

The Board of Sumter County Commissioners (BOCC/Board) convened in a regular session on Tuesday, February 9, 2021, at the Everglades Regional 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 7:00 p.m. with the invocation given by Commissioner Search followed by the flag salute led by Commissioner Miller. The complete audio recording of this meeting is available on the Clerk's Website - www.sumterclerk.com.

1. TIMED ITEMS & PUBLIC HEARINGS

- a. 7:30 PM - Public Hearing Planning and Zoning Special Master Recommendations
*Quasi Judicial
Clerk's Note: The Public Hearings began at 7:33 p.m.

1. *R2021-0001 Robert Batista for Modesto Montes and Carmen Nieves - Rezone Five Acres MOL from A10C (Agricultural) to RR5C (Rural Residential) and rezone 4.62 acres MOL from A10C (Agricultural) to RR2.5C (Rural Residential) - E C-48/Center Hill Area (Planning and Zoning Special Master Recommends Approval).

Commissioner Breeden polled the Board Members for ex parte communications, written or verbal, related to this case. Commissioner Search - none; Commissioner Miller - none; Commissioner Gilpin - none; Commissioner Estep - none; and Commissioner Breeden - none.

This item was presented by Bradley Arnold, County Administrator. The Staff Report is entered into the record. The applicant is requesting to rezone 9.62 acres MOL. He is requesting five acres be zoned RR5C and 4.62 acres rezoned to RR2.5C. The proposed rezoning will allow residential development on the two parcels. There were seven notices sent with one returned in support and/or no comment. The Planning and Zoning Special Master held a public hearing on February 1, 2021 and recommended approval.

APPLICANT - The applicant did not make a presentation.

PUBLIC - There was no input from the public.

2-9-21-1-a-1

Commissioner Miller moved, with a second by Commissioner Search, to approve R2021-0001 - Application by Robert Batista for Modesto Montes and Carmen Nieves to rezone five acres MOL from A10C (Agricultural) to RR5C (Rural Residential) and rezone 4.62 acres MOL from A10C (Agricultural) to RR2.5C (Rural Residential) and adopt the related resolution (2021-04). The Staff Report is entered into the record and the motion is based on competent, substantial, fact based testimony and evidence. The motion carried 5 - 0.

2. *R2021-0002 Margaret Tarver for Margaret and Charlie Tarver, and Catherine Steele - Rezone three acres from RR5C to RR1C to complete a lineal descent subdivision - CR 231/Wildwood Area (Planning and Zoning Special Master Recommends Approval).

Commissioner Breeden polled the Board Members for ex parte communications, written or verbal, related to this case. Commissioner Search - none; Commissioner Miller - none; Commissioner Gilpin - none; Commissioner Estep - none; and Commissioner Breeden - none.

This item was presented by Bradley Arnold, County Administrator. Mr. Arnold noted that the website was updated regarding the Special Master's Recommendation due a scrivener's error. That update was provided to the Commissioners and the Deputy Clerk, as well. The Staff Report is entered into the record. The applicant is requesting to rezone two parcels to RR1C. The property is part of a lineal descent subdivision. This application will rezone one of the new parcels and the mother's remainder parcel to a zoning assignment consistent with the parcel size. There were 17 notices sent with seven received in support and/or no comment. The Planning and Zoning Special Master held a public hearing on February 1, 2021 and recommended approval.

APPLICANT - The applicant did not make a presentation.

PUBLIC - There was no input from the public.

2-9-21-1-a-2

Commissioner Miller moved, with a second by Commissioner Estep, to approve R2021-0002 - Application by Margaret Tarver for Margaret and Charlie Tarver, and Catherine Steele to rezone three acres from RR5C to RR1C to complete a lineal descent subdivision and adopt the related resolution (2021-05). The Staff Report is entered into the record and the motion is based on competent, substantial, fact based testimony and evidence. The motion carried 5 - 0.

3. *R2021-0003 Margaret Tarver for Milton and Yolanda Harrison - Rezone 1.5 acres from RR5C to RR1 to complete a lineal descent subdivision - CR 231/Wildwood Area (Planning and Zoning Special Master Recommends Approval).

Commissioner Breeden polled the Board Members for ex parte communications, written or verbal, related to this case. Commissioner Search - none; Commissioner Miller - none; Commissioner Gilpin - none; Commissioner Estep - none; and Commissioner Breeden - none.

This item was presented by Bradley Arnold, County Administrator. The Staff Report and corrected Special Master Report is entered into the record. The applicant is requesting to rezone a parcel to RR1. The property is part of a lineal descent subdivision. This rezoning will allow the landowner to construct or install a home on the property. There were 14 notices sent with five returned in support and/or no comment. The Planning and Zoning Special Master held a public hearing on February 1, 2021 and recommended approval.

APPLICANT - The applicant did not make a presentation.

PUBLIC - There was no input from the public.

2-9-21-1-a-3

Commissioner Miller moved, with a second by Commissioner Search, to approve R2021-0003 - Application by Margaret Tarver for Milton and Yolanda Harrison to rezone 1.5 acres from RR5C to RR1 to complete a lineal descent subdivision and adopt the related resolution (2021-06). The Staff Report is entered into the record and the motion is based on competent, substantial, fact based testimony and evidence. The motion carried 5 - 0.

4. *R2021-0004 Marty Dzuro for Jason Goedken and Whitney Morse - Rezone 5.47 acres from RR1 to A10C - C-466/The Villages (Planning and Zoning Special Master Recommends Approval).

Commissioner Breeden polled the Board Members for ex parte communications, written or verbal, related to this case. Commissioner Search - none; Commissioner Miller - none; Commissioner Gilpin - none; Commissioner Estep - none; and Commissioner Breeden - none.

This item was presented by Bradley Arnold, County Administrator. The Staff Report is entered into the record. The applicant is requesting to rezone a parcel to A10C. The property is a portion of a newly reconfigured parcel. This rezoning will provide for consistent zoning on the entire ten-acre parcel. There were 21 notices sent with three returned in support and/or no comment. The Planning and Zoning Special Master held a public hearing on February 1, 2021 and recommended approval.

APPLICANT - The applicant did not make a presentation.

PUBLIC - There was no input from the public.

Commissioner Miller moved, with a second by Commissioner Search, to approve R2021-0004 - Application by Marty Dzuro for Jason Goedken and Whitney Morse to rezone 5.47 acres from RR1 to A10C and adopt the related resolution (2021-07). The Staff Report is entered into the record and the motion is based on competent, substantial, fact based testimony and evidence. The motion carried 5 - 0.

2. REPORTS AND INPUT

- a. Proclamation Recognizing February 2021 as Black History Month in Sumter County

Commissioner Breeden read the proclamation into the record.

2-9-21-2-a

- b. County Administrator

Bradley Arnold, County Administrator, provided the following item for information.

- 1. Review of Workshop Topics and the Schedule (For Information Only)

The review of workshop topics and the schedule is attached.

2-9-21-2-b-1

- c. County Attorney

- 1. Jessica Laube and Robert Hunter v. Village Community Development District 10 and the Sumter County Board of County Commissioners (For Information Only)

Jennifer Rey, County Attorney, noted that the attached item is a Notice of Voluntary Dismissal on behalf of the plaintiff with prejudice. This dismisses the County from one of the two pending land use cases that are currently before the court.

2-9-21-2-c-1

- d. Clerk of Circuit Court

- 1. Check Registers for December 2020 (For Information Only)

2-9-21-2-d-1

2. Check Registers for January 2021 (For Information Only)

2-9-21-2-d-2

e. Board Members

1. Commissioner Search - No report.
2. Commissioner Miller attended the Value Adjustment Board meeting where he is serving as Chair with School Board Member Sally Moss as Vice-Chair. Commissioner Miller received a call about his wife and her social media posts. Commissioner Miller recognized that he is aware that some her posts may upset people but also recognized that she has first amendment rights. Commissioner Miller explained that although he agrees with some of his wife's posts, he does not agree with all of them, as she is not a conduit for him.
3. Commissioner Gilpin discussed a review and counselling by the County Attorney. The review and counseling took place at the last meeting in regards to emails sent to the Board. The following day, there were more emails sent. Commissioner Gilpin requested that no more emails of the discussed nature be sent to the Board, as they are inappropriate.
4. Commissioner Estep met with Florida CFO, Jimmy Patronis, on the S.A.F.E initiative to stop adult financial exploitation on Wednesday, January 27th. On Thursday, January 28th, Commissioner Estep attended a Zoom Meeting for the Metropolitan Planning Organization Advisory Committee. On Tuesday, February 2nd, Commissioner Estep met with Marsha Perkins and toured SCARC in Bushnell. On Thursday, February 4th, Commissioner Estep attended a Zoom Meeting on mobilizing transportation to increase COVID-19 vaccinations for transportation disadvantaged. On Monday, February 8th, Commissioner Estep chaired the Sumter County Transportation Disadvantaged Coordinating Board. Commissioner Estep gave a shout out to Mr. Kennedy and Mr. Stevenson on answering board members questions at that meeting. The next meeting of the Transportation Disadvantaged Coordinating Board is June 7th.

Commissioner Estep also mentioned the Sumter County Fair approaching next month. If the Chairman wants to be a part of a collegial group to purchase an animal/animals to support the 4H kids, Commissioner Estep would like to be a part of it. Commissioner Breeden responded that purchasing an animal/animals as a group can be discussed at a workshop so they can decide what they want to do. Commissioner Gilpin stated that purchasing an animal/animals as a group has been a longstanding tradition established many years ago but this year he will not be participating in the group this year, as he will participate on his own.

5. Commissioner Breeden - No report.

f. Public Forum

The following individuals spoke during Public Forum:

(Clerk's Note: The general topic that each individual spoke on is in parentheses beside their name and address.)

1. Sherry Duval, 2958 Luraville Rd, The Villages (impact fees); and
2. Reed Panos, 1791 Sunset Ridge Dr, The Villages (pull out item 1 under Financial for more information).

3. NEW BUSINESS - ACTION REQUIRED

a. MINUTES

1. Minutes for Regular Meeting held on January 12, 2021 (Staff Recommends Approval).

2-9-21-3-a-1

Commissioner Miller moved, with a second by Commissioner Estep, to approve the minutes for the Regular Meeting held on January 12, 2021. The motion carried 5 - 0.

b. SET FUTURE PUBLIC HEARINGS OR MEETINGS

1. Schedule a Public Hearing to Amend Chapter 2, "Administration" of the Sumter County Code on February 23, 2021, at 7:00 PM at Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL (Staff Recommends Approval).

This amendment corrects the omission regarding the second vice chairman's role in Sections 2-23 Regular Meetings and Section 2-24 in the absence of the chairman and vice chairman.

2-9-21-3-b-1

Commissioner Search moved, with a second by Commissioner Breeden, to approve scheduling a public hearing to amend Chapter 2, "Administration" of the Sumter County Code on February 23, 2021, at 7:00 PM at Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL. The motion carried 5 - 0.

2. Schedule a Public Hearing to Establish the Maximum Fire Assessment Rate by Resolution on April 13, 2021, at 7:00 PM at Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL (Staff Recommends Approval).

The current maximum rate set on August 14, 2007, is \$125 per improved parcel following the research by Real Estate Research Consultants. The current annual rate set in 2020 was \$124.00 per improved parcel; therefore, only \$1.00 per improved parcels is remaining from the original maximum rate set and limits the Board's ability to gain additional revenue via a rate change. The methodology for the maximum rate is still sound for use, as verified with the County Attorney and the original consultant; however, the application of the methodology was applied against the budget of The Villages Public Safety Department and the Sumter County Fire & EMS when they were new creations with low budgetary costs and substantially lower service delivery capabilities. The Board approved the elimination of The Villages Fire Assessment District on October 13, 2020, so that there is only one Sumter County Fire Assessment District for the county as a whole. Due to the continued rise in costs for the operational portion of both fire operations, and this non-Ad Valorem assessment is another General Fund revenue. At the hearing, the Board will consider setting a new maximum, per parcel, annual special assessment for fire protection services at \$360.00; this would be the maximum amount that could be imposed without further notice. The implementation of the annual assessment rate for 2021 will be part of the budgetary process that follows this public hearing. A notice will be published in the paper and first-class mailed notices to parcel owners regarding the public hearing. The hearing will be held at 7:00 PM, on April 13, 2021, at Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL, for the purposes of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the County Commission within twenty (20) days of this notice.

2-9-21-3-b-2

Commissioner Miller moved, with a second by Commissioner Search, to approve scheduling a public hearing to establish the maximum fire assessment rate by resolution on April 13, 2021, at 7:00 PM at Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL. The motion carried 5 - 0.

c. APPOINTMENTS

1. Public Safety Coordinating Council Vacancies, Two Applications Received (Board's Option).

Denna Lafferty and Randy Parmer submitted applications to fill two vacancies on the committee.

2-9-21-3-c-1

Commissioner Gilpin moved, with a second by Commissioner Estep, to approve the appointments of Denna Lafferty and Randy Parmer to the Public Safety Coordinating Council. The motion carried 5 - 0.

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.

2-9-21-3-c-2

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

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

2-9-21-3-c-3

4. Value Adjustment Board (VAB) - BOCC Appointed Citizen Member Vacancy (Board's Option).

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

2-9-21-3-c-4

d. FINANCIAL

1. Budget Amendment A-9 (FY 20/21) (Staff Recommends Approval).

This item was pulled for more information to be provided per Mr. Panos' request during Public Forum. Mr. Arnold announced that the agenda is published online with the attachments containing details on each item prior to the meeting. Mr. Arnold provided the information below, as found on the executive summary.

This Budget Amendment (A-9) amends as follows:

General Fund (001) - Amends the budget to update the Cash Balance Forward to increase for the increase in Life and Health Insurance Employer premium. It also amends to account for the increase in postage for the supervisor of elections mailings. Also amends for the increased transfer to the Capital Outlay fund as well as a decrease in the transfer to the Court Technology fund and the Transit Fund. Lastly, it increases the reserve for contingencies to the threshold of 5% of the budget.

County Transportation Trust Fund (103) - Amends the budget to update the Cash Balance Forward from FY2020 and transfer to the Secondary Trust Fund.

Secondary Trust Fund (106) - Amends the budget to update the Cash Balance Forward from FY2020 & the Transfer from the County Transportation Trust Fund. It also accounts for the SR44 & US301 Improvements project.

Alcohol/Drug Abuse Fund (126) - Amends the budget to update the Cash Balance Forward from FY2020.

Court Improvement Fund (127) - Amends the budget to update the Cash Balance Forward from FY2020.

Court Local Improvement Fund (128) - Amends the budget to update the Cash Balance Forward from FY2020.

SC Road Construction District Impact Fee Fund (153) - Amends the budget to update the impact fees for the projected reduction in revenue for FY21. It also increases the revenue for the developer funds from Wildwood for the signal at the US301 & CR124A project. It includes a reduction in the US301 at CR472 Traffic Signal project as well as accounting for the retainage in the Warm Springs Avenue (fka C-468) FR CR505 to US301 project.

Capital Outlay Fund (305) - Amends the budget to update the Cash Balance Forward from FY2020.

Group Insurance Fund (501) - Amends the budget to update for the increase in employer premiums.

Anti-Drug Abuse Fund (113) - Amends the budget to update the Cash Balance Forward from FY2020 and transfer to Sheriff.

Emergency Telephone System Fund (114) - Amends the budget to update the Cash Balance Forward from FY2020.

Transit Fund (116) - Amends the budget to update for the transfer from General Fund.

Police Education Fund (117) - Amends the budget to update the Cash Balance Forward from FY2020 and transfer to Sheriff.

Crime Prevention Fund (118) - Amends the budget to update the Cash Balance Forward from FY2020 and transfer to Sheriff.

Building Services Fund (124) - Amends the budget to update for the increase in Life and Insurance employer premium.

2-9-21-3-d-1

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

2-9-21-3-d-2

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

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

2-9-21-3-d-3

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

e. CONTRACTS AND AGREEMENTS

1. Existing Business Industry Incentive Agreement between Sumter County and

Salty Boats RJJ, Inc. (Staff Recommends Approval).

This item was pulled for discussion by Commissioner Miller. Mr. Arnold provided additional information on this item. Salty Boats RJJ, Inc. is expanding their boat manufacturing operations in Sumter County. This agreement includes a proposed capital investment total of \$800,000 for the expansion project. The building capital investment is estimated at \$700,000 and the equipment investment associated with the building capital investment is estimated at \$100,000. The incentive agreement between Salty Boats RJJ, Inc. and Sumter County is based on the Sumter County target industry incentive for existing businesses adopted in September 2018. The company is required to make a building capital investment of at least \$500,000. The total award amount for this incentive of \$89,000 is 12% of the building capital investment (\$700,000) estimated at \$84,000 plus 5% of the associated equipment (\$100,000) estimated at \$5,000. The expansion's estimated ten-year tax yield to Sumter County, the Sumter County School Board, and the City of Wildwood is approximately \$118,733 with a net ROI of approximately \$29,733 during that same period. The incentive award will be paid out as below.

Year 1 incentive payment (FY 21/22): \$29,667

Year 2 incentive payment (FY 22/23): \$29,667

Year 3 incentive payment (FY 23/24): \$29,667

2-9-21-3-e-1

Commissioner Gilpin moved, with a second by Commissioner Miller, to approve the Existing Business Industry Incentive Agreement between Sumter County and Salty Boats RJJ, Inc. The motion carried 5 - 0.

2. Affordable Housing (AH) Program Request to Approve and Execute the Contract for Grant Assistance (Staff Recommends Approval).

Rondricka Nelson received demolition/reconstruction assistance through the SHIP program in fiscal year 2020/2021 to replace her substandard home located at 4307 Lime Street, Coleman. During the process, it was determined by the electric company that additional tree work would be required to install the new service to the new home. Staff leveraged Affordable Housing funds with SHIP funds to pay for the unexpected expense. The total cost was \$913.00. Staff is requesting approval and execution of the Affordable Housing Grant Contract for assistance provided to Ms. Nelson. Staff is requesting approval and execution of the Affordable Housing Grant Contract for assistance provided to Ms. Nelson.

2-9-21-3-e-2

3. Enter into Contract with Chinchor Electric, Inc. for ITB 050-0-2020/RS Sumter County Signalization at US 301 and C-472 (Staff Recommends Approval).

ITB 050-0-2020/RS Sumter County Signalization at US 301 and C-472 was broadcasted on 12/29/2020. Bids were due on 1/29/2021 at 2:00 p.m. and opened at 2:05 p.m. in the Training Room located at 319 E. Anderson Avenue, Bushnell. Four (4) bids were received from the following vendors: 1. Chinchor Electric, Inc. (\$427,482.41); 2. Traffic Control Devices, Inc. (\$456,932.00); 3. Traffic Control Products of Florida (\$475,993.00); and 4. American Lighting & Signalization (\$538,008.00). The Selection Committee agreed to recommend to the BOCC to enter into contract with Chinchor Electric, Inc. as the lowest responsive/responsible bidder.

2-9-21-3-e-3, 2-9-21-3-e-3-Agreement, 2-9-21-3-e-3-ITB, 2-9-21-3-e-3-American Lighting Submittal, 2-9-21-3-e-3-Chinchor Submittal, 2-9-21-3-e-3-Traffic Control Devices Submittal, 2-9-21-3-e-3-Traffic Control Products of FL Submittal

Commissioner Estep moved, with a second by Commissioner Miller, to Approve items 2 through 3 under Contracts and Agreements. The motion carried unanimously 5 – 0.

f. GENERAL ITEMS FOR CONSIDERATION

1. Revise the 2020/2021 Classification and Compensation Schedule to include the Field Training Officer (FTO) stipend for Animal Services (Staff Recommends Approval).

The 2020/2021 Classification and Compensation Schedule adopted on September 9, 2020, included the Educational and Certification Schedule and the Firefighter Certification Schedule. In addition to these various certifications, Animal Services has a need for certified FTO's. To appropriately compensate them for the additional training education, and job responsibilities, it is recommended that a \$2,080 annual stipend be available to the employees who meet the requirements and are serving in the designated role of FTO. This does not change the approved positions.

2-9-21-3-f-1

2. Satisfaction of Civil Restitution Lien for Davit Wade Gerdes (Staff Recommends Approval).

On October 20, 2020, a Civil Restitution Lien in the amount of \$100.00 was ordered for Davit Wade Gerdes, case number 2020 CF 881. On February 2, 2021, County Finance received Money Order number 19-206476233, in the amount of \$100.00, to satisfy the balance of said lien.

2-9-21-3-f-2

3. Approval of Release of Lien for Greg Smith & Dora Kauffman (Staff

Recommends Approval).

A code enforcement lien was filed against this property on October 12, 2004, in which the property owner at the time was Greg Smith & Dora Kaufman. The property was found in compliance on November 16, 2009. Sumter County foreclosed on the property October 19, 2006. Sumter County sold the property to Merle & Deborah Nelson in 2008.

2-9-21-3-f-3

4. Approval of Release of Lien for James Alfred Thalgott - Life Estate (LE) (Staff Recommends Approval).

A code enforcement lien was filed against this property on February 16, 2018, in which the property owner at the time was James Alfred Thalgott. The property is being sold. Costs in the amount of \$895.88 were paid. Since costs were paid, a Release of Lien is being requested.

2-9-21-3-f-4

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

Mr. and Mrs. Dennis received assistance on April 28, 2015, to make repairs to their home located at 109 N Florida Street, Bushnell, FL 33513. Staff received a payoff check from America's Title Corporation on January 27, 2021.

Ms. Pickett received assistance in July 2017 to purchase her home located at 4113 CR 400, Lake Panasoffkee, FL 33538. Ms. Pickett fell behind on her mortgage payments, and the first lender filed a Lis Pendens on February 28, 2020. In an effort to prevent foreclosure, the bank accepted a short sale and requested the county accept a \$2,500.00 settlement to satisfy the SHIP lien. As permissible by policy, the County Administrator approved the settlement on December 8, 2020. Staff received the settlement check from Legacy Title Group, LLC on February 1, 2021. Housing Services is requesting the execution of a Satisfaction of Mortgage for Mr. and Mrs. Dennis and Ms. Pickett as the mortgages are paid in full.

2-9-21-3-f-5

6. State Of Emergency Declaration Extension Sumter County Board Of County Commissioners (Staff Recommends Approval).

2-9-21-3-f-6

Commissioner Miller moved, with a second by Commissioner Estep, to Approve items 1 through 6 under General Items for Consideration. The motion carried unanimously 5 – 0.

4. ADJOURN

The meeting adjourned at 7:49 p.m.