

The Board of Sumter County Commissioners (BOCC/Board) convened in a regular session on Tuesday, December 22, 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, Vice Chairman, District No. 3; 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.

Commissioner Breeden recognized two guests present: Mayor Yost, City of Webster; and Joe Elliott, City of Wildwood Commissioner.

1. TIMED ITEMS & PUBLIC HEARINGS

There were no scheduled hearings.

2. REPORTS AND INPUT

a. Letter of Recognition - Wildwood Food Pantry

Commissioner Search presented the attached letter to Mr. Don and Marlene Huggins, Mr. Richard and Susan Edwards, and Mr. Jay Newport.

12-22-20-2-a

b. County Administrator

In addition to the below items, Bradley Arnold, County Administrator, provided a COVID-19 update. The Governor visited Sumter County today. There is no certain date regarding when vaccinations will arrive in Sumter County. There are 115 cumulative deaths with 48 individuals hospitalized and five in ICU. There was a surge following the Thanksgiving holiday, so individuals should be careful approaching the Christmas holiday and while visiting family.

1. Letter to Ron Brown, Charter Oaks Real Estate, CR 462(For Direction)

The Commissioners provided consensus to send the letter.

12-22-20-2-b-1

2. Notice of Award for Emergency Medical Services (EMS) County Grant, ID Code C9060 in the amount of \$17,834.00 (For Information Only).

12-22-20-2-b-2

c. County Attorney

Ms. Rey had no report.

d. Clerk of Circuit Court

Mr. Kleinsorge had no report.

e. Board Members

1. Commissioner Search attended a CareerSource of Central Florida meeting on December 17, 2020.
2. Commissioner Miller had no report.
3. Commissioner Gilpin had no report.
4. Commissioner Estep had no report.
5. Commissioner Breeden attended a FACT meeting last week where new board members were appointed. Commissioner Breeden is now serving on the Claims Committee.

f. Public Forum

The following individuals spoke during Public Forum:

(Clerk's Note: The topic and/or topics that each individual spoke on is in parenthesis by their name and address.)

1. Eric Ryan Anderson, 14875 CR 751, Webster (placing One Sumter on the ballot and clarifying the boundaries of the districts);
2. Daniel Myslakowski, 1958 Flowersville Pl, The Villages (budget amendment on agenda, committee appointments, and taxes);
3. Mike Roberts, General Manager of Continental Country Club, Horsford Path, The Villages (Thanked County for reaching out and being open regarding the issue at Continental Country Club).

3. NEW BUSINESS - ACTION REQUIRED

a. MINUTES

1. Minutes of Regular Meeting held on November 24, 2020 (Staff Recommends Approval).

12-22-20-3-a-1

Commissioner Search moved, with a second by Commissioner Miller, to approve the minutes of the Regular Meeting held on November 24, 2020. The motion carried 5 - 0.

b. SET FUTURE PUBLIC HEARINGS OR MEETINGS

1. Schedule a Public Hearing to Amend Chapter 4, "Animal Control" of the Sumter County Code on January 12, 2021 at 7:00 PM at Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL (Staff Recommends Approval).

The current Sumter County Code of Ordinance does not prohibit tethering of animals provided they have adequate shelter, water, and food within reach of use of the tether. To consider an anti-tethering ordinance alone would create several areas of conflict within the current code; therefore, the attached ordinance amends the existing code to address those conflicts.

12-22-20-3-b-1

Commissioner Miller moved, with a second by Commissioner Estep, to approve scheduling a Public Hearing to amend Chapter 4, "Animal Control" of the Sumter County Code on January 12, 2021 at 7:00 PM at Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL. The motion carried 5 - 0.

c. APPOINTMENTS

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

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

12-22-20-3-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.

12-22-20-3-c-2

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

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

12-22-20-3-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.

12-22-20-3-c-4

d. FINANCIAL

1. Budget Amendment A-6 (FY 20/21) (Staff Recommends Approval).

This Budget Amendment (A-6) amends as follows:

General Fund (001) – Amends budget for a PTO sell back not budgeted in FY21. Amends to pay the back billing from the City of Bushnell for administrative error for not billing electrical service and not adding sewer service to the jail. Amends for DAB Construction change order for revisions to agreement, as well as retainage. Amends to account for the expenditure (repair) from the insurance proceeds for property damage 8/12.

Secondary Trust Fund (106) – Amends for the Corridor plan and future improvements along US301 and CR209 from CR462 to Marion County.

12-22-20-3-d-1

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

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

Commissioner Miller moved, with a second by Commissioner Estep, to Approve items 1 and 2 under Financial. The motion carried unanimously 5 – 0.
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e. CONTRACTS AND AGREEMENTS

1. Road Impact Fee Credit Agreement between K and C Water Management, LLC and Sumter County, Florida (Staff Recommends Approval).

Sumter County has reached an agreement with K and C Water Management, LLC, on transportation improvements to CR 216 west of US 301. K and C Water Management, LLC, agrees to dedicate up to 20 additional feet of right of way and design, construct, inspect, permit, at its own cost, the following transportation improvements:

1. Construction and modification of CR 216 to accommodate a minimum of three ten-foot lanes; includes an eastbound left-turn lane, an eastbound through/right lane, and one westbound through lane.
2. Resurface CR 216 along the frontage of the property.

3. Install stormwater conveyance ditches, where needed, along both sides of CR 216, west of the intersection of CR 216 at US 301, along the frontage of the property.
4. Install necessary hardware for the left-turn phase to the future signalized intersection of CR 216 and US 301.

Upon construction of the improvements identified above, receipt of the inspection documentation required in accordance with this Agreement, and acceptance of the Improvements by Sumter County, the County agrees that K and C Water Management, LLC shall be entitled to reimbursement of the Impact Fees paid based upon the actual cost of surveying, permitting, engineering, design, and construction of the CR 216 improvements, however, in no event shall Developer be entitled to any reimbursement of Impact Fees in excess of the amount of Impact Fees paid by Developer for the Project.

12-22-20-3-e-1

2. Enter into Agreement with Top Line Recreation, Inc. for Playground Equipment, Surfacing, Shade Structure and Installation (Staff Recommends Approval).

A need for a sun-shade structure at the Sumter County Fairgrounds has been identified and budgeted in FY 2020/2021. The sun-shade will be installed on the north side of the steer barn. The intention is to have the structure completed by the 2021 Sumter County Fair which is scheduled from March 5 to March 13, 2021. In an effort to complete the project in the desired timeframe, it is recommended to piggyback on the St. Johns County School District Bid #2018-04. The agreement has been renewed by St. Johns County School District through June 30, 2021 and there is one renewal remaining on the agreement.

12-22-20-3-e-2

3. Extension of the District Office Lease with the U.S. House of Representatives – The Honorable Daniel A. Webster for Office Space at The Sumter County Villages Annex (Staff Recommends Approval).

The U.S. House of Representatives 117th Congress, Honorable Daniel A. Webster, currently leases County owned office space located at 8015 E. County Road 466, Suite B, The Villages, Florida 32162. The U.S. House of Representatives wishes to renew the lease through January 2, 2023, which is the end of the constitutional term of the 117th Congress.

12-22-20-3-e-3

4. Individual Project Order #1 with Kimley-Horn and Associates, Inc. and Sumter County Board of County Commissioners (BOCC) for Wayfinding Signs Phase III (Staff Recommends Approval).

On September 22, 2020, the BOCC entered into a contract with Kimley-Horn and Associates, Inc. through RFQ 030-0-2020/RS Sumter County Continuing Engineering Services. Attached for BOCC review and approval is Individual Project Order #1. Under this project, Kimley-Horn and Associates will review the existing wayfinding sign program and wayfinding master plan recommendations to develop a wayfinding sign update plan set. These plans will be used to update wayfinding signs on County and State roadways. Additionally, these plans are required to update or place any existing or new signage on the Florida Department of Transportation (FDOT) highway system. Kimley-Horn has been selected as they have previous experience with similar projects and agencies.

12-22-20-3-e-4

5. Task Order #3 with WSP USA Inc. and Sumter County Board of County Commissioners (BOCC) (Staff Recommends Approval).

On September 22, 2020, the BOCC entered into a contract with WSP USA Inc. through RFQ 030-0- 2020/RS Sumter County Continuing Engineering Services. Attached for BOCC review and approval is Task Order #3. Under this Task, WSP will incorporate Sumter County, City of Wildwood, and Florida Department of Transportation (FDOT) comments into a conceptual corridor plan. This document will establish optimal access points, infrastructure modifications, and capacity improvements to support and manage future economic development without adversely impacting the safety and quality of life of Sumter County residents.

Project Limits: US 301 and CR 209 corridor between C 462 and the Marion County line

WSP is requested for this task to ensure there are no potential or actual conflicts of interest.

12-22-20-3-e-5

6. Preliminary Engineer Agreement Between CSX TRANSPORTATION, INC., and Sumter County, Florida, for the opening of a new highway-rail at-grade crossing with active grade-crossing warning devices at County Road (CR) 525E, and the closure of existing CR 105 highway-rail grade crossing in Oxford and closure of existing Coleman Cemetery Drive (CR525E) highway-rail grade crossing in Coleman. (Staff Recommends Approval).

Preliminary Engineer Agreement Between CSX TRANSPORTATION, INC., and Sumter County, Florida, for the opening of a new highway-rail at-grade crossing with active grade-crossing warning devices at County Road (CR) 525E, and the closure of existing CR 105 highway-rail grade crossing in Oxford and closure of existing Coleman Cemetery Drive (CR525E) highway-rail grade crossing in Coleman.

12-22-20-3-e-6

7. Approve Change Order #1 for Contract with D.A.B. Constructors, Inc. for Jumper Creek Bridge 25th Street Crossing Improvement Project (Staff Recommends Approval).

ITB 010-0-2020/RS, Sumter County Jumper Creek Bridge 25th Street Crossing Improvement Project was awarded to D.A.B. Constructors, Inc. on March 24, 2020, for the base bid of \$488,888.88. Due to inconsistencies in the plan set, the Contractor incorrectly placed the eastern footer. The Contractor removed and replaced the eastern footer to ensure the structure could withstand future capacity needs. Consistent with Article 11.05 Owner-Authorized Changes in the Work, such changes may be accomplished by a Change Order if Owner and Contractor have agreed as to the effect if any, of the changes on Contract Times or Contract Price; or by a Work Change Directive. In total, the Contractor will be compensated \$50,917.88 for said removal and replacement.

12-22-20-3-e-7

Commissioner Miller moved, with a second by Commissioner Search, to Approve items 1 through 7 under Contracts and Agreements. The motion carried unanimously 5 – 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Reverse One Sumter Ballot Question (Board's Option).

The topic of transition from a Board of County Commissioners elected at-large (countywide) (One Sumter) to single-member district election (Reverse One Sumter) is the focus of this agenda item for the Board's discussion and direction.

In 2004 the voters passed the One Sumter referendum with the language of: "Shall the five members of the Board of County Commissioners of Sumter County, Florida, be elected to office from at large districts by qualified electors residing in Sumter County?"

The vote occurred on August 31, 2004, with the total vote passing the referendum at 51.44% to 48.56% (10,577 to 9,983 votes). In 2008 the voters did not pass the Reverse One Sumter referendum with the language of: "Shall the five members of the Board of County Commissioners of Sumter County, Florida, be elected to office from single-member districts by electors residing in each of those districts only?"

The vote occurred on November 4, 2008, with the total vote not passing the referendum at 61.17% to 38.83% (28,012 to 17,782 votes).

Following the Special Called Meeting on December 15, 2020, the Board narrowed the options for the Board to consider at this meeting as follows:

Option 1: Approve the ballot question to Reverse One Sumter for the August 2022 Primary Election.

Option 2: Wait for the certification of a petition from registered voters for the ballot question to Reverse One Sumter before approving the ballot question for the next primary or general election in 2022.

Commissioner Miller brought the 11,000 petitions signed by the people of Sumter County to show good faith that they are interested in placing this item on the ballot. Commissioner Miller expressed that his issue with collecting the additional petitions necessary was putting people back on the streets during COVID to get petitions signed because they would be passing pencils, papers, and clipboards back and forth, which would be highly irresponsible. Commissioner Search thinks that the voters should want this issue on the ballot and if they want this issue on the ballot, the necessary petitions needed should be achieved. Although Commissioner Search agrees with Commissioner Miller regarding the COVID issue related to collecting petitions, he thinks the petition goal should be attainable by 2022. Additionally, Commissioner Search feels that he represents all of Sumter County and not just his neighborhood. The reason Commissioner Search ran was to represent all of Sumter County but if the voters want to have this on the ballot then it deserves to be on the ballot. Commissioner Miller made a motion to place Reverse One Sumter on the ballot for the August 22, 2022 Primary. The motion did not receive a second. Therefore, the motion was lost.

12-22-20-3-f-1

2. Public Awareness Reserve Special Assessment (Board's Option).

Public Awareness Reserves expenses are budgeted at \$65,000 for FY 2020/21. This reserve was developed in 2006 to provide a dedicated funding source for statewide awareness and education issues, allowing the Florida Association of Counties (FAC) to effectively respond to major initiatives facing counties. Providing a visible and influential voice on issues of statewide importance is considered crucial for the ongoing success of the organization. Usage of this fund in FY 2020/21 is for the continued funding (\$60,000) of the Keep it Local, Florida campaign to include video production, and (\$5,000) for a home rule toolkit. In FY 2019, a special assessment of \$1,000,000 was approved by the Board of Directors to replenish the FAC Public Awareness Reserve. This amount was assessed beginning in FY 2020 based upon the 2018 UF BEBR population estimates. It is to be paid in a lump sum or over a three-year horizon, at the county's option. Sumter County has not elected whether to pay this as a lump sum (\$5,995) or over two years (two payments of \$2,997.50).

12-22-20-3-f-2

Commissioner Estep moved, with a second by Commissioner Search, to approve participating in the FAC and paying the Public Awareness Reserve Special Assessment

over two years in two payments of \$2997.50. The motion carried 5 - 0.

3. A Resolution of the Board of County Commissioners of Sumter County, Florida, Establishing an Open-Admission No-Kill Animal Services Shelter (Board's Option).

In January 2018, Sumter County established a ninety percent (90%) or greater live release rate goal. In October 2020, Sumter County adopted a resolution reaffirming the BOCC commitment to its customers to maintain an open-admission animal services shelter with a goal of ninety percent (90%) or greater live release rate. The current resolution establishes an open-admission no-kill shelter. It restricts the use of humane euthanasia to owner requested, animals beyond reasonable medical treatments or aggressive animals that cannot be socialized. Commissioner Gilpin wanted it on the record that if the proposed resolution passed, there would not be much change from how the shelter is currently handled. Commissioner Breeden believes that the term "no-kill" is misleading to the public. After the item was passed, Commissioner Gilpin stated that he wants to give animals every opportunity to have a good life and he would like to see more responsible pet ownership. Commissioner Gilpin voted to approve this item with the idea (as discussed in the workshop) that any costs incurred due to this item will be monitored.

12-22-20-3-f-3

Commissioner Estep moved, with a second by Commissioner Search, to approve a Resolution (2020-59) of the Board of County Commissioners of Sumter County, Florida, establishing an Open-Admission No-Kill Animal Services Shelter. The motion carried 4 - 1. Commissioner Breeden voted Nay.

4. Continental Country Club Installation of Bamboo in the Right-of-Way (ROW) in front of the noise wall at the Morse Boulevard Roundabout (Staff Recommends Approval).

Sumter County previously widened Warm Springs Avenue/Morse Boulevard (f.k.a. C 468) from a two-lane facility to a four-lane facility. Before the widening, Continental Country Club asked Sumter County for a noise wall. At that time, the Board of County Commissioners (BOCC) did not fund the noise wall. Continental Country Club constructed an approximately eight-foot-high noise wall at the current elevation of the resident's lots. As part of the Regionally Significant Roadway Agreement with The Villages® Developer, Sumter County recently accepted and started the one-year warranty period for the Morse Boulevard Roundabout. The roundabout and by-pass lanes' design and construction required an elevation increase to clear the utilities, including gas, fiber optic, telephone, and DUKE Energy's facilities. This increase in elevation raised the westbound by-pass lane to be level or slightly below the top of the Continental Country Club noise wall. At the BOCC Meeting on December 8, 2020, the Board gave direction

to propose recommendations for improving the noise levels for the Continental Country Club properties near the Morse Boulevard Roundabout. The joint recommendation from the Country Club Manager and the County Administrator is to plant bamboo in front of the noise wall. Working with a landscape architect to select bamboo species and the current landscaping contractor, this bamboo noise barrier's estimated cost is \$34,875.00. There will not be any increased maintenance charges for the maintenance of the bamboo. Commissioner Search commented on this item and thanked Mr. Arnold and other staff for finding a resolution so quickly.

12-22-20-3-f-4

Commissioner Estep moved, with a second by Commissioner Miller, to approve the Continental Country Club installation of bamboo in the right-of-way in front of the noise wall at the Morse Boulevard roundabout. The motion carried 5 - 0.

5. Limited Certificate of Public Convenience and Necessity (COPCN) modification for American Ambulance (Staff Recommends Approval).

The University of Florida (UF) Health Central Florida desired a limited COPCN for American Ambulance to provide Ambulance Transport Services from UF Health The Villages® Hospital Brownwood Freestanding Emergency Department located at 3800 Meggison Road, The Villages, FL 32163. On December 12, 2017, Sumter County BOCC entered into an agreement with LifeFleet Southeast., d/b/a American Medical Response (AMR) to provide Advanced and Basic Life Support Ambulance Transport Services for emergency and inter-facility services within Sumter County and on June 23, 2020, Sumter County issued a county-wide COPCN to American Medical Response (AMR) to provide Advanced and Basic Life Support Ambulance Transport Services. To meet the request of UF Health Central Florida, the BOCC issued a limited COPCN for UF Health The Villages® Hospital Brownwood Freestanding Emergency Department located at 3800 Meggison Road, The Villages, FL 32163 and excluding UF Health The Villages® Hospital Brownwood Freestanding Emergency Department located at 3800 Meggison Road, The Villages, FL 32163 from AMR's COPCN. RJ Ambulance Service intends to acquire the stock of the parent company of American Ambulance, Falck SE II Corporation, on January 15, 2021 and has requested a name revision to the existing limited COPCN for American Ambulance.

12-22-20-3-f-5

6. City of Bushnell Back billing of Two Accounts (Staff Recommends Approval).

The City of Bushnell reduced their desired back billing associated with their administrative error for not billing electrical service correctly for the Public Defender buildings and not adding sewer service to the jail constructed in 2008. The Mayor and Council first desired to back bill for ten years, and after pointing out that their code does not allow for the excessive back billing, the City Attorney

determined five years could be defensible. The County Attorney presented a different legal view; however, to resolve this issue and move forward, the City agreed to only charge for three years of back billing with the financial impacts noted above.

12-22-20-3-f-6

7. Quit Claim Deed and General Release for the Donation from The Jeno and Lois Paulucci Family Foundation II, Inc. (Staff Recommends Approval).

The Quit Claim Deed and General Release of Liability and Hold Harmless Agreement are the conveyance documents to finalize the property donation from the Jeno and Lois Paulucci Family Foundation II, Inc.

12-22-20-3-f-7

8. Marsh Bend Trail Phases 1 through 4 Speed Limit Reduction (Staff Recommends Approval).

As part of the Regionally Significant Roadway Agreement with The Villages® Developer, Sumter County recently accepted and started the one-year warranty period for Marsh Bend Trail Phases 1 through 4. At the time of acceptance, the engineer of record (EOR) had shown on the plans and posted the roadway with a 30 mile per hour (MPH) speed limit. On December 8, 2020, the EOR presented a signed and sealed recommendation to reduce the speed limit to 25 MPH.

In 2011, the BOCC approved speed limit ranges for various roadways as part of the Regionally Significant Roadway Agreement. Marsh Bend Trail Phases 1 through 4 is considered a minor collector road and has on-street dedicated golf cart lanes and no driveways. The previously adopted speed limit standards for this type of roadway is 25 or 30 MPH.

The EOR states: “The concern is that there are existing street light poles that do not adequately meet the FDOT clear zone requirements for roadways with a posted speed limit of 30 mph. Additionally, it is our professional opinion that these roadway segments will provide a better riding experience at the lower speed limit.”

Based on the signed and sealed recommendation from the EOR and that the roadway meets the previously approved BOCC criteria for a roadway of this type to be posted at 25 MPH, staff recommends approval of the reduced speed limit.

12-22-20-3-f-8

9. Affordable Housing (AH) Program Request to Execute Satisfaction of Mortgage (Staff Recommends Approval).

In June 2014, Ms. Kathleen Vicchiullo received assistance to repair her home at 473 CR 314, Bushnell, FL 33513. Staff received a payoff check from Equity National Title on December 4, 2020. Housing Services is requesting the execution of a Satisfaction of Mortgage for Kathleen Vicchiullo as her mortgage is paid in full.

12-22-20-3-f-9

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

In June 2014, Ms. Kathleen Vicchiullo received assistance to repair her home at 473 CR 314, Bushnell, FL 33513. Staff received a payoff check from Equity National Title on December 4, 2020. Housing Services is requesting the execution of a Satisfaction of Mortgage for Kathleen Vicchiullo as her mortgage is paid in full.

12-22-20-3-f-10

11. Approval of Release of Lien for Charlene Marek (Staff Recommends Approval).

A code enforcement lien was filed against this property on October 31, 2019, in which the property owner at the time was Charlene Marek. The property was found in compliance on June 22, 2020. Costs in the amount of \$700.34 were paid. Since costs were paid, a Release of Lien is being requested.

12-22-20-3-f-11

12. Satisfaction of Civil Restitution Lien - Lawrence Wendell McColloug (Staff Recommends Approval).

On February 11, 2004 a Civil Restitution Lien in the amount of \$18,250.00 was ordered for Lawrence Wendell McColloug, case number 2002 CF 497. On December 8, 2020 County Finance received Clerk of Courts check 61082, in the amount of \$18,250.00 to satisfy the balance of said lien.

12-22-20-3-f-12

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

12-22-20-3-f-13

Commissioner Search moved, with a second by Commissioner Miller, to Approve items 5 through 13 under General Items for Consideration. The motion carried unanimously 5 – 0.

4. ADJOURN

The meeting adjourned at 5:36 p.m.