-592, in light of the statutory language regarding solicitation of voters outside the no-solicitation zone during polling hours. In Advisory Opinion DE-20-02 Solicitation at Polling Places – Signs – 102.031(4), Florida Statutes, the Division of Elections opined that enforcement of Section 13-592, as it is currently written, at polling places or early voting locations owned by Sumter County would conflict with Section 102.031(4)(e), Florida Statutes. This hearing would be to amend Section 13-592 to address the identified enforcement conflict. Ordinance to amend Section 13-592 and Advisory Opinion DE-20-02 are attached. The Florida Legislature enacted CS/SB 7066, which became Chapter 2019-162 and took effect July 1, 2019, amending Section 102.031(4)(e), Florida Statutes, to provide as follows: “The owner, operator, or lessee of the property on which a polling place or an early voting site is located, or an agent or employee thereof, may not prohibit the solicitation of voters outside of the no-solicitation zone during polling hours.” The Sumter County Supervisor of Elections sought an advisory opinion from the State of Florida, Secretary of State, Division of Elections as to the enforceability of Sumter County’s sign ordinance, Section 13-592, in light of the statutory language regarding solicitation of voters outside the no-solicitation zone during polling hours. In Advisory Opinion DE-20-02 Solicitation at Polling Places – Signs – 102.031(4), Florida Statutes, the Division of Elections opined that enforcement of Section 13-592, as it is currently written, at polling places or early voting locations owned by Sumter County would conflict with Section 102.031(4)(e), Florida Statutes. This hearing would be to amend Section 13-592 to address the identified enforcement conflict. Ordinance to amend Section 13-592 and Advisory Opinion DE-20-02 are attached. The Florida Legislature enacted CS/SB 7066, which became Chapter 2019-162 and took effect July 1, 2019, amending Section 102.031(4)(e), Florida Statutes, to provide as follows: “The owner, operator, or lessee of the property on which a polling place or an early voting site is located, or an agent or employee thereof, may not prohibit the solicitation of voters outside of the no-solicitation zone during polling hours.” The Sumter County Supervisor of Elections sought an advisory opinion from the State of Florida, Secretary of State, Division of Elections as to the enforceability of Sumter County’s sign ordinance, Section 13-592, in light of the statutory language regarding solicitation of voters outside the no-solicitation zone during polling hours. In Advisory Opinion DE-20-02 Solicitation at Polling Places – Signs – 102.031(4), Florida Statutes, the Division of Elections opined that enforcement of Section 13-592, as it is currently written, at polling places or early voting locations owned by Sumter County would conflict with Section 102.031(4)(e), Florida Statutes. This hearing would be to amend Section 13-592 to address the identified enforcement conflict. Ordinance to amend Section 13-592 and Advisory Opinion DE-20-02 are attached. The Planning and Zoning Special Master recommended approval.

PUBLIC - There was no input from the public.

12-8-20-1-b

Commissioner Miller moved, with a second by Commissioner Estep, to Approve amending Chapter 13 of the Land Development Code Regarding Section 13-592 Private Signs and Temporary Displays on Public Property and adopting the related Ordinance (2020-17). The motion carried unanimously 5 – 0.

2. REPORTS AND INPUT

a. County Administrator

Bradley Arnold, County Administrator, provided the following items for information and/or direction.

1. Review of Workshop Topics and the Schedule (For Direction)

The Commissioners had no corrections and/or additions to the attached list of Workshop and/or Special Called Meeting topics. Thus, Mr. Arnold and staff will move forward with preparation of those agendas.

12-8-20-2-a-1

2. Florida Department of Agriculture and Consumer Services Mosquito Control Grant Contract (For Information Only)

This is an annual grant that is dependent upon state appropriations.

12-8-20-2-a-2

3. Florida Department of Transportation Northern Turnpike Corridor Task Force Letter (For Information Only)

12-8-20-2-a-3

4. Cares Act Sub-Recipient Agreement between The Villages Charter School, Inc. and the Board of County Commissioners of Sumter County (For Information Only)

12-8-20-2-a-4

Mr. Arnold provided a COVID-19 related update. There are 101 cumulative deaths with 28 individuals hospitalized at The Villages Hospital, eight in ICU and one on a ventilator. Individual meetings are being set up for the new Commissioners to meet with the Health Department Director to allow an opportunity to better understand the Health Department Director's role and actions related to COVID-19. The following

groups have been served under CARES Act funding: 65 individuals (over \$156,000); 52 businesses (over \$472,000); and 8 government entities, including The Villages Charter School (over 1.8 million). The County has begun the process of closing out the books because after December 30th, all unexpended funds must be returned.

b. County Attorney

Jennifer Rey, County Attorney, spoke regarding the Webb Family Trust. There were three beneficiaries related to Sumter County: Lake Sumter Emergency Services; Lake Sumter Public Safety, especially the Fire Department; and Sumter County Sheriff's Department. Each of these three beneficiaries, amongst others are supposed to get 5% of the trust. In working with the Trust, it was explained that two of those entities are not legal entities because they are technically under the County. Any determination regarding who the beneficiary should be will not be protested or disputed by the County. Once all beneficiaries have weighed in, they will propose disbursement.

12-8-20-2-b

c. Clerk of Circuit Court

In addition to items below, Bill Kleinsorge, Finance Director spoke on the agenda item regarding the change of BOCC meeting time and/or location. Mr. Kleinsorge mentioned the agenda item regarding the possibility of moving BOCC meetings to the Historic Courtroom at the Courthouse in Bushnell. Mr. Kleinsorge made the Commissioners aware that the Clerk is working on getting captions on the audio, which requires clear audio. However, the sound quality in the Historic Courtroom is poor.

1. Check Registers for October 2020 (For Information Only)

12-8-20-2-c-1

2. Check Registers for November 2020 (For Information Only)

12-8-20-2-c-2

d. Board Members

1. Commissioner Search attended one day of the Florida Association of Commissioners with Commissioner Estep.
2. Commissioner Miller thanked Mr. Arnold and staff for making the Animal Services volunteer application shorter and available online.
3. Commissioner Estep attended three days of Commissioner training in Jacksonville.
4. Commissioner Gilpin noted that there was another successful Christmas parade in Lake Panasoffkee on Saturday. Commissioner Gilpin attended The

Villages Civitan Group event, as they were celebrating their participation in the voting process. The Villages Civitan Group received a check for over \$43,000 from the Supervisor of Elections for their work in the election process. All of the money will go to people and kids with special needs.

5. Commissioner Breeden - No report.

e. Public Forum

The following individuals spoke during public forum:

Karen Ennist, 1224 S US 301, Sumterville, spoke regarding the Bad Dog Ordinance and issues with a neighbor's dogs. Mr. Arnold and the Commissioners addressed the concerns and gave further advice and instructions.

The following individuals spoke regarding road issues at the Continental Country Club: Mike Roberts, Marsh Bend Trail, General Manager of the Continental Country Club; Bob Finnecy, 106 Timber Way, Wildwood; Tom Marx, President of Continental Country Club's HOA; Billy Schools, Continental County Club; and Charles Miller, Continental Country Club. After Mr. Marx spoke, Mr. Finesse approached the podium a second time to ask a question. Commissioner Miller noted that he was contacted by Mr. Finesse and met with him to look at the site of the issue. Commissioner Miller instructed Mr. Finesse to come to the BOCC meeting to bring up the issue. The Commissioners discussed their concerns and instructed Mr. Arnold and Deborah Snyder, Public Works Director, to take a look at the situation to determine potential resolutions and costs for those resolutions. Mr. Arnold will report further at the BOCC meeting on December 22, 2020.

David Sirdar, 66 Wintergreen Dr, Fruitland Park, also spoke during Public Forum.

12-8-20-2-e-Public Forum Supplemental Document

3. NEW BUSINESS - ACTION REQUIRED

a. MINUTES

1. Minutes of Regular Meeting held on October 27, 2020 (Staff Recommends Approval).

12-8-20-3-a-1

2. Minutes of Special Meeting and Workshop held on November 3, 2020 (Staff Recommends Approval).

12-8-20-3-a-2

3. Minutes of Regular Meeting held on November 10, 2020 (Staff Recommends

Approval).

12-8-20-3-a-3

4. Minutes of Special Meeting and Workshop held on November 17, 2020 (Staff Recommends Approval).

12-8-20-3-a-4

Commissioner Search moved, with a second by Commissioner Miller, to Approve items 1 through 4 under Minutes. The motion carried unanimously 5 – 0.

b. SET FUTURE PUBLIC HEARINGS OR MEETINGS

None.

c. APPOINTMENTS

1. Affordable Housing Advisory Committee (AHAC) Vacancy (Board's Option).

There are no applicants at this time. Thus, no action was taken.

12-8-20-3-c-1

2. Construction Industry Licensing/Fire Code Board of Appeals Vacancy (Board's Option).

There are no applicants at this time. Thus, no action was taken.

12-8-20-3-c-2

3. Public Safety Coordinating Council Vacancies (Board's Option).

There are no applicants at this time. Thus, no action was taken.

12-8-20-3-c-3

4. Sumter County Public Library Advisory Board (SCPLAB) Vacancy (Board's Option).

There are no applicants at this time. Thus, no action was taken.

12-8-20-3-c-4

d. FINANCIAL

1. Budget Amendment A-5 (FY 20/21) (Staff Recommends Approval).

This Budget Amendment (A-5) amends as follows: General Fund (001) –Amends for FMIT insurance proceeds. Increases for Belvedere Library Sewer failure. Increases for Wex Fleet fuel expenditures for county agent, Health Department, Supervisor of Elections and Property Appraiser.

12-8-20-3-d-1

- 2. Inventory Transactions – Disposal and Surplus of Property (Staff Recommends Approval).

12-8-20-3-d-2

- 3. Purchase Order Approval for FY 2020/2021 (Staff Recommends Approval).

The attached list of open purchase requisitions is recommended for approval.

12-8-20-3-d-3

Commissioner Estep moved, with a second by Commissioner Breeden, to Approve items 1 through 3 under Financial. The motion carried unanimously 5 – 0.

e. CONTRACTS AND AGREEMENTS

- 1. Structure Lease Agreement between The Village Community Development District No. 3 and Sumter County, Florida, for a structure located on parcel D09B217 northeast of C466 and Buena Vista Boulevard (Staff Recommends Approval).

The Structure Lease Agreement between The Village Community Development District No. 3 and Sumter County, Florida, will permit traffic control equipment essential to the functioning of the Advanced Traffic Management System (ATMS) project to be installed and modified within a structure located on parcel D09B217.

12-8-20-3-e-1

Commissioner Estep moved, with a second by Commissioner Search, to approve the Structure Lease Agreement between The Village Community Development District No. 3 and Sumter County, Florida, for a structure located on parcel D09B217 northeast of C466 and Buena Vista Boulevard. The motion carried 5 - 0.

f. GENERAL ITEMS FOR CONSIDERATION

- 1. Resolution Options for Setting the Regular and Workshop Meeting Time and Meeting Location (Board’s Option).

The Sumter County Board of County Commissioners currently has its regular meetings on the 2nd and 4th Tuesday of each month starting at 5:00 PM with quasi-judicial hearings held at 5:30 PM. The current location of these regular meetings is at the Everglades Regional Recreation Center. The Sumter County Board of County Commissioners currently reserves its workshop meetings for the 3rd Tuesdays of each month at 5:00 PM. The current location of these workshop meetings is at The Villages Sumter County Service Center. The Board discussed considering changing the meeting times and a separate discussion about the location of the meetings with the implementation of the decision starting in 2021.

Option 1: Approve the resolution reaffirming the regular meetings starting at 5:00 PM with quasi-judicial hearings held at 5:30 PM at the Everglades Regional Recreation Center and workshop meetings starting at 5:00 PM at The Villages Sumter County Service Center.

Option 2: Approve the resolution changing the regular meeting starting time from 5:00 PM to 7:00 PM and the quasi-judicial hearings from 5:30 PM to 7:30 PM at the Everglades Regional Recreational Center and workshop meetings starting at 7:00 PM at The Villages Sumter County Service Center.

Option 3: Approve the resolution changing the regular meeting starting time from 5:00 PM to 7:00 PM and the quasi-judicial hearings from 5:30 PM to 7:30 PM but alternate the location with the first regular meeting held at the Everglades Regional Recreation Center and the second regular meeting at the Sumter County Fairgrounds or Historic Courthouse and workshop meetings starting at 7:00 PM at The Villages Sumter County Service Center.

Please note that the “or” in Option 3 is based on the concerns of acoustics in the historic courtroom and security screening as well as the impact of using the Fairgrounds during the Fair.

12-8-20-3-f-1

Commissioner Miller moved, with a second by Commissioner Search, to approve option 2, adoption of the resolution (2020-58) changing the regular meeting starting time from 5:00 PM to 7:00 PM and the quasi-judicial hearings from 5:30 PM to 7:30 PM at the Everglades Regional Recreational Center and workshop meetings starting at 7:00 PM at The Villages Sumter County Service Center, effective January 2021. The motion carried 4 - 1. Commissioner Gilpin voted Nay.

2. Accept the Right-of-Way Quitclaim Deeds from Coleman Self-Storage, LLLP and Coleman Flex Storage, LLLP properties, as shown in the exhibits for expansion of the CR 523 right-of-way for future use (Staff Recommends Approval).

On October 9, 2020, the Coleman Self-Storage developer and the Coleman Flex Storage developer contacted the Sumter County Development Services

Department to donate right-of-way (ROW) to Sumter County for CR 523. The property to be donated is 17 feet wide and extends the length of each parcel's frontage. Parcel F36B003 is the parent parcel for the Coleman Self-Storage donation. The ROW donation is 17 feet wide by approximately 213 feet long, for a total of 3,624 square feet (SF) more or less (MOL). Parcel F36B004 is the parent parcel for the Coleman Flex Storage donation. The ROW donation is 17 feet wide by approximately 332 feet long, for a total of 5,649 square feet (SF) more or less (MOL). The deeds conveying these properties have been signed by the developer for the transfer of the right-of-way. The acceptance at this meeting for the ownership of these deeds will convey the property to Sumter County for maintenance.

12-8-20-3-f-2

3. State Housing Initiatives Partnership (SHIP) Program Request to Execute Satisfaction of Mortgage (Staff Recommends Approval).

On January 20, 2006, Mr. and Mrs. Duttenhaver received purchase assistance to purchase their home located at 927 CR 477, Lake Panasoffkee. Staff received a payoff check from Concierge Title Services, LLC, on November 6, 2020. Housing Services is requesting the execution of a Satisfaction of Mortgage for Mr. and Mrs. Duttenhaver, as their mortgage is paid in full.

12-8-20-3-f-3

4. State of Emergency Declaration Extension Sumter County Board of County Commissioners (Staff Recommends Approval).

12-8-20-3-f-4

Commissioner Search moved, with a second by Commissioner Miller, to Approve items 2 through 4 under General Items for Consideration. The motion carried unanimously 5 – 0.

4. ADJOURN

The meeting adjourned at 6:02 p.m.