



The Board of Sumter County Commissioners (BOCC/Board) convened in a regular session on Tuesday, April 11, 2023, at the Everglades Regional Recreation Center in The Villages, Florida, with the following members present to wit: Roberta Ulrich, Vice Chairman, District No. 1; Andrew Bilardello, District No. 2; Craig A. Estep, Chairman, District No. 3; Jeffery 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; Bill Kleinsorge, Finance Director; Melissa Elliott, Deputy Clerk; and Jennifer Rey of the Hogan Law Firm, Attorneys for the Board. Commissioner Estep call the meeting to order at 6:00 p.m. with the invocation given by Commissioner Bogue followed by the flag salute led by Commissioner Ulrich. The complete audio recording of this meeting is available on the Clerk's Website - www.sumterclerk.com

1. TIMED ITEMS & PUBLIC HEARINGS

- a. 6:00 PM - Public Hearing Planning and Zoning Special Master Recommendations
 - 1. *R-23-002508 – Simpson – Rezone 2.2 acres +/- from A10C (Agricultural) to RR1 (Rural Residential one-acre minimum lot size) Bushnell Area (Planning and Zoning Special Master Recommends Approval).

Commissioner Estep polled the Board Member for ex parte communications, written or verbal, related to this case: Commissioner Wiley-none; Commissioner Bogue-none; Commissioner Bilardello-none; Commissioner Ulrich-none; Commissioner Estep-none.

This item was presented by Bradley Arnold, County Administrator and acting Development Services Director. The Staff Report was entered into the record. This application proposes to rezone 2.2 acres to RR1 to recognize al lineal descent subdivision. The Planning and Zoning Special Master held a public hearing on February 20, 2023, and recommended approval.

APPLICANT-The applicant was not present.

PUBLIC - There was no public input.

4-11-23-1-a-1 Executive Summary

4-11-23-1-a-1 PZSM Order

4-11-23-1-a-1 Staff Report

4-11-23-1-a-1 Application

4-11-23-1-a-1 Resolution

Commissioner Wiley moved, with a second by Commissioner Ulrich, to approve *R-23-002508 – Simpson – Rezone 2.2 acres +/- from A10C (Agricultural) to RR1 (Rural Residential one-acre minimum lot size) Bushnell Area. The motion carried unanimously 5-0.

2. *Commercial Kennel- Amend the Land Development Code Section 13-200 Definitions – Kennel, Commercial and Section 13-634 Commercial Kennels, pursuant to Article VIII Section (1)(f) of the Florida Constitution and Sections 125.01 and 125.66 of Florida Statutes (Staff Recommends Approval).

Commissioner Estep polled the Board Member for ex parte communications, written or verbal, related to this case. Commissioner Wiley-none; Commissioner Bogue-none; Commissioner Bilardello-none; Commissioner Ulrich-none; Commissioner Estep-none.

This item was presented by Bradley Arnold, County Administrator and Acting Development Services Director . I am submitting the Staff Report formally at this time for the record. Sumter County Board of County Commissioners proposes to revise the Land Development code as it pertains to commercial kennels. Section 13-200 on definitions and Section 13-634 on specific use standards are addressed in the amendment. In addition, the requested amendment proposes language within the ordinance allowing for requests in the deviation of minimum required setbacks that may be authorized by the Planning and Zoning Special Master. This ordinance corrects terminology and improves internal consistency. The Planning and Zoning Special Master held a public hearing on March 20, 2023 and recommended approval.

APPLICANT - The applicant was not present.

PUBLIC - There was no public input.

4-11-23-1-a-2 Executive Summary

4-11-23-1-a-2 PZSM Recommendation

4-11-23-1-a-2 PZSM Email

4-11-23-1-a-2 Staff Report

4-11-23-1-a-2 Ordinance 2023-04

4-11-23-1-a-2 Legal Ad

Commissioner Bilardello moved, with a second by Commissioner Bogue, to approve the Amendment to the Land Development Code Section 13-200 Definitions – Kennel, Commercial and Section 13-634 Commercial Kennels, pursuant to Article VIII Section (1)(f) of the Florida Constitution and Sections 125.01 and 125.66 of Florida Statutes. The motion carried unanimously 5-0.

3. *OP-23-03019-C.R. 466A Landfill Facility, LLC - An operating permit to allow continued operations of an existing commercial and demolition debris landfill – Moyer Loop/The Villages (Staff Recommends Approval).

Commissioner Estep polled the Board Member for ex parte communications, written or verbal, related to this case. Commissioner Wiley - none; Commissioner Bogue - none; Commissioner Bilardello - none; and Commissioner Ulrich - none.

Commissioner Estep shared that he did have ex parte communications with Mr. Carl Kruger and divulged that he had sent an email with a link to this agenda item, to Mr. Kruger that he had requested.

This item was presented by Bradley Arnold, County Administrator and acting Development Services Director. The Staff Report was entered into the record. The applicant is requesting an operating permit to allow the continued operation of an existing construction & debris landfill. The most recent inspection by Tetra Tech found the facility to be in full compliance with the operating permit and, at the time of the report, no complaints had been received within the past year from adjacent property owners . The proposed operating permit is effective for an eight year period, the same time provided with the last operating permit approval, and would be effective until April 11, 2031.

Following the presentation of this item, Commissioners posed questions that were addressed by Mr. Arnold.

Remembering that he did have ex parte communications with Mr. Carl Kruger as well, Commissioner Bilardello explained that he had seen Mr. Kruger at a Club Meeting last week and mentioned to him that he had seen his name on the agenda for this item. Mr. Kruger told Commissioner Bilardello that he would not be attending the meeting and that was the extent of their conversation concerning this matter.

APPLICANT - Ted Wicks, Wicks Engineering Services, 225 Main St., Tavares, representing the applicant, was present to answer questions, but did not have a presentation.

PUBLIC - Alan Brydger, 3242 Markward Dr., The Villages, spoke and provided a presentation.

APPLICANT REBUTTAL - Mr. Wicks spoke and addressed concerns and questions raised by Mr. Brydger.

Bradley Arnold, County Administrator and Jennifer Rey, Attorney for the Board, answered questions posed by the Board.

4-11-23-1-a-3 Executive Summary

4-11-23-1-a-3 Staff Report

4-11-23-1-a-3 Public Input

4-11-23-1-a-3 Operating Permit

4-11-23-1-a-3 Legal Ad Memo

4-11-23-1-a-3 Application

<p>Commissioner Bogue moved, with a second by Commissioner Wiley, to approve *OP-23-03019-C.R. 466A Landfill Facility, LLC - An operating permit to allow continued operations of an existing commercial and demolition debris landfill – Moyer Loop/The Villages. The motion carried unanimously 5-0.</p>

2. REPORTS AND INPUT

- a. Proclamation recognizing April 2023 as Fair Housing Month

Commissioner Estep read the proclamation and presented it to Mr. Josh Lambert, Government Affairs Director for the REALTORS Association of Lake & Sumter Counties.

4-11-23-2-a Fair Housing Month Proclamation 2023

4-11-23-2-a Fair Housing Month Proc picture

- b. Proclamation recognizing April 2023 as Child Abuse Prevention Month

Commissioner Ulrich read the proclamation as Commissioner Estep presented the proclamation to Brenda Crellen, Executive Director and Holley Sharlow, Assistant Director, both of the Lake-Sumter Children's Advocacy Center.

4-11-23-2-b Child Abuse Prevention Proclamation

4-11-23-2-b Child Abuse Prevention Proclamation picture

- c. Proclamation recognizing April 2023 as National County Government Month

Commissioner Ulrich read the proclamation as Commissioner Estep presented the proclamation to Bradley Arnold, County Administrator.

4-11-23-2-c Government Month Proclamation

4-11-23-2-c Government Month Proclamation picture

d. County Administrator

Bradley Arnold, County Administrator, presented the following items for informational purposes:

1. The Tri-County Villages and The Villages of Sumter DRI Development Order Buildout and Expiration Date Extension Notices (For Information Only)

4-11-23-2-d-1 Villages of Sumter DRI Extension

4-11-23-2-d-1 Villages of Tri-County DRI Extension

2. Brightly SmartGov Software, Inc. (For Information Only)

4-11-23-2-d-2 Brightly SmartGov Contract

3. SWFWMD 2022 Annual Comprehensive Financial Report (For Information Only)

4-11-23-2-d-3 SWFWMD Annual Report

4. FHWA Safe Streets and Roads for All FY23 (For Information Only)

4-11-23-2-d-4 FHWA Announcement Safe Streets

4-11-23-2-d-4 Kimley-Horn IPO 50

4-11-23-2-d-4 Kimley-Horn IPO 51

5. WeatherSTEM Units Complete (For Information Only)

4-11-23-2-d-5 WeatherSTEM Sumter

6. CivicPlus Annual Hosting and Support (For Information Only)

4-11-23-2-d-6 Civic Plus

7. March 2023 Internet Café Inspection Report (For Information Only)

4-11-23-2-d-7 Monthly Arcade Inspection Report

8. TECO People's Gas Rate Increase Notification (For Information Only)

4-11-23-2-d-8 TECO Notice

9. Additional Recruitment Activity for Sumter Fire & EMS (For Information Only)

4-11-23-2-d-9-National Testing Network Agreement email clarification

4-11-23-2-d-9-National Testing Network Agreement

- e. County Attorney

The following item was presented for information, by Jennifer Rey, Attorney for the Board.

1. Order Granting Motion to Dismiss Plaintiff's Amended Complaint (For Information Only)

4-11-23-2-e-1 Order Granting our Motion to Dismiss Amended Complaint

- f. Clerk of Circuit Court

No report.

- g. Board Members

1. Commissioner Wiley had no report.

2. Commissioner Bogue shared that he attended the Medical Examiners Meeting for the 5th & 24th District.

3. Commissioner Bilardello had no report.

4. Commissioner Ulrich shared that she had the honor of going on an Autonomous ride sponsored by UF Health.

5. Commissioner Estep shared that on April 4, 2023 he met with University of Florida Research Center Staff for a demonstration of the autonomous vehicle. On April 5, he met with the community of Royal Inc., and discussed various items of concerns and several requests and that addressing these requests has begun and responses to some of those requests have already occurred. On April 10, he attended the City of Coleman City Council meeting, and lastly, on April 11th, he kicked off another Sumter County Academy session by welcoming and thanking the attendants and shared their value of participation in the academy class.

h. Public Forum

The following individuals spoke during Public Forum:
(Clerk's note: Addresses and spelling are compared with the Property Appraiser's website (when applicable) and are as accurate as possible.)

1. John Swafford, 9719 CR 733, Webster, FL

Bradley Arnold, County Administrator, addressed concerns raised during Public Forum.

3. NEW BUSINESS - ACTION REQUIRED

a. MINUTES
None

b. SET FUTURE PUBLIC HEARINGS OR MEETINGS

1. Set Public Hearing for April 25, 2023 at 6:00 PM at the Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL 34785 to Amend Chapter 17 Motor Vehicles and Traffic, Article II Stopping, Standing and Parking, Division 1 to Add Section 17-20 Maximum Towing Rates and Related Fees (Staff Recommends Approval).

4-11-23-NB-b-1 Executive Summary

4-11-23-NB-b-1 Ordinance Amending - Towing Rates

4-11-23-NB-b-1 Ordinance Ad

<p>Commissioner Bilardello moved, with a second by Commissioner Bogue, to approve setting a Public Hearing for April 25, 2023 at 6:00 PM at the Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL 34785 to Amend Chapter 17 Motor Vehicles and Traffic, Article II Stopping, Standing and Parking, Division 1 to Add Section 17-20 Maximum Towing Rates and Related Fees. The motion carried unanimously 5 - 0.</p>
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2. Set Public Hearing for April 25, 2023 at 6:00 PM at the Everglades Recreation

Center, 5497 Marsh Bend Trail, The Villages, FL 34785 to Adopt the Resolution to Rename the Entire Section of CR 525E to Industrial Park Drive and the Entire Section of CR 525 to S. Warnell Road (Staff Recommends Approval).

4-11-23-NB-b-2 Executive Summary

4-11-23-NB-b-2 Resolution Road Renaming

4-11-23-NB-b-2 Renaming Request

4-11-23-NB-b-2 Renaming Ad

Commissioner Bogue moved, with a second by Commissioner Wiley, to approve setting a Public Hearing for April 25, 2023 at 6:00 PM at the Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL 34785 to Adopt the Resolution to Rename the Entire Section of CR 525E to Industrial Park Drive and the Entire Section of CR 525 to S. Warnell Road. The motion carried unanimously 5-0.

c. APPOINTMENTS

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

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

4-11-23-NB-c-1 Executive Summary

4-11-23-NB-c-1 Ordinance

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

4-11-23-NB-c-2 Executive Summary

4-11-23-NB-c-2 Resolution

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

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

4-11-23-NB-c-3 Executive Summary

4-11-23-NB-c-3 Resolution

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.

4-11-23-NB-c-4 Executive Summary VAB Vacancy

d. FINANCIAL

1. Budget Amendment A-12 FY22/23 (Staff Recommends Approval).

4-11-23-NB-d-1 Executive Summary

4-11-23-NB-d-1 A-12

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

4-11-23-NB-d-2 Executive Summary

4-11-23-NB-d-2 Requisition Report

<p>Commissioner Wiley moved, with a second by Commissioner Ulrich, to approve Items 1 - 2 under Financial. The motion carried unanimously 5 - 0</p>
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e. CONTRACTS AND AGREEMENTS

1. Contract for Legal Services for the Value Adjustment Board Sumter County, Florida with Joseph Haynes Davis, PA of Law Offices of Joseph Haynes Davis, PA (Staff Recommends Approval).

4-11-23-NB-e-1 Executive Summary

4-11-23-NB-e-1 VAB Legal Counsel Agreement

2. Extension #1 to the Sumter County Geotechnical and Materials Testing Services Agreement with Central Testing Laboratory, Inc. (Staff Recommends Approval).

4-11-23-NB-e-2 Executive Summary

4-11-23-NB-e-2 CTL Extension 1

3. Extension #1 to the Sumter County Geotechnical and Materials Testing Services Agreement with Geo-Technologies, Inc. (Staff Recommends Approval).

4-11-23-NB-e-3 Executive Summary

4-11-23-NB-e-3 Geo-Technologies Inc. Extension 1

4. Local Agency Program Supplemental Agreement between State of Florida Department of Transportation (FDOT) and Sumter County Board of County Commissioners (BOCC) for the design services of the County Road 466 at County Road 475 North roundabout project (Staff Recommends Approval).

4-11-23-NB-e-4 Executive Summary

4-11-23-NB-e-4 LAP Supplemental Agreement

4-11-23-NB-e-4 Resolution NO 2023

5. Subdivision Improvement Agreement with Mr. Terry Dickerson for Montgomery Acres, Phase Two Platted Subdivision (Staff Recommends Approval).

4-11-23-NB-e-5 Executive Summary

4-11-23-NB-e-5 Montgomery Acres Phase 2

4-11-23-NB-e-5 Exhibit A

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

f. GENERAL ITEMS FOR CONSIDERATION

1. Naming or Renaming of County Facilities Policy (Staff Recommends Approval).

4-11-23-NB-f-1 Naming or Renaming County Facilities Policy

2. Approve revisions to the Employee Manual effective April 20, 2023 (Staff Recommends Approval).

4-11-23-NB-f-2 Executive Summary

4-11-23-NB-f-2 Revisions

3. Satisfaction of Final Money Judgement for Legal Services for Dan Wayne

Blount (Staff Recommends Approval).

4-11-23-NB-f-3 Executive Summary

Commissioner Bilardello moved, with a second by Commissioner Ulrich, to Approve Items 1 - 3 under General Items for Consideration. The motion carried unanimously 5 - 0

4. ADJOURN

This meeting adjourned 7:09 p.m.