

## **ACTION SUMMARY**

**July 19, 2016**

**CALL TO ORDER**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**9:00 AM ROLL CALL**

**ANNOUNCEMENTS**

**Today, July 19, 2016**

- **1:30p.m.:** Public Hearing to Consider an Application Submitted by On Top of the World Development of Regional Impact OTOW DRI to Replace and Supersede the Amended and Restated Development Order
- **2:00p.m.:** Regularly Scheduled Commission Zoning Meeting

**Friday, July 29, 2016 3:00p.m.:** Commission Workshop to Discuss Utilities Items

**Tuesday, August 2, 2016 9:00a.m.:** Regularly Scheduled Commission Meeting

### **1. PROCLAMATIONS/PRESENTATIONS/RESOLUTIONS:**

**1A. PRESENTATION** - Special Recognition to the Board of County Commissioners - Joanne Black, Development Director, Habitat for Humanity of Marion County (Presentation Only)

**PRESENTED**

**1B. PROCLAMATION** - Parks and Recreation Month - Jim Couillard, Parks and Recreation Director (Approval and Presentation)

**APPROVED AND PRESENTED**

**1C. PRESENTATION** - Recognition of the Three Veterans Services Employees who Received Governor's Veterans Service Awards on June 7, 2016 at the Florida National Guard Armory, Crystal River, Florida (Presentation Only)

**PRESENTED**

**1D. PRESENTATION** - Automotive Blue Seal of Excellence Awarded to Fleet Management - Brian Hing, Fleet Management Director (Presentation Only)

**PRESENTED**

### **2. GENERAL PUBLIC ITEMS: All members of the public wishing to speak during the "General Public" portion of the agenda will be limited to two (2) minutes to make their request or presentation and will be heard following scheduled requests, which are limited to five (5) minutes. For unscheduled requests, public comment request forms are available in the lobby. If the request or matter requires investigation by County staff, the Chairman will refer to staff for follow-up with the person making the request.**

**2A.** Hagan Smith - General

**NOT PRESENT**

**2B.** Beverly LaCross - General

**NOT PRESENT**

**2C.** Gene LaCross - General

**NOT PRESENT**

**2D.** Gracelyn Honor - Road Dedication and Mount Canaan

**DIRECTION** for Jeannie Rickman, Assistant County Administrator to work with Ms. Honor regarding road dedication request and request to place Mount Canaan on a map of historical districts

**2E.** Calvin Brown - Infrastructure of Ocala Park Estates

**DIRECTION** for Shawn Hubbuck, Acting MSTU Director to work with Mr. Brown regarding MSTU process

**2F.** Pam Ayers - General

- 2G.** Kathryn Taubert - Solar Amendment 4  
**2H.** Bob Maxwell - Code Enforcement  
**NOT PRESENT**
- 2I.** Mary Kearins - Rezoning of Juniper Road  
**NOT PRESENT**
- 2J.** Dale Kennedy - Zoning of Wormsor  
**NOT PRESENT**
- 2K.** Julia Cathy Keck - Zoning of Juniper Road
- 2L.** General Public Comment (Limited to 2 Minutes Each Speaker):
- 2L1.** Ron Raack - Constitutional Rights
- 2L2.** Maxine Conner - In support of Solar Amendment 4
- 2L3.** Janet Barrow - In support of Solar Amendment 4; Growth and Sabal Trail
- 3. ADOPT THE FOLLOWING MINUTES: (3 sets)**  
**ADOPTED 5-0:** all sets of minutes, items 3A-3C
- 3A.** June 7, 2016 A
- 3B.** June 7, 2016 B
- 3C.** June 16, 2016
- 4. CONSTITUTIONAL OFFICERS / GOVERNMENTAL ENTITIES:**
- 4A.** Marion County Sheriff, Emery Gainey - Request Approval to Apply for the 2016/2017 Florida Department of Law Enforcement Body Worn Camera Grant  
**TABLED** until 1:30 p.m. (prior to Public Hearing) to discuss with Sheriff;  
**APPROVED 5-0;** *Administrator Bouyounes to conduct a complete cost analysis of implementing the proposed body-worn camera program and of future anticipated costs*
- 4B.** Marion County Sheriff, Emery Gainey - Request Approval of the Sheriff's Office to Continue the Task of Coordinating the 2016-2017 Countywide Edward Byrne Memorial Justice Assistance Grant (JAG) Program; as well as, Authorize the Chairman to Sign the 51% Letter, Indicating where the Funds will be Allocated
- 4C.** **WALK-ON** Clerk Ellspermann announced that S&P Global Ratings has given a substantial increase to the County's general debt bond ratings from A- to AA-
- 5. CLERK OF THE CIRCUIT COURT:**
- 5A.** Request Adoption of the Following Budget Amendment Resolutions:  
**ADOPTED** all Budget Amendment Resolutions, Items 5A1-5A15, **APPROVED 5-0**
- 5A1.** Building Department Fund - Building Department - \$9,000
- 5A2.** Fine & Forfeiture - Sheriff Regular - \$3,302
- 5A3.** General Fund - Animal Services Department - \$20,000
- 5A4.** General Fund - Animal Services Department - \$1,300
- 5A5.** General Fund - Animal Services Department - \$1,300
- 5A6.** General Fund - Fleet Department - \$15,000
- 5A7.** General Fund - Clerk to County Commission Transfer - \$5,251
- 5A8.** General Fund - Community Services - \$100,000
- 5A9.** General Fund - Sheriff Emergency Management - \$15,410
- 5A10.** General Fund - Sheriff Jail - \$30,217
- 5A11.** MSTU for Law Enforcement - Sheriff Patrol & CID - \$32,144
- 5A12.** Rainbow Lakes Estates Fire Protection MSBU - Fire Control Service - \$900
- 5A13.** Rainbow Lakes Estates MSD - Rainbow Lakes Estates Gen Govt - \$600
- 5A14.** Rainbow Lakes Estates MSD - Rainbow Lakes Estates Gen Govt - \$25,000
- 5A15.** Silver Springs Shores Special Tax District - Silver Springs Shores

## Recreation Facility - \$1,200

- 5B.** Request Appointment of Two (2) Commissioners to Serve on the Value Adjustment Board (VAB) for 2016

**APPOINTED Commissioners Moore and Arnett, APPROVED 5-0**

- 6. PUBLIC HEARINGS (Request Proof of Publication) at 10:00 am: Public participation is encouraged. When prompted, please step up to the podium and state your name and address for the record. Please limit your comments to the specific issue being addressed: NONE**

- 7. CONSENT: A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion unless desired by a Commissioner.**

**ITEMS 7C1 AND 7I1 PULLED FOR DISCUSSION; APPROVED 5-0: all other consent items**

**7A. Administration:**

- 7A1.** Request Approval of the First Amendment to Economic Development Grant Agreement Between Marion County Government and Hotel Development and Management Group (HDG Hotels) (Budget Impact - None)

**7B. Attorney:**

- 7B1.** Request Approval of the Mediated Settlement Agreement for the Southeast 92nd Loop Road Improvement Project Parcels 181, 182A, 182A(802), 182A(803), 182A(804), 182A(703), Parcel IDs #37515-000-05 and #37515-000-01 (Budget Impact - Neutral; expenditure of \$755,022.25, as approved in the FY 15-16 budget)
- 7B2.** Request Approval of Workers' Compensation Settlement; Donna Borgioni
- 7B3.** Request Approval of Workers' Compensation Settlement; Trisha King

**7C. Building:**

- 7C1.** Request Approval of Amended Fee Resolution for Construction Fees (Budget Impact - Neutral)

**PULLED by Commissioner McClain; questions concerning Building Department fee increase and staff time; APPROVED 5-0 with change in fee to \$12.00 plus credit card processing fee; Final Resolution to be presented on future agenda as Notation for Record Item**

**7D. Community Services:**

- 7D1.** Request Approval of Third Amendment to Contract with Florida Housing Finance Corporation to Perform Advisor Services for the Hardest Hit Fund Program (Budget Impact - Revenue generating)

**7E. Development Review Committee:**

- 7E1.** Request Approval of Final Plat for Spruce Creek Plaza Subdivision, Application #18222 (Budget Impact - None)
- 7E2.** Request Approval of Final Plat for Via Paradisus Phase IIIA Subdivision, Application #18715 (Budget Impact - None)
- 7E3.** Request Approval of Final Plat for Villages of Marion Phillips Villas Subdivision, Application #18663 (Budget Impact - None)

**7F. Facilities Management:**

- 7F1.** Request Approval of 09Q-013-PA-08 Project Closeout - Newton Recycling Center Rebuild/Contamination Assessment & Remediation - ACA Construction Group, LLC (Budget Impact - Reallocation of

\$450,000, leaving a balance of \$2,507,383.06)

**7G. Human Resources:**

**7G1.** Request Approval of the Utilities Departmental Reorganization (Budget Impact - Neutral; expenditure of \$70,419.87)

**7G2.** Request Approval of the Reclassification of Twenty-Two (22) EMT/Firefighter Positions, Pay Grade 401, to Twenty-Two (22) FF/EMT Trainee Positions, Pay Grade 401 (Budget Impact - None)

**7H. MSTU:**

**7H1.** Request Approval to Accept Petitions from Property Owners for Lake Weir Heights Subdivision Second Addition Replat, Plat Book Y, Page 013 (Budget Impact - None)

**7I. Parks and Recreation:**

**7I1.** Request Adoption of Revised Fees Resolution (Budget Impact - Revenue generating)

**PULLED** by Commissioner Zalak; questions concerning wounded combat veterans; **APPROVED 5-0** with change to line 7 of Resolution to indicate wounded combat veterans (Purple Heart recipients) would be able to receive a free park pass

**7J. Procurement Services:**

**7J1.** Request Approval of Standardization: 16ST-171, InMotion Technology (Budget Impact - None)

**7J2.** Request Approval of Contract: 16Q-020, SW 49th Avenue Capacity Preliminary Engineering Report (PER), South Phase (from Marion Oaks Manor to Marion Oaks Trail) (Budget Impact - Neutral; expenditure of \$160,867.19, as approved in FY 15/16 budget)

**7J3.** Request Approval of Bid Award: 16B-103, CR 200A Resurfacing Phase II - Art Walker Construction, Inc, Lowell, FL (Budget Impact - Neutral; expenditure of \$1,629,000, as approved in FY 15/16 budget)

**7J4.** Request Approval of Task Order for Prequalified Road/Right-of-Way/Drainage Contractor: 12Q-064-TO-07, SE 135th St. Quiet Zone Marion South - Art Walker Construction, Inc, Ocala, FL (Budget Impact - Neutral; expenditure not to exceed \$77,135, as approved in FY 15/16 budget)

**7J5.** Request Approval of Bid Award: 16B-129 Rainbow Lakes Estates 2016 Road Improvement Project - CW Roberts Contracting, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$844,401.75, as approved in FY 15/16 budget)

**7J6.** Request Approval of Bid Award: 16B-145, Silver Springs Shores Unit 55 Stormwater Retrofit - Hartman Civil Construction Co., Inc. - Hernando, FL (Budget Impact - Neutral; expenditure of \$293,720, as approved in FY 15/16 budget)

**7J7.** Request Approval of Project Amendment for Pavement Repair and Resurfacing; 14B-169-PA-01, NE 97<sup>th</sup> Street Road – Asphalt Paving Systems, Inc., Zephyrhills, FL (Budget Impact – Neutral; expenditure not to exceed \$352,538.80, as approved in FY 15/16 budget)

**7K. Risk and Benefit Services:**

**7K1.** Request Approval for the Renewal of the Medical Care Provider Services Agreement with Express Care of Ocala, Inc. (Budget Impact - Neutral; expenditure of \$225,000, as proposed in the FY 2016/2017 budget)

**7L. Transportation - County Engineer:**

- 7L1.** Request to Reject All Bids Received Associated with the Surplus Sale of Parcel #28420-005-00 and Approval of Setting a Minimum Bid Amount of \$790,000 (Budget Impact - None)
- 7L2.** Request Approval of Declaring Parcel #3285-015-001 as Surplus and Authorize Staff to Proceed with the Sale (Budget Impact - Revenue of \$10,501)
- 7L3.** Request Approval of Improvement Agreement for Villages of Marion Phillips Villas Subdivision (Budget Impact - None)
- 7M. Utilities:**
- 7M1.** Request Approval to Refund Customer for Credit Issued to Account in June 2016 (Budget Impact - Refund of \$1,497.41)
- 8. COUNTY ATTORNEY:**
- 8A.** Request Approval of the Amended and Restated Interlocal Agreement between Bay Laurel Center Community Development District (CDD) and Marion County  
**APPROVED 5-0**
- 9. COUNTY ADMINISTRATOR:**
- 9A.** Request Approval for a Partial Release of Lien on Code Enforcement Case No. 461705-AL and 565471-GF (Budget Impact - None)  
**APPROVED 5-0**
- 9B.** Administrative Updates
- County Connection Update – Elaine McClain, Public Information Officer
  - Facilities Projects Updates - Andy Race, Director
- 10. COMMITTEE ITEMS:**  
**APPROVED 5-0: items 10A-10D**
- 10A.** Board of Adjustment - Request Acceptance of One (1) Resignation and Approval to Advertise for Vacancy
- 10B.** Industrial Development Authority - Request Approval to Advertise for Two (2) Full Members
- 10C.** Land Development Regulation Commission - Request Approval to Advertise for Two (2) Full Members and One (1) Alternate Member
- 10D.** License Review Board - Request Acceptance of Resignation and Approval to Advertise for Vacancy
- 10E.** License Review Board - Request Appointment of Two (2) Alternate Members for Two Unexpired Terms  
**APPOINTED Mr. Galvis for 9/18 and Mr. Okool**
- 10F.** Marion County Hospital District Board of Trustees - Request Appointment of One (1) Full Trustee for a Full Term  
**APPOINTED Mr. David Koch**
- 10G.** Value Adjustment Board - Request Appointment of One (1) Member for Full Term  
**APPOINTED Paula Adams**
- 11. NOTATION FOR ACTION:**
- 11A.** Request Approval to Reschedule the Tuesday, September 6, 2016 Board of County Commissioners Meeting to **Wednesday, September 7, 2016 at 9 a.m.**  
**APPROVED 5-0**
- 11B.** Request Approval to Schedule and Advertise a Public Hearing to Consider Adoption of a Final Assessment Resolution for Fire Services, Annual Rate Resolutions for Stormwater and Solid Waste and Certify Non-Ad Valorem Assessment roles for County-wide Fire, Stormwater and Solid Waste Assessment Rolls on **Tuesday, September 13, 2016 at 9:00 a.m.**

- APPROVED 5-0**
- 11C.** Request Approval of Letter to Stephanie C. Hodges, United States Department of Agriculture, in Support of Francis Marion Military Academy Seeking Loan for Purchase of Property in Marion County  
**APPROVED 5-0**
- 11D.** Request Ratification of a Letter Dated June 20, 2016 to Senator Charles Dean Requesting the Purchase of Parcel Adjacent to Paradise Spring to Aid in Springs Protection  
**APPROVED 5-0**
- 11E.** Request Ratification of a Letter Dated July 11, 2016 to St. Johns River Water Management District Governing Board Regarding the Acquisition of the Hart Trust Property in Marion County  
**APPROVED 5-0**
- 11F.** **WALK-ON:** Request Approval to Schedule a Budget Workshop on Wednesday, July 27, 2016 at 2:00 p.m.  
**APPROVED 5-0**

**12. COMMISSIONER ITEMS:**

- 12A.** Commission Comments
- 12A1.** Commissioner Arnett - Request Consideration and Approval of One (1) Appointment to the Fire Rescue/EMS Advisory Council  
**APPOINTED Chad Christianson, CEO of Ocala Health;**  
**RATIFIED 5-0**
- 12A2.** **Commissioner Moore - Acknowledgment of Law Enforcement Officers**
- 12A3.** **Commissioner McClain - Congratulated Chairman Bryant on election as President of Florida Association of Counties**
- 12B.** Commission Calendar
- 12C.** Additional Public Comment: All members of the public wishing to speak during the "Additional Public Comment" portion of the agenda will be limited to two (2) minutes to make their request or presentation. If the request or matter requires investigation by County staff, the Chair will refer to staff for follow-up with the person making the request.
- 12C1.** **Bruce Borders - Recognition of Veterans Service Director Jeffrey Askew; comments**
- 12C2.** **Henry Munoz - Appreciation to Board for listening to the people**
- 12C3.** **Virginia Gale - Prayer for Law Enforcement Officers and First Responders**

**13. NOTATION FOR RECORD:**

- 13A.** County Administrator Informational Items:
- 13A1.** Present Solid Waste Monthly Operation Report for April, May and June 2016
- 13A2.** Present DRC Waiver Request LDC 2.16.1.B(10) - Family Division for the Eugene Poole Property Parcel #12316-000-02, Application #18804
- 13A3.** Present Status of Establishing an Inventory List of County Owned Real Property Held in Fee Simple Appropriate for Affordable Housing
- 13A4.** Present Ocala/Marion Chamber and Economic Partnership (CEP) Activity Report for June, Performance Matrix YTD 2016 and Marion County Quarterly Report (April through June 2016)
- 13A5.** Present Activity Report for the Acceptance of Agricultural Manure and Stall Waste at the Baseline Landfill - June 2015 - June 2016
- 13A6.** Present Building Safety Productivity Report for Month of June, 2016
- 13B.** Present Walk-On Items From Previous BCC Meeting: NONE

- 13C.** General Informational Items:
- 13C1.** Marion County Health Department – For the Latest health news and information, Visit the Website at <http://marion.floridahealth.gov/>
- 13D.** Clerk of the Court:
- 13D1.** Present Regular Report of Utilization for Reserve for Contingencies
- 13D2.** Present Monthly Report for the Building Department Budget and Actual
- 13D3.** Present Report No. 2016-06 Regarding MSTU Lake Weir Heights Subdivision Second Addition Replat Road Improvements Petition Count
- 13D4.** Present Memorandum from David R. Ellspermann, Clerk of Circuit Court and Comptroller, Regarding the Filing of Ordinance 15-27 (Correcting Scriveners Error - Comprehensive Plan) with the Secretary of State's Office
- 13D5.** Present Memorandum from David R. Ellspermann, Clerk of Circuit Court and Comptroller, Regarding the Filing of Ordinances 16-16 (2016 CIP Update to the CIE), 16-17 (Land Development Code), 16-18 (MSTU for Emergency Medical Transportation Services), 16-19 (EDFIG), 16-20 (EDIG) and 16-21 (Zoning) with the Secretary of State's Office
- 13D6.** Present Report No. 2016-07 Regarding EDFIG Compliance Review of Ansafo Contact Centers, LLC.
- 13D7.** Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 28876, 32655, 32798, 33536, 33728, 38614, 39423A, 40486, 43335, 43954, 43385, 44558, 45283, 45337, 45340, 45963, an Attached List from the Marion County Clerk of Court, an Attached List from Marion County Fire-Rescue
- 13D8.** For the Month Ended June 2016, a List of Checks Drawn on Commission Accounts, Pursuant to Chapter 136.06, Florida Statutes, are Located at the Following Website Address:  
<http://www.marioncountyclerk.org/public/index.cfm?Pg+boardcheckregisters>
- 13E.** Present for information and record, minutes and notices received from the following committees and agencies:
- 13E1.** Development Review Committee (DRC) - June 6, 13 and 20, 2016
- 13E2.** Dog Classification Board - May 4, 2016
- 13E3.** License Review Board (LRB) - May 10, 2016
- 13E4.** Marion County Hospital District Board of Trustees (MCHD) - May 23, 2016
- 13E5.** Marion Oaks MSTU Advisory Board (Recreation Services and Facilities) - May 10, 2016
- 13E6.** Planning & Zoning Commission (P&Z) - June 1, 2016
- 13E7.** Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>
- 13E8.** St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at <http://www.floridaswater.com>
- 13E9.** Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <http://www.ocalaf.org/tpo>
- 13E10.** Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>

**14. PLANNING & ZONING AND DRC WAIVER REQUESTS (AT 2:00PM):****14A. Planning and Zoning Consent Items:****Items 14A2, 14A5, 14A8, 14A10 PULLED;****APPROVED 5-0: all other consent items****14A1.** 160701Z - Glenn M. Lambert, A-1 to B-4, 3.33 Acres**14A2.** 160702SU - Hasty Greene Inv. Inc., Renewal of Special Use Permit in B-4, .73 Acres**PULLED FOR DISCUSSION; APPROVED 5-0****14A3.** 160703Z - John S. Rudnianyn, A-1 to B-2, 1.29 Acres**14A4.** 160704SU - Buck Sales and Leasing Inc., Special Use Permit in B-2, 1.77 Acres**14A5.** 160705SU - Daniel R. Craig, Special Use Permit in B-4, 2.51 Acres**PULLED FOR DISCUSSION; APPROVED 5-0****14A6.** 160707Z - Jo-Mar 17 LLC., M-1 to M-2, 10 Acres**14A7.** 160708SU - Church of the Springs, Renewal of Special Use Permit in A-1, 67.5 Acres**AMENDED TO ALLOW ADMINISTRATIVE REVIEW****14A8.** 160709Z - Kathryn Kaufman, R-1 to PUD, 39.67 Acres**PULLED FOR DISCUSSION; APPROVED 5-0****14A9.** 160709Z/2007-L06 - Termination of Southeast 73rd Ave. Developer's Agreement (Kaufman)**14A10.** 160710SU - Sleepy Creek Lands LLC., Special Use Permit in A-1, 640 Acres**PULLED FOR DISCUSSION; APPROVED 5-0****14A11.** 160711Z - Ocala Meadows Farm Ltd., Modification of PUD, 661.87 Acres**14B. Planning and Zoning Items for Individual Consideration:****14B1.** 160508SU - Angele Manoogian, Special Use Permit in B-2, 7.23 Acres**APPROVED 5-0****14B2.** 160706SU - Joe C. Brown,- Trustee, Special Use Permit in M-1, 4.18 Acres**DENIED 5-0****14B3.** 16-L04 - Donna Wormsor, Rural Land and Low Residential to Low and Medium Residential, 379.20 Acres**FIRST MOTION DIED; SECOND MOTION APPROVED 5-0 from rural land to low residential****14B4.** 160506Z - Donna Wormsor, A-1 and A-3 to R-1 and R-E, 504.46 Acres**APPROVED 5-0 from A-1 to PUD zoning with developmental conditions; the applicant needs to bring back a preliminary plan to present to the Board on October 18<sup>th</sup>.****14B5.** 16-L02 - Harvey Vandeven, Low Density Residential to High Density Residential, 39 Acres**APPROVED 5-0, medium density residential****14B6.** 160504Z - Harvey Vandeven, A-1 to R-3, 39 Acres**APPROVED 5-0 from A-1 to PUD zoning; the applicant needs to bring back a preliminary plan to present to the Board on or before October 18<sup>th</sup>.****14B7.** 16-L03 - Floyd S. Salsar III, Rural and Medium Density Residential to Medium and High Residential, 76.65 Acres



**APPROVED 5-0**, medium density residential

**14B8.** 160505Z - Floyd S. Salser III, A-1 to P-MH, 76.65 Acres

**APPROVED 5-0** to amend from A-1 to PUD zoning; the applicant needs to bring back a preliminary plan to present to the Board on October 18<sup>th</sup>.

**14B9.** 160712SU - Stan Salser, SHS Properties LLC., Special Use Permit in A-1, B-1, B-5 and R-1 Zones, 59.61 Acres

**APPROVED 5-0**

**14C.** Adoption of Ordinance

**APPROVED 5-0:** all items 14-C1-14-C4 with 14C1 and 14C2 as amended

**14C1.** 16-L02

**14C2.** 16-L03

**14C3.** 16-L04

**14C4.** Zoning