

Marion County

Board of County Commissioners

Action Summary – FINAL

McPherson Governmental Campus
601 SE 25th Ave.
Ocala, FL 34471
Phone: 352-438-2323
Fax: 352-438-2324

Tuesday, July 2, 2024

**9:00 AM McPherson Governmental Campus
Auditorium**

The Marion County Board of County Commissioners welcomes you to its regularly scheduled meeting held the first and third Tuesday of each month at 9 a.m. unless otherwise noted. The zoning portion of the meeting is also held on the first and third Tuesday of each month at 2 p.m. All commission and zoning meetings are open to the public. Pre-screening will be conducted upon entering the administrative building, located at 601 SE 25th Ave., Ocala, FL 34471. As a courtesy to others, silence your cell phones and other electronic devices before entering the auditorium. If you need to take a call, please step outside.

PUBLIC COMMENTS

To encourage participation, ensure equal access to all participants and foster mutual respect, please follow these guidelines.

-Regular BCC Meeting

-There are two (2) public comment portions on the agenda, one reserved for comments related to items specifically listed on the agenda, and one for all other comments.

-To be allotted five (5) minutes, you must sign up the Friday prior to the meeting that you wish to speak at. You can sign up online at <https://marionfl.org/comment> or via phone at 352-438-2300.

-Those who do not submit a request in advance (by 5:00 p.m. the Friday prior) are still welcome to sign up at the desk located in the foyer of the commission auditorium on the day of the meeting, but will only be allotted two (2) minutes.

-BCC Planning and Zoning Meeting

-Public Comments during the Planning and Zoning portion of the meeting will be limited to two (2) minutes per speaker. You must sign in at the desk located in the foyer of the commission auditorium on the day of the meeting.

Marion County staff is available throughout each meeting for your convenience. Anyone requiring accommodations due to a disability or physical impairment should contact Marion County Administration at 352-438-2300 at least two (2) days before a meeting. Agenda items are posted on Marion County's website, <https://www.marionfl.org>, before each board meeting. Click the "Agendas & Videos" link on the homepage to download the agenda packet and back-up documentation. The Marion County Clerk of Court keeps the official minutes and audio recordings of commission meetings, workshops and public hearings. To request a copy of these materials, contact the Clerk's Office at 352-671-5622. Marion County streams video for most board meetings, workshops and public hearings (when applicable) live online through the county's website. These recordings are archived online after meetings, but DVDs can be requested by contacting Marion County Administration at 352-438-2300.

CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE
9:00 AM ROLL CALL
ANNOUNCEMENTS

Tuesday, July 2, 2024

- 10:00 a.m. Public Hearing for Consideration of a Road Closure Petition Associated with Section 19 and 20, Township 16, Range 21
- 10:00 a.m. Public Hearing for Consideration of a Road Closure Petition Associated with Section 20, Township 16, Range 21

July 8-10, 2024

- 9:00 a.m. Budget Workshops to Consider the Budget for FY 2024-2025 Thursday, July 11, 2024

Motion by Vice Chair Bryant, second by Commissioner McClain, to consider moving the start time of the Budget Workshop on Wednesday, July 10th, from 9:00 a.m. to 9:45 a.m. Motion carried 5 / 0.

Motion by Vice Chair Bryant, second by Commissioner Curry, to move the start time of the Budget Workshop on Wednesday, July 10th, from 9:00 a.m. to 9:45 a.m. Motion carried 5 / 0.

Thursday, July 11, 2024

- 9:00 a.m. - Commission Meeting to Consider Approval of the 2024 Silver Springs Community Redevelopment Area Master Plan

Tuesday, July 16, 2024

- 9:00 a.m. - Commission Meeting Regularly scheduled for the first and third Tuesday of every month.
- 10:00 a.m. - Public Hearing to Consider the Adoption of an Ordinance of the Board of County Commissioners of Marion County, FL, to be Known as the "Marion County Health Freedom Bill of Rights"
- 2:00 p.m. - Commission Meeting (Zoning) Regularly scheduled for the third Tuesday of every month.

Present: Vice Chair Kathy Bryant, Commissioner Carl Zalak III, Chairman Michelle Stone, Commissioner Matthew McClain, and Commissioner Craig Curry

1. PROCLAMATIONS AND PRESENTATIONS:

Motion by Vice Chair Bryant, second by Commissioner Curry, to approve agenda items 1.1. through 1.4. The motion carried 5 / 0.

- 1.1.** CERTIFICATE OF RECOGNITION - Marion County Honor Guard, Inc. - Bob Levenson, Marion County Honor Guard (Approval and Presentation)

PRESENTED

- 1.2.** PRESENTATION - Fiscal Year 2022-23 Annual Comprehensive Financial Report Presented by the External Auditors - Clerk of Court (Presentation Only)

PRESENTED

- 1.3.** PRESENTATION - Employee of the Quarter for April - June 2024 - Sara Caron, Human Resources Director (Presentation)

PRESENTED

Employee of the Quarter: Jamie Davis

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- 1.4. PROCLAMATION - Parks and Recreation Month - Jim Couillard, Parks and Recreation Director (Approval and Presentation)

PRESENTED

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

Timothy Ennis - item 9.3. - concerns have not been addressed

3. ADOPT THE FOLLOWING MINUTES:

Motion by Commissioner McClain, second by Vice Chair Bryant, to approve agenda items 3.1. through 3.2. The motion carried 5 / 0.

3.1. March 5, 2024 A

3.2. March 5, 2024 B

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:

- 4.1. Request Approval to Designate Court Administration to Serve as the Lead Applicant for the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, "Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program" FY 2024 on Behalf of Marion County to Expand the Services of the Family Treatment Courts

Motion by Commissioner McClain, second by Vice Chair Bryant, to approve this agenda item. The motion carried 5 / 0.

- 4.2. George Albright, Tax Collector - 2023 Tax Roll Recapitulation

Motion by Vice Chair Bryant, second by Commissioner McClain, to approve this agenda item. The motion carried 5 / 0.

5. CLERK OF THE CIRCUIT COURT:

5.1. Budget Amendment

Motion by Vice Chair Bryant, second by Commissioner McClain, to approve agenda items 5.1.1. through 5.1.20., including Consent agenda items 7.5.2. and 7.5.7. The motion carried 5 / 0.

5.1.1. Building Safety Fund - Building - \$131,365

5.1.2. County Transportation Maintenance Fund - Transportation - \$18,695

5.1.3. Crime Prevention Fund - Crime Prevention - \$12,500

5.1.4. Fine and Forfeiture Fund - Sheriff Regular Transfer - \$8,375

5.1.5. Fire, Rescue and EMS Fund - Fire Rescue Services - \$12,963

5.1.6. Fire, Rescue and EMS Fund - Fire Rescue Services - \$102,262

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- 5.1.7. General Fund - Community Services - \$11,216
 - 5.1.8. General Fund - Medicaid Hospitals Nursing Homes - \$462,043
 - 5.1.9. General Fund - Procurement Services - \$21,000
 - 5.1.10. General Fund - Sheriff Emergency Management Transfer - \$2,106
 - 5.1.11. General Fund - Sheriff Jail Transfer - \$27,542
 - 5.1.12. Local Housing Assistance Trust Fund - State House Initiative Partner - \$56,570
 - 5.1.13. Marion County Utility Fund - Utilities Capital Construction - \$300,000
 - 5.1.14. Marion County Utility Fund - Utilities Capital Construction - \$400,000
 - 5.1.15. Marion County Utility Fund - Utilities Management - \$100,000
 - 5.1.16. Marion County Utility Fund - Utilities Wastewater System - \$56,225
 - 5.1.17. Marion Oaks MSTU - Marion Oaks Recreation - \$220,000
 - 5.1.18. MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$50,259
 - 5.1.19. Rainbow Lakes Estates MSTU for Road Improvements - Contracted Road Construction RLE MSTU - \$3,000
Agenda item 5.1.19. is related to Consent agenda item 7.5.7.
 - 5.1.20. Utilities Fire Incident - Multiple Funds - \$2,228,761
Agenda item 5.1.20. is related to Consent agenda item 7.5.2.

5.2. Project Adjustment

Motion by Vice Chair Bryant, second by Commissioner McClain, to approve agenda items 5.2.1. through 5.2.3., including consent agenda item 7.6.1. The motion carried 5 / 0.

- 5.2.1. Transfer Project Funds and Amend the Capital Improvement Program - Infrastructure Surtax Capital Project Fund - \$356,324
Agenda item 5.2.1. is related to Consent agenda item 7.6.1.
- 5.2.2. Transfer Project Funds and Amend the Capital Improvement Program - Tourist Development Tax -\$138,126
- 5.2.3. Transfer Project Funds and Amend the Capital Improvement Program - Marion County Utility Fund - \$282,300

5.3. Clerk of the Court Items

- 5.3.1. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 036777, 038932, 038933, 038934, 048235, 048488, 048489, 048490, 048518, 048780, 048781, 048782 and 050966

Motion by Vice Chair Bryant, second by Commissioner Zalak, to approve this agenda item. The motion carried 5 / 0.

6. PUBLIC HEARINGS (Request Proof of Publication) at 10:00 am:

Public participation is encouraged. When prompted, please step up to the podium and state your name and address for the record. Please limit your comments to the specific issue being addressed.

- 6.1.** PUBLIC HEARING to Consider Adoption of a Resolution to Close and Abandon Previously Deeded Right of Way Recorded in Deed Book 310 Pages 150-151, Located in Section 19 and 20, Township 16, Range 21

Motion by Vice Chair Bryant, second by Commissioner Curry, to approve this agenda item. The motion carried 5 / 0.

- 6.2.** PUBLIC HEARING to Consider Adoption of a Resolution to Close and Abandon Previously Deeded Right of Way Recorded in Deed Book 309 Page 311, Deed Book 310 Page 510, and Official Records Book 347 Page 155 Located in Section 20, Township 16, Range 21

Motion by Commissioner McClain, second by Commissioner Zalak, to approve this agenda item. The motion carried 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.

Motion by Vice Chair Bryant, second by Commissioner Curry, to approve agenda items 7.1.1 through 7.8.3. The motion carried 5 / 0.

7.1. Attorney:

- 7.1.1.** First Amendment to the Agreement between the Marion County School Board and Marion County Sheriff William "Billy" Woods and the Marion County Board of County Commissioners for the School Resource Officer Program (Budget Impact - Neutral)

7.2. Community Services:

- 7.2.1.** Request Approval of Marion County Standard Professional Services Agreement Challenge Grant Program Between Marion County and Arnette House, Inc. (Budget Impact - Neutral; not to exceed \$20,000)
- 7.2.2.** Request Approval of Marion County Standard Professional Services Agreement Challenge Grant Program Between Marion County and Ocala Housing Authority (Budget Impact - Neutral; not to exceed \$56,844)
- 7.2.3.** Request Approval of Marion County Standard Professional Services Agreement Temporary Assistance for Needy Families Grant Program Between Marion County and Ocala Housing Authority (Budget Impact - Neutral; not to exceed \$38,000)

- 7.2.4. Request Approval of Marion County Standard Professional Services Agreement Emergency Solutions Grant Program Between Marion County and Saving Mercy Corporation (Budget Impact - Neutral; not to exceed \$172,000)
- 7.2.5. Request Approval to Submit the 2024-25 Marion County Regional Opioid Abatement Plan to the Department of Children and Families (Budget Impact - None)
- 7.2.6. Request Approval to Submit the 2024-25 Marion County Opioid Abatement Plan to the Department of Children and Families (Budget Impact - None)
- 7.2.7. Request Approval of Marion County Standard Professional Services Agreement Challenge Grant Program Between Marion County and Project Hope (Budget Impact - Neutral; not to exceed \$9,156)
- 7.2.8. Request Approval of Certification by State or Local Official of Public Housing Agency Plans Consistency with the Consolidated Plan or State Consolidated Plan for Ocala Housing Authority's FY 2025 Annual Agency Plan (Budget Impact - None)

7.3. Development Review Committee:

- 7.3.1. Request Approval of Waiver to Land Development Code Section 2.16.1.B(8)(g) - Agricultural Lot Split Establishment of County Municipal Services Benefit Unit for Calcutta Farms, Parcel Number 00108-005-00, Application Number 31451 (for Agricultural Lot Split Application Number 31450) (Budget Impact - None)

7.4. Human Resources:

- 7.4.1. Request Approval of Group Healthcare Cost and Approval of No Balance Billing for Emergency Medical Services Provided by Marion County Fire Rescue to Employees, Retirees, and Dependents on the Group Healthcare Plan (Budget Impact - Neutral expenditure of \$33,132,358 in the Insurance Fund and revenue decrease of \$50,000 in the General Fund as proposed in FY 2024-25 budget)

Vice Chair Bryant - commends employees for their great work
Chair Stone - shout out to Michon, Wellness Coordinator
Commissioner Zalak - shout out to staff; great for our employees

7.5. Procurement Services:

- 7.5.1. Request Approval of Change Order 1 to Purchase Order 02401215: 23Q-087-TO-14 Evaluation and Appraisal Report and Planned Service Area Study - Kimley-Horn and Associates, Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$22,800 as approved in FY 2023-24 budget)
- 7.5.2. Request Approval of Bid Exemption for Vehicle Purchases: One-time "Off the Lot" Vehicle Purchases (Budget Impact - Neutral; expenditure of \$728,761 as approved in FY 2023-24 budget)

Agenda item 7.5.2. was approved with Clerk of Court, Budget Amendment item 5.1.20.

- 7.5.3. Request Approval of Change Order 2 to Purchase Order 2400717: 23B-049 CR 42 at Southeast 182nd Avenue Road, Turn Lane Addition - C.W. Roberts Contracting, Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$23,863 as approved in the FY 2023-24 budget)
- 7.5.4. Request Approval of Contract Renewal: 16P-106-CA-08 Workers Compensation and Liability Third Party Claims Administration - Johns Eastern Company, Inc., Lakewood Ranch, FL (Budget Impact - Neutral; expenditure of \$237,225 as proposed in FY 2024-25 budget)
- 7.5.5. Request Approval of Contract Renewal: 18P-095-CA-08, Occupational Medical Care Provider Services Agreement - Concentra Health Services, Inc., Addison, TX (Budget Impact - Neutral; estimated expenditure of \$375,317 as proposed in the FY 2024-25 budget)
- 7.5.6. Request Approval of Contract Renewal: 22B-192-CA-01, Waste Tire Transport and Disposal - Global Tire Recycling of Sumter County, Inc., Wildwood, FL (Budget Impact - Neutral; expenditure of \$200,000 as proposed in FY2024-25 budget)
- 7.5.7. Request Approval of Purchases \$50,000 and Over

Agenda item 7.5.7. was approved with Clerk of Court, Budget Amendment item 5.1.19.

7.6. Tourist Development:

- 7.6.1. Request Approval of a Florida Department of Transportation Locally Funded Agreement, a Three-Party Escrow Agreement, in accordance with a Funding Resolution for the Aesthetic Upgrades within the area of Interstate 75 (State Road 93) at NW 49th Street (from end of NW 49th Street to end of NW 35th Street) Project FPN: 435209-1-52-02 (Budget Impact - Neutral; expenditure of \$3,555,863 as approved in the FY 2023-24 budget)

Agenda item 7.6.1. was approved with the Budget Amendment motion.

7.7. Transportation - County Engineer:

- 7.7.1. Request Approval of a Locally Funded Agreement between the State of Florida Department of Transportation and Marion County with a Supporting Resolution for the Roadway Project of Interstate 75 (State Road 93) at NW 49th Street (from end of NW 49th Street to end of NW 35th Street) (Budget Impact - Neutral; expenditure of \$8,419,860 as approved in the FY 2023-24 Budget)

7.8. Utilities:

- 7.8.1.** Request Approval of Utility Work by Highway Contractor Agreement Final Cost Estimate Between Florida Department of Transportation and Marion County Utilities (Budget Impact - Expenditure of \$4,728,575)
- 7.8.2.** Request Approval of Water Main Extension Connection Agreement WME-011 Between Holiday Builders, Inc. and Marion County Utilities (Budget Impact - Neutral; \$24,158 as approved in FY 2023-24 budget)
- 7.8.3.** Request Approval of Water Main Extension Connection Agreement WME-012 Between Holiday Builders, Inc. and Marion County Utilities (Budget Impact - Neutral; \$17,549 as approved in FY 2023-24 budget)

8. COUNTY ATTORNEY:

Motion by Commissioner Zalak, second by Vice Chair Bryant, to consider walk-on items 8.1. and 8.2. The motion carried 5 / 0.

Motion by Commissioner Zalak, second by Commissioner Curry, to approve walk-on items 8.1. and 8.2. The motion carried 5 / 0.

- 8.1.** Request Authorization to Engage Services of Outside Counsel for Appellate Work
- 8.2.** Request Authorization to File Confidential Statement Regarding Appropriateness of Appellate Mediation in AZ Ocala Ranch, LLC, and Marion Mitigation LLC v. Marion County Appeal

9. COUNTY ADMINISTRATOR:

- 9.1.** Request Marion County Commissioners Make Final Name Selection for the Renaming of the New Park in Ocala Park Estates

Ocala Parks Estates

Motion by Commissioner Zalak, second by Commissioner Curry, to approve agenda item 9.1. The motion carried 5 / 0.

- 9.2.** Request Approval of Resolution for the Best Foot Forward Pedestrian Safety Program (Budget Impact - None)

Motion by Commissioner Curry, second by Commissioner Zalak, to approve agenda item 9.2. The motion carried 5 / 0.

- 9.3.** Presentation of a Citizen's Concerns regarding a Neighboring Property Owner's Use of the Drainage Right-Of-Way within the Cedar Shores Industrial Park Subdivision, Recorded in Plat Book U, Page 51 (Budget Impact - None)

The recommended action is to provide the owner information for lot 5 and 6 on how to request an abrogation of the 20-foot drainage right of way.

Motion by Commissioner Zalak, second by Commissioner McClain, to approve agenda item 9.3. The motion carried 5 / 0.

10. COMMITTEE ITEMS:

Motion by Vice Chair Bryant, second by Commissioner Zalak, to approve agenda item 10.1. The motion carried 5 / 0.

- 10.1.** Public Safety Coordinating Council - Ratification of the Replacement Member Representing a Local Substance Abuse Treatment Program

11. NOTATION FOR ACTION:

- 11.1.** Request Approval to Schedule and Advertise a Public Hearing to Consider an Ordinance Relating to Trespassing on Marion County Owned Property on Tuesday, August 6, 2024 at 10:00 a.m., or as soon thereafter in the McPherson Governmental Campus Auditorium

Motion by Commissioner Zalak, second by Commissioner McClain, to approve this agenda item. The motion carried 5 / 0.

Motion by Vice Chair Bryant, second by Commissioner Curry, to consider walk-on item 11.2. The motion carried 5 / 0.

- 11.2.** Request to Reschedule and Advertise a Marion County Community Redevelopment Agency Meeting to Consider Approval of the 2024 Silver Springs Community Redevelopment Area Master Plan from Thursday, July 11, 2024 at 9:00 a.m. to Tuesday, August 6th, 2024 at 2:00pm in the McPherson Governmental Campus Auditorium

Motion by Vice Chair Bryant, second by Commissioner McClain, to approve walk-on item. The motion carried 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.

Daniel Sivilich - SW 38th street expansion

Gerri Gerthe - purchasing land as permanent venue

Roger Knechtel - Pro-Life; legislation for women's spaces; growth management; access to business

Timothy Ennis - property dispute

13. COMMISSIONER ITEMS:

13.1. Commission Comments

Commissioner Zalak - come out to see drone show for July 4th; remember all the men and women that serve our country

Vice Chair Bryant - happy Fourth of July; spend time with family and loved ones

Commissioner Curry - governor is closing offices on Friday; clerk, tax collector and property appraiser will be closed; consider closing all non-essential offices consistent with state

Motion by Commissioner Curry, second by Commissioner Zalak, to consider closing the offices on July 5th. Motion failed 2 / 3.

Chair Stone - taking community feedback for Marion County evaluation and appraisal report; QR code on survey link on marionfl.org; secure pets for celebrations; spay and neuter pets.

13.2. Commission Calendar

13.2.1. Present Commission Calendar

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

- 14.1.1.** Present Thank You Letter to Marion County Fire Rescue from Bradford County Fire Rescue Department for the Donation of Twelve Knox Key Secure Vehicle Units
- 14.1.2.** Present the Economic and Tourism Development Report as Required by Section 288.1226 and 288.904, Florida Statutes
- 14.1.3.** Present Letter from Bay Laurel Center Community Development District Dated May 31, 2024 Regarding Proposed Budget FY 2025
- 14.1.4.** Present Notification of Vacancy on the Board of Adjustment
- 14.1.5.** Present Housing Finance Authority of Marion County Memorandum of Understanding on Reserves for Unforeseen Circumstances Policies and Procedures
- 14.1.6.** Present Marion County Department of Health DE385L Contract Management Variance Report and DE580L1 Analysis of Fund Equities Report for FY 2023-24

14.2. Present Walk-On Items From Previous BCC Meeting: None

14.3. General Informational Items:

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

14.4. Clerk of the Court:

- 14.4.1.** Present Administrative Budget Transfer for FY 2023-24
- 14.4.2.** Present Bay Laurel Center Community Development District Proposed Budget FY 2025 as required by FS 190.008
- 14.4.3.** Present Marion Ranch Community Development District Proposed Budget FY 2025 as required by FS 190.008

- 14.4.4.** Present Pioneer Ranch Community Development District Proposed Budget FY 2025 as required by FS 190.008
 - 14.4.5.** Present Regular Report of Utilization for Reserve for Contingencies
- 14.5. Present for information and record, minutes and notices received from the following committees and agencies:**
 - 14.5.1.** Code Enforcement Board - May 8, 2024
 - 14.5.2.** Development Review Committee - May 20, June 3 and 10, 2024
 - 14.5.3.** Parks and Recreation Advisory Council - February 21, 2024
 - 14.5.4.** Pine Run Estates MSTU Advisory Committee - May 16, 2024
 - 14.5.5.** Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>
 - 14.5.6.** St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at <https://www.sjrwmd.com>
 - 14.5.7.** Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <https://ocalamariontpo.org>
 - 14.5.8.** Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>