

**DRAFT**

REGULAR MEETING BOARD OF COUNTY COMMISSIONERS

NOVEMBER 22,  
2022

The Board of Sumter County Commissioners (BOCC/Board) convened in a regular session on November 22, 2022, at the Everglades Regional Recreation Center in The Villages, Florida, with the following members present to wit: Roberta Ulrich, District No. 1, Vice Chairman; Andrew Bilardello, District No. 2; Craig Estep, Chairman, District No. 3; Jeffrey Bogue, 2nd Vice Chairman, District No. 4; and Donald Wiley, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; Stephen Kennedy, Assistant County Administrator; Jennifer Rey of The Hogan Law Firm, Attorneys for the Board; Bill Kleinsorge, Finance Director; and Melissa Elliott, Deputy Clerk. The complete audio recording of this meeting is available on the Clerk's Website – [www.sumterclerk.com](http://www.sumterclerk.com).

The Honorable Judge Militello was present to swear in the newly elected Commissioners in the following order: Roberta Ulrich, Andrew Bilardello, Jeffrey Bogue, Donald Wiley.

#### Oaths of Office

Commissioner Estep called the meeting to order at 5:05 p.m. with the invocation given by Commissioner Wiley followed by the flag salute by Commissioner Bilardello.

### **1. TIMED ITEMS & PUBLIC HEARINGS**

**None**

### **2. REPORTS AND INPUT**

- a. Proclamation of Sumter County as a County Committed to Promoting, Creating, and Sustaining a Community for Older Adults

Commissioner Estep read the proclamation that Promotes Creating, and Sustaining, a Community for Older Adults. Ms. Megan McCarthy, Lead Epidemiologist for the Florida Department of Health, was present to accept.

11-22-22-2-a

- b. Bradley Arnold, County Administrator, discussed and presented the following items for information and/or direction.

1. Recycling Award and Recognition (For Information Only)

11-22-22-2-b-1

2. County Administrator Evaluation (For Information Only)

11-22-22-2-b-2-Breeden

11-22-22-2-b-2-Estep

11-22-22-2-b-2-Gilpin

11-22-22-2-b-2-Ulrich

11-22-22-2-b-2-Wiley

3. 2022 Broadband Opportunity Program Letter (For Information Only)

11-22-22-2-b-3

4. After-Action Report of Hurricane Ian 2022 (For Information Only)

11-22-22-2-b-4

5. October 2022 Transport Report (For Information Only)

11-22-22-2-b-5

- c. County Attorney

Jennifer Rey of the Hogan Law Group, Attorneys for the Board, presented and discussed the following items for information.

1. State of Florida Division of Administrative Hearing Petition regarding Sumter County Comprehensive Plan Amendment 22-04ESR (For Information Only)

11-22-22-2-c-1-a

11-22-22-2-c-1-b

2. Order Dismissing with Prejudice (For Information Only)

11-22-22-2-c-2

3. MK3 Operating Permit Lawsuit (For Information Only)

11-22-22-2-c-3

- d. Clerk of Circuit Court

No report.

e. Board Members

1. Commissioner Wiley reported that on November 10, 2022, he attend the Withlacoochee Regional Water Supply Authority meeting and attended the Senate meeting with Senator Rick Scott on November 21, 2022.
2. Commissioner Ulrich reported that on November 16, 2022 she attended the East Central Florida Regional Planning Commission meeting. She also attended the Field Hearing for Senate Committee on Aging with Senator Rick Scott on November 21, 2022.
3. Commissioner Bilardello had no report.
4. Commissioner Bogue had no report.
5. Commissioner Estep reported that on November 12 and 18, 2022, he worked the Canvassing Board and certified the election documentation. He also reported that he attended the East Central Florida Regional Planning Council Governing meeting, as well as the Senate Special Committee on Aging hearing with Senator Rick Scott. Lastly, he urged his fellow Commissioners to attend the Oath of Office ceremony, as Christine J. Dehn takes over as the Postmaster in Oxford, Fl on December 2, 2022. Commissioner Wiley said he would attend.

f. Public Forum

1. Joe Elliott of 5643 Fernandez Ct, Wildwood, spoke concerning duties of the Board of County Commissioners.
2. Marilyn Iskra 5033 Rosenow Rd. ,The Villages, spoke to congratulate the new Commissioners.
3. Rick Stagg of 2434 CR 245D, Oxford, spoke to congratulate the Commissioners and talk about his experience at being a poll watcher during the election.
4. Micah Hyatt representing the Kubler's of 7606 CR 629, Bushnell, spoke about his concerns about the lack of Internet service in that area.

Bradley Arnold, County Administrator, addressed the Internet issue and shared information that the County has a public/private partnership with Charter (Spectrum) who is in the design phase and is also gaining permits for Rights of Way, with the biggest thing they are currently working on is pole attachments. This is because the bulk of the fiber that is going to be run, will be attached to the electric poles. He also explained that Charter is working with the electric companies that service the County to get permissions needed.

**3. NEW BUSINESS - ACTION REQUIRED**

a. MINUTES

1. Minutes of the Board of County Commissioners Meeting held on 10-25-2022 (Staff Recommends Approval).

11-22-22-3-a-1

**Commissioner Wiley moved, with a second by Commissioner Bogue, to approve the Minutes of the Board of County Commissioners Meeting held on 10-25-2022. The motion carried 5 - 0.**

b. SET FUTURE PUBLIC HEARINGS OR MEETINGS  
None

c. APPOINTMENTS

1. Industrial Development Authority Vacancy with Two Applications (Board's Option).

Seat 3 term that was held by Gerry Lachnicht has expired and he has expressed interest in being reappointed. His previous application is attached along with an application from Mr. Daniel Myslakowski for consideration.

11-22-22-3-c-1

11-22-22-3-c-1-Lachnicht app

11-22-22-3-c-1-Myslakowski app

**Commissioner Wiley moved, with a second by Commissioner Ulrich, to approve the reappointment of Mr. Gerard Lachnicht to the Industrial Development Authority. The motion carried 5 - 0.**

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

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

11-22-22-3-c-2

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

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

11-22-22-3-c-3

11-22-22-3-c-3-Resolution

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

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

11-22-22-3-c-4

11-22-22-3-c-4-Resolution

5. Value Adjustment Board (VAB) - BOCC Appointed Citizen Member Vacancies (Board's Option).

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

11-22-22-3-c-5

d. FINANCIAL

1. Budget Amendment A-20 FY21/22 (Staff Recommends Approval).

This Budget Amendment (A-20) amends: General Fund (001) -Amends the budget to recognize the increased transfer from the Debt Service Fund; amends to reduce the transfer to the Transit Fund; amends the budget to recognize the increase in building services waivers. County Transportation Trust Fund (103) - Amends the budget to recognized the increased revenue from the County Ninth-Cent fuel tax, the local option fuel tax and the motor fuel tax; amends the budget to increase the transfer to the Secondary Trust Fund. Secondary Trust Fund (106) -Amends the budget for the increase in transfer from the County Transportation Trust Fund; recognize increased revenue in the SCOP for Bridge rehabilitation and the Const Gas Tax. Transit Fund (116) - Amends the budget to reduce the transfer from the General Fund. Building Services Fund (124) - Amends the budget to recognize the increased revenue for licensing fees and the transfer from General Fund for fee waivers. Debt Service Fund (218) -Amends the budget to recognize the increased revenue; amends the budget for the increase in transfer to the General Fund.

11-22-22-3-d-1

2. Budget Amendment A-4 FY22/23 (Staff Recommends Approval).

This Budget Amendment (A-4) amends: General Fund (001) -Amends the budget to include the WRWSA matching grant; amends the budget to include the Nurse Navigator; amends the budget for the Abana Path and Newport Path expenditures; amends the budget for the remaining Comprehensive Plan update from FY22; amends the budget to include

a 6% increase in the FMIT rates; amends the budget to include the CDW annual renewal; amends the budget to include an additional ambulance lease. Secondary Trust Fund (106) -Amends the budget for the bid for the C470 Sidewalk Improvements from CR461 to CR437. SC Road Construction District Impact Fund (153) -Amends the budget for projects not complete in FY22 for CR229 improvements, the Signal at US 301 & CR 124A and the 136th Improvements. 2019 Loan Construction Projects Fund (310) - Amends the budget to include the cash balance forward from unspent funds in FY22.

11-22-22-3-d-2

3. Purchase Order Approval for FY 2022/2023 (Staff Recommends Approval).

The attached list of Purchase Orders is recommended for approval.

11-22-22-3-d-3

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

11-22-22-3-d-4

<p><b>Commissioner Bogue moved, with a second by Commissioner Bilardello, to approve Items 1 through 4 under Financial. The motion carried 5 - 0.</b></p>
---

e. CONTRACTS AND AGREEMENTS

1. ATM Placement Agreement with Cord Financial Services for Continued ATM Placement inside the Sumter County Historic Courthouse (Staff Recommends Approval).

On February 10, 2015, the Sumter County Commissioners entered into an ATM Placement Agreement with Cord Financial Services to provide full service ATM placements at four locations within Sumter County facilities. Ultimately, only the ATM at the Sumter County Historic Courthouse was deemed necessary and all others were removed due to lack of use. This agreement is for placement of the remaining ATM at the Sumter County Historic Courthouse.

11-22-22-3-e-1

2. Mid Florida Community Services, Inc. Agreement (Staff Recommends Approval).

Mid-Florida Community Services, Inc. provides services to Sumter County including case management and support services through the Family Self-Sufficiency Program; also support services as financial assistance for rent/mortgage, energy, prescriptions,

training, education, employment-related assistance, and support for Senior Services programs

11-22-22-3-e-2

3. Extension #4 to the Transportation Agreement with Mid Florida Community Services, Inc. (Staff Recommends Approval).

On September 25, 2018, the Board of County Commissioners entered into a Transportation Agreement with Mid Florida Community Services, Inc. to provide transportation services for eligible participants from their homes to designated congregate meal sites. Sumter County residents who qualify for the program take part in lunch, activities, programs, and socialization offered through Mid Florida Community Services. The cost charged to Mid Florida Community Services, Inc. under this agreement is \$7.04 per trip.

11-22-22-3-e-3

4. Enter into Contract with American Construction Services, Inc. of Tampa for ITB 044-0-2022/EM Sumter County C 470 Sidewalk Improvements from CR 461 to CR 437 Project (Staff Recommends Approval).

ITB 044-0-2022/EM Sumter County C 470 Sidewalk Improvements from CR 461 to CR 437 Project was broadcasted on 10/13/2022. Bids were due on 11/10/2022 at 1:30 p.m. and opened at 1:35 p.m. in the Training Room located at 319 E. Anderson Avenue, Bushnell, FL 33513 . Four (4) bids were received from the following vendors: 1) CWR Contracting, Inc. \$276,298.00 2) EarthScapes Unlimited, Inc. \$380,952.00 3) General Construction Services, Inc. \$240,827 .06 4) American Construction Services, Inc. of Tampa \$235,241 .73 The Selection Committee met on 11/14/2022 at 12:30 p.m. in the Training Room located at 319 E. Anderson Avenue, Bushnell, FL 33513. The Selection Committee agreed to recommend to the Sumter County Board of County Commissioners to enter into contract with American Construction Services, Inc. of Tampa. as the lowest responsive/responsible bidder.

11-22-22-3-e-4

5. Amendment #1 of Sumter County Fire & Security Services Agreement with A-Line Fire & Safety, Inc. (Staff Recommends Approval).

On September 20, 2022, the BOCC approved an agreement with A-Line Fire & Security, Inc. through RFP 030-0-2022/JV for Sumter County Fire & Security Services. The original agreement expires on September 30, 2024 and has two, one-year renewals remaining. The original agreement will be amended to include new annual fees for Sheriff's Department Helicopter Hangar, Fire Station #30, Public Works North Annex, and Animal Services. All terms and conditions of the original contract shall remain in effect.

11-22-22-3-e-5

6. Individual Project Order (IPO) 36 with Kimley-Horn and Associates, Inc. and Sumter County Board of County Commissioners (BOCC) for C 466 Corridor Signal Retiming Implementation (Staff Recommends Approval).

On 08/22/2022, the BOCC entered an agreement for IPO 32 with Kimley-Horn for the collection and analyzation of traffic data along the C 466 corridor to assist with signal re-timings. Under IPO 36, Kimley-Horn will use the traffic data collected and analyzed during IPO 32 to develop and implement traffic signal coordination timings for seven intersections along the C 466 corridor. Kimley-Horn will also prepare a before and after study to document changes in travel time and delays from implementing the coordinated signal timings. The before and after study will use travel-time data collected with Bluetooth readers deployed by the County within the corridor.

11-22-22-3-e-6

7. Enter into Electric Utility Infrastructure Funding Cooperative Agreement with Sumter Electric Cooperative, Inc (Staff Recommends Approval).

In an effort to obtain federal funding to harden and strengthen the utility grid for the benefit of Sumter County, Sumter Electric Cooperative, Inc. (SECO) requests cooperation with the Sumter County Board of Commissioners to apply for the Building Resilient Infrastructure and Communities (BRIC) grant program. This program is funded by the Federal Emergency Management Agency (FEMA) through the Florida Department of Emergency Management (FDEM) and the application deadline is November 15, 2022. SECO is requesting funding for a Utility Hardening project and a Utility Backfeed Loops project. The Utility Hardening project proposes six separate sub-project sites within Sumter County determined to be the most vulnerable with the need to be hardened against future storm events. This project is estimated at \$3,262,594. The Utility Backfeed Loops project would create electrical distribution system Backfeed loops at two of the worst performing radial lines identified in the system. The new Backfeed loops will support two substations that serve a total of 5,201 residential properties and 529 commercial properties, including one county fire station. This project is estimated at \$655,221. If funding is awarded, SECO will provide the required 25% match for the grant(s). Projects are anticipated to start October 2023 with completion on or before September 30, 2026. The agreement provides direction on the roles and responsibilities of both agencies and terminates on the effective termination date of the grant award or when the Board receives notice that no grant funds are awarded. Staff proposes ratification of the agreement to allow the applications to the BRIC grant program.

11-22-22-3-e-7

8. Approve the Proposal from Asphalt Paving Systems, Inc. for Micro Surfacing 45 Cul-de-sacs (Staff Recommends Approval).



On October 12th, 2021, the BOCC entered into a contract with Asphalt Paving Systems, Inc. (APS) through RFP 032-0-2021/RS Sumter County Pavement Maintenance and Rehabilitation Continuing Services. On August 9, 2022, BOCC approved a plan for additional treatments at 2019 pavement preservation test application sites. Attached for BOCC review and approval is a proposal for the 45 Cul-de-sacs.

11-22-22-3-e-8

9. First Amendment to Vehicle Lease Agreement with AMR (Staff Recommends Approval).

On 3/22/2022, Sumter County approved the transition EMS transport agreement, along with a vehicle lease agreement for leased ambulances with AMR. Sumter County Fire & EMS determines the posting plan to meet its planned performance measures that considers response times, transport times, and hospital off-load times and has determined the need for an additional unit. This amendment adds another unit to the original vehicle lease agreement.

11-22-22-3-e-9

<p><b>Commissioner Wiley moved, with a second by Commissioner Bogue, to approve Items 1 - 9 under Contracts and Agreements. The motion carried 5 - 0.</b></p>
---

f. GENERAL ITEMS FOR CONSIDERATION

1. Request from the Young Performing Artist, Inc. for Temporary Road Closure for the 2022 Royal Holiday Parade (Staff Recommends Approval).

Young Performing Artist, Inc. is hosting the 2022 annual Royal Holiday Parade on December 3, 2022. The parade event will stage at the Ebenezer AME Church on C 462 and start at 10:00 A.M. and will finish at 11:00 A.M. The parade route begins at Ebenezer AME Church, Royal, travel east on C 462 to CR 235A, travel north on CR 235A to CR 222, travel west on CR 222 to CR 235, travel south on CR 235, and ending at the Young Center. The Sumter County Sheriff's Office will provide traffic control assistance for the event.

11-22-22-3-f-1

2. Request from the Young Performing Artist, Inc. for Temporary Road Closure for the 2023 Annual Dr. Martin Luther King, Jr. Parade (Staff Recommends Approval).

Young Performing Artist, Inc. is hosting the 2023 annual Dr. Martin Luther King, Jr. Parade on January 16, 2023. The parade event will begin on CR 235 at the Royal Park and end at the Young Center. The parade will start at 10:00 A.M. and will finish at 11:00

A.M. The parade route begins at the Royal Park travel south on CR 235, east on C 462 to CR 235A, travel north on CR 235A to CR 222, travel west on CR 222 to CR 235, travel south on CR 235, and ending at the Young Center. The Sumter County Sheriff's Office will provide traffic control assistance for the event.

11-22-22-3-f-2

3. 2022 Sumter County Behavioral Health Transportation Plan (Staff Recommends Approval).

In accordance with Florida Statute Chapter 394, Part 1, Florida Mental Health Act or the "Baker Act", Florida Statute Chapter 397, Hal S. Marchman Alcohol and Other Drug Services Act of 1993, and Senate Bill 12, a plan has been developed to organize a centralized system for acute care services. This transportation plan requires approval by the Sumter County Board of County Commissioners, and LSF Health Systems and the Department of Children and Families. Upon approval, this document will serve as the transportation plan for Sumter County per legislative intent.

11-22-22-3-f-3

4. Affordable Housing Advisory Committee (AHAC) 2022 Incentive Review and Recommendation Report (Staff Recommends Approval).

As a recipient of State Housing Initiatives Partnership (SHIP) funds, Sumter County established an Affordable Housing Advisory Committee (AHAC) on September 11, 2008, as required by the Florida Statutes § 420.9076. The AHAC is specifically directed to consider and evaluate the implementation of the incentives set out in Florida Statutes § 420.9076 (4) (a)–(k) annually. Based on the evaluation, the AHAC may recommend to the local government to make modifications of, exceptions to, or creation of new plans, policies, procedures, and other governing items, which would encourage the production of affordable housing. Recommendations approved by the Board of Sumter County Commissioners are adopted and outlined in an amended Local Housing Assistance Plan (LHAP) and the local Comprehensive Plan Housing Element. The AHAC met this statutory obligation by conducting quarterly meetings on April 13, 2022, July 13, 2022, and October 12, 2022, followed by a public hearing on November 14, 2022, to adopt the final report. The AHAC had no recommendations for any incentives. The final report must be presented to the Board of Sumter County Commissioners (BOCC) for review. The SHIP Statute does not mandate the adoption of any recommendations by the BOCC. The BOCC may use the report as an example to generate ideas for affordable housing incentive strategies or read the report and take no further action.

11-22-22-3-f-4

5. Amend the 2022/2023 Classification and Compensation Schedule to reflect the reorganization of the Emergency Communications Center Division to reclassify two (2) Public Safety Network Specialist positions (pay range 506) to one (1)

Public Safety Network Coordinator (pay range 508) and approve the Public Safety Network Coordinator job description (Staff Recommends Approval).

The Assistant County Administrator conducted a review of the BOCC's Emergency Communication Center Division organizational structure. It was determined that converting two (2) Public Safety Network Specialist positions (pay Range 506) to one (1) Public Safety Network Coordinator position (pay range 508) would provide better support for the information technology needs of the Emergency Communications Center Division. This reorganization will improve the recruiting process for this position. During the past six (6) months we have posted the Public Safety Network positions continuously without finding a successful applicant. By reclassifying these positions to a coordinator position with the appropriate pay range our recruitment efforts should improve.

11-22-22-3-f-5

6. Acceptance of the Escheatment Tax Deed 4654 for Parcel G16EC047 (Staff Recommends Approval).

Parcel G16EC047 was originally held for tax sale on July 11, 2019 and did not sell. At that time property was placed on the Lands Available List on August 11, 2019 where it has been for the past three years.

11-22-22-3-e-6

7. Approval of Waiver of Fines and Release of Lien for Blue Cross Construction Inc. (Staff Recommends Approval).

A code enforcement lien was filed against this property on September 24, 2020, in which the property owner at the time was Blue Cross Construction Inc. The property was found in compliance on January 6, 2021. Staff costs in the amount of \$789.74 have now been paid. Since costs were paid, a Release of Lien is being requested.

11-22-22-3-f-7

8. Approval of Waiver of Fines and Release of Lien for David & Dwayne Baker (Staff Recommends Approval).

A code enforcement lien was filed against this property on February 16, 2018, in which the property owners at the time were David & Dwayne Baker. The property was found in compliance on October 25, 2022. Staff costs in the amount of \$945.42 have now been paid. Since costs were paid, a Release of Lien is being requested.

11-22-22-3-f-8

9. Approval of Waiver of Fines and Release of Lien for John D. Byrnes Etal (Staff Recommends Approval).

A code enforcement lien was filed against this property on July 6, 2022, in which the property owner at the time was John D. Byrnes Etal. The property was found in compliance on November 2, 2022. Staff costs in the amount of \$550.78 have now been paid. Since costs were paid, a Release of Lien is being requested.

**Commissioner Ulrich moved, with a second by Commissioner Wiley, to approve Items 1 - 9 under General Items for Consideration. The motion carried 5 - 0.**

11-22-22-3-f-9

10. Election of Chairman, Vice Chairman, and Second Vice Chairman (Board's Option).

The Board elects officers annually during the month of November. The code states: The Chairman, a Vice Chairman and Second Vice Chairman shall be elected by a majority of the board members. The Chairman shall preside at all meetings at which he is present. The Vice Chairman shall serve in the absence of the Chairman. The Second Vice Chairman shall serve in the absence of the Chairman and Vice Chairman. Reference: Section 2-26 of the Sumter County Code of Ordinances

1. Election of the Chairman:

Commissioner Bogue nominated Commissioner Estep to remain in the Chairman position. The vote was unanimous, resulting in Commissioner Estep remaining Chairman.

2. Election of Vice Chairman -

Commissioner Wiley nominated Commissioner Ulrich for the Vice Chairman position. A nomination was also made by Commissioner Bogue to elect Commissioner Bilardello for the Vice Chairman position. The vote was as follows:

Vote for Ulrich:

Bilardello - Aye, Ulrich - Aye, Wiley - Aye, Bogue - Nay and Estep - Aye.

Vote for Bilardello:

Bilardello - Nay, Ulrich - Nay, Wiley - Nay, Bogue - Aye and Estep - Nay.

Results:

Commissioner Ulrich remains Vice Chairman, 4 to 1.

3. Election of Second Vice Chairman:

Commissioner Bilardello nominated Commissioner Bogue for the second Vice Chairman position. A nomination was also made, by Commissioner Ulrich, for Commissioner Wiley to fill the second Vice Chairman position. The vote was as follows:

Vote for Bogue:

Bilardello - Aye, Ulrich - Nay, Bogue - Aye, Wiley Nay, Estep - Aye.

Vote for Wiley:

Bilardello - Nay, Ulrich - Aye, Bogue - Nay, Wiley - Aye, Estep - Nay.

Results:

Commissioner Bogue elected as Second Vice Chairman, 3 to 2.

11-22-22-3-f-10

11. BOCC Committees (Board's Option).

The Board discussed the appointments as they are on the executive summary. Commissioner Bogue expressed an interest in being on the Value Adjustment and Canvassing Board as well as those already suggested. After discussion the consensus was to approve appointments as they are, with the change of Commissioner Bogue serving on the Value Adjustment and Canvassing Boards instead of Commissioner Bilardello.

11-22-22-3-f-11

12. Designation of a Representative to Cast County's Vote for a FACT Member Trustee (Staff Recommends Approval).

Each Member County in attendance at the FACT Annual Member Meeting on December 16, 2022 will have an opportunity to participate in the election of one (1) Trustee to fill a two-year term position on the FACT Board of Trustees. In order to participate in the nomination and voting process, a Member County must designate one (1) county official or employee to attend as that County's representative with power to nominate and vote on behalf of the County. Only the attached form, which has been executed by the Chair of the Board of County Commissioners, shall be used to designate the County's authorized representative.

**Commissioner Ulrich moved, with a second by Commissioner Wiley, to approve 12. Designation of a Representative to Cast County's Vote for a FACT Member Trustee (Staff Recommends Approval). The motion carried 5 - 0.**

11-22-22-3-f-12

ADJOURN

The meeting adjourned at 5:46 p.m.