

**Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS**

September 16, 2025

CALL TO ORDER:

The Marion County Board of County Commissioners (BCC) met in regular session in Commission Chambers at 9:00 a.m. on Tuesday, September 16, 2025 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The meeting opened with invocation by Chairman Zalak and the Pledge of Allegiance to the Flag of our Country.

9:00 AM ROLL CALL:

Upon roll call the following members were present: Vice-Chairman Carl Zalak, III, District 4; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5. Chairman Kathy Bryant, District 2; arrived shortly after the meeting commenced. Also present were Clerk Gregory C. Harrell, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Angel Roussel, ACA Tracy Straub, ACA Amanda Tart, and Executive Director of Internal Services Mike McCain.

ANNOUNCEMENTS:

Chairman Zalak addressed upcoming scheduled meetings as listed on the Commission Calendar (Item 13.2.1).

1. PROCLAMATIONS AND PRESENTATIONS:

Upon motion of Commissioner McClain, seconded by Commissioner Stone, the BCC approved and/or ratified the following:

1.1. PROCLAMATION – Give4Marion Day – Lauren Deiorio, President/Executive Director, Community Foundation for Ocala/Marion County (Approval and Presentation)

The Board presented the Proclamation recognizing September 16, 2025 as “Give4Marion Day” to Lauren Deiorio, President and Executive Director, Community Foundation for Ocala/Marion and several representatives from local not-for-profit agencies.

President and Executive Director Lauren Deiorio, Community Foundation, expressed her appreciation to all the not-for-profit organizations who provide services for those in need. She provided a brief overview of the activities that will take place during the Give4Marion campaign, noting it kicks off at 10:00 a.m.

In response to Commissioner McClain, Ms. Deiorio advised that Give4Marion raised approximately \$3,000,000.00 last year and the organization hopes to exceed that this year.

Commissioner McClain urged the community to get involved with the local not-for-profit organizations.

1.2. PROCLAMATION – Central Florida Community Action Agency Day – Tiffany McKenzie, Compliance and Reporting Officer, Central Florida Community Action Agency (Approval and Presentation)

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The Board presented the Proclamation recognizing October 16, 2025 as “Central Florida Community Action Agency Day” to Compliance and Reporting Officer Tiffany McKenzie, Central Florida Community Action Agency.

Compliance and Reporting Officer Tiffany McKenzie, Central Florida Community Action Agency, advised that the organization is having their annual meeting and Partner of the Year award breakfast on October 16, 2025. She expressed appreciation to the Board for the proclamation.

Community Services Director Cheryl Butler commented on the assistance Central Florida Community Action Agency has provided to the citizens of Marion County.

In response to Ms. Butler, Ms. McKenzie advised that the weatherization program has assisted approximately 35 households this year. She stated most programs offered by the agency can be applied for online at cfcaa.org.

Commissioner Curry commented on the important role this Agency and other organizations like them play within the community.

In response to Commissioner Curry, Ms. McKenzie advised that volunteer opportunities are posted on the agency website, as well as on their social media platforms.

1.3. PROCLAMATION – Constitution Week – Rochelle Gerofsky, Regent, Daughters of the American Revolution (Approval and Presentation)

The Board presented the Proclamation recognizing the week of September 17 through 23, 2025 as “Constitution Week” to Rochelle Gerofsky, Regent, Ocala Chapter, Daughters of the American Revolution (DAR), Susan Hale and Holly Denton.

Rochelle Gerofsky, Regent, Ocala Chapter, DAR, provided a brief overview of the activities taking place in the community to celebrate Constitution Week.

Holly Denton, DAR, advised of exhibits at the courthouse and at the library. She stated they have Constitution booklets with the Declaration of Independence for all of the 5th grade students in Marion County east of Interstate 75 (I-75)

Ms. Gerofsky advised that the organization is preparing for America 250th anniversary. Chairman Zalak advised that the County would have a lot of activities to celebrate “America 250”, including a parade and fireworks.

1.4. PRESENTATION – Florida Housing Coalition’s State Housing Initiatives Partnership Award Presented to Marion County Community Services in Collaboration with Logos Lodge – Cheryl Martin, Community Services Director (Presentation Only)

Community Services Director Butler presented the following recommendation:

Description/Background: On Wednesday, August 27, 2025, the Florida Housing Coalition (FHC) awarded the 2025 SHIP Award to Marion County Community Services in partnership with Logos Lodge. The award recognized the partnership as a model for successful homeowner rehabilitation and rental acquisition initiatives through the State Housing Initiatives Partnership (SHIP) program.

Founded in 2018, Logos Lodge has a powerful vision to mentor men recovering from drug and alcohol addiction through a structured, Christ-centered regeneration program. These men are not just overcoming addiction, they are rebuilding relationships, learning new skills, finding meaningful employment, and working toward long-term, self-sufficient living.

With approval from the Board of County Commissioners, Logos Lodge first received SHIP funding to rehabilitate two single-family homes that they were renting for participants, allowing capacity to increase from eight men to fourteen.

The Board later approved an additional \$350,000 in SHIP funds that enabled the nonprofit to acquire two more homes they had been renting, securing long-term affordability and stability for the men in their program. These homes now provide housing for up to six additional men each year.

The homes repaired and acquired through this partnership represent a second chance. More than shelter, the program run by Logos Lodge provides a foundation for recovery, employment, and self-sufficiency giving participants the opportunity to rebuild their lives, strengthen family connections, and contribute back to the community.

Budget/Impact: None.

Recommended Action: Presentation only.

Community Services Director Butler advised that the Florida Housing Coalition awarded the 2025 SHIP Award to Marion County Community Services in partnership with Logos Lodge. She presented a brief video showing how SHIP funding has been utilized within the program to provide services to the community.

Housing Grant Manager Helen Urie, Community Services, expressed appreciation to Logos Lodge for the work that they do in the community.

Greg Cronmiller, Founder of Logos Lodge, stated watching the change in these men's lives makes what he does worth it and expressed appreciation for the award.

Chairman Zalak commented on the positive impact Logos Lodge has on the community. Commissioner Bryant arrived at 9:32 a.m.

Chairman Zalak passed the gavel to Commissioner Bryant who assumed the Chair.

1.5. PRESENTATION – Two Flagler Awards from VISIT FLORIDA to the Ocala/Marion County Visitors and Convention Bureau for Resource/Promotional Material - Trade Category and Out of Home Category - Loretta Shaffer, Tourism Development Director (Presentation Only)

Tourist Development Director Loretta Shaffer presented the following recommendation:

Description/Background: On August 29, 2025, as part of the annual Florida Governor's Conference on Tourism, VISIT FLORIDA awarded its Flagler Awards for excellence in tourism marketing. The Ocala/Marion County Visitors and Convention Bureau was awarded the Silver Award Flagler for its tradeshow booth in the Resource/Promotional Material - Trade Category; and the Bronze Award Flagler for its Orlando Moving Billboard Campaign in the Out of Home Category.

Budget/Impact: None.

Recommended Action: Presentation only.

Tourist Development Director Loretta Shaffer advised that Marion County received two Flagler awards at the annual Florida Governor's Conference, noting the County has received a total of 40 awards since 2013.

Tourist Development Manager Sky Wheeler provided a brief overview of the awards received.

Commissioner Zalak advised that the new VISIT FLORIDA campaign is "Floridays".

2. AGENDA ITEM PUBLIC COMMENTS:

Reserved for comments related to items specifically listed on this agenda. Scheduled requests will be heard first and limited to five (5) minutes. Unscheduled requests will be limited to two (2) minutes. Citizens may contact Marion County Administration by 5:00

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p.m. the Friday before the meeting at 352-438-2300 to request to speak or submit the request online at: www.marionfl.org.

Chairman Bryant opened the floor to public comment.

Kevin Vickers, SE 17th Court, advised that he is present today to express opposition to Agenda Item 9.1. relating to a driveway request for parcel ID 36669-000-01. He stated when he became aware of the driveway request, he requested the property owner's attorney engage the Homeowner's Association (HOA), noting on August 11, 2025 after the Development Review Committee (DRC) meeting he again suggested to the applicant's attorney that the HOA be contacted. Mr. Vickers opined that the request is about enhancing one property's value and is not about solving a fundamental issue. He recommends the Board abrogate/plat vacate the tract owned by the County and return the land to the Carriage Trail owners who have been maintaining it for 35 years. Mr. Vickers advised that the DRC is comprised of the Department heads from some of the most important departments in the County, including Marion County Fire Rescue (MCFR). He stated the applicant appears to have legal access from SW 80th Street, which was the access that was bought with the land and was the access shared with the applicant via a family division.

Mr. Vickers advised that when the family division occurred to create the subject parcel there was an access easement granted by the parent parcel. He stated if the Board grants the access through Carriage Trail, then the easement on the parent property can be removed, thus rendering the only legal access through Carriage Trail. Mr. Vickers urged the Board to deny the request.

Bill Hayter, SE 85th Street Road, addressed Agenda Item 9.1. and provided a brief history of the subject parcel family division and access. He opined that the request is being made so the land will have direct access to a County maintained road, which will make it easier to market the property for future development. He commented on the negative impact this will have on the surrounding residents if approved.

Clay Pederson, SE 87th Place, Treasurer of the Carriage Trail HOA, expressed opposition to Agenda Item 9.1. He commented on concerns relating to safety, quality of life and traffic. He urged the Board to uphold DRC's recommendation for denial.

Victor Rotz, SE 17th Court, Carriage Trail HOA President, advised that he is present today to express objection to Agenda Item 9.1. on behalf of the Carriage Trail residents. He commented on safety concerns and urged the Board to deny the request.

Matthew Verrando, SE 17th Court, commented on Agenda Item 9.1. and requested the Board uphold DRC's recommendation for denial. He expressed concern with future development of the subject property and the impact it will have on residents of Carriage Trail.

Chairman Bryant noted it is the ten o'clock hour. She advised that the Board would continue with public comment after the public hearing is concluded.

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.

6.1. PUBLIC HEARING to Consider an Ordinance Relating to Public Notice and Legal Advertisements

County Attorney Matthew G. Minter presented the following recommendation:

Description/Background: Beginning on January 1, 2023, public notices and legal advertisements are allowed to be published on a publicly accessible website pursuant to Chapter 50 of the Florida Statutes, in lieu of newspaper publication. The migration of public notices to the Marion County Website will allow the public to find and access all Marion County public notices. This proposed ordinance would allow Marion County to decrease overall operating advertising expenditures for the County related to publishing public notices and legal advertisements in a newspaper, while increasing accessibility and transparency to the public.

Budget/Impact: None.

Recommended Action: Motion to approve ordinance.

Deputy Clerk Thornton presented Proof of Publication Legal ad No. 11624652 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on September 5, 2025. The Notice states the Board will consider the adoption of an Ordinance amending the Marion County Code of Ordinances.

Chief Assistant County Attorney Dana Olesky advised that the proposed Ordinance would create Section 2.3. in the Marion County Code establishing a publicly accessible website. She stated in January of 2023 House Bill (HB) 7049 became effective, which allows a County to utilize a publicly accessible website in lieu of newspaper ads for any item that requires legal advertisements. This will help streamline the County's current process and improve citizen accessibility, while also reducing government costs. Ms. Olesky advised that in order to establish a publicly accessible website the Board has to make a finding that publishing on the County's website would be less expensive than publishing in the local newspaper; establishing a website that would meet certain criteria including having the link in a conspicuous place on the County's website; provide a proof of publication that would be signed by a member of staff proving that the publication was published on the website; and require the Board advertise, either in a newspaper or some other publication, that is mailed to all residents and property owners annually. She stated individuals could opt to receive notice either by first class mail or electronic mail (email). Ms. Olesky advised that the proposed Ordinance establishes that any place throughout the County Ordinances, policies or any other requirements set forth by the County could utilize the publicly accessible website for legal advertisements in lieu of newspapers. She stated the Ordinance itself does not eliminate the advertisement in the newspaper, it just allows the alternative. Ms. Olesky advised that the subsequent public hearings deal with the Land Development Code (LDC) specifically.

Ms. Olesky provided a brief overview of the current process for advertising in the newspapers and how the new process would be handled. She advised of a recent error in the title of the Ordinance, which was realized after the Star Banner newspaper deadline. In this case the County had to readvertise and delay the hearing. Ms. Olesky stated errors can be fixed in a timely manner with the publicly accessible website, noting it will also allow more oversight from the County Attorney's Office. She advised that the County budgets over \$200,000.00 annually for legal advertisements, noting they spend anywhere from \$50,000.00 to \$75,000.00.

In response to Chairman Bryant, Ms. Olesky advised that a process will be put into place to address errors and to ensure all legal requirements are being met, noting instead of modifying a notice, a correction would be posted. She stated the website would allow an individual to search by a key word and see any advertisement relating to that word.

Chairman Bryant questioned the cost of operating the website. Ms. Olesky advised that most of the costs of the website are absorbed into existing costs, noting when a notice is

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sent to the newspaper it is also sent to the Public Relations team to post a Sunshine Notice. She stated staff were able to modify the existing County website to accommodate these advertisements. Ms. Olesky advised that a separate process will be created for legal advertisements to ensure proper processing. She stated Constitutional Officers have expressed interest in utilizing the website.

Ms. Olesky advised that there are a lot of times that the Board has the desire to get something through pretty quickly, noting it takes approximately 2 months to get something to the Board when factoring agenda and advertising deadlines. She opined that the website would speed up the process.

In response to Chairman Bryant, Ms. Oleksy advised that there are still some public notices that are required in the newspaper; therefore, the website will not reduce the advertising budget 100 percent (%).

Commissioner Stone questioned if there could be a standing running advertisement in the newspaper directing attention to the County website. Ms. Oleksy advised that the County would be required to publish once a year in the newspaper or through a publication.

Commissioner Stone opined that for transparency's sake, the Board could publish in the newspaper for a certain period of time advising that the formatting has changed.

Ms. Olesky commented on advertising costs, noting the newspaper only publishes in print once a week. She stated when the County does the public notices it is required to provide business impact estimates. The website will have a link to the business impact estimate, which will assist with accessibility and transparency. Ms. Oleksy commented on the possibility of linking a map location to an advertisement in the future.

Commissioner Curry expressed concern with the potential cost of mailing notifications to citizens.

Chairman Bryant passed the gavel to Commissioner Zalak, who assumed the Chair.

Commissioner Bryant out at 10:21 a.m.

Ms. Olesky advised that staff has reviewed the cost difference between a standard envelope and a postcard notification. She stated the notification could go out via email versus first class mail, noting there are currently 300 people subscribed to the County's Sunshine Notices. Other Counties who have begun online advertisements have seen an increase the amount of email notice requests, as well as increased public participation.

Commissioner Bryant returned at 10:23 a.m.

Chairman Zalak returned the gavel to Commissioner Bryant, who resumed the Chair.

Ms. Olesky advised that staff could monitor the list of people who sign up for mailers to determine if it is cost effective.

Commissioner Curry opined that this will not keep government small, noting it will add people. He questioned if the County would also be posting the advertisements on social media platforms. Ms. Oleksy advised that there is a social media function that can be utilized with the website at the Board's direction, noting whenever something is posted on the website it would automatically post on social media.

Commissioner Curry expressed concern with the perception of transparency.

In response to Commissioner Zalak, Ms. Olesky advised that this would not eliminate the mailing of notices for zoning items, noting that requirement is in the Code. She stated moving to the website would not fix a situation with a mistake in a mailer. Ms. Oleksy advised that the efficiency of being able to put the advertisements on the website would save time and costs.

Mr. Minter advised that if a notice is published with the wrong information and it is not

caught until they are within 10 days of the hearing then the process would have to be restarted.

Ms. Olesky stated there would be no cost associated with republishing an advertisement on the website.

In response to Commissioner Zalak, Ms. Oleksy advised that there is nothing keeping a newspaper from publishing an advertisement if they choose. She stated a newspaper publishing solely to their website does not count as legal advertisement. Ms. Olesky advised that once the Board adopts the proposed Ordinance, they are declaring the County website as the publicly accessible website. All advertisement would then be required to be published on this site to satisfy the Statute's criteria. She stated this will also require any other governmental agency, municipalities, special districts, or Constitutional Officers to utilize the County's website, noting those entities will not be able to publish only to their websites.

In response to Commissioner Zalak, Ms. Olesky advised that a Memorandum of Understanding (MOU) or Interlocal Agreement (ILA) will need to be established with each entity posting to the site.

Chairman Bryant expressed concern with the County being the only allowed site and other entities utilizing the site, noting this will create more work for County staff.

Commissioner Zalak questioned if the County could charge those entities for the cost to publish. Ms. Olesky advised that they can charge for the cost to publish, noting there is also an allowance in the Statute that the County can charge up to \$2.00 for a proof of publication. She stated the County cannot pass along the cost to the citizens for mailing or emailing notices.

Chairman Bryant advised that this would grow the government.

In response to Commissioner Curry, Ms. Oleksy advised that the County would be accepting the liability of making sure the advertisement is published timely and correctly, which is already the responsibility of staff today.

Commissioner Curry stated it is his understanding that the Tax Collector, Property Appraiser and Supervisor of Elections would not be utilizing this platform.

Ms. Olesky advised that when the law passed in 2023 Marion County decided to wait to move forward until they saw how it was implemented by other Counties. She stated there are several Counties utilizing a publicly accessible website and it appears to be working well, noting those Counties are reporting an increase in participation.

Chairman Bryant advised that the Board could have the publicly accessible website with the notice and still continue to publish in the newspaper, noting by doing it this way the County is not obligated to be a platform for other entities.

Commissioner Stone questioned how this will impact legal notices required by attorneys for cases such as probate. Ms. Olesky advised that it would not.

Clerk Harrell advised that the entity making the public notice would remain responsible for the content, timeliness, etc. of the notice. He opined that the County's roll would only be to put the notice on the website. Clerk Harrell stated any participating entity would have a link on their website directing them to the County's publicly accessible website.

Chairman Bryant advised that the County would still be responsible for uploading the content.

Clerk Harrell opined that it is a question as to whether or not the County feels it is an arduous process or not.

In response to Commissioner Zalak, Clerk Harrell stated the traditional process was set up prior to the internet being created. He advised that the State Legislature has been

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approached in recent years because print media is changing and in a lot of ways it is going away, noting there are some areas that no longer have local papers. Clerk Harrell stated the Legislature considered the fact that everyone is using the internet and the Counties have websites; therefore, they could give them the ability to post on the websites. He advised that there is an entity that is one of the main vendors for providing these services, which is also used by one of the local news outlets. Clerk Harrell questioned why the Board would farm out work to a news publication to use the same vendor that the County could contract with directly. He stated if the County reasonably believes from an Information Technology (IT) standpoint that they can provide these services in house without having to use an external vendor then the Board should consider that route. Clerk Harrell commented on other Counties' websites and how they function. He stated as stewards of public funds the Board has to consider if public funds are supposed to continue to prop up private industry, noting the newspapers earn revenue from this line of work.

Chairman Bryant advised that regardless of the way the Board decides to move forward it will be expending public funds to support this endeavor. She commented on future cost that could be associated with a publicly accessible website and opined that a full financial analysis would be necessary.

Clerk Harrell suggested staff begin having those conversations if they have not already done so, noting the Counties who have moved to online advertising feel it was the right way to go. He stated the notion that there is an increased level of oversight or independence by farming this out is not accurate. The County is responsible for the content and timeliness of the publication. The entity does not play any oversight role, they are only attesting to the fact that the publication was done.

Chairman Bryant stated the County would be taking on the responsibility of notices for all governmental agencies who wish to publish online. She reiterated that her only consternation is the cost associated with staff and technology.

Commissioner McClain stated if this does become cost prohibitive the Board can revert back to advertising via the newspaper. He advised that the Statute only allows online publication if it cost less than publishing in the newspaper.

Chairman Bryant stated a full financial analysis is needed to prove it will cost less.

Commissioner Zalak advised that a business impact analysis was required before the proposed Ordinance could be published.

Ms. Olesky commented on the process that will be utilized if the Board moves forward with online posting, which took minutes versus a full day of follow-up required for newspaper publication.

In response to Chairman Bryant, Ms. Olesky advised that the legal assistant designated to handle these would have an increase, but if there is a good efficient process in place it will be a small increase.

Clerk Harrell advised that the Clerk's office has approximately 20 to 30 tax deed applications per month that would be uploaded at the same time and there is no review process needed.

Commissioner McClain stated the Board could hire a staff assistant to process the advertisements and it still costs less than what is spent now.

Clerk Harrell advised that if the County chooses not to do this, he would recommend down the line that the Clerk's Office be allowed to.

General discussion ensued.

ACA Amanda Tart advised that the government entity would have the ability to create

their own advertisement and it would go through a workflow process that would go to the County Attorney's office for publication. She stated it would not be a burdensome workload for County staff.

Chairman Bryant opened the floor to public comment.

Henry Munoz, Marion Oaks Boulevard, opined that it would be a cost savings to the County, but additional staff may be required. He stated the Board must make it clear to anyone who wishes to publish that the entity advertising is responsible for proofing the notice.

Joseph Walker, SE 54th Place, Ocklawaha, questioned if the Board will have the information available in a hard copy for citizens. Chairman Bryant clarified that this Ordinance is relating to public notices for public hearings, noting it is not for meeting Agendas. She advised that Mr. Walker can obtain the meeting agenda the same way he currently does now.

Carolyn Nolte, President and Chief Executive Officer (CEO) of the Florida Press Association (FPA), College Avenue, Tallahassee, advised that a Mason-Dixon poll was conducted in March of 2025, which asked communities specific questions. One of the questions was "Do you believe State and local government should or should not be required to regularly publish notice through printed and online newspaper and on Floridapublicnotices.com?". She stated in the Central Florida region 92% of those polled said that they should be published in newspapers in print and online, as well as Floridapublicnotices.com. Ms. Nolte advised that Floridapublicnotices.com takes all of the public notices and puts them into a searchable website. She stated another question was "How likely would you seek public notices if they were only posted on a government website and not available in a printed or online newspaper or Floridapublicnotices.com?". The response was 72% would be somewhat unlikely and very unlikely to search out those public notices on government websites. Ms. Nolte advised that community papers are very strong in the rural areas, noting there are not many news deserts in Florida.

Mr. Minter questioned how many people were included in the poll for the Central Florida region. Ms. Nolte advised that the Counties included in the Central Florida region are Brevard, Lake, Marion, Orange, Osceola, Seminole, Citrus, Sumter, Volusia and Indian River, noting there were a total of 135 people who participated.

Commissioner Curry expressed concern for those who do not own a computer or have access to the internet.

In response to Commissioner Curry, Ms. Nolte advised that there has been a shift over the last 5 to 10 years in communities that consume printed news products versus those that are online newspaper consumers, noting there are more digital newspaper consumers than the actual printed version throughout the State of Florida. She stated all of the FPA newspapers across the State that carry public notice in their printed versions must have a link to Floridapublicnotices.com. accessible from their home page.

Jennifer Murty, SE 22nd Avenue, publisher of the Ocala Gazette, opined that the cost associated with staff time and mailing notices will be more than what is being spent on legal notices in the newspapers. She expressed opposition to the statement made that legal notices in newspapers is a subsidy for private industry, noting it cost to print and distribute notices. Ms. Murty advised that she publishes notices for the City of Ocala and the Marion County School Board and the turnaround time is approximately 2 or 3 days. She advised that the newspaper's websites are searchable and the State aggregate system is searchable. Ms. Murty stated access to print is still valuable to certain communities. She commented on the value of having independent verification of

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publication.

Chairman Bryant advised that public comment is now closed.

Ms. Olesky advised that adoption of this Ordinance allows the language to be changed in the Marion County Code that in lieu of publication in the newspaper the publicly accessible website can be utilized. She stated a Policy or Resolution could come back before the Board to address specific parameters as to what will actually be utilized for the County's benefit.

Chairman Bryant opined that land use and zoning should be done both ways. She questioned if there is anything that would prevent the County from advertising both ways. Ms. Olesky advised that there is not, noting the Board could make a determination that everything except for certain items will be done on the publicly accessible website. Staff could bring back a Policy or Resolution for Board consideration. She stated an informal poll was done back in 2023 through procurement vendors, noting none of the vendors found out about the jobs from print newspapers. All vendors came back as finding out about the job online.

Chairman Bryant stated when it comes to public hearings regarding land use, zoning, etc. she has some consternation about taking that completely out of print. She opined that if the Board moves forward with the website, they should take time to ensure the public is educated and provide the opportunity to see what kind of traffic the website is getting before they stop printing of the advertisements.

Commissioner McClain opined that the Board should go with Commissioner Stone's recommendation and publish a notice in the newspaper for a year directing the public to the website.

Commissioner Zalak advised that a majority of citizens are communicating with the Board and receiving their information digitally. He reiterated that the newspapers could also publish the information online to educate the public.

Commissioner Stone opined that the Board should run a notice in the newspapers for a while to ensure the public knows about the new process.

In response to Commissioner Curry, Chairman Bryant advised that if this is approved then the County would be obligated to allow the other government entities to publish their notices on the website.

Commissioner Zalak stated staff need to bring back a policy for the handling of other government entities.

Commissioner Curry advised that more information is needed and at this time he cannot support the proposed Ordinance.

Commissioner McClain advised that other Counties are already doing this and there is potential for cost savings. He stated if approved, the Board does not have to begin right away, noting they can work on the policies and publish a legal notice informing the public of the process change.

Chairman Bryant requested the exact amount advertising is costing today, noting if down the road it does become more costly then the Board can reverse this decision.

Ms. Olesky advised that in 2023 the County spent \$60,000.00 on advertising and in 2024 the total spent was \$62,000.00.

Chairman Bryant questioned why \$200,000.00 is being budgeted. Mr. Bouyounes advised that staff is basing the amount on an estimate of what could happen in that fiscal year. He stated the Board can adjust that amount and if they need to add more funding a Budget Amendment can be done. Mr. Bouyounes advised that the proposed Ordinance is giving the Board the option to publish on the website, but it is still the decision of this

Board to approve policy to move in that direction.

Chairman Bryant stated she does not want this growing a complete department just for notices.

Mr. Bouyounes advised that in 2023 when the law passed it was determined that it was not cost effective at that time because the technology was different and the County was not equipped to do this. He stated staff took a second look in 2025 and determined that with the current staff and the proposed process it is now feasible.

General discussion ensued.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Ordinance 25-43. The motion passed 4-1, with Commissioner Curry dissenting.

Ordinance 25-43 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE I, IN GENERAL, CREATING SECTION 2-3 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "PUBLIC NOTICE AND LEGAL ADVERTISEMENTS"; AMENDING CHAPTER 2, ARTICLE IV, BOARDS AND COMMISSIONS, UTILITY AUTHORITY, SECTION 2-110 OF THE MARION COUNTY CODE OR ORDINANCES, ENTITLED "POWERS AND DUTIES" AND SECTION 2-111, ENTITLED "RATES AND RATEMAKING PROCEDURES"; AMENDING CHAPTER 2, ARTICLE V, CODE ENFORCEMENT, SECTION 2-210 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "NOTICES"; AMENDING CHAPTER 2, ARTICLE IX, SURPLUS REAL PROPERTY DISPOSITION, SECTION 2-283 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "STANDARDS AND PROCEDURES FOR DISPOSITION OF SURPLUS REAL PROPERTY"; AMENDING CHAPTER 9, ARTICLE III, LOCAL HOUSING ASSISTANCE, SECTION 9.3-48 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "ADOPTION OF AFFORDABLE HOUSING INCENTIVE PLAN"; AMENDING CHAPTER 10, ARTICLE XI, IMPACT FEE FOR TRANSPORTATION FACILITIES, SECTION 10-284 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "NOTICE OF IMPACT FEE RATES"; AMENDING CHAPTER 10, ARTICLE XII. INFRASTRUCTURE SALES SURTAX, SECTION 10-354 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "NOTICE OF SALES SURTAX EXTENSION REFERENDUM"; AMENDING CHAPTER 10, ARTICLE XV. EDUCATIONAL SYSTEM IMPACT FEE, SECTION 10-449 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "NOTICE OF IMPACT FEE RATES"; AMENDING CHAPTER 11, ARTICLE IV, DRUG-RELATED PUBLIC NUISANCE ABATEMENT, SECTION 11.92 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "SAME-OPERATING PROCEDURES REGARDING COMPLAINTS"; AMENDING CHAPTER 17, ARTICLE III, IMPROVEMENT AREAS AND ASSESSMENT PROCEDURES, DIVISION 3. ASSESSMENTS, SECTION 17-54 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "NOTICE BY PUBLICATION"; AMENDING CHAPTER 17, ARTICLE IV, STORMWATER MANAGEMENT, DIVISION 3. ASSESSMENTS, SECTION 17-125 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "NOTICE BY PUBLICATION"; AMENDING CHAPTER 17, ARTICLE V, FIRE RESCUE

ASSESSMENT, DIVISION 2. ANNUAL FIRE RESCUE ASSESSMENTS, SECTION 17-224 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "NOTICE BY PUBLICATION"; AMENDING CHAPTER 17, ARTICLE VI, LOCAL PROVIDER PARTICIPATION FUND, SECTION 17-301 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "NOTICE BY PUBLICATION"; AMENDING CHAPTER 19, ARTICLE II, INDUSTRIAL PRETREATMENT, DIVISION 7, SECTION 19-88 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE"; AMENDING CHAPTER 19, ARTICLE III, WATER AND SEWERS, SECTION 19-123 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "APPLICATION FOR SERVICE"; AMENDING CHAPTER 19, ARTICLE III, WATER AND SEWERS, SECTION 19-216 OF THE MARION COUNTY CODE OF ORDINANCES, ENTITLED "APPLICATION/PROJECT REQUIREMENTS AND PRIORITIZATION"; ALLOWING FOR THE USE OF A PUBLICLY ACCESSIBLE WEBSITE FOR PUBLIC NOTICE AND LEGAL ADVERTISEMENTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

6.2. PUBLIC HEARING to Present and Consider Revisions to the Marion County Land Development Code Amendments Article 1, Division 2, Definitions

Deputy Director Kenneth Weyrauch, Growth Services, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 1, Division 2 Definitions, updating the requirements for due public notice.

The proposed LDC amendment was considered by the Land Development Regulation Commission (LDRC) in a public hearing held on August 20, 2025. The LDRC recommended approval of this item and forwarded it to the Board of County Commissioners for consideration.

The proposed LDC amendment was considered by the Board of County Commissioners in a public hearing held on September 3, 2025. At that time, no revisions were requested.

This is the second and final public hearing for this item.

Budget/Impact: None.

Recommended Action: Motion to approve the Ordinance.

Deputy Clerk Thornton presented Proof of Publication Legal ad No. 11624807 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on September 5, 2025. The Notice states the Board will consider the proposed amendment related to Marion County LDC for revisions to Article 1, Division 2, Definitions.

Ms. Olesky advised that this is the second of two public hearings to consider revisions to the Marion County LDC Article 1, Division 2, Definitions. She stated the language being added is "or on a publicly accessible website under s.50.0311", which would allow an alternative to advertising in a newspaper. Ms. Olesky advised that she did not revise the language in regards to mailers, noting throughout the LDC due public notice is used. In some places it requires the mailers and some places it only requires the legal advertisements. She stated updating this definition will allow the publicly accessible

website to be utilized in lieu of the newspaper.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to adopt Ordinance 25-44. The motion was unanimously approved by the Board (5-0).

Ordinance 25-44 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING ARTICLE 1, ADMINISTRATION, DIVISION 2, DEFINITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

6.3. PUBLIC HEARING to Present and Consider Revisions to the Marion County Land Development Code Amendments Article 2, Division 4, Land Development Code Amendment, Section 2.4.4 Completion and Close Out

Deputy Director Weyrauch, Growth Services, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC), Article 2, Division 4, Section 2.4.4 Completion and close out, updating the requirements for legal advertisements.

The proposed LDC amendment was considered by the Land Development Regulation Commission (LDRC) in a public hearing held on August 20, 2025. The LDRC recommended approval of this item and forwarded it to the Board of County Commissioners for consideration.

The proposed LDC amendment was considered by the Board of County Commissioners in a public hearing held on September 3, 2025. At that time, no revisions were requested.

This is the second and final public hearing for this item.

Budget/Impact: None.

Recommended Action: Motion to approve the Ordinance.

Deputy Clerk Thornton presented Proof of Publication Legal ad No. 11624790 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on September 5, 2025. The Notice states the Board will consider the proposed amendment related to LDC, providing for revisions to Article 2, Division 4, Land Development Code Amendment, Section 2.4.4 Completion and Close Out.

Ms. Olesky advised that this public hearing is to consider revisions to the Marion County LDC Article 2, Division 4, LDC Amendments, Section 2.4.4, Completion and close out. She stated the revision clarifies that if it is published in the newspaper the required advertisement would have to be two columns wide by 10 inches, noting it does not change any other language. Ms. Olesky advised that this is the second of two public hearings and the language was considered by the LDRC.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Ordinance 25-45. The motion was unanimously approved by the Board (5-0).

Ordinance 25-45 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT

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CODE (LDC) AMENDING ARTICLE 2, DIVISION 4, LAND DEVELOPMENT CODE AMENDMENT, SECTION 2.4.4 COMPLETION AND CLOSE OUT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

6.4. PUBLIC HEARING to Present and Consider Revisions to the Marion County Land Development Code Amendments Article 2, Division 7, Zoning Change, Section 2.7.1 Applicability

Deputy Director Weyrauch, Growth Services, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 2, Division 7, Zoning Change, Section 2.7.1 Applicability, updating the requirements for legal advertisements.

The proposed LDC amendment was considered by the Land Development Regulation Commission (LDRC) in a public hearing held August 20, 2025. The LDRC recommended approval of this item and forwarded it to the Board of County Commissioners for consideration.

The proposed LDC amendment was considered by the Board of County Commissioners in a public hearing held on September 3, 2025. At that time, no revisions were requested.

This is the second and final public hearing for this item.

Budget/Impact: None.

Recommended Action: Motion to approve the Ordinance.

Deputy Clerk Thornton presented Proof of Publication Legal ad No. 11624767 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on September 5, 2025. The Notice states the Board will consider the proposed amendment related to LDC, in Marion County, Florida, providing for revisions to Article 2, Division 7, Zoning Change, Section 2.7.1. Applicability.

Ms. Olesky advised that this public hearing is to consider revisions to the Marion County LDC, Article 2, Division 7, Zoning Change, Section 2.7.1, Applicability. She stated this is the second of two public hearings. The revision outlines the style of the advertisement in the newspaper if the zoning amendment is going to be proposed and published in the newspaper. It does not make any other changes to any other requirements.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Ordinance 25-46. The motion was unanimously approved by the Board (5-0).

Ordinance 25-46 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING ARTICLE 2, DIVISION 7, ZONING CHANGE, SECTION 2.7.1 APPLICABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

There was a recess at 11:25 a.m.

The meeting reconvened at 11:32 a.m. with all members present.

2. AGENDA ITEM PUBLIC COMMENTS: CONTINUED

Chairman Bryant advised that once public comment is completed the Board will address Agenda Item 9.1.

Stephen Norris, SE 17th Street, did not appear when called upon to speak.

Val Wooley, SE 17th Court, commented on Agenda Item 9.1. and expressed concern with the impact future development will have on existing residents.

Greg Blair, SE 88th Street, addressed Agenda Item 9.1. and expressed concern relating to future development, safety, traffic and stormwater.

Eli Geske, SE 19th Avenue Road, addressed opposition to Agenda Item 9.1. He commented on safety and future development concerns. Mr. Geske advised that he supports the applicant's right to develop, but it should be done through the existing access point.

Chairman Bryant advised that public comment is now closed.

Chairman Bryant advised that Agenda Item 9.1. will be addressed at this time. It was the consensus of the Board to agree.

9. COUNTY ADMINISTRATOR:

9.1. Request Approval for an Access by Permit Across Tract "A" of Carriage Trail - Unit 1 Subdivision, Plat Book 1, Pages 138-139 (Budget Impact – None)

County Engineer Steven Cohoon, Office of the County Engineer (OCE), presented the following recommendation:

Description/Background: Seth and Karly McBride have filed an application to access property deeded to Marion County. The property in question is tax parcel 36669-000-01. It is called out as Tract "A" on the Carriage Trail -Unit 1 plat, recorded in plat book 1 (one), pages 138 - 139 and was deeded to Marion County in book 1647, page 1724. The plat labels Tract "A" "Conservation and Future ROW Easement." The applicants are seeking to construct a drive across Tract "A" and access SE 85th Street Road, a public road within the Carriage Trail subdivision.

The Development Review Committee (DRC) denied this request on August 11, 2025. The denial by DRC was based on property having other means of legal access. The DRC was also concerned that the access would be provided to a subdivision that was not intended to be accessed in this manner, and that the Homeowners Association, as well as any of the property owners within the subdivision, were not notified.

Note that the filed application was to "Release Easement Across 1' Strip." The property is larger than 1 foot and is deeded to Marion County. County Staff worked to continue the application through the process for consideration, regardless of what paperwork was filed.

Should the Board approve access through Tract "A", the motion should allow staff to work with the applicant and the Office of the County Engineer to issue a permit with conditions of notification to the adjacent subdivision and that this property is subject to any future assessments.

Budget/Impact: None.

Recommended Action: Motion to uphold DRC's action for denial of access.

County Engineer Steven Cohoon, OCE, advised that Agenda Item 9.1 is a request for access to tract A of the Carriage Trail Unit 1 Subdivision. He referred to the rendering shown on the overhead screens, noting the portion outlined in yellow is the area the

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applicant is requesting to access. Mr. Cohoon advised that the property in question today is not part of the platted community. He stated these roads are County owned and maintained, noting any formal improvement that ever occurred on these roads would be done so through a Municipal Service Taxing Unit (MSTU) and an assessment on the benefiting properties. Mr. Cohoon provided a brief overview of the easements provided through the family division in and around 2021 and possible future family divisions.

In response to Chairman Bryant, Senior Planner Chris Rison advised that the properties involved with the family division have a Rural land use designation.

Mr. Cohoon stated if the properties are subdivided to the maximum ability there is a potential for approximately 54 trips. He stated DRC's objection was accessing through the requested location when there was a process through the family division that provided a specific easement intended to serve the parent tract and child tracts. Mr. Cohoon advised that there are also concerns relating to the potential legalities with connecting the communities should a MSTU occur for road resurfacing projects.

Chairman Bryant stated the zoning on the applicants property is General Agricultural (A-1); therefore, it may not be able to be included in an assessment.

ACA Tracy Straub advised that if there is a residential property they can be included in the assessment even with an Agricultural 08 exemption.

In response to Chairman Bryant, Mr. Cohoon stated the basis for the DRC denial was the application was not in the public interest and the approved easement during the family division process, as well as accessing the Carriage Trail community and not being a part of the HOA.

Austin Dailey, Klein & Klein, LLC, SE 11th Avenue, attorney on behalf of the applicant, expressed appreciation to staff for their assistance, noting this has been ongoing for several years. He stated the easement would go over deeded right-of-way (ROW), which was conveyed for future ROW on the plat. This is not a nuisance strip. Mr. Dailey advised that the property has a Rural land use designation and A-1 zoning. It is owned by a husband and wife and is adjacent to the wife's parents property. He stated the intent of the applicant is to build their forever home here and it is his understanding that the parents are building their home on the adjacent property. Mr. Dailey advised that the request is for one parcel to obtain an easement to build a driveway and connect utilities across County owned ROW to a County owned and maintained road. He stated the guidance obtained from County staff was that this application was okay with a driveway for one residence, which is all that is being requested. Mr. Dailey advised that if granted the easement can contain conditions to address concerns. He stated the use of the proposed access would allow the subject property to go through a wider multilane paved road, noting there is a safer intersection leaving the neighborhood. Mr. Dailey advised that the applicant plans to connect to the utilities underground through the proposed easement where they are available.

Mr. Dailey commented on the concern from the neighbors about the potential for someone else to use the road, but opined that none of the concerns made for a concrete objection to allow one more house to access the road. He stated the road is not an exclusive right of the neighborhood, noting it is County infrastructure, County maintained and has public access. If this was a gated private road then this would not be a discussion and the County would not have been deeded ROW. Mr. Dailey advised that the request is not to abrogate a park or drive a vehicle through a walking trail, noting it is a public road used by 70 families. He opined that 1 more family would not have a big impact. Mr. Dailey recommended restricting the easement use to not commence for access until a Certificate

of Occupancy (CO) has been issued for a single family residence on the property. He requested the easement be granted ahead of time to allow the applicant to construct the improvements and install utilities. Mr. Dailey advised that these Conditions would address concerns relating to MSTU fees and future development.

Mr. Dailey opined that the applicant's profession should not be held against them, noting the applicant holds a general contractor's license. There are no plans to develop multifamily apartment complexes on the site. He stated the Board would have to approve multiple land use and zoning changes for additional development to occur.

Mr. Dailey advised that denying this request based on the testimony today would set a precedent that if enough neighbors want to exclude one of their neighbors from access to County infrastructure they can. He stated Tract A was conveyed for ROW and the applicant is requesting to utilize it for ROW, noting adding one user to 70 existing users for the same use does not add any safety risks.

Chairman Bryant stated there is paved access off of SE 80th Street up to the applicant's property.

Mr. Dailey advised that the applicant has to cross over 10 other land owner's properties to reach the subject parcel.

A brief video of the current access to the subject parcel was shown on the overhead screen.

Chairman Bryant stated there are no ingress/egress issues accessing the property and there is not any public safety issues.

Mr. Dailey advised that the access is longer than any easement the County would allow on an agriculture lot split, it does not have turn arounds and there is limited width. He stated the subject property is adjacent to County ROW on a County maintained paved road, which meets all the safety specifications. Mr. Dailey advised that there is already a stub out section of County maintained road that leads directly to where the applicant is requesting the easement.

In response to Chairman Bryant, Mr. Bouyounes advised that it was typical to provide the stub outs to allow other developments to connect, but it is not what has been taking place in recent years. He stated if the property owners of the plat requested to vacate the ROW and Conservation easement, it will present a conflict if the Board approves the driveway. Mr. Dailey advised that it is conservation until such time that it becomes ROW. He stated he was previously denied an abrogation for a neighborhood (Indian Trails) that had a stub out road going to a vacant piece of property, noting the Board reason was they do not give away road ROW because the connectivity could be used later.

Chairman Bryant clarified that the stub out is not County maintained, noting the area is fully wooded.

In response to Chairman Bryant, Mr. Dailey advised that the face of the plat states it is Conservation and Future ROW.

Commissioner McClain questioned the issue with the current access point. Mr. Dailey advised that it is one lane that goes across 10 other property owner's parcels. He stated the applicant has reached out to surrounding properties to try to improve the access, but has been unsuccessful in getting an agreement to perform repairs. Mr. Dailey commented on the limited options for repairs when there are multiple owners involved.

Chairman Bryant stated an MSTU/Municipal Service Benefit Unit (MSBU) would have to be put in place if the County maintained road needed repairs.

Mr. Dailey advised that the applicant is willing to participate in a MSTU/MSBU for road improvements.

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There was a recess at 12:02 p.m. due to technical difficulties.
The meeting reconvened at 12:06 p.m. with all members present.

In response to Commissioner Curry, Mr. Dailey advised that the proposed easement is for one single family residence, noting if further development takes place the applicant would no longer have legal right to utilize the easement. He stated there are no plans to develop the property as more than the primary residence for the applicant.

Chairman Bryant stated the condition could be added to the easement, but in the future someone could make application to utilize that access for development.

Mr. Dailey advised that he is proposing that the terms for the easement state "that if it is used for more than one residence that the easement has been violated and is void". He stated the easement agreement would have to be amended to add additional units. Mr. Dailey advised that the subject parcel does not have sufficient access for development, noting the applicant is asking for access sufficient for development.

Mr. Minter advised that there has been testimony that the intent of the applicants is to connect to a public road, noting an easement is not needed to connect to a public road. He stated once the public road is connected to that property there is potential for another property to also connect to that public road.

Ms. Straub advised that connection to a public road is done by permit and suggested changing the discussion to a permit rather than an easement. She stated conditions can be placed on the permit limiting all these things and identifying that the party must join any assessment. Ms. Straub questioned if an assessment is currently in place for the street lighting or is it paid for by the HOA.

Chairman Bryant stated there is not a public road within the conservation easement ROW, noting the stub out ends at the property line. She advised that she does not support removing the vegetation to extend that public road.

Mr. Dailey advised that the applicant would have to develop to County standards from the stub out to the subject property entrance.

In response to Chairman Bryant, Mr. Bouyounes clarified that the plat shows conservation easement and future ROW. He stated staff does not foresee a need to improve the ROW. Mr. Bouyounes advised that within the ROW a full road would have to be constructed.

Ms. Straub stated the Board has directed staff to work on removing the old ROW in the system and to try to return it back to the public, noting conversations have taken place with some of the property representatives and there is an interest in abrogation of the ROW.

Chairman Bryant expressed support for DRC's recommendation for denial.

Mr. Dailey opined that if the ROW is abrogated because no one other than the people living in the neighborhood use the road then it should be a private road.

General discussion ensued.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to uphold DRC's action for denial of access. The motion was unanimously approved by the Board (5-0).

Commissioner Zalak advised that this is a public road and recommended if the residents of Carriage Trail do not want others using the road they may want to privatize the road. He stated there may be a case brought in the future that the Board does not have the legal ability to deny.

3. ADOPT THE FOLLOWING MINUTES: (4 sets)

- 3.1. April 15, 2025
- 3.2. April 17, 2025
- 3.3. April 21, 2025
- 3.4. April 28, 2025

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to adopt the meeting minutes of April 15, 17, 21 and 28, 2025. The motion was unanimously approved by the Board (5-0).

**4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:
NONE**

5. CLERK OF THE CIRCUIT COURT:

5.1. Budget Amendment

Clerk Harrell advised that Agenda Item 5.1.3 relates to Consent Agenda Item 7.2.1. Upon motion of Commissioner Stone, seconded by Commissioner McClain, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Clerk Harrell; as well as approving Item 7.2.1.:

- 5.1.1. 25-R-355 – General Fund – Animal Services - \$30,000
- 5.1.2. 25-R-356 – General Fund – Cooperative Extension Service - \$6,500
- 5.1.3. 25-R-357 – General Fund – Emergency Medical Services - \$1,183,393
- 5.1.4. 25-R-358 – General Fund – Legislative - \$91,197
- 5.1.5. 25-R-359 – Insurance Fund – Employee Health - \$7,200,000
- 5.1.6. 25-R-360 – Insurance Fund – Insurance - \$11,284
- 5.1.7. 25-R-361 – Insurance Fund - Insurance - \$41,477
- 5.1.8. 25-R-362 – Insurance Fund – Insurance - \$77,112
- 5.1.9. 25-R-363 – Insurance Fund – Insurance - \$125,000
- 5.1.10. 25-R-364 – Marion County Utility Fund – Utilities Wastewater System - \$40,000
- 5.1.11. 25-R-365 – Parks and Recreation Fees Fund – Parks and Recreation Fees - \$6,744
- 5.1.12. 25-R-366 – Parks and Recreation Fees Fund – Parks and Recreation Fees - \$36,455
- 5.1.13. 25-R-367 – Rainbow Lakes Estates MSTU for Road Improvements – Contracted Road Construction RLE MSTU - \$27,307

5.2. Clerk of the Court Items

5.2.1. Present Budget Updates to the Tentative Budget FY 2025-26

Budget Director Audrey Fowler presented the following recommendation:

Description/Background: Attached is the Budget Updates Adjustments to the Tentative Budget FY 2025-26.

Provided herein are revisions to the Tentative Budget for FY 2025-26 which represent; Recently released revenue estimates from the Florida Department of Revenue for Transportation and Communications Taxes, recalculation of Building Safety revenue for reflect revised fee schedule, and adjustments to available fund balance due to recent BCC action during regular BCC meetings. As of Tuesday September 9, 2025 the amended budget for BCC consideration on September 22, 2025 for Countywide and Non-countywide stands at \$1,652,821,976. This budget

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is stated prior to the final adoption of the non-ad Valorem special assessments for Fire Rescue, Solid Waste and Stormwater.

Budget/Impact: Revisions to FY 2025-26 Tentative Budget, net reduction to the Tentative budget of \$4,048,252.

Recommended Action: Information only.

Budget Director Audrey Fowler advised that since the last hearing there has been some additional information made available from the Department of Research. She stated the Tourist Development Tax estimate has been released, which was an additional \$724,000.00 available for that fund. There were some adjustments for Stormwater and Solid Waste based on parcel counts and how the numbers are distributed. Ms. Fowler advised that staff were able to go through the Building Safety Fund to adjust the fee schedule and how it will impact next year's budget. She stated the tentative budget was adopted at \$1,656,870,228.00, noting with these revisions it is \$1,653,462,603.00. This is a reduction from what it was at the tentative hearing based on these numbers net wide. In response to Chairman Bryant, Ms. Fowler advised that there was not a decrease to the General Fund. There was a little bit of additional revenue from the Department of Revenue (DOR) for Communications Services Tax, which is a recurring increase of \$82,000.00. Chairman Bryant questioned if the Board would like to direct Ms. Fowler to reduce the advertising budget.

Mr. Bouyounes presented a 1 page handout to the Board containing the detailed advertising budget and requested the Board review it prior to making a decision.

Ms. Fowler advised that legal advertisement costs are distributed across a number of Cost Centers in multiple funds.

General discussion ensued.

Chairman Bryant directed staff to bring back options to reduce the advertising budget and bring it more in line with actual expenditures.

Chairman Bryant commented on the \$7,500,000.00 in American Rescue Plan Act (ARPA) interest funds. She stated there are no restrictions on how these funds can be spent and questioned if the Board would be interested in figuring out how to get the funds back to the taxpayers.

Clerk Harrell opined that since these funds are non-recurring that they should be applied to a non-recurring expense. This will prevent the Board from having to fill a gap next year for a recurring expense. He advised that Agenda Item 5.2.2. contains a list of Capital Improvement projects, noting these funds could be utilized on a project here and reduce the taxpayers burden.

Chairman Bryant stated her initial thought was to send a check to each taxpayer, but that would generate a cost. She opined that she would like to see this done in the most cost effective way to ensure the taxpayers receive the full benefit of the funds.

Ms. Fowler advised that there are certain projects that Infrastructure Surtax cannot be used to fund. Those are projects that have to come out of the General Fund. She stated the Board has the option to save over several years or bond those projects, noting bonding does cost more once the fees are added in. Ms. Fowler opined that utilizing these funds for a Capital project that cannot be funded by some other source would be the highest and best use and benefit to the taxpayers.

Chairman Bryant stated she wanted to consider something that was already in the General Fund as a Capital project that these funds could be applied.

Ms. Fowler advised that there are projects that are not fully funded in the General Fund.

In response to Chairman Bryant, Ms. Fowler stated none of the Capital projects currently funded in the General Fund are funded by recurring revenue in this current fiscal year (FY), noting all of it is coming from one time funds in order to keep a flat budget.

Commissioner Bryant questioned if the ARPA interest funds could be applied to the Reserves to lower recurring costs. Ms. Fowler advised that it can be applied to Reserves, but it would not lower recurring cost because it is still one time funds.

Mr. Bouyounes commented on the possibility of using the funds to send a rebate back to the homesteaded parcels, noting it would be approximately \$71.00 per parcel.

Chairman Bryant questioned if there was a way to apply this as a credit on the tax bill.

Mr. Bouyounes advised that he is unsure.

Commissioner Zalak opined that a direct check would be better.

Mr. Bouyounes recommended the Board consider increasing the funds from \$25,000.00 to \$50,000.00 for assessment assistance. He stated the existing \$25,000.00 has been expended and there are still people calling for assistance.

Chairman Bryant advised that there are certain parameters that an individual has to meet to qualify for those funds. She recommended moving some of the extra funds from the advertising budget to the Assessment Assistance Fund.

Mr. Bouyounes advised that options can be brought back to the Board for consideration.

Commissioner Zalak requested some funds be set aside for the "America 250" celebration.

Chairman Bryant advised that Tourist Development Council (TDC) funds could be utilized for that purpose.

Commissioner Zalak opined that the County could raise the funds over time, but some of the activities require deposits. He stated staff will bring back an update in October of the proposed plan.

Ms. Fowler advised that "America 250" is a one-time expense; therefore, it is an area where the ARPA funds could be utilized.

Chairman Bryant stated the event will attract people from surrounding areas and opined that the TDC may be a more appropriate funding source.

Commissioner Zalak reiterated that the "America 250" celebration plan will be brought back to the Board for consideration in October.

Mr. Bouyounes advised that the County may be able to attract enough sponsorship so no public funds will be needed. He stated he also has a scenario that he will be bringing to the Board at a later date to fund the new Fleet Management facility to the maximum needed.

Chairman Bryant advised that the County also has the \$5,498,000.00 for the McPherson Governmental complex project that the Board has decided not to move forward.

Mr. Bouyounes stated those funds are included in his plan to fund the Fleet Management Facility.

Chairman Bryant advised that there may also be an additional \$1,000,000.00 available, but that will be discussed at a later date.

Ms. Fowler advised that she would bring back options for Board consideration at the Monday, September 22, 2025 public hearing.

5.2.2. Request Adoption of the Capital Improvement Program Fiscal Years 2025-26 – 2029-30

The Board considered the following recommendation by Budget Director Fowler:

September 16, 2025

Description/Background: Provided for this meeting is a Project Expenditure Summary Report of the Tentative Capital Improvement Program (CIP).

The full detail of the Tentative CIP 2025-26 - 2029-30 can be found on the Clerk of the Court – Budget web page at:

<https://www.marioncountyclerk.org/capitalimprovementprogram>

Budget/Impact: Total capital projects in the amount of \$581,891,993 are presented over five (5) fiscal years beginning with FY 2025-26. The FY 2025-26 of the CIP is funded and reconciled to the proposed FY 2025-26 annual budget as revised. Adoption of the CIP provides only for a capital outlay funding plan and does not represent an official appropriation of county funds. Official appropriations for capital projects are dependent upon their inclusion in the current and future budgets of the County as adopted through the statutorily required annual budget process.

Recommended Action: Motion to approve the Capital Improvement Program as presented.

Ms. Fowler presented the CIP, noting the first year is funded in the proposed budget. The cost of the total projects over the five years is \$581,000,000.00.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to adopt the CIP for fiscal years (FY) 2025-26 through FY 2029-30.

Mr. Bouyounes requested this matter be tabled and discussed at the Monday, September 22, 2025 public hearing, noting he has some changes that need to be made to the Capital Items.

Commissioner Stone withdrew her motion.

Commissioner McClain withdrew his second.

Chairman Bryant advised that this matter will be addressed at the public hearing on Monday, September 22, 2025.

5.2.3. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 037153, 052409

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve the Acquisition or Disposition of Property Forms for 037153 and 052409. The motion was unanimously approved (5-0)

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. Upon motion of Commissioner Stone, seconded by Commissioner Curry, the Board acted on the Consent Agenda as follows:

7.1. Community Services:

7.1.1. Request Approval of the Marion County Standard Professional Services Agreement Emergency Solutions Grant Rapid Unsheltered Survivor Housing 3 with Catholic Charities of Central Florida, Inc. d/b/a Blessed Trinity Catholic Church Brother's Keeper (Budget Impact – Neutral; not to exceed \$139,892)

The Board accepted the following recommendation as presented by Community Services Director Butler:

Description/Background: As an entitlement community, Marion County receives grant funding from the Department of Housing and Urban Development (HUD) that includes Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and County Emergency Solutions Grant (HESG) program. The HESG program helps prevent homelessness and supports emergency housing services.

On June 3, 2025, the Board of County Commissioners approved the HUD funding agreement for additional Homeless Emergency Solutions Grant (ESG) - Rapid Unsheltered Survivor Housing (RUSH) funds. These funds are intended to support continued emergency housing efforts for individuals and families experiencing or at risk of homelessness.

Following this approval, Brother's Keeper, a ministry of Blessed Trinity Catholic Church, was selected as a subrecipient to receive \$139,892 in RUSH funds. Staff recommends funding Brother's Keeper for rapid rehousing services, as they have been an excellent service provider in Marion County. With this support, Brother's Keeper will provide housing assistance and case management to help 60 additional families secure stable housing.

Budget/Impact: Neutral; not to exceed \$139,892.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute all necessary documents associated with this agreement between Marion County and Brother's Keeper.

7.1.2. Request Approval of the Marion County Standard Professional Services Agreement Challenge Grant with Arnette House, Inc. (Budget Impact – Neutral; not to exceed \$20,000)

The Board accepted the following recommendation as presented by Community Services Director Butler:

Description/Background: On July 15, 2025, the Marion County Board of County Commissioners approved a contract with the Florida Department of Children and Families (DCF) to distribute state and federal funds, administered through the Ocala/Marion Joint Office on Homelessness Continuum of Care (CoC) FL-514, to support local homeless service providers.

Total funding awarded to Marion County:

- Challenge Grant: \$800,664.84
- Emergency Solutions Grant (ESG): \$242,339.34
- Temporary Assistance for Needy Families (TANF): \$31,574.33
- Total: \$1,074,578.51

As part of the approved Continuum of Care Plan, nonprofit organizations were invited to apply for funding for projects that meet community priorities. Arnette House, Inc., a local nonprofit serving children and teens, requested \$20,000 from the Challenge Grant.

These funds will provide shelter and supportive services for children and teenagers experiencing homelessness in Marion County. The agreement runs from July 1, 2025, through June 30, 2026.

Budget/Impact: Neutral; not to exceed \$20,000.

September 16, 2025

Recommended Action: Motion to approve and authorize the Chair and Clerk to execute the Agreement between Marion County and Arnette House, Inc., to include all necessary documents associated with this agreement.

7.1.3. Request Approval of the Marion County Standard Professional Services Agreement Temporary Assistance for Needy Families Grant with Neighborhood Housing & Development Corporation (Budget Impact – Neutral; not to exceed \$31,574)

The Board accepted the following recommendation as presented by Community Services Director Butler:

Description/Background: On July 15, 2025, the Marion County Board of County Commissioners approved a contract with the Florida Department of Children and Families (DCF) to distribute state and federal funds, administered through the Ocala/Marion Joint Office on Homelessness Continuum of Care (CoC) FL-514, to support local homeless service providers.

Total funding awarded to Marion County:

- Challenge Grant: \$800,664.84
- Emergency Solutions Grant (ESG): \$242,339.34
- Temporary Assistance for Needy Families (TANF): \$31,574.33
- Total: \$1,074,578.51

As part of the approved Continuum of Care Plan, nonprofit organizations were invited to apply for funding for projects that meet community priorities. Neighborhood Housing & Development Corporation, a nonprofit, requested \$31,574.33 in Temporary Assistance for Needy Families (TANF) funds.

These funds will provide emergency financial assistance to families experiencing a financial or other crisis through the payment of past due rent, mortgage, or utility bills to enable them to remain stably housed, and for the provision of case management services. This agreement is from July 1, 2025 to June 30, 2026.

Budget/Impact: Neutral; not to exceed \$31,574.

Recommended Action: Motion to approve and authorize the Chair and Clerk to execute the Agreement between Marion County and Neighborhood Housing & Development Corporation to include all necessary documents associated with this agreement.

7.2. Fire Rescue:

7.2.1. Request Approval of the Public Emergency Medical Transportation Letter of Agreement with the Agency for Health Care Administration (Budget Impact – Neutral; estimated revenue of \$8,755,918)

The Board accepted the following recommendation as presented by Fire Chief James Banta, Marion County Fire Rescue (MCFR):

Description/Background: As part of the Public Emergency Medical Transport (PEMT) program, Marion County Fire Rescue is participating in the managed Medicaid portion that will require an Intergovernmental Transfer (IGT) to be made in order to draw down funds from the Agency for Health Care Administration (AHCA). The agreement that is provided by AHCA will allow for Marion County to recognize the realized revenues as a result of the IGT. The deadline for the agreement to be executed is October 1, 2025.

The letter of agreement with AHCA will require Marion County to pay \$3,745,781.81, which will result in revenues of \$8,755,918.21.

Budget/Impact: Estimated revenue of \$8,755,918.21 for the Emergency Medical Services fund.

Recommended Action: Motion to approve the Public Emergency Medical Transportation Letter of Agreement with the Agency for Health Care Administration.

(Ed. Note: This Item was approved with Budget Amendment Resolution 5.1.3.)

7.3. Growth Services:

7.3.1. Request Approval for the April 1, 2025, University of Florida Bureau of Economic and Business Research Preliminary Annual Population Estimates for Marion County (Budget Impact - None)

The Board accepted the following recommendation as presented by Growth Services Director Chuck Varadin:

Description/Background: Consistent with Florida Statute 186.901 and contractual obligations with the Florida Legislature, the University of Florida Bureau of Economic and Business Research (BEBR) has issued its preliminary estimate for Marion County’s permanent population as of April 1, 2025. These 2025 estimates are based on the April 1, 2020 Census population counts; BEBR estimates the population change annually. The table below reflects their estimates, and the BEBR provides an unincorporated and a county-wide population estimates which are listed in the table below. BEBR’s reporting is attached.

Area	April 1 st Population			2024 to 2025	
	2020 Census	2024 BEBR	2025 BEBR	Change	%
Unincorporated	304,064	335,782	348,320	12,538	3.73%
County-wide	375,908	413,951	427,973	14,022	3.39%

Marion County is requested to confirm receipt of the estimates and advise as to whether or not the County considers the estimates to be reasonably correct. The Growth Services Department has reviewed these preliminary population estimates and considers them to be reasonably correct.

Budget/Impact: None.

Recommended Action: Motion to authorize staff to advise BEBR that Marion County considers the April 1, 2025, preliminary population estimates to be reasonably correct.

7.4. Library Services:

7.4.1. Request Approval of State Aid to Libraries Grant Agreement (Budget Impact - Neutral; revenue from grant of \$100,000 for FY 2025-26)

The Board accepted the following recommendation as presented by Director Julia Sieg, Public Library System:

Description/Background: Each year a State Aid to Libraries Grant Agreement must be completed and signed prior to October 1, in order for the library to continue to qualify for the State Aid to Libraries grant. The Certification of Hours, Free Library Service and Access to Materials form has been added to the process. Our library system meets these hours, service and access requirements. The library has met

eligibility requirements and received this annual grant since 1965. The full eligibility requirements are identified in Florida Statutes, Chapter 257.

The total state funding allocation is dependent upon the amount appropriated by the State Legislature, annually, matching up to 25 cents on each local dollar expended. The local grant award is calculated based on local expenditures from two years prior.

The grant agreement and certification have been approved as to form by the County Attorney. Attached is a copy of the Legal Request Memorandum, the State Aid to Libraries grant agreement and the Certification of Hours, Free Library Service and Access to Materials form.

Budget/Impact: Neutral; actual State Aid to Libraries revenue has not been determined at this time; however, revenue is estimated to be approximately \$100,000.

Recommended Action: Motion to authorize the Chairman and Clerk of the Courts to execute the State Aid to Libraries Grant Agreement and the Chairman to sign the Certification of Hours, Free Library Service and Access to Materials form.

7.5. Parks & Recreation:

7.5.1. Request Approval of Sponsorship Agreement Between Florida Hospital Ocala, Inc. d/b/a AdventHealth Ocala and Marion County (Budget Impact – Neutral; revenue from grant of \$1,000,000)

The Board accepted the following recommendation as presented by Parks & Recreation Director Jim Couillard:

Description/Background: The Parks & Recreation department is excited to present a Sponsorship Agreement between Florida Hospital Ocala, Inc. (d/b/a AdventHealth Ocala) and Marion County in the amount of \$1,000,000.

AdventHealth Ocala has agreed to be the official and exclusive health organization sponsor of the Rotary Sportsplex. In exchange for the sponsorship payment, Marion County will display AdventHealth Ocala's logo on a branded archway structure at the north entry to the two lower soccer fields at Rotary Sportsplex as well as the facility's two new synthetic turf fields for a period of 10 years.

This pivotal sponsorship provides a vital funding contribution for the Rotary Sportsplex Synthetic Turf project and creates a lasting partnership with AdventHealth Ocala, which in turn benefits our growing youth sports community and all of Marion County.

Budget/Impact: Neutral; revenue from grant of \$1,000,000.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Sponsorship Agreement.

7.5.2. Request Approval of the Airport Improvement Program Grant Agreement Between the U.S. Department of Transportation Federal Aviation Administration and Marion County (Budget Impact – Neutral; revenue from grant of \$5,290,120)

The Board accepted the following recommendation as presented by Parks & Recreation Director Couillard:

Description/Background: The U.S. Department of Transportation Federal Aviation Administration (FAA) has offered the Marion County Airport an Airport Improvement Program (AIP) Grant Agreement in the amount of \$5,290,120 for Project Number 3-12-0147-011-2025. This grant represents 95% of the

construction cost for the Airport Beacon, Vault and Taxiway B project. The Florida Department of Transportation (FDOT) anticipates providing 4% of the cost of construction through a separate grant agreement which would leave the County providing 1% of the construction cost as a match.

Attached for review is a draft of the AIP grant agreement. Upon approval by the board, the electronic copy will be routed electronically to the Chairman and County Attorney signature.

Budget/Impact: Neutral; revenue from grant of \$5,290,120.

Recommended Action: Motion to approve the Airport Improvement Program Grant Agreement and authorize Chairman and County Attorney to execute the same.

7.6. Procurement Services:

7.6.1. Request Approval of Bid Award: 25B-130 Wrigley Field Safety Netting Phase 2 – West Coast Netting, Inc. d/b/a/ The Net House, Cocoa, FL (Budget Impact – Neutral; expenditure of \$175,998)

The Board accepted the following recommendation as presented by Procurement Services Director Susan Olsen:

Description/Background: On behalf of the Parks & Recreation Department, Procurement advertised a bid for the installation of a safety netting system at the Wrigley Fields softball quad. One (1) submittal was received; the tabulation is listed below:

Firm – Location	BID
The Net House – Cocoa, FL	\$175,998

Parks & Recreation Director, Jim Couillard, recommends that The Net House receive the award.

Attached for review is a contract draft. Upon approval at today’s meeting, it will be sent to The Net House for signatures and once returned, it will be forwarded to the County Attorney, Clerk, and Chair for signatures.

Budget/Impact: Neutral; expenditure of \$175,998. Funding is from CR362572-563102-PRC202501 (Parks & Rec Fees Fund).

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract, and upon approval by Legal, authorize the Clerk and Chairman to execute contract under 25B-130.

7.6.2. Request Approval of Bid Award: 25B-138 Countywide Chip Sealing Project – Asphalt Paving Systems, Inc. Zephyrhills, FL (Budget Impact – Neutral; expenditure of \$5,308,419)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid to hire a qualified contractor to provide surface treatment applications, rehabilitation services, and striping/pavement markings on up to 55 roadway locations throughout Marion County. The work includes chip seal application, micro-surfacing leveling, sod, paint, and/or thermoplastic striping/pavement markings. One (1) submittal was received; the tabulation is below:

Firm – Location	Bid Total
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Asphalt Paving Systems, Inc. – Zephyrhills, FL	\$5,308,419.03
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Steven Cohoon, P.E., County Engineer, recommends that Asphalt Paving Systems, Inc. receive the award as the lowest, most responsive, and most responsible bidder.

Attached for review is a draft of the contract. Upon approval at today’s meeting, it will be sent to Asphalt Paving Systems, Inc. for signature, and upon return, will be forwarded to Legal, the Clerk, and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$5,308,419.03. 10% contingency may be added to the purchase order in accordance with the Procurement Manual. Funding will be from TIP000029 BM761541-563221, STC073831 VJ738541-563220, and BN403541-553101 for materials. Funds will be added to the project as needed.

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract, and upon approval by Legal, authorize the Clerk and Chairman to execute contract with Asphalt Paving Systems, Inc. under 25B-138.

7.6.3. Request Approval of Bid Award: 25B-143 Groundwater Sampling and Analysis – Advanced Environmental Laboratories, Inc., Jacksonville, FL (Budget Impact – Neutral; estimated expenditure \$80,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of Marion County Solid Waste, Procurement issued a bid seeking a qualified, experienced and certified laboratory to perform comprehensive groundwater sampling and analysis services. These services are critical to ensuring environmental permit compliance. The laboratories are required to be certified by the Florida Department of Health (FDOH) and listed in the Florida Department of Environmental Protection (FDEP), which verifies that the facility meets specific technical and operational criteria established by the state.

Two (2) bids were received in response to the solicitation. Following evaluation, Solid Waste Director Mark Johnson recommends awarding the contract to Advance Environmental Laboratories, Inc.(AEL), as they submitted the lowest responsive and responsible bid. A summary of the bids received is provided in the table below:

FIRM - LOCATION	BID AMOUNT
Advanced Environmental Laboratories, Inc. - Jacksonville, FL	\$4,514.50
Pace Analytical Services, LLC. - Roseville, MN	\$6,480.00

The tabulation is based on the bidder’s unit pricing, multiplied by the estimated quantities for testing. Attached is a draft of the contract for review. Upon approval of today’s meeting, it will be sent to AEL for signatures. Once returned, it will be forwarded to Legal for approval, and the Clerk and Chairman for execution.

Budget/Impact: Neutral; estimated expenditure \$80,000. Expenditures may vary based on actual need but will not exceed approved budgeted amounts without being brought to the board for approval.

Recommended Action: Motion to approve the recommendation, allow staff to issue a contract and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Advanced Environmental Laboratories, Inc. under 25B-143.

7.6.4. Request Approval of Bid Award: 25B-162 Irish Acres to Silver Springs Water Main Interconnect – (Budget Impact – Neutral; not to exceed \$12,000,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: A solicitation is currently in process for 25B-162 Irish Acres to Silver Springs Water Main Interconnect (PH1). Due to an urgent need for this connection, this item requests Board approval in advance of the bid opening (attached addendum defines accelerated schedule). The request is to award the project following the bid opening and evaluation to the lowest responsible bidder, in an amount not to exceed \$12,000,000, and for authorization for the Chairman to execute the contracts once bids are opened and evaluated.

At the subsequent Board meeting following the bid opening, staff will provide an agenda item under Notation for Record to report the outcome of the solicitation and the actual contracted amounts.

Budget/Impact: Neutral; not to exceed \$12,000,000. The funding is from ZF448536-563102 (UTC000202) - Utilities Capital Construct.

Recommended Action: Motion to approve the request and allow staff to issue the contract and upon approval by Legal, authorize the Chairman and Clerk to execute the contract under 25B-162 in an amount not to exceed \$12,000,000.

7.6.5. Request Approval of Change Order 1 to Purchase Order 02200625: 18Q-160-CA-05 NW/SW 80th/70th Avenue Segment 3 (from W Hwy 40 to N US Hwy 27) – Guerra Development Corp. Ocala, FL (Budget Impact – Neutral; additional expenditure of \$126,015)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On November 20, 2018, the Board awarded a contract to Guerra Development Corp. (GDC) to provide a Preliminary Engineering Report to support the widening of NW/SW 80th/70th Avenue and design future improvements associated with the project.

Change Order 1 requests approval to add \$126,015 to PO 02200625 to cover additional design services required for drainage modifications and related improvements along NW/SW 80th/70th Avenue Segment 3, from W Hwy 40 to N US Hwy 27 (approx. 3.44 miles). The work includes modifications to four (4) drainage retention areas. It also includes additional permitting modifications associated with the design revisions.

Attached for review is a copy of Change Order 1 and the Proposal from GDC. Upon approval at today's meeting the Change Order will be presented to the Chairman and Clerk for signature.

Budget/Impact: Neutral; additional expenditure of \$126,015, bringing the project's total cost to \$2,118,956.50. Funding is available in VJ738541-563220 (Infrast Surtax Cap Proj Fund).

Recommended Action: Motion to approve Change Order, authorize the Chairman to execute, and allow staff to process Change Order 1 to Purchase Order 02200625 for Guerra Development Corp. under 18Q-160-CA-05.

September 16, 2025

7.6.6. Request Approval of Change Order 4 to Purchase Order 2401663: Employee Health Clinic Design - Architecture Studios, Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$1,441)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On August 20, 2024, the Board approved a task order in the amount of \$94,500 with Architecture Studios, Inc. (AS) for architectural services for the construction drawings and construction administration to adapt the former Pioneer Garden club building for re-use as the Employee Health Clinic. The firm was to provide code research, construction documents, bidding assistance and construction administration services for the project, which was to include Architecture, Mechanical, Ventilation, Electrical, Plumbing, and Structural engineering services.

On December 18, 2024, Change Order 1 was done by Procurement, to add a 10% contingency to the purchase order in the amount of \$9,450, as allowed in the Procurement Manual. Soon after, Change Order 2 was issued to utilize \$8,140 of the contingency fund, due to unforeseen conditions, where the firm found that multiple trusses in the attic were cut to accommodate the air conditioning system. On May 6, 2025 Change Order 3 was presented to add \$10,900 to address unforeseen structural issues. After the internal demolition of the existing building was completed, it was discovered there were numerous additional structural issues. AS had the Structural Engineer visit the site and provided details and instruction on correcting the issues.

Change Order 4, being presented today, is to account for an unanticipated project expense associated with the required minor site plan review by the City of Ocala. To avoid delay to the project schedule, the architect remitted payment of the City's review fee, which was subsequently reimbursed by Marion County.

Attached is Change Order 4 to increase the purchase order to accommodate for reimbursement of the fee for the site plan review to AS. Pending approval today, the change order will be presented for the Clerk and Chairman's signatures.

Budget/Impact: Neutral; additional expenditure of \$1,441.30, bringing the total purchase order amount to \$116,291.30. Funding is from line ZK711519-562102 (Insurance Fund, Buildings CIP), Project RBC000002.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute Change Order 4 to Purchase Order 2401663 for Architecture Studios, Inc., under 20Q-170-TO-25.

7.6.7. Request Approval of Contract Amendment: 22BE-204-CA-03, Countywide Fuel – Clardy Oil Company, Ocala, FL (Budget Impact – Neutral; estimated annual expenditure of \$4,500,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On August 22, 2022, the Board approved Contract 22BE-204 with Clardy Oil Company to provide countywide fuel services. Clardy Oil has consistently supplied fuel without interruption, including during disaster events, and has maintained a proven record of reliable performance. On September 4, 2024, the Board approved the second of three renewal options. Clardy Oil has continued to receive favorable evaluations under this contract, and Marion County

Fleet Management now requests Board approval of the third renewal option. This renewal includes a rate adjustment and extends the contract term for five (5) years, with the option for one additional five (5) year renewal thereafter.

Attached for review is a draft contract amendment. Upon approval at today's meeting, the contract will be sent to Clardy Oil Company for signatures, and upon return, will be forwarded to Legal, the Clerk and Chairman for signatures.

Budget/Impact: Neutral; estimated annual expenditure of \$4,500,000. Annual expenditures shall not exceed approved fiscal year budget amounts without being brought back to the Board for approval. Funding will come from AA178519-552101 (General Fund).

Recommended Action: Motion to approve and allow staff to issue, and upon approval from Legal, authorize the Chairman and Clerk to execute the contract amendment under 22BE-204-CA-03.

7.6.8. Request Approval of Contract Amendment: 25B-095-CA-01 Water and Wastewater Laboratory Analysis - Advanced Environmental Laboratories, Inc., Jacksonville, FL (Budget Impact - Neutral; additional annual expenditure of \$42,350)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On June 3, 2025, the Board approved a contract with Advanced Environmental Laboratories, Inc.(AEL) on behalf of Marion County Utilities (MCU) for water and wastewater laboratory analysis services. These services are critical for routine water quality monitoring, compliance in the event of a water line break, and meeting regulatory requirements established by the Florida Department of Environmental Protection (FDEP).

Due to recent regulatory changes, additional testing is now required for the presence of per- and polyfluoroalkyl substances (PFAS), a group of human-made chemicals commonly referred to as "forever chemicals" because of their persistence in the environment and the human body. The Florida Department of Environmental Protection (FDEP) now requires this testing at 57 MCU locations.

Attached for review is the draft contract amendment reflecting this expanded scope of work. Upon Board approval, the amendment will be sent to AEL for signature, and then routed to Legal, the Clerk, and the Chairman for final execution.

Budget/Impact: Neutral: estimated annual expenditure is \$42,350; however, this will be based on the actual needs of the department. Annual expenditures shall not exceed approved FY budgeted amounts and shall be based on contracted pricing. Funding is from line ZF442533-534101 (Marion County Utility Fund).

Recommended Action: Motion to approve and allow staff to issue, and upon approval from Legal, authorize the Chairman and Clerk to execute the contract amendment under 25B-095-CA-01.

7.6.9. Request Approval of Contract Amendment: 16P-106-CA-09 Workers Compensation and Liability Third Party Claims Administration - Johns Eastern Company, Inc., Lakewood Ranch, FL (Budget Impact - Neutral; estimated expenditure of \$237,225)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On June 7, 2016, the Board approved a contract for Workers Compensation and Liability Third Party Claims Administration (TPA).

Johns Eastern Company, Inc. is the Third-Party Administrator that manages the Auto Liability, General Liability, and Workers' Compensation claims made against Marion County Board of County Commissioners. This Ninth Contract Amendment is being presented today to renew the agreement for one (1) year, with an estimated annual cost of \$237,225, which has been included in the proposed FY 2025-26 budget allocated between the Workers Compensation, General Liability and Auto Liability funds.

Attached for review is a draft contract amendment. Upon approval at today's meeting, it will be sent to Johns Eastern Company, Inc. for signatures, and upon return and approval by Legal, will be routed for the Clerk's and Chair's signature. Budget/Impact: Neutral; estimated annual expenditure of \$237,225. Funds will be available in lines ZK160519-524111 (Insurance Fund), ZK160519-545601 (Insurance Fund), and ZK160519-545701 (Insurance Fund), depending on claim type.

Recommended Action: Motion to approve the renewal and allow staff to issue the contract, and upon approval by Legal, authorize the Chair and Clerk to execute the Ninth Contract Amendment to Johns Eastern Company, Inc. under 16P-106.

7.6.10. Request Approval of Contract Amendment: 17P-103-CA-04, Leachate Disposal at Baseline Landfill - Aqua Clean Environmental Company, LLC, Richmond, VA (Budget Impact - Neutral; estimated annual expenditure of \$875,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On July 18, 2017, the Board approved a contract with Aqua Clean Environmental Company, LLC (Aqua Clean) to transport and dispose leachate from the Baseline Landfill. The landfill produces an average of 597,000 gallons of leachate per month. The contractor has complied with the original agreement's terms and conditions and Solid Waste has provided a positive evaluation. Solid Waste Director, Mark Johnson, recommends using the fourth of seven (7) annual renewal options available with the term beginning October 1, 2025, and ending September 30, 2026.

Attached for review is draft contract amendment. Pending approval at today's meeting, it will be sent to Aqua Clean for signatures and upon return, will be forwarded for the County Attorney, Clerk, and Chairman's signatures.

Budget/Impact: Neutral; annual estimated expenditure of \$875,000, contingent upon final approval of the FY 2025-26 budget. Funding is from ZA423534-534101(Solid Waste Disposal Fund).

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the contract renewal with Aqua Clean Environmental Company, LLC under 17P-103.

7.6.11. Request Approval of Contract Amendment: 18C-020 Target Solutions Client Agreement – Target Solutions Learning, LLC, Tampa FL (Budget Impact – Neutral; expenditure of \$74,988)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: In October 2017, the County Administrator approved a contract with TargetSolutions Learning, LLC to provide continuing education

courses and tracking services for Marion County Fire Rescue (MCFR). The initial contract amount fell within the County Administrator's approval threshold.

This renewal includes continued access to the online training platform, annual maintenance of the Vector TargetSolutions Edition, and training management services for public entities. It also includes professional evaluations and access to training via both web and mobile platforms.

As long as the renewal costs do not exceed the amounts budgeted for future fiscal years, we request authorization for staff to proceed with subsequent renewals without requiring additional Board approval.

A draft of the contract renewal is attached for reference. If approved at today's meeting, it will be submitted to Legal for review, followed by execution by the Clerk and Chairman.

Budget/Impact: Neutral; annual expenditure of \$74,987.21, contingent upon approval of FY 2025-26 budget.

Recommended Action: Motion to approve and allow staff to issue, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract renewal with Target Solutions Learning LLC., under 18C-020.

7.6.12. Request Approval of Contract Amendment: 22B-192, Waste Tire Transport & Disposal – Friends Recycling, LLC, Ocala, FL, Global Tire Recycling of Sumter County, Inc., Wildwood, FL, and Liberty Tire Recycling, LLC, Orlando, FL (Budget Impact – Neutral; estimated expenditure of \$350,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On September 7, 2022, the Board approved contracts with Friends Recycling, LLC, Global Tire Recycling of Sumter County, Inc., and Liberty Tire Recycling, LLC (formerly Empire Tire of Edgewater, LLC) for the collection and disposal of waste tires at the Baseline Landfill. All three contractors have satisfactorily performed in accordance with the agreement since its inception. Marion County Solid Waste recommends renewing these contracts for the final available renewal term. If approved, the contracts will be effective from October 1, 2025, through September 30, 2026.

Attached for review are three draft contract amendments, one for each contractor. Pending approval at today's meeting, they will be sent to the vendors for execution and upon return will be forwarded for the County Attorney, Clerk, and Chairman's signatures.

Budget/Impact: Neutral; estimated annual cost is \$350,000. Annual costs will not exceed approved FY budget without being brought back to the Board.

Recommended Action: Motion to approve contract renewals and allow staff to issue, and upon return from Legal. Authorize the Chairman to execute the contract amendments with Friends Recycling, LLC, Global Tire Recycling of Sumter County, Inc., and Liberty Tire Recycling, LLC under 22B-192.

7.6.13. Request Approval of Contract Amendment: 22P-135-CA-01, Destination Mobile App – Daruma Tech, LLC, Boca Raton, FL (Budget Impact – Neutral; estimated expenditure of \$25,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On November 15, 2022, the Board approved a contract with Daruma Tech, LLC to create a mobile application for Visitors and Convention Bureau (VCB). The fully customizable mobile application provides customer benefit to visitors to Ocala/Marion County through interactive opportunities to engage with tourism businesses while in the trip planning phase, as well as during their trip in market. The application includes a directory with categorization filters, favorites, and social sharing features. Points of interest feature hot spots that open detailed pages with additional information when clicked; custom mapping including support for third-party mapping services; support for a wide variety of media images, video, 360 video, audio, 3D animation, and augmented reality; deals; coupons, and ticketing; photo frames and filters, and trip planning feature; transportation integration - including multi-modal transit options such as public transit and ride-sharing services like Uber and Lyft.

Daruma Tech, LLC has received a favorable evaluation, and it is the intent of VCB to continue the contract for the first of two annual renewal options, extending the contract through October 31, 2026.

A draft contract amendment is attached for review. If approved at today's meeting, it will be sent to Daruma Tech, LLC for signature. Upon receipt of the signed amendment, the document will be forwarded to the County Attorney, Clerk, and Chairman for final execution.

Budget/Impact: Neutral; estimated annual expenditure is \$25,000. Additional options as listed on the original contract may be added, at the contracted price. Funds are available from CP155552-548101.

Recommended Action: Motion to approve and allow staff to issue, and upon approval from Legal, authorize the Chairman and Clerk to execute the contract under 22P-135-CA-01.

7.6.14. Request Approval of Funding Agreement: 25C-166, Funding for Marion County Department of Health - State of Florida, Department of Health, Tallahassee, FL (Budget Impact – Neutral; not to exceed \$3,150,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: This item represents the annual agreement between Marion County and the State of Florida, Department of Health (DOH) for operation and funding of public health services for FY 2025-26. The agreement establishes the County's financial contribution, outlines responsibilities between the parties, and includes standard termination provisions.

The County's portion of the agreement shall not exceed \$3,150,000, consistent with the proposed FY 2025-26 budget. This funding supports the full range of services identified in the agreement and reflects the County's continued commitment to ensuring public health services remain available to the community. The County will continue to provide facilities management and related support services for County-owned DOH offices and buildings. DOH will reimburse the County up to \$300,000 for these services during the contract period.

Attached for review is a copy of the agreement. If approved at today's meeting, three (3) originals, approved by Legal, will be presented for the Clerk's and Chairman's signatures.

Budget/Impact: Neutral; the County’s portion of the agreement shall not exceed \$3,150,000. This figure is based on a ‘Not to Exceed’ amount and is subject to funding under the proposed FY 2025-26 budget.

Recommended Action: Motion to approve the attached agreement with State of Florida, Department of Health under 25C-166 and authorize the Chairman and Clerk to execute the same.

7.6.15. Request Approval of Selection Committee Recommendation: 25Q-106 Utilities Engineering Design Support Services – Ardurra Group, Inc., (Ocala, FL), Clymer Farner Barley Surveying, LLC, (Ocala, FL), CPH Consulting, LLC, (Sanford, FL), Kimley-Horn and Associates, Inc., (Ocala, FL), Rummel, Klepper & Kahl, LLP dba RK&K, (Baltimore, MD), Tillman & Associates Engineering, LLC, (Ocala, FL), Wright-Pierce, Inc., (Maitland, FL) (Budget Impact - None)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of Marion County Utilities (MCU), a Request for Qualifications (RFQ) was advertised to contract with qualified firms capable of providing design support and consulting services for utilities projects on an as-needed basis. Services include, but are not limited to, hydraulic modeling, pipeline design, pump station design, utilities construction engineering inspection services, utility infrastructure condition assessment, Florida Department of Environmental Protection (FDEP), County, Water Management District, and other utility-related permitting, wastewater facility operating permit renewals, preliminary planning and design of water treatment plants, preliminary planning and design of wastewater treatment plants, and other general utilities engineering services support (review shop drawings, attend project status review meetings, approve change orders, pay applications, etc.). Seven (7) submittals were received, evaluated, and scored by Selection Committee members Joshua Kramer, Kevin Vickers and Mark Williams. In accordance with FS §287.055 (CCNA), all seven (7) firms were shortlisted and provided a second stage of questions, resulting in the Selection Committee’s ranking below:

Firm - City	Max Points (500)	Rank
Kimley-Horn and Associates, Inc. - Ocala	470	1
Ardurra Group, Inc. - Ocala	465	2
Wright-Pierce, Inc. - Maitland	456.67	3
CPH Consulting - Sanford	411.67	4
Rummel, Klepper & Kahl dba RK&K - Ocala	396.67	5
Tillman and Associates Engineering - Ocala	391.67	6
Clymer Farner Barley, Inc. - Ocala	375	7

The Selection Committee recommends offering contracts to all seven (7) firms. Attached for review is a draft contract. Upon approval at today’s meeting, identical contracts will be sent to all seven (7) firms as written and, once returned, will be forwarded to the County Attorney, Clerk and Chairman for signatures.

Budget/Impact: None. Projects assigned to the firms, which exceed \$50,000, will be brought back before the Board as a separate task order with a detailed scope and fee schedule for review and approval.

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Recommended Action: Motion to approve and allow staff to issue, and upon approval from Legal, authorize the Chairman and Clerk to execute the contracts under 25Q-106.

7.7. Transportation - County Engineer:

7.7.1. Request Approval of the FY 2025-26 Stormwater Education and Water Use Efficiency Plans (Budget Impact - Neutral)

The Board accepted the following recommendation as presented by County Engineer Steven Cohoon, OCE:

Description/Background: The Stormwater Education Plan outlines the proposed budgeted educational and outreach activities planned for FY 2025-26 consisting of: a media campaign utilizing billboards to raise awareness of stormwater pollution and associated behaviors; an educational publication addressing Marion County's water resources with pollution prevention tips; a 5K run to engage businesses and the community in springs awareness; and other initiatives meeting and/or exceeding National Pollutant Discharge Elimination System (NPDES) permit requirements for stormwater education and outreach.

The Water Use Efficiency Plan outlines the proposed budgeted educational and outreach activities for FY 2025-26 consisting of: irrigation evaluations; irrigation and landscape retrofits; community workshops; distribution of water conserving retrofit kits; and other initiatives meeting and/or exceeding the Board of County Commissioners' Water Use Permit requirements for water conservation. The focus of the program is to educate public and domestic self-supply users about using water more efficiently and to offer incentives for measurable water savings.

While some grants are already identified with Withlacoochee Regional Water Supply Authority (WRWSA), other grants are also being sought through the St. Johns River Water Management District (SJRWMD) and the Southwest Florida Water Management District (SWFWMD).

Budget/Impact: Neutral. See detail in plans.

Recommended Action: Motion to approve the FY 2025-26 Stormwater Education and Water Use Efficiency Plans.

7.7.2. Request Approval of a Second Amendment and Assignment Agreement Between Marion County, Liquidation Results, Inc., and Aero Flying Services, LLC, Associated with the Marion County X35 Airport (Budget Impact – None)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This request is to approve the Second Amendment and Assignment Agreement between Marion County, Liquidation Results, Inc. (Assignor), and Aero Flying Services, LLC (Assignee), associated with the Marion County X35 Airport. Liquidation Results, Inc. will cease operations due to the sale of the company and, as of July 31, 2025, will have no further responsibility under the lease. The lease will be assigned to Aero Flying Services, LLC for the remainder of its existing term, which expires on April 30, 2028 with an automatic extension until at least April 30, 2038.

Budget/Impact: None.

Recommended Action: Motion to approve the Second Amendment and Assignment Agreement and authorize Chairman and Clerk to execute.

7.7.3. Request Approval of a Memorandum of Understanding SW 40th/49th Avenue – Phase 1 Roadway Improvements Between Heathbrook I, LLC, a Delaware Corporation, and Heathbrook II, LLC, a Delaware Corporation, and Marion County, a Political Subdivision of the State of Florida (Budget Impact – None)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a Memorandum of Understanding (MOU) between Heathbrook I, LLC, Heathbrook II, LLC, and Marion County to facilitate construction of the County's SW 40th/49th Avenue - Phase 1 roadway improvement project from SW 66th Street to SW 43rd Street Road. The project requires additional right of way, drainage easements and temporary construction easements across a parcel owned by Heathbrook I, LLC and Heathbrook II, LLC. This MOU defines certain requirements and conditions requested by Heathbrook I, LLC and Heathbrook II, LLC from Marion County in exchange for granting the required right of way and easement needs to the County.

Budget/Impact: None.

Recommended Action: Motion to approve the Memorandum of Understanding SW 40th/49th Avenue - Phase 1 Roadway Improvements between Heathbrook I, LLC Heathbrook II, LLC, And Marion County.

7.8. Utilities:

7.8.1. Request Approval of Oversizing Water Line Extension Cost Sharing Offset Agreement Between the School Board of Marion County and Marion County Utilities (Budget Impact – Neutral; expenditure of \$43,434)

The Board accepted the following recommendation as presented by Utilities Director Tony Cunningham:

Description/Background: The Marion County School Board constructed a new 12-inch water main, extending approximately 440 linear feet from the existing water main located at or near the intersection of SW 66th Avenue Road and Marion Oaks Manor. The extension proceeded along the northerly right-of-way to SW 144th Street Road, in support of the approved Elementary School W project. In connection with this improvement, the School Board agreed to upsize the water main to ensure adequate water service is provided to the new public school, as well as to adjacent residential and commercial properties. The County agrees to reimburse the School Board for 50% of the total cost of the project. Upon completion, the School Board conveys ownership of the water main to the County at no cost, exclusive of the oversizing expense.

Budget/Impact: Neutral; expenditure of \$43,434.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Oversizing Water Line Extension Agreement.

8. COUNTY ATTORNEY: NONE

10. COMMITTEE ITEMS:

10.1. Industrial Development Authority - Request to Appoint One (1) Full Member for an Unexpired Term, Ending May 2027

Executive Assistant Gennifer Medina, Commission Office, presented the following recommendation:

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Description/Background: The Industrial Development Authority has a vacancy for one (1) full member with an unexpired term ending May 2027.

One (1) application was received from Mr. Armando Moran, Jr., during the advertisement period.

Budget/Impact: None.

Recommended Action: Motion to appoint Armando Moran, Jr. as a full member of the Industrial Development Authority to serve the remainder of the term ending May 2027.

Clerk Harrell advised that Armando Moran, Jr. received the appropriate votes.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to appoint Mr. Armando Moran, Jr. as a full member of the Industrial Development Authority to serve the remainder of the term ending May 2027. The motion was unanimously approved by the Board (5-0).

10.2. Land Development Regulation Commission - Request Appointment of One (1) Full Member for an Unexpired Term, Ending August 2026

Executive Assistant Medina, Commission Office, presented the following recommendation:

Description/Background: The Land Development Regulation Commission has a vacancy for one (1) full member with an unexpired term ending August 2026.

The incumbent alternate member, Ms. Erica Larson, has requested consideration to fill this vacancy. No other applications were received during the advertisement period. If selected, the resulting alternate member vacancy (unexpired term ending January 2026) will be advertised in the next cycle.

Budget/Impact: None.

Recommended Action: Motion to appoint Ms. Erica Larson as the full member of the Land Development Regulation Commission, to serve the unexpired term ending August 2026.

Clerk Harrell advised that Erica Larson received the appropriate votes.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to appoint Ms. Erica Larson as the full member of the LDRC, to serve the unexpired term ending August 2026. The motion was unanimously approved by the Board (5-0).

10.3. Planning and Zoning Commission – Request to Appoint Four (4) Full Members and One (1) Alternate Member for New Terms, Ending September 2029

Executive Assistant Medina, Commission Office, presented the following recommendation:

Description/Background: The Planning and Zoning Commission has four (4) full-member seats and one (1) alternate seat expiring at the end of September 2029. A total of eight (8) applications were received during the advertisement period, including those from incumbent members who have requested consideration for reappointment. The applicants are as follows:

- Greg Lord (Incumbent)
- Digvijay (Danny) Gaekwad (Incumbent)
- Michael Behar (Incumbent)
- Donald Johnson (Incumbent)
- Paul Stentiford (Incumbent Alternate)
- Thomas Fisher (Former Member)

- William "Nate" Chambers (New)
- Jackie Alsobrook (New)

Budget/Impact: None.

Recommended Action: Motion to appoint four (4) applicants as full members and one (1) as alternate member to the Planning and Zoning Commission, for new terms ending September 2029

Clerk Harrell advised that Greg Lord, Digvijay (Danny) Gaekwad, Michael Behar, and Donald Johnson received the appropriate votes for the full member and Paul Steniford received the appropriate votes to be the alternate.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to appoint Mr. Greg Lord, Mr. Digvijay (Danny) Gaekwad, Mr. Michael Behar, and Mr. Donald Johnson as full members and Paul Steniford as alternate member to the Planning and Zoning Commission, for new terms ending September 2029. The motion was unanimously approved by the Board (5-0).

11. NOTATION FOR ACTION:

11.1. Request Approval to Schedule a Workshop to Approve the Marion Oaks Manor Extension Project Development and Environment Study Public Meeting Presentation on Tuesday, October 7, 2025, at 3:00 p.m. in the McPherson Governmental Campus Auditorium

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: This is a request to schedule a workshop regarding the Marion Oaks Manor Extension Project Development and Environment (PD&E) study. The workshop is requested in the McPherson Campus Auditorium on Tuesday, October 7, 2025, at 3:00 p.m.

The workshop will be to review the PD&E presentation prior to a public meeting. The PD&E process includes environmental analysis, engineering evaluations, public involvement, and coordination with state and federal agencies.

Budget/Impact: None.

Recommended Action: Motion to approve a Workshop to approve the Marion Oaks Manor Extension PD&E study public meeting presentation on Tuesday, October 7, 2025, at 3:00 p.m. in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to approve a Workshop to approve the Marion Oaks Manor Extension PD&E study public meeting presentation on Tuesday, October 7, 2025, at 3:00 p.m. in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (5-0).

11.2. Request to Reschedule and Advertise a Marion County Community Redevelopment Agency meeting from Tuesday, October 21, 2025, at 1:50 p.m. to Monday, October 27, 2025, at 1:30 p.m. in the McPherson Governmental Campus Auditorium

Growth Services Director Varadin presented the following recommendation:

Description/Background: The Marion County Community Redevelopment Agency (Agency) previously scheduled an Agency meeting for Tuesday, October 21, 2025, at 1:50 p.m. The rescheduled meeting date and time will allow additional time for the Agency Board to discuss and provide further direction related to a new proposed program. Once approved, the updated meeting schedule must be duly advertised consistent with Florida Statutes.

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Staff recommends the Board approve the request to reschedule and advertise a Marion County Community Redevelopment Agency meeting from Tuesday, October 21, 2025, at 1:50 p.m. to Monday, October 27, 2025, at 1:30 p.m.

Budget/Impact: None.

Recommended Action: Motion to reschedule and advertise a Marion County Community Redevelopment Agency meeting from Tuesday, October 21, 2025, at 1:50 p.m. to Monday, October 27, 2025, at 1:30 p.m. in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to reschedule and advertise a Marion County Community Redevelopment Agency meeting from Tuesday, October 21, 2025, at 1:50 p.m. to Monday, October 27, 2025, at 1:30 p.m. in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (5-0).

12. GENERAL PUBLIC COMMENTS:

Scheduled requests will be heard first and limited to five (5) minutes. Unscheduled speakers will be limited to two (2) minutes. Citizens may contact Marion County Administration by 5:00 p.m. the Friday before the meeting at 352-438-2300 to request to speak or sign up online at: www.marionfl.org.

Chairman Bryant opened the floor to public comment.

Gregory Peck, did not appear when called upon to speak.

Ellary Belote, NW 35th Lane Road, commented on political violence and the impact Charlie Kirk had on individuals across the country. She urged the Board to consider a memorial in honor of Charlie Kirk.

Joseph Walker, SE 54th Place, Ocklawaha, presented a 3 page handout entitled, "Fire Hydrants not maintained 2 along Bahia RD #17-546 & 17-561 Maricamp Dust Bowl" and commented on fire hydrant maintenance.

Chairman Bryant advised that public comment is now closed.

13. COMMISSIONER ITEMS:

13.1. Commission Comments

Commissioner Curry stated he had nothing further to add.

Commissioner McClain stated he had nothing further to add.

Commissioner Stone stated she had nothing further to add.

Commissioner Zalak stated he had nothing further to add.

Chairman Bryant stated she had nothing further to add.

13.2. Commission Calendar

13.2.1. Present Commission Calendar

The Chairman Bryant acknowledged receipt of the Commission calendar covering the period of September 16, 2025 through October 28, 2025.

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

14.1.1. Marion Oaks MSTU Recreation & Facilities Advisory Council – Present Resignation from Bobby Whipple

14.1.2. Present Letter of Support Dated August 22, 2025 for Commissioner Zalak's Florida Association of Counties Second Vice President Candidacy and Memo from Florida Association of Counties Regarding Commissioner Zalak's Candidacy

14.2. Present Walk-On Items From Previous BCC Meeting:

14.2.1. Request Board Authorization for County Attorney and County Engineer to Proceed with the Acquisition of Certain Property Interests from New Ocala, LLC or its Successor in Interest, for the SW 40th and SW 49th Avenue Road Construction Project, Within the Purchase Price and Other Parameters Described Herein

14.3. Clerk of the Court:

14.3.1. Present Update for Sheriff Budget FY 2025-26

14.3.2. Present Letter from Cold Springs Improvement District Regarding Scheduled Meetings for FY 2025-26

14.3.3. Present Monthly Report for the Building Department Budget and Actual

14.3.4. Present Administrative Budget Transfer Report for FY 2024-25

14.3.5. Present Memorandum from Gregory C. Harrell, Clerk of the Circuit Court and Comptroller, Regarding the Filing of Ordinances 25-34, 25-35, 25-36 and 25-37 with the Secretary of State's Office.

14.3.6. Present Regular Report of Utilization for Reserve for Contingencies

14.3.7. Present Budget Adjustments to the Tentative Budget FY 2025-26

14.4. Present for information and record, minutes and notices received from the following committees and agencies:

14.4.1. Development Review Committee (DRC) – August 18, 2025

14.4.2. MCFR and EMS Advisory Board – May 21, 2025

14.4.3. Planning and Zoning Commission – July 28, 2025

14.5. General Informational Items:

14.5.1. Marion County Health Department – For the Latest health news and information, Visit the Website at <http://marion.floridahealth.gov/>

14.5.2. Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>

14.5.3. St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at <https://www.sjrwmd.com>

14.5.4. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <https://ocalamariontpo.org>

14.5.5. Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>

There was a recess at 12:56 p.m.

The meeting reconvened at 2:02 p.m. with all members present.

Also present were: Senior Planner Chris Rison, Transportation Planner Ken Odom, Planner Kathleen Brugnoli, and Staff Assistants Autumn Williams and Kimberly Lamb,

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County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes and ACA Tracy Straub.

The meeting opened with the Pledge of Allegiance to the Flag of our Country.

15. PLANNING & ZONING AND DRC WAIVER REQUESTS - REQUEST PROOF OF PUBLICATION (AT 2:00PM):

Deputy Clerk Mills-McAllister advised that there are three (3) Proofs of Publication to be presented for this afternoon's meeting.

The first Proof of Publication is Display ad No. 11554996 entitled, "Notice of Change of Land Use Marion County Comprehensive Plan" published in the Star Banner newspaper on August 11, 2025. The Notice states the Board will consider transmitting the listed Large-Scale Comprehensive Plan Amendment 25-L03 to change the land use designation on the future land use map to the State and Regional Agencies for their review regarding the amendment.

The second Proof of Publication is a Display ad No. 11555093 entitled, "Notice of Change of Land Use Marion County Comprehensive Plan" published in the Star Banner newspaper on August 11, 2025. The Notice states the Board will consider transmitting the listed Large-Scale Comprehensive Plan Amendment 25-L04 to change the land use designation on the future land use map to the State and Regional Agencies for their review regarding the amendment.

The third Proof of Publication is Legal ad No. 11607214 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on August 31, 2025. The Notice states the Board will consider adopting an Ordinance approving Comprehensive Plan Amendments, zoning changes and Special Use Permits.

County Attorney Matthew G. Minter provided a brief overview of the process for today's Comprehensive Plan Amendment transmittal, zoning and Special Use Permit hearings. Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

15.1. DRC Waiver Requests and Public Hearings:

15.1.1. Request for Waiver from Land Development Code Section 6.8.6.K(2) – Buffers for a Minor Site Plan for Scrubs - Minor Site Plan (Waiver to Approved AR32133), Parcel Number 4716-006-009, Application Number 33136

The Board considered the following recommendation from Building Safety Director Michael Savage, on behalf of the Development Review Committee (DRC):

Description/Background: The Applicant, Paolo Mastroserio with Mastroserio Engineering, Inc, requests a waiver to the Land Development Code (LDC) requirement to install a 6-foot high vinyl opaque fence in lieu of the buffer wall. Discussions with the landscape reviewer, prior to the plan being approved, explored the possibility of a fence being used in lieu of a wall, but due to construction deadlines, the plan was moved forward with a wall to get approval. There is an existing heavily vegetated buffer screen on the west boundary.

The waiver request is to install a 6-foot high vinyl opaque fence in lieu of the buffer wall. Additionally, removing existing invasive trees and vegetation, and filling only the remaining gaps with the required type "B" buffer plantings as shown on the approved plan.

Per the LDC, a type "B" buffer shall consist of a 20-foot wide landscape strip with a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer.

The subject property is located in the southeast portion of the County on approximately 1.03 acres.

On August 11, 2025 the Development Review Committee (DRC) denied the Waiver Request with recommendation for approval to the Board of County Commissioners.

Budget/Impact: None.

Recommended Action: Motion to uphold DRC's action for the Waiver Request.

Senior Planner Christopher Rison, Growth Services, provided an overview of the request for a waiver relating to buffers.

In response to Chairman Bryant, Mr. Rison advised that the applicant is upgrading by removing the car wash and putting in office space, noting the property will be used more frequently throughout the day. He stated if the applicant is granted the ability to have a fence instead of a wall it will be located inside their boundary, which should allow them to preserve as much of the vegetation as possible.

Paolo Mastroserio, Mastroserio Engineering, Inc, SE 32nd Place, on behalf of the applicant stated his client is closing the site in and will remove any non-native or invasive vegetation and follow the buffer shown on the plan. The reason the plan was approved with the wall relates to time constraints, noting his client had obligations with the end user to get this done. He advised that the applicant had support from staff and they are before the Board to request an opaque fence in lieu of a wall. Mr. Mastroserio stated the fence will be on the applicant's property and the landscaping will be between that fence and the neighboring properties.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to agree with the DRC recommendation and approve the waiver request. The motion was unanimously approved by the Board (5-0).

15.1.2. Request for Waiver from Land Development Code Section 6.12.12 (D) Sidewalks for a Major Site Plan for His House for Her, Parcel Number 9009-0000-05, Application Number 32698 (Budget Impact – None)

The Board considered the following recommendation from Building Safety Director Savage, on behalf of the DRC:

Description/Background: The Applicant, Tyler Counts with Clymer Farnar Barley, Inc, requested a waiver to Land Development Code (LDC) Section 6.12.12(D) which states: at the discretion of the Development Review Committee, in lieu of construction along external streets, the developer may pay a sidewalk fee to the County in an amount necessary to complete construction. This amount shall be determined by the project engineer and approved by the County with payment required prior to final plan approval. The County may use these funds toward the construction of sidewalks throughout the County based on priorities established by the Board.

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The Applicant requested to waive required sidewalks along the property frontage, which the Development Review Committee was also in agreement with. However, the applicant does not want to contribute to the sidewalk fund which the Development Review Committee was not in favor of.

The subject property is located in the northwest portion of the County on approximately 12.72 acres.

This waiver request was denied by the Development Review Committee (DRC) on August 4, 2025, on the basis of the applicant not willing to contribute to the sidewalk fund in lieu of construction.

Budget/Impact: None.

Recommended Action: Motion to uphold DRC's action for the waiver request.

County Engineer Cohoon, OCE, commented on the waiver request for the payment of fee in lieu of in addition to the waiver to not construct the sidewalk.

Chairman Bryant clarified that Mr. Cohoon was speaking of Pine Road not Pine Avenue. In response to Commissioner Curry, Mr. Cohoon stated the fee was approximately \$23,000.00.

Tyler Counts, Clymer Farner Barley, Inc., Alford Avenue, Middleton, advised that he is requesting a full waiver, not just a fee in lieu of sidewalks, but to the fee as well. He clarified that the fee was roughly \$27,000.00 rather than \$23,000.00. Mr. Counts stated the project is essentially group housing to assist individuals in getting back on their feet, noting it is not exactly a for-profit development.

Chairman Bryant stated this will be in addition to the applicant's other locations.

Renee Arnett, SE 39th Circle, advised that she is the founder and President of His House for Her. She stated the organization has 13 acres of property in the area and is looking to construct further housing. The housing would be for women who are continuing in the program. Ms. Arnett advised that individuals would still be receiving all of the organization's support services, noting she anticipates the addition of more services relating to parenting. She stated there will still be a program fee. Ms. Arnett advised that the organization is very big on relationship and accountability.

In response to Chairman Bryant, Ms. Arnett advised that all of the organization's revenue is charitable donation driven, noting they are a 501(c)(3). She stated the organization has received a few grants for therapy services; however, the majority of their income is charitable giving.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to disagree with the DRC and approve the waiver request. The motion was unanimously approved by the Board (5-0).

15.1.3. Request for Waiver from Land Development Code Section 2.16.1.B(8)(g) - Agricultural Lot Split Establishment of County Municipal Services Benefit Unit for Green Leaf, Parcel Number 19999-004-00, Application Number 32908 (for Agricultural Lot Split Application Number 32907) (Budget Impact - None)

The Board considered the following recommendation from Building Safety Director Savage, on behalf of the DRC:

Description/Background: Section 2.16.1.B(8)(g) of the Land Development Code states a County Municipal Services Benefit Unit (MSBU) shall be established for the maintenance of the improvements created by this division prior to final approval

and recordation. A waiver to this provision may only be granted by the Board upon review and recommendation by the Development Review Committee (DRC).

This Agricultural Lot Split is located in the northeast portion of the county containing seven (7) lots on approximately 78.28 acres.

The Applicant requests to allow an easement agreement that stipulates maintenance. DRC action on June 16, 2025 was to recommend approval.

Budget/Impact: None.

Recommended Action: Motion to approve the Agricultural Lot Split without the creation of a MSBU subject to providing the appropriate documentation that the property owners will provide maintenance.

County Engineer Cohoon, OCE, advised that this is an agricultural lot split, noting it is a procedural Item that was approved by the DRC on June 16, 2025. He stated the waiver is for the creation of a MSBU and those services being established through an easement agreement within the community.

In response to Commissioner Zalak, Mr. Cohoon advised that the homeowners' association (HOA) documentation addresses the agreement.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to agree with the DRC and approve the Agricultural Lot Split without the creation of an MSBU subject to providing the appropriate documentation that the property owners will provide maintenance. The motion was unanimously approved by the Board (5-0).

15.2. Planning and Zoning Items for Individual Consideration:

15.2.1. 250406ZC - Gary W. Smallridge and 4C Family Trust, LLC, Zoning Change from General Agriculture (A-1) to Regional Business (B-4), 30.21 Acre Tract, Parcel Account Numbers 41520-001-04 and 41520-101-04, No Addresses Assigned

The Board considered a petition by Gary W Smallridge and 4C Family Trust, LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Light Industrial (M-1), for all permitted uses, on an approximate 30.21 Acre Tract, on Parcel Account Numbers 41520-001-04 and 41520-101-04, No Addresses Assigned

P&Z PUBLIC HEARING ON MAY 28, 2025

250406ZC Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Johnson, to disagree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 5-1 with Mr. Fisher dissenting.

Senior/Transportation Planner Ken Odom, Growth Services, presented a brief overview of the request for a zoning change from A-1 to B-4, noting there is also a Developer's Agreement proffered by the applicant.

It was noted that Growth Services Department staff recommend denial and the P&Z Commission recommends approval.

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Austin Dailey, SE 11th Avenue, attorney on behalf of the applicant, expressed appreciation towards County staff for their assistance relating to this application. He presented a 13 page Developer's Agreement, noting there have been revisions since the Agenda Packet was published to incorporate suggestions from Utilities and OCE. The agreement includes language that allows for B-4 zoning, onsite water and wastewater system, until such time as the applicant exceeds 15 Equivalent Residential Connections (ERCs) and if a connection becomes available within 3,000 feet when they have the excess ERCs. Mr. Dailey advised that if the applicant reaches the 15 ERCs and there is not an available connection, a centralized/decentralized system would be constructed in such a way that it would be stubbed out when there is an available connection within 3,000 feet. He stated the anticipated uses that have been discussed are pretty low ERCs, noting the applicant anticipates staying below the threshold. Mr. Dailey commented on the cost associated with surpassing the threshold, which provides an incentive to remain under that mark.

Commissioner Curry out at 2:32 p.m.

Mr. Dailey advised that due to the size of the tract and varying uses it was discussed to provide buffers as site work is performed on a portion, noting the exclusion was for roads and utilities. He stated there will be no access via SE 140th Place. Mr. Dailey advised that if the applicant builds a right turn lane, meeting the specifications set forth in this agreement, there would not be such strenuous traffic studies, noting the purpose of the study would be to determine the need for the right turn lane. He stated there are additional caps on trips and peak hour trips that would trigger additional traffic review if they were exceeded.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

Commissioner Zalak requested Utilities Director Tony Cunningham address the project. ACA Tracy Straub stated staff have not sent the document through a legal review yet, noting any approval is to be contingent upon that review.

In response to Commissioner Zalak, Utilities Director Tony Cunningham advised that County Engineer Cohoon has also reviewed the project. He stated if the applicant remains under the 15 ERC threshold, they can put in wells and septic tanks to serve the development they have excluding an industrial or food user, etc. Mr. Cunningham advised that utilities are 3.5 miles away near SW Highway 484 and Interstate 75 (I-75); however, if the applicant surpasses the 15 ERCs they will be obligated to install a system that meets the County's requirements. He stated the applicant will operate and maintain any such system, but the County could eventually take over as needed in the future. Mr. Cunningham advised that if the County were to construct utilities in that location, it would centralize them so the County could easily connect while requiring the applicant to extend and connect to the centralized system. He stated staff want to set it up for all the different scenarios due to not knowing everything that will happen at the site, noting they are comfortable with the language in this agreement.

Chairman Bryant questioned whether the language includes the different noxious uses that would not be allowable with the well and septic. Mr. Cunningham advised that it addresses the need to meet Department of Health (DOH) and Department of Environmental Protection (DEP) requirements for well and septic, noting there is additional language relating to the industrial use.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to approve the zoning change from A-1 to B-2, pending legal review of the associated

Developer's Agreement, disagreeing with Growth Services staff and agreeing with the P&Z Commission, based on findings and recommendations that the proposed use will not adversely affect the public interest, is consistent with the Comprehensive Plan and is compatible with the surrounding land uses. The motion was unanimously approved by the Board (4-0).

15.2.2. 250908ZP – Prosperity US 27 LLC, Zoning Change to Change from Expired Planned Unit Development (PUD 160504Z, formerly General Agriculture A-1) to Planned Unit Development for a Maximum Proposed Total of 151 Single-Family Residential Units, 39.36 Acres, Parcel Account Number 36640-004-00, No Address Assigned

The Board considered a petition by Prosperity US 27 LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, to change from expired Planned Unit Development (PUD-160504Z, formerly General Agriculture A-1) to Planned Unit Development (PUD) for a maximum proposed total of 151 single-family residential units, on an approximate 39.36 Acre Parcel, on Parcel Account Number 36640-004-00, No Address Assigned

P&Z PUBLIC HEARING ON AUGUST 25, 2025

250908ZP Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Kroitor, to agree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 5-1 with Mr. Bonner dissenting.

Planner Kathleen Brugnoli, Growth Services, presented a brief overview of the request for a zoning change from expired PUD to PUD.

Chairman Bryant questioned why the map does not show anything down near the City of Belleview, noting there is a huge development going in by the park. Ms. Brugnoli advised that the development is in the City and it was not provided on the map; however, staff can look into adding the information. She stated she is not aware of the acreage or number of units relating to the project in the City.

In response to Chairman Bryant, Ms. Brugnoli confirmed that the 60 foot lots are just on the area adjacent to the Merrick's and other property owners along that edge, noting the applicant is limited to 12 of those 60 feet lots along the northern boundary line.

Commissioner Curry returned at 2:37 p.m.

Ms. Brugnoli clarified that there are 139 lots that are 40 feet.

Ms. Brugnoli resumed her overview of the proposed project.

Project Assistant Susan Heyen, Parks and Recreation, advised that she was at the site today and there are power lines running from Juniper Road all the way along NW Juniper Terrace. They appear to be set into the property slightly, so there needs to be consideration relating to the canopy trees.

In response to Chairman Bryant, Ms. Heyen identified the area where powerlines are located, noting due to being distribution lines they hang lower. She opined that the trees appear to be 30 feet from the powerlines on the applicant's detail; however, that appears to be outside of their property and the lines are located inside. Ms. Heyen stated there needs to be consideration relating to the canopy trees.

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Chairman Bryant questioned whether there is an easement for the lines on this property. In response to Commissioner Zalak, Ms. Heyen advised that canopy trees can be located here, but the applicant needs to ensure there is adequate space set back from the powerlines. She stated based on the concept plan it appears there is enough space in some areas and not in others. Ms. Heyen advised that the applicant needs an evaluation signed off on by her for the PUD, indicating the canopy tree can be located there or replaced with a staff approved substitute.

Ms. Brugnoli stated she will provide Chairman Bryant with an answer to her question relating to the easement and continued her overview of the project.

Chairman Bryant questioned whether Marion County Fire Rescue (MCFR) considers other approved developments coming online when performing their analysis. Ms. Brugnoli stated she believes if the projects have been approved, they are being considered. She advised that she could get confirmation on the matter. Ms. Brugnoli stated the recommendations from MCFR indicated additional units are needed in the area. She advised that the Marion County Sheriff's Office (MCSO) provided feedback that they can absorb the calls created by those residences alone; however, if there is additional development in the area more units may be required. Ms. Brugnoli stated this includes the other approved PUDs shown on the map.

Ms. Brugnoli resumed her overview.

Chairman Bryant commented on the proposed all-way stop at SE 79th Street and Juniper Road and questioned if the traffic on S US Highway 441 was considered. Ms. Brugnoli stated it was included, noting County Engineer Cohoon is present today.

Mr. Cohoon advised that he reviewed the traffic impact analysis, as well as the methodology, noting the only deficiency identified was where the all-way stop was proposed. He stated there were no background deficiencies identified relating to Highway 441.

In response to Commissioner McClain, Mr. Cohoon advised that the proposed 3-way stop is at Juniper Road and SE 79th Street. He stated the traffic flows in the peak hours are so heavy going to and from the school the stop allows breaks, which allows the level of service (LOS) to be increased.

Commissioner McClain advised that he travels in this area daily and the stop is likely needed already.

Chairman Bryant questioned whether the review considered the traffic flow on Highway 441, especially during peak hours. Mr. Cohoon stated part of the evaluation engineers perform is at the connection itself, if the segments also need to be evaluated that is done. Mr. Cohoon commented on the percentages dropping off the further away from the connection, noting it reflects a dissipation of the traffic. He clarified that the evaluation would not go all the way to State Road (SR) 40. Mr. Cohoon advised that relating to SE 52nd Street, the traffic engineers felt that intersection falls beyond the scope when looking at the dissipation.

Commissioner McClain stated Highway 441 has some stop and go during peak hours; however, it flows fine for his needs. He advised that a stop sign is warranted now relating to SE 79th Street and Juniper Road.

Chairman Bryant commented on the procedures for today's hearings.

In response to Chairman Bryant, Mr. Minter stated in a quasi-judicial hearing an individual cannot be a witness and judge at the same time.

Chairman Bryant advised that her question relates to information she possesses.

Ms. Brugnoli stated the Bellehaven development will have approximately 1,300 units.

Commissioner McClain questioned how many of those units have been built out. Ms. Brugnoli advised that she is unaware.

Ms. Brugnoli resumed her overview of this Item.

In response to Commissioner Curry, Ms. Brugnoli stated the entire project is single family; however, staff are requesting to limit homes along the northern property line to single-story.

Ms. Straub advised that Mr. Cohoon may have additional information relating to the proportionate share agreement for work being performed on SE 52nd Street and why that was triggered. She stated staff are in conversation with Florida Department of Transportation (FDOT) relating to the intersection of Highway 441 and SE 80th Street, noting a tremendous movement issue. The intersection south of that is showing problems. Ms. Straub advised that this Highway has heavy, intense traffic, noting she would need to know whether Mr. Cohoon can provide traffic figures and LOS on that road.

Mr. Cohoon advised that it should be a LOS D goal for FDOT. He commented on SE 52nd Street to the north, noting as the Wawa came in to the south, staff have worked with them on proportionate share for side street improvements including modifications to the signalization. Mr. Cohoon stated there are issues preventing Wawa from doing that work directly, noting a part of their proportionate share relates to offsite utilities outside of their control and the right-of-way (ROW). He advised that staff have been doing a lot of close coordination with the City of Ocala Electric Utility and Wawa, noting they are on the cusp of bringing the agreement before the BCC for consideration.

Ms. Brugnoli stated staff is researching Chairman Bryant's earlier question relating to fire rescue and law enforcement.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval of the Special Use Permit (SUP) with the following Conditions:

1. The PUD shall comply with the PUD Development Setbacks listed in Table 2 below

Table 2. DEVELOPMENT SETBACKS 36640-004-00	
Direction	Setback
Front (No sidewalk/Sidewalk)	20'/25'
Rear	15'
Side (Interior/Streetside)	5'/20'
Accessory (Side/Rear)	5'/10'

2. The PUD shall comply with the Staff Recommended PUD Development Buffers listed in Table 3 below and as listed within the buffering plan provided.

TABLE 3. BUFFERS FOR PARCEL 36640-004-00				
Direction	Adjoining Use	Per LDC	Proposed	Staff Recommended
North	Single-Family Residential	E-Type	Modified C-Type*^	Modified C-Type*^
South	Single-Family			Modified C-Type*^

	Residential Government Institution	C-Type	Modified C-Type*^	
East	Multi-Family Residential Government Institution Vacant Multi-Family Residential	C-Type	Modified C Type* Enhanced Landscaping*	Modified C-Type* Enhanced Landscaping*
West	Single-Family Residential	E-Type	Existing Vegetation	Existing Vegetation
Entrance	ROW	N/A	Entrance Landscaping as shown	Entrance Landscaping as shown

*Privacy fencing.

^Buffer does not extend the entire length of the property.

3. The PUD shall be limited to a maximum of 151 detached single-family residences.
4. Homes along the northern property boundary line shall be limited to single-story.
5. The PUD shall be developed consistent with the PUD Plan provided.
6. Requirements provided by OCE and MCPS regarding each of the respective access points must be adhered to.
7. Two points of access as described in the Traffic Study must be developed.
8. Sidewalk to be provided internally as shown in the PUD site plan.
9. Sidewalks, as required by OCE, shall be developed along Juniper Rd. and to Legacy Elementary.
10. PUD site must comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.
11. The PUD must meet the LDC requirement of a minimum of 20% improved open space.
12. A property owner's association OR the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.
13. The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant's expense.
14. A Stormwater agreement for using the DRA shall occur no later than 6 months after PUD approval.
15. The County shall have no obligation to fund, perform, or reimburse any maintenance, repair, replacement, capital, or operational costs for

- stormwater facilities within or affecting the DRA; the Developer/HOA is solely responsible.
16. The County shall not share in any catastrophic failure repairs (e.g., breach, sinkhole, structure collapse). Developer/HOA must restore, repair, and indemnify the County.
 17. Developer can relocate an equivalent storage volume to the DRA's existing capacity (based on current as-built stage-storage) plus one (1) foot of freeboard is reserved exclusively for the County's present and future use and shall not be utilized to serve the Project or third parties.
 18. Perpetual drainage & storage easement: Record an easement in favor of the County over the DRA area covering (i) the reserved storage, (ii) defined County inflow hydrographs, and (iii) inspection and emergency access rights.
 19. Record an Operation and Maintenance plan and funding mechanism (Developer/HOA) for all stormwater assets affecting the DRA, with annual inspection reports provided to the County.
 20. Buffers and landscaping shall be installed no later than six (6) months from final plat approval and shall be bonded for the cost of landscaping + 120%. If installation is not completed within the six (6) month time frame, the bond shall be used for installation.
 21. If development is a single phase, amenities must be completed by 50% of CO's for development 200 units or less or 25% of CO's for development 201 units or more and be backed by bond for cost of amenities + 120%. If multi-phase, amenities must be completed with the first phase of the development and be backed by bond for cost of amenities + 120%.
 22. If conditions are not met:
 - a. First Notice: Written notice stating violation and supporting evidence is sent.
 - b. Second Notice: Final written notice. If violation continues, a revocation hearing will be scheduled with the Board of County Commissioners.
 - c. Final Action: Board of County Commissioners revocation hearing.

David Tillman, Tillman & Associates Engineering, LLC, SE 16th Avenue, on behalf of the applicant, provided an overview of the subject parcel's location, noting it is adjacent to Legacy Elementary School. There is a lot of multi-family development to the east, flag lots to the north and wooded area to the west. The proposed project is located within the Urban Growth Boundary (UGB). This is an expired PUD that was approved for 123 multi-family units. He advised that the new request is for a PUD with a maximum of 151 single-family dwelling units (du), which will contain twelve 60 foot lots. Mr. Tillman clarified that only those 12 lots should be limited to a single story and not all lots along the northern boundary of the project. He commented on more intense buffer plantings along the northern boundary in addition to a 6 foot vinyl privacy fence to provide opacity. Mr. Tillman provided an overview relating to development setbacks, noting Ms. Brugnoli clearly addressed the buffers. He referred to a slide as seen on the overhead screens, which depicts the house renderings and layouts. Mr. Tillman commented on the community amenities including a playground, covered pavilion, dog park, and a walking trail that goes around the drainage retention area (DRA) and meanders through the existing trees. There will be an enhanced entry way in addition to the buffer along the remainder of the front.

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He stated the emergency access to the school is located just in front of the existing gate, which controls access to that facility. Mr. Tillman commented on the approved traffic study, noting Highway 441 is operating at a LOS C both northbound and southbound. The future buildout with future background traffic takes it to a LOS C and D, still inside the requested LOS and well below the maximum volume-to-capacity ratio (V/C). He advised of a letter from Marion County Public Schools (MCPS) stating they have no objection to the proposed rezoning or access connection, as well as a letter from the City of Belleview confirming the availability of utilities. Mr. Tillman opined that the project is consistent with the future land use designation, Land Development Code (LDC), Comprehensive Plan, surrounding land uses and would not adversely affect the public interest. He stated he has always come in with the standard height of 50 feet; however, there is no objection to reducing that to 35 feet. Mr. Tillman referred to a slide on the overhead screens and provided an overview relating to buffer plantings. He stated despite the power lines he feels there is adequate space between the rear of the proposed homes and property line to plant the shade trees, noting there may be some trimming that needs to occur on the edges of those in the future.

Commissioner Stone advised that in 2016 the project was proposed to have attached single family homes.

Mr. Tillman stated the homes were attached and it was a rental product.

In response to Commissioner Stone, Mr. Tillman confirmed these units are single family, owner occupied and for sale.

Chairman Bryant advised that the request is for 151 units on 40 foot lots. She questioned what portion of the 39 acre subject parcel is usable, noting there was previous discussion relating to this property. Mr. Tillman stated there are 2 acres that is a karst sensitive area; however, it could be filled and compacted and become usable. He advised that this is the area containing the majority of the trees on this site. Mr. Tillman opined that if the applicant was going to preserve an area it made sense to keep the trees and preserve a natural area for individuals in the community to enjoy. He commented on the construction costs associated with remediating karst areas, but it can be done. Mr. Tillman clarified that the area the applicant has preserved is much larger than 2 acres.

Chairman Bryant questioned the number of acres that will be utilized for the 151 units. Mr. Tillman stated he will obtain the information and provide it to the Board.

Commissioner Curry advised that it appears the project has a lot of density concentrated in that area, which is the same issue he had with the request last time it came before the BCC. He commented on the height reduction relating to the northern boundary but expressed concern relating to the density.

Mr. Tillman stated it appears there are larger lots across the street; however, they are multi-family lots.

In response to Chairman Bryant, Mr. Tillman advised that he did not calculate the units per acre relating to the multi-family projects.

Senior Planner Chris Rison stated in the Silver Springs Shores area they do have slightly higher densities than typical, noting the typical R-1 lots are identified as high density residential. There are larger lots where quadraplexes and triplexes are being constructed and they are considered urban residential due to their historic densities recognized when they were arranged in the past.

In response to Chairman Bryant, Mr. Rison advised that those single family lots are approximately 0.25 acres and the multi-family lots are larger due to standards that must

be met. He stated most of those are developing individually, which limits the number of units they can accommodate due to being on well and septic.

Ms. Straub advised that the size for the multi-family lots is roughly 0.46 acres.

Commissioner Stone stated the urban residential areas allow 8 to 16 units on those lots.

Mr. Rison concurred.

Chairman Bryant advised that if counting the actual amount of acres the proposed project is being built on, then the density is higher with 40 foot lots.

Mr. Tillman stated the density does not exceed 5 units per acre, noting there is urban residential across the street with a density of 8 to 16 units per acre.

Chairman Bryant advised that the portion of the subject parcel that will be developed is more than 4 units per acre.

Mr. Tillman commented on revisions to the County's Comprehensive Plan, noting there was language relating to providing bonuses for individuals who save trees.

Chairman Bryant opined that Mr. Tillman is preserving the area with the trees due to the difficulty in regard to building on the karst and other environmentally sensitive issues.

Chairman Bryant opened the floor to public comment.

Pauline Boileau, Juniper Road, expressed concern relating to increased traffic.

Maureen Merrick, Juniper Road, commented on the project's density, lot sizes, multi-story homes, and the project's lack of compatibility to surrounding properties.

Grant Merrick, Juniper Road, expressed concern relating to compatibility, lot sizes, karst features, wildlife and traffic.

Jane Graham, Early Riser Avenue, Land O' Lakes, attorney on behalf of Maureen and Grant Merrick, stated the applicant has the burden to show with competent substantial evidence that they meet all the criteria for the rezoning. She advised that they cannot do so based on serious issues with incompatibility in the surrounding area and public interest. Ms. Graham commented on previous concern relating to the lack of compatibility with the earlier version of this project, which at that time was said to be high density rather than medium density. She advised that the lowest number of units relating to the medium density would be 39; however, the applicant is asking for 151 units. Ms. Graham noted the request is in the 95% percentile of density on the site. She stated the Board is not obligated to authorize the maximum density in a land use. The Code requires the BCC to consider existing zoning compatibility, what the site is like and available services. The future land use map (FLUM) shows the site is medium density with low density on the north, west and south. Ms. Graham commented on the agricultural character in the area, noting the existing zoning of the subject parcel is A-1 due to the expiration of the PUD. She addressed the R-3 zoning to the east and the lot sizes in the surrounding area. Ms. Graham advised that the setbacks for the proposed project are not adequate. She commented on remarks from MCFR indicating additional resources are warranted, which she opined is reason alone to deny this request. The multi-family units next to the subject parcel are 1 story structures and are the units within surrounding neighborhoods. Ms. Graham referred to a slide showing lot dimensions from the Property Appraiser's Office (PAO) website, noting none of the lot sizes are as small as 40 feet. She advised of numerous inconsistencies with the Comprehensive Plan relating to the buffering of uses. Ms. Graham commented on the previous concept plan approved in December, noting the new proposal shows a reduction of just 7 units. She opined that the proposed project looks like spot zoning. She requested the Board deny the application as presented and provided an overview of Conditions the Merricks are requesting if the project is approved. Joann Frederick, Juniper Road, did not appear when called upon to speak.

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Rose Furthmiller, Juniper Road, did not appear when called upon to speak.

Colleen Corbitt, Juniper Road, did not appear when called upon to speak.

Cathy Keck, Juniper Road, commented on the density of the proposed project, the property owner, the water supply in the area, and impacts to Legacy Elementary School. Harvey Vandeven, SE 12th Court, stated he was the original owner of the property when it was approved approximately 20 years ago. He addressed affordability in today's market, noting adding 30 units is the only way to make this feasible with water, sewer and a lift station, etc. Mr. Vandeven advised that the large lots in the shores have wells and septic. He stated the density is necessary to make the project feasible, noting the location of the access was part of a deal made with the school to provide children with the ability to walk to school.

Chairman Bryant advised that public comment is now closed.

Kami Corbett, Hill Ward Henderson (HWH), East Kennedy Boulevard, Tampa, attorney on behalf of the applicant, commented on the legal issues raised by Ms. Graham. She stated the staff report and P&Z Commission recommendation provided to the Board demonstrate that the applicant has met their burden and in their opinion that is substantial competent evidence. By contrast, there has been a lot of lay testimony relating to compatibility; however, case law indicates compatibility requires the opinion of an expert. Ms. Corbett advised that Growth Services staff have found the project compatible and that is the only expert testimony in the record relating to compatibility. She stated from a legal perspective she does not agree with Ms. Graham's opinion relating to spot zoning. Mr. Tillman addressed the lots that are adjacent to the subject parcel, noting they are limited relating to density due to a lack of water and sewer. He advised that the project is located in the Primary Springs Protection Zone (PSPZ) where the County wants centralized water and sewer, which this project provides. Mr. Tillman provided an overview relating to the treatment plants for the project, noting it is a much better design criterion for the PSPZ. He commented on the 6.63 acre area being preserved for the trees that also contains the karst feature, which leaves 32.73 acres resulting in 4.61 units per acre. Mr. Tillman stated when considering open space requirements, it is common to expect those types of densities on the remaining portion. He addressed the recommendation relating to fire services, noting there is a need Countywide. Mr. Tillman commented on another project where the assessment indicated additional fire apparatus would be needed if approved despite a reduction in that project's density.

In response to Chairman Bryant, Mr. Tillman advised that he is calling the MCFR report unreliable, noting Fire Chief James Banta was made aware that Mr. Tillman would provide this testimony. He clarified that the project with the density reduction has nothing to do with this parcel. Mr. Tillman commented on proposed changes to the Comprehensive Plan encouraging the preservation of trees.

Chairman Bryant stated the preservation of trees was intended to serve as an amenity.

Mr. Tillman stated the area in question is being used as an amenity, noting he created a walking trail in that area. He advised that this is the same preservation area that was presented as part of the Chestnut Hill PUD.

Mr. Tillman stated the property for Legacy Elementary School was sold with the anticipation that this property was going to develop. At that point in time, the agreement was made that there would be a connection to the school when this property developed. He referred to Condition 4 and requested the single story requirement be limited only to lots 19 through 30. Mr. Tillman commented on Condition 21, and provided an overview

based on what he thought the applicant and staff had agreed upon. He requested the portion relating to bonding amenities be removed.

Commissioner Zalak advised that construction of amenities shall commence by the first CO of a residence and shall be finished by the 30th CO.

Chairman Bryant stated when this came before the Board in the fall of last year, 2 Commissioners voted against the project based on the density and one that only approved it due to the high density residential classification. She advised that this is medium residential and the Board does not have to approve 151 units.

Mr. Tillman addressed the language relating to a revocation hearing in Condition 22, noting a violation could be generated by a large number of things from Code Enforcement. He stated revocation of a zoning after a site is under construction is not sensible and requested the Condition read, "No permits should be issued until the violation is resolved." In response to Commissioner Zalak, Mr. Tillman stated no more permits would be issued at the time a violation is issued.

Commissioner Curry advised that he voted against the project last time and questioned if a change to density would be considered, noting he was thinking something closer to 112 units. He stated he cannot support 151 units.

Commissioner Zalak questioned if the quadplexes located outside of the subject parcel are 4 units on 0.46 acres as stated earlier, noting that would be 8.7 units per acre. Ms. Brugnoli confirmed that figure is correct. She advised that the land use is urban residential, which permits 8 to 16 units on well and septic.

Commissioner Zalak stated he drives the area frequently and it looks terrible. He questioned how to bridge this gap when requesting projects go to centralized water and sewer and if the applicant increases the density, what does the community want in exchange. Commissioner Zalak opined that he does not like the rental product proposed in 2016. He advised that the density could be decreased if well and septic were allowed but he is unsure if that is good for the community and environment. Commissioner Zalak commented on protecting surrounding residents, which is why he requested the applicant come back with much bigger plant material to make the development look incredible in exchange for some additional units. He expressed concern relating to parking and the possible need for reserve parking in addition to a playground for younger children (2 to 5 years old).

Chairman Bryant stated there could be an issue relating to the powerline and possible easement there. She advised that she is not interested in seeing 40 foot lots on the perimeter of the project, abutting the elementary school, or next to the neighbors on the north side.

Commissioner Zalak commented on the size of the school and the amount of traffic it generates. He stated children living in the proposed development will be able to walk to school.

Chairman Bryant opined that parking will be an issue and the development will look terrible.

Commissioner Zalak commented on the need for changes to the LDC relating to parking. Chairman Bryant stated the Board does not have to approve the maximum density under the medium residential land use, noting they can approve anything from 39 to 158 units. She advised that this development looks different and more intense than anything in the surrounding area.

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Commissioner McClain addressed the varying zonings in the area, noting whatever zoning the project is given it will not look like it fits anywhere. He stated he agrees with getting amenities and better buffers in exchange for the additional units being requested. In response to Chairman Bryant, Commissioner Zalak advised that he wants to see some additional parking. He is unsure what it should be due to the issue not being addressed in the LDC. He questioned what the capacity will be at the homes, noting Mr. Tillman can bring back that figure as part of the Master Plan. Commissioner Zalak opined that the playground can be enhanced a little and the buffer as shown are much more extensive. Chairman Bryant opined that the project proposed in 2016 had 10 foot side setbacks, one story buildings and 123 units.

Commissioner Stone stated those were attached homes.

Chairman Bryant advised that there were better setbacks and protection for the surrounding property owners, noting now there are 5 foot setbacks with the only restriction on 2-story homes being the 12 units on the northern boundary.

In response to Commissioner Stone, Chairman Bryant stated the enhanced buffering is only in one portion, and it may not be possible due to the powerline and possible easement in that area.

Commissioner Zalak advised that the Board could request the Master Plan include an exact drawing and dimensions relating to the enhanced buffer.

Mr. Tillman stated the lowest space available behind the actual lot lines is 29 feet at the minimum and it goes up to 50 feet where the bend occurs on the northern property line. He advised that there is adequate footage to place the trees in that area.

In response to Commissioner Zalak, Mr. Tillman stated the trees can be placed in the very edge of those lots, providing a lot of separation.

Commissioner Zalak advised that Mr. Tillman will have to prove that as part of the Master Plan.

Chairman Bryant questioned whether the applicant is going to be allowed the 2 story units all along the outer boundary. Commissioner Zalak opined that everything looks better when there is a variation of heights and setbacks (staggered fronts).

Mr. Minter stated there was a case that gave a very simple definition of spot zoning. He advised that it was defined as, "spot zoning is piecemeal zoning of small parcels of land to a greater density leading to disharmony within the surrounding area and generally gives preferential treatment to one parcel at the expense of the zoning scheme as a whole." Mr. Minter commented on the differential of densities and provision of central utilities versus well and septic tanks, noting the Board has a number of factors to consider. He stated the courts do view density as a central theme in spot zoning cases.

In response to Chairman Bryant, Mr. Minter advised that there are a number of factors to consider relating to growth. He stated density can be considered in regard to compatibility.

Mr. Minter advised that in zoning cases a reviewing court considers whether or not there is competent substantial evidence to support whatever decision is made, either in favor or against. He stated that the fact there might be other evidence on the other side of the ledger does not make any difference in a zoning case as long as an individual has component substantial evidence to support their decision.

Chairman Bryant commented on the inability to use the fire services analysis due to it not being included in the Comprehensive Plan; however, it does cause concern after recently raising that assessment to continue to provide fire services, training, etc.

Chairman Bryant expressed concern relating to adding density in this area when they are being told more capacity is needed. She questioned what the plan is for adding that capacity.

In response to Commissioner McClain, Chairman Bryant stated Impact Fees cannot be used to pay salaries.

Commissioner Zalak advised that the Board is arguing over 20 units.

Chairman Bryant stated she could support the project at 123 units, noting it would make a tremendous difference in what that community ends up looking like.

Commissioner Zalak opined that this is better for the neighbors than going back to just a fence and minimal buffering.

Commissioner McClain advised that the project is within the UGB where the Board is encouraging growth and development.

A motion was made by Commissioner McClain, seconded by Commissioner Zalak, to adopt Resolution 25-R-368 granting the Special Use Permit request with Conditions 1 through 22 as amended below, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest.

Mr. Tillman reiterated his request to remove the revocation clause.

Commissioner Zalak questioned why the language is included and who added it to the Conditions.

Mr. Cohoon commented on another PUD where staff are attempting to address an issue relating to an onslaught of commercial vehicles going in and out of areas where they are not supposed to be per PUD Conditions. He stated staff are trying to prevent those types of issues from occurring.

In response to Commissioner Zalak, Mr. Cohoon advised that his only concern with the proposed language relating to the Condition involves Legislative changes that allow a certain amount of COs to be issued for certain developments and does that then circumvent what Statue potentially intends to have occur in regard to the issuance of COs. Commissioner Zalak opined that if the applicant agrees to it as a PUD Condition, he believes it will be okay.

In response to Commissioner Zalak, Ms. Straub requested the Board consider a permit hold and not a CO hold due to the possible impact to a home owner that is ready to occupy their unit.

Ms. Brugnoli provided an overview of the amended Conditions.

Mr. Minter questioned how large Commissioner Zalak wants the parking area.

Commissioner Zalak stated Mr. Tillman should bring back a parking plan.

Mr. Tillman advised that the transportation engineers conduct parking studies and evaluations and he will have them review the matter.

The motion was approved by the Board 3-2 with Commissioners Curry and Bryant dissenting.

Resolution 25-R-368 contains the following Conditions:

1. The PUD shall comply with the PUD Development Setbacks listed in Table 2 below

Table 2. DEVELOPMENT SETBACKS 36640-004-00	
Direction	Setback
Front (No sidewalk/Sidewalk)	

	20'/25'
Rear	15'
Side (Interior/Streetside)	5'/20'
Accessory (Side/Rear)	5'/10'

2. The PUD shall comply with PUD Development Buffers listed in Table 3 below and as listed within the PUD concept plan provided as Exhibit A

Direction	Adjoining Use	Required Buffer
North	Single-Family Residential	Modified C-Type*^
South	Single-Family Residential Government Institution	Modified C-Type*^
East	Multi-Family Residential Government Institution Vacant Multi-Family Residential	Modified C-Type* Enhanced Landscaping*
West	Single-Family Residential	Existing Vegetation
Entrance	ROW	Entrance Landscaping as shown

*Privacy fencing.

^Buffer does not extend the entire length of the property.

3. Buffers shall be provided as shown within the PUD concept plan (dated 06/05/2025) with enhanced buffering running the entire length of lots 19-30.
4. The PUD shall be limited to a maximum of 151 detached single-family residences.
5. Lots 19-30, as shown along the northern property boundary line of the PUD concept plan, shall be limited to single-story homes.
6. The PUD shall be developed consistent with the PUD Concept Plan provided as Exhibit A (dated 06/05/2025).
7. Requirements provided by OCE and MCPS regarding each of the respective access points must be adhered to.
8. Two points of access, as described in the Traffic Study, must be developed.
9. Sidewalk to be provided internally as shown in the PUD concept plan (dated 06/05/2025).
10. Sidewalks, as required by OCE, shall be developed along Juniper Rd. and to Legacy Elementary
11. PUD site must comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.
12. The PUD must meet the LDC requirement of a minimum of 20% improved open space.
13. A property owner's association OR the developer must care for and maintain all common areas used by residents of the subdivision, as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.
14. The final PUD Master Plan shall require approval by the Marion County

Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant's expense.

15. A Stormwater agreement for using the DRA shall occur no later than 6 months after PUD approval.
16. The County shall have no obligation to fund, perform, or reimburse any maintenance, repair, replacement, capital, or operational costs for stormwater facilities within or affecting the DRA; the Developer/HOA is solely responsible.
17. The County shall not share in any catastrophic failure repairs (e.g., breach, sinkhole, structure collapse). Developer/HOA must restore, repair, and indemnify the County.
18. Developer can relocate an equivalent storage volume to the DRA's existing capacity (based on current as-built stage-storage), plus one (1) foot of free board is reserved exclusively for the County's present and future use and shall not be utilized to serve the Project or third parties.
19. Perpetual drainage & storage easement: Record an easement in favor of the County over the DRA area covering (i) the reserved storage, (ii) defined County inflow hydrographs, and (iii) inspection and emergency access rights.
20. Record an Operation and Maintenance plan and funding mechanism (Developer/HOA) for all stormwater assets affecting the DRA, with annual inspection reports provided to the County.
21. Construction of amenities shall commence by the first C.O. of a residence and shall be finished by the 30th C.O. of a residence.
22. If conditions are not met:
 - a. First Notice: Written notice stating the violation and supporting evidence is sent.
 - b. Second Notice: Final written notice.
 - c. Final Action: Permit hold to be placed until violations are resolved.

(Ed. Note: The Deputy Clerk did not receive a copy of the letter from MCPS).

There was a recess at 4:15 p.m.

The meeting reconvened at 4:24 p.m. with all members present.

15.2.3. 25-L03 – Estate of Michael P Couture, Sr.; Eva Couture, P.R., Large-Scale Comprehensive Plan Amendment for a Future Land Use Designation Change from Rural Land (RL) to Medium Residential (MR), ±55 Acres, Parcel Account Number 47667-000-00, 15700 SE 73rd Avenue, West Side of SE 73rd Avenue, ±0.9 Miles North of SE Hwy 42
The Board considered a petition by the Estate of Michael P Couture, Sr.; Eva Couture, P.R., for a Large-Scale Comprehensive Plan Amendment for a Future Land Use Designation Change from Rural Land (RL) to Medium Residential (MR), ±55 Acres, Parcel Account Number 47667-000-00, 15700 SE 73rd Avenue, West Side of SE 73rd Avenue, ±0.9 Miles North of SE Hwy 42

P&Z PUBLIC HEARING ON AUGUST 25, 2025

25-L03 Planning and Zoning Commission Recommendation

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Motion was made by Mr. Kroitor, seconded by Mr. Bonner, to disagree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously 6-0.

Senior Planner Rison, Growth Services, presented a brief overview of the request for a Large-Scale Comprehensive Plan Amendment for a Future Land Use Designation Change from RL to MR.

In response to Chairman Bryant, Mr. Rison stated the companion rezoning from A-1 to PUD, which is not being considered today contains 175 units.

Mr. Rison advised that this is the transmittal public hearing for the Board to determine whether to send the request for State and Regional agency review. There will be a date for consideration for adoption if the Item moves forward for transmittal. The Board will consider both the plan amendment and the rezoning case at that time. He stated there is a parallel request for another piece of property in the vicinity (south) of this site (25-L04). Mr. Rison advised that the properties are separated by roughly 1,600 feet or just over 0.25 miles.

Chairman Bryant questioned if the parallel property also has a PUD. Mr. Rison stated it does and will contain approximately 300 residential du.

Mr. Rison commented on the property's location and surrounding developments. He advised that the project is located outside of the UGB, but it is adjoining the South Highway 441/SE Highway 42 urban area to the east. It would expand and extend the urban area west into existing rural area lands. Mr. Rison stated the lands to the north, south and west are rural lands and typically have A-1 zoning. He advised of a needs analysis/Market Study that was submitted, noting under current land use designations there is a surplus of potentially available units. Staff have not included the Sunset Hills PUD in the 1,700s, units available between South Highway 441 and CSX Railroad. Mr. Rison stated MCFR has provided comments relating to the need for an additional suppression unit and an additional transport unit. MCSO has advised that despite deputy rates being below the State average they could absorb calls from the 175 homes in the Coventry Square development; however, if the parallel request is approved there would be a need for more deputies.

Mr. Rison provided an overview of the estimated general trip generation. He stated the applicant has provided for a traffic methodology and submitted a traffic study, but the study and data were submitted for both projects (includes parallel project) simultaneously as a joint analysis. Mr. Rison advised that the preliminary findings (currently under review) identified roadway segments and/or intersections that will encounter one or more failures in operation in existing and/or future based background traffic not including either of these projects. There are no improvements scheduled in the County's 5-year Transportation Improvement Program (TIP) or FDOT's 5-year Work Program (WP) to address those deficiencies. He stated OCE indicated if the land use and PUD rezoning request are granted these pre-existing failures would be of record; therefore, an applicant would not be responsible for addressing those needed improvements. Mr. Rison provided a brief overview of the roadway segments and intersections identified as currently failing, intersections that operate acceptably overall, but will fail in at least 1 direction under

existing conditions, segments and intersections that will fail under background conditions and intersections that will operate acceptably overall but will fail in at least 1 direction under the background conditions. He commented on the improvements needed to address the existing and background deficiencies, noting all segments and intersections will operate within adopted LOS standards in the full buildout condition if the improvements are made.

It was noted that Growth Services Department staff recommend denial and the P&Z Commission recommends approval.

In response to Commissioner Zalak, Mr. Rison advised that the applicant's Market Study is attachment I.

David Tillman, Tillman & Associates Engineering, LLC, SE 16th Avenue, on behalf of the applicant, presented a 3 page handout entitled, "Services Provided Within Project Area" and a 1 page rendering entitled, "Marketing Exhibit". He commented on the proposed development/rezoning request that is associated with this Large-Scale Comprehensive Plan Amendment. Mr. Tillman stated the subject parcel is bound by SE 73rd Avenue and the CSX Railroad, noting SE 73rd Avenue dead ends to the north at SE 145th Street and CR 42 to the south with practically no opportunity for expansion. He commented on Public Service Areas (PSAs) and the need to supply commercial in these regions like Marion Oaks and Silver Springs Shores (SSS) where there is a lot of housing. Mr. Tillman advised that the lack of services means individuals have to travel longer distances for goods and services, which impacts transportation. He commented on the range of businesses near the subject parcel, noting he views this as being similar to a Municipal Services (MS) area for residential that does not necessarily exist. Mr. Tillman opined that the proposed development(s) provides an opportunity to put residential directly adjacent to services that already exist. He listed numerous businesses/services already in the vicinity of the subject parcel. Mr. Tillman referred to a slide on the overhead screens that illustrates the revised layout for the project. He noted there was a lot of effort put into making this development look and feel like a quality project with limited back-to-back lots and the amenities package. Mr. Tillman stated the layout provides some separation from the railroad track, noting that is where the amenities have been placed. He referred to renderings that represent the proposed buffers for the project, noting there are letters from adjacent neighbors that are in favor of the development. Mr. Tillman commented on the different lot sizes (50 feet and 60 feet) and varying appearances of the structures, noting the additional architectural features relating to these proposed homes. He opined that the amenities were well thought out to ensure they fit the development and provide a lot for residents. Mr. Tillman provided an overview of the Market Study conclusion, noting overall, the data supports the conclusion that the subject market is well-positioned for targeted residential development aimed at the 55+ demographic, with limited risk of oversupply in the near term. He clarified that the development is not 55+. Mr. Tillman commented on the traffic-related concerns, noting 20 percent (%) of the roadway capacity for CR 42 will still be available after this project, including background traffic. He commented on the conditions recommended if the project is approved including: 1) ROW dedication along SE 73rd Avenue required to achieve 120 feet total ROW, and 2) installation of a northbound left turn lane at the main driveway on SE 73rd Avenue. Mr. Tillman advised that there is no objection to the northbound left turn lane; however, the 120 foot ROW would accommodate 4 lanes and this development's total traffic could be captured with just a 2 lane roadway. He commented on the known failures relating to the 2 lane section of US 301, noting it has been known for years that the expansion to 4 lanes

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needs to occur. Mr. Tillman stated the improvement is not the applicant's responsibility and FDOT is aware of that need. He advised that the applicant has no objection to paying their pro rata share relating to the turn lane extension out on CR 42 heading south on US 301. Mr. Tillman stated the needs identified in the traffic study are things the applicant is willing to participate in with proportional share amounts and a Developer's Agreement proffered up to work through any deficiencies in the roadway analysis.

Commissioner Zalak advised that he is unsure if the County can hold the applicant accountable for proportionate share on a failing roadway element.

Mr. Tillman commented on the SE 73rd Avenue intersection, noting the Utopia development's traffic study indicated a signal will be needed once a certain level is reached. He stated the proposed development also trips the need for the signal and the applicant is willing to do it under the same guidelines.

In response to Chairman Bryant, Mr. Tillman advised that the services he highlighted are within 5 miles of the proposed project, which is closer than what is seen in Marion Oaks or SSS.

Mr. Tillman commented on the multi-housing product constructed on the south end of the Utopia development, noting nothing is moving forward right now on that development relating to single-family homes. He stated the County is currently investing funds to expand the water treatment plant (WTP) on the property adjacent to this project. Mr. Tillman advised that there are not a lot of available lots in this region; however, there is a need.

Commissioner Zalak stated the applicant's report indicated there will be minimal growth in the future.

Mr. Tillman advised that the project is located within a region that can service this housing better with lower roadway miles/trip distances.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

Commissioner Zalak stated the Market Study indicated risk forecast for the short-term will be down; however, the long-term forecast is projected to be up. He advised that the risk exposure is 16 in the first quartile.

Mr. Tillman stated the scale is from 1 to 441, noting the project is extremely low risk.

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to deny Large-Scale Comprehensive Plan Amendment, agreeing with Growth Services staff and disagreeing with the P&Z Commission, based on findings and recommendations that the proposed use will adversely affect the public interest, is not consistent with the Comprehensive Plan and is not compatible with the surrounding land uses. The motion was unanimously approved by the Board (5-0).

15.2.4. 25-L04 – Estate of M. Couture, L. & C. Couture, J. & J. Heaxt, and C. & V. Couture, Large-Scale Comprehensive Plan Amendment for a Future Land Use Designation Change from Rural Land (RL) to Medium Residential (MR), ±90.69 Acres of ±104 Acres, Parcel Account Numbers 47667-004-00, 47667-005-02, Portions of: 47667-006-00 & 47667-003-01, 16152 and 16200 SE 73rd Avenue, Summerfield, FL 34491, or no address assigned, West Side of SE 73rd Avenue and North Side of SE Hwy 42

The Board considered a petition by the Estate of M. Couture, L. & C. Couture, J. & J. Heaxt, and C. & V. Couture, for a Large-Scale Comprehensive Plan Amendment for a Future Land Use Designation Change from Rural Land (RL) to Medium Residential (MR), ±90.69 Acres of ±104 Acres, Parcel Account Numbers 47667-004-00, 47667-005-02,

Portions of: 47667-006-00 & 47667-003-01, 16152 and 16200 SE 73rd Avenue, Summerfield, FL 34491, or no address assigned, West Side of SE 73rd Avenue and North Side of SE Hwy 42

P&Z PUBLIC HEARING ON AUGUST 25, 2025

25-L04 Planning and Zoning Commission Recommendation

Motion was made by Mr. Kroitor, seconded by Mr. Bonner, to disagree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously 6-0.

Senior Planner Rison, Growth Services, presented a brief overview of the request for a Large-Scale Comprehensive Plan Amendment for a Future Land Use Designation Change from RL to MR., noting this is the parallel request to the previous Item 15.2.3 (25-L03).

It was noted that Growth Services Department staff recommend denial and the P&Z Commission recommends approval.

David Tillman, Tillman & Associates Engineering, LLC, SE 16th Avenue, on behalf of the applicant, advised that he is unsure what projects to bring before the BCC, noting the previous (parallel) project was adjacent to service with the lowest road trip miles. He stated there is a demand for employment in this region to where there is a need for housing. Mr. Tillman opined that the project makes sense, noting the developer is willing to bring forth a higher quality development than what is typically seen here.

Commissioner Zalak advised that the property is outside of the UGB, and if this property is going to be developed it should come back as 3 and 5 acre farms.

Mr. Tillman stated nobody in the audience is objecting to the development and individuals have written letters of support.

Commissioner Zalak advised that there is no reason the Board should change land uses in Marion County when 50% of the UGB is not used today.

In response to Commissioner McClain, Commissioner Zalak stated Utopia is an ancient project that was approved way before this Board.

Mr. Tillman commented on the Board's approval of the Villages urban area right across the street, noting it is designated as Employment Center (EC), allowing 16 du per acre.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to deny the Large-Scale Comprehensive Plan Amendment, agreeing with Growth Services staff and disagreeing with the P&Z Commission, based on findings and recommendations that the proposed use will adversely affect the public interest, is not consistent with the Comprehensive Plan and is not compatible with the surrounding land uses. The motion was unanimously approved by the Board (5-0).

15.3. Adoption of Ordinance

15.3.1. Zoning

The Deputy Clerk presented Affidavits of Mailing and Posting of Notices received from Growth Services Director Charles Varadin and Deputy Clerk Lewter regarding petitions

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for rezoning and Special Use Permits heard earlier in the meeting.

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to adopt Ordinance 25-47 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (5-0).

Ordinance 25-47 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING REZONING APPLICATIONS AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

There being no further business to come before the Board, the meeting thereupon adjourned at 5:08 p.m.

Kathy Bryant, Chairman

Attest:

Gregory C. Harrell, Clerk