

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

February 3, 2026

**CALL TO ORDER:**

The Marion County Board of County Commissioners (BCC) met in regular session in Commission Chambers at 9:01 a.m. on Tuesday February 3, 2026, at the Marion County Governmental Complex located in Ocala, Florida.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**9:00 AM ROLL CALL:**

Upon roll call the following members were present: Chairman Carl Zalak, III, District 4; Vice-Chairman Matthew McClain, District 3; Commissioner Craig Curry, District 1; Commissioner Kathy Bryant, District 2; and Commissioner Michelle Stone, District 5. 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 Bryant, seconded by Commissioner Stone, the BCC approved and/or ratified the following:

**1.1. PROCLAMATION** - Reverend Donald J. Curran, Jr. Appreciation (Approval and Presentation)

The Board presented the Proclamation recognizing Reverend Donald J. Curran, Jr. for his contributions to the community to him and his wife, Cathy Curran.

Chairman Zalak expressed gratitude for Reverend Curran and the legacy he has left in the community.

Reverend Donald J. Curran stated rector emeritus means that a retired pastor still has a role and a function to play at the church. He advised that he and his wife Cathy Curran have been married for 52 years. Reverend Curran provided a brief overview of how they settled in the City of Ocala, noting they have been here for 28 years. He stated the Proclamation is an honor.

Chairman Zalak advised that Reverend Curran has inspired generations of children through grace and pioneering the school. He stated Reverend Curran's legacy will last.

Reverend Curran commented on lessons he taught a high school class.

In response to Chairman Zalak, Reverend Curran lead a prayer over Marion County.

**1.2. PROCLAMATION** - Eagle Scout Court of Honor - Antwon Jaramillo-Ward (Approval and Presentation)

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Executive Assistant Jennifer Clark, Commission Office, presented the following recommendation:

Description/Background: Antwon Jaramillo-Ward has achieved the rank of Eagle Scout. For his Eagle Scout project, Antwon designed and constructed a 33 x 10-foot paver area with four custom benches for Christ Church Ocala and other community groups. He dedicated over 300 hours to the effort. His project was finished on May 15, 2025.

Budget/Impact: None.

Recommended Action: Motion for approval and presentation.

The Board presented the Proclamation congratulating Antwon Jaramillo-Ward upon attaining the rank of Eagle Scout in the organization of Scouting America.

Den Leader Jose Mercado, Scout Troop 707, presented a pin to Mr. Jaramillo-Ward and stated he knew that he would become one of his first Eagle Scouts. He advised that he is proud of Mr. Jaramillo-Ward, noting he has been an example for others and hopes he continues with the organization.

### **1.3. PROCLAMATION - Eagle Scout Court of Honor - Eric Wainer (Approval and Presentation)**

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

Description/Background: Eric Wainer achieved the rank of Eagle Scout on October 8, 2025. Eric's Eagle Scout project was the restoration of the Prayer Garden at Ocala Farm Ministry. Working with Chaplain Bob, Eric successfully addressed the critical need to restore their unusable Prayer Garden. He rebuilt the rotted wraparound seating bench and restored the broken fencing backdrop, utilizing skills learned throughout his journey to plan, lead and manage the project to a successful conclusion. The project was completed on April 8, 2025.

Budget/Impact: None.

Recommended Action: Motion for approval and presentation.

The Board presented the Proclamation congratulating Eric Wainer upon attaining the rank of Eagle Scout in the organization of Scouting America.

Mr. Mercado presented a pin to Eric Wainer and stated he trusts that he will continue to uphold the ideas he has been taught and share them with others, noting knowledge not shared is selfish.

### **1.4. PROCLAMATION - Eagle Scout Court of Honor - Joseph Wainer (Approval and Presentation)**

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

Description/Background: Joseph Wainer has achieved the rank of Eagle Scout. Joseph's Eagle Scout project was the restoration of the Memorial Cross at Ocala Farm Ministries. In addition to the restoration of the 8-foot wooden memorial cross he revitalized the surrounding flower beds. Applying his leadership and project management skills, he ensured his crew completed the physical work safely and efficiently, leaving a significant and lasting contribution to the ministries. His project was completed on June 23, 2025.

Budget/Impact: None.

Recommended Action: Motion for approval and presentation.

The Board presented the Proclamation congratulating Joseph Wainer upon attaining the rank of Eagle Scout in the organization of Scouting America.

Commissioner Stone advised that Joseph Wainer and his brother, both completed projects with Chaplain Bob Miller in District 5. She stated Clerk Gregory C. Harrell is a big proponent of Boy Scouts of America and extends his congratulations as well.

Mr. Marcado requested that when everyone present sees a Boy Scout (selling camp cards, selling popcorn, on the street doing a service project, etc.) talk to them, try to support them, and share personal stories. He advised that what they have done is not easy.

**1.5. PROCLAMATION - Isaiah 117 House Day (Approval Only)**

The Board approved the Proclamation designating January 17, 2026, as "Isaiah 117 House Day".

**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](http://www.marionfl.org).

Chairman Zalak opened the floor to public comment.

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

**3. ADOPT THE FOLLOWING MINUTES: (6 Sets)**

- 3.1. September 3, 2025 A
- 3.2. September 3, 2025 B
- 3.3. September 3, 2025 C
- 3.4. September 4, 2025 A
- 3.5. September 4, 2025 B
- 3.6. September 10, 2025

A motion was made by Commissioner Curry, seconded by Commissioner McClain, to adopt the meeting minutes of September 3 (3 sets), 4 (2 sets), and 10, 2025. The motion was unanimously approved by the Board (5-0).

**4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:**

**4.1. George Albright, Tax Collector - Request for Board of County Commissioners to Select Newspaper to Advertise Real Estate and Personal Property with Delinquent Taxes Pursuant to Chapter 197.402, Florida Statutes**

The Board considered the following recommendation as presented by Tax Collector George Albright:

Description/Background: Summary of bids for May 2026 delinquent advertising: Estimated totals based on approximately 26,000 real estate and 775 tangible personal property delinquent accounts.

Voice of South Marion

Real Estate \$0.30 line/\$0.90 per parcel	\$23,400
Tangible \$0.30 line/\$0.66 per parcel	<u>\$ 465</u>
Total	\$23,865

Ocala Gazette:

Real Estate \$0.33 line/\$0.99 per parcel	\$25,740
Tangible \$0.33 line/\$0.66 per parcel	<u>\$ 512</u>

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Total	\$26,252
<u>Ocala Star Banner</u>	
Real Estate \$0.65 line/\$1.95 per parcel	\$50,700
Tangible \$0.55 line/\$1.10 per parcel	<u>\$ 853</u>
Total	\$51,553

Budget/Impact: None; proportional costs are added to each delinquent parcel.  
Recommended Action: Motion to select newspaper and allow staff to advertise real estate and personal property with delinquent taxes pursuant to Florida Statutes 197.402.

Tax Collector George Albright provided an overview of the request.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to select the Voice of South Marion newspaper and allow staff to advertise real estate and personal property with delinquent taxes pursuant to Florida Statutes 197.402. The motion was unanimously approved by the Board (5-0).

**4.2 WALK-ON:** Request Approval of Resolution - DECLARATION OF LOCAL STATE OF EMERGENCY Railroad Tie Fire on CSX Property in the City of Dunnellon

County Attorney Mathew G. Minter, Legal presented the following recommendation:

Description/Background: This resolution is in addition to the local state of emergency that the City of Dunnellon proclaimed on Sunday February 1, 2026 as a result of the fire.

On Sunday morning, February 1, 2026, a railroad tie fire in the City of Dunnellon prompted the deployment of Marion County Fire Rescue and Marion County Emergency Management to safeguard local businesses and residents.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the attached Resolution.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to consider the Walk-On Item. The motion was unanimously approved by the Board (5-0).

County Attorney Mathew G. Minter, Legal, advised that the request is for a declaration of Local Emergency to be in concert with the City of Dunnellon's declaration of Local Emergency related to the Track Line Rail, LLC, railroad ties fire in the City of Dunnellon and Marion County on the morning of Sunday, February 1, 2026. He stated staff are wanting to make sure the County has any authorization that might possibly be needed to undertake work to remediate any contamination or perform any other Emergency Management Services (EMS) that the County may need, in addition to what the City of Dunnellon is already doing.

Commissioner Stone questioned if the State of Emergency will run concurrently with City of Dunnellon's. Mr. Minter advised that the declaration is for 7 days.

In response to Commissioner Stone, Mr. Minter stated staff will reach out to the City of Dunnellon to ensure coordination.

Commissioner Bryant opined that it will take more than 7 days to truly identify the magnitude of lingering effects due to the fire. She advised that she hopes the managing entity (CSX Transportation (CSXT) and Track Line Rail, LLC) bears the full responsibility of the cleanup and the costs associated with it, as well as the County resources used in order to put the fire out and getting it contained. Commissioner Bryant stated in case none of that happens and the responsibility falls on the County/City of Dunnellon she requests

the State of Emergency be extended a little longer, which would allow the County to get any available resources that might come down from the State.

Mr. Minter advised that another paragraph could be added that is similar to those used during hurricanes and other events that would allow the Chair to extend it on a week-to-week basis.

Commissioner Bryant stated she would like to see that done.

Chairman Zalak opened the floor to public comment.

Joseph Walker, SE 54<sup>th</sup> Place, Ocklawaha, expressed concern with the railroad ties not being taken care of prior to the fire.

Commissioner Bryant stated this has been an ongoing issue the County has been dealing with since fall of 2025. She advised that when staff provides an update she hopes it will provide all of the details of everything the County has done up to the events that lead to the fire in City of Dunnellon.

Chairman Zalak advised that public comment is now closed.

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to adopt Resolution 26-R-23 with the additional paragraph authorizing the Chairman to extend the Local State of Emergency weekly as needed. The motion was unanimously approved by the Board (5-0).

Resolution 26-R-23 is entitled:

DECLARATION OF LOCAL STATE OF EMERGENCY RAILROAD TIE  
FIRE ON CSX PROPERTY IN THE CITY OF DUNNELLON

Chairman Zalak advised that Item 11.2 will be addressed at this time.

**11.2.** Request Approval to Designate SE 142<sup>nd</sup> Court in Weirsdale in Honor of The Fritch Family

Commissioner Curry presented the following recommendation:

Description/Background: Stuart Fritch moved to Weirsdale, Florida, from Pennsylvania in 1920 and became an influential figure in the town's early development. A construction contractor, he built homes, citrus packing houses, and a notable stucco wall along East Highway 42 that remains a local landmark. Through relationships with winter residents, he became involved in citrus farming, helping plant over 200 acres of groves and establishing his family's place in the industry.

Stuart and his wife, Elizabeth Knobloch, were active community members, contributing to the church, civic organizations, and wartime efforts during World War II. Over time, Weirsdale declined after highway relocation and loss of citrus groves. Today, their son Richard, the oldest surviving resident born in Weirsdale, still lives in the family home behind the wall his father built.

Budget/Impact: None.

Recommended Action: Motion to approve designating SE 142<sup>nd</sup> Court in honor of The Fritch Family.

Mr. Bouyounes provided a brief overview of the request designating SE 142<sup>nd</sup> Court in Weirsdale in honor of the Fritch family.

Commissioner Curry stated he has known the Fritch family for a long time, noting they are generationally from Marion County. He advised that they settled in the Weirsdale/Ocklawaha area and mean a lot to that part of the County.

Tax Collector George Albright commented on former Florida Governor Lawton Chiles, noting his quote "Florida should be a community, not a crowd". He advised that the

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Albright, Fritch, and Boyer families came to Weirsdale in the early 1920's. He introduced Stewart Fritch's son, Richard Fritch.

Richard Fritch, SE Highway 42, Weirsdale, stated he is 85 years old and the oldest living resident of Weirsdale. He expressed gratitude for Mr. Albright, noting he was also raised in Weirsdale and his grandparents were contemporaries of his parents. Mr. Fritch advised that it is an honor to accept the designation on behalf of Mr. Fritch's family and ancestors. He stated his father came to Florida in 1920 to build citrus packing houses and provided an overview of his family's history in the area.

Mr. Albright expressed appreciation to Clerk Harrell and the BCC for their firm commitment to historical preservation.

A motion was made by Commissioner Curry, seconded by Commissioner McClain, to approve designating SE 142<sup>nd</sup> Court in honor of The Fritch Family. The motion was approved unanimously by the Board (5-0).

## **5. CLERK OF THE CIRCUIT COURT:**

Upon motion of Commissioner Stone, seconded by Commissioner Bryant, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Clerk Harrell:

### **5.1. Budget Amendment**

**5.1.1.** 25-R-24 - Fire, Rescue and EMS Fund - Fire Rescue Services - \$36,206

**5.1.2.** 25-R-25 - General Fund - Sheriff Jail Transfer - \$16,799

**5.1.3.** 25-R-26 - General Fund - Sheriff Jail Transfer - \$69,117

**5.1.4.** 25-R-27 - Impact Fee East District Fund - Impact Fees East District - \$2,950

**5.1.5.** 25-R-28 - Marion County Utility Fund - Utilities Management - \$600,000

**5.1.6.** 25-R-29 - MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$1,534

**5.1.7.** 25-R-30 - Opioid County Fund - Opioid County Settlements - \$640,000

**5.1.8.** 25-R-31 - Tourist Development Tax Fund - Visitor and Convention Bureau - \$26,854

(Ed. Note: EMS is the acronym for Emergency Medical Services; MSTU is the acronym for Municipal Services Taxing Unit; and CID is the acronym for Criminal Investigation Division.)

### **5.2. Project Adjustment**

**5.2.1.** Transfer Project Funds and Amend the Capital Improvement Program - Infrastructure Surtax Capital Project Fund - \$1,015,000

The Board considered the following recommendation as presented by County Engineer Steven Cohoon, Office of the County Engineer (OCE):

Description/Background: Funding is needed to cover a purchase agreement for property for the S Magnolia Avenue at SE 80<sup>th</sup> Street intersection project. The agreement was approved during the board meeting on January 20, 2026. The transfer from NW 80<sup>th</sup>/70<sup>th</sup> Ave Seg 3 is \$1,015,000.

Budget/Impact: Neutral.

Recommended Action: Motion to approve the transfer of projects and amend the CIP.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to approve the transfer of project funds and amend the Capital Improvement Program (CIP). The motion was unanimously approved by the Board (5-0).

### **5.3. Clerk of the Court Items**

**5.3.1.** Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 039487, 050194, 52958, 55007, and R005761LB

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to approve the disposition of property forms 039487, 050194, 52958, 55007, and the transfer of property form R005761LB. The motion was unanimously approved by the Board (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 Bryant, seconded by Commissioner Curry, the Board acted on the Consent Agenda as follows:

#### **7.1. Administration:**

**7.1.1.** Request Approval of Resolution Related to Marion County's Drinking Water State Revolving Fund Principal-Forgiveness Loan (Budget Impact - Revenue Generating)

The Board accepted the following recommendation to adopt Resolution 26-R-32 as presented by Legislative Manager Mathew R. Cretul, Administration:

Description/Background: On April 1, 2025, Marion County submitted its application for the Lowell Municipal Drinking Water project to the State's Drinking Water State Revolving Fund (DWSRF) program. The application was for funding related to the planning, design, and construction of municipal drinking water infrastructure in the Lowell area due to ground contamination. Fortunately, Marion County's application was approved, and the county is in the process of securing \$1.25 million in the form of a principal forgiveness loan. This resolution is a requirement of the program and will allow Marion County Utilities to move forward in the process of providing residents of the Lowell area with clean, safe drinking water.

Budget/Impact: Grant generated revenue to be expended with no match. The County will receive \$1.25 million in principal-forgiveness funds to be used toward the Lowell Municipal Drinking Water project.

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

Resolution 26-R-32 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

#### **7.2. Community Services:**

**7.2.1.** Request Approval of Second Amendment of Marion County Standard Professional Service Agreement Acquisition and Rehabilitation of Rental Housing Project Between S & A Allen S.S. Blvd, LLC and Marion County (Budget Impact - None)

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

Description/Background: On June 18, 2024, the Board approved an Agreement with S & A Allen S.S. Blvd, LLC in the amount of \$1,350,000 to acquire and rehabilitate nine (9) rental units located at 3421 NE 10<sup>th</sup> Street, Ocala, FL 34470. This Amendment seeks to modify the original Agreement by extending the expiration date to April 30, 2026. This extension is necessary due to unforeseen delays regarding tenant's ability to vacate units and construction delays.

All other terms and conditions of the original agreement remain in effect, including S & A Allen S.S. Blvd, LLC's obligation to rehabilitate each unit to satisfy required repairs, maintain affordability guidelines, and meet income eligibility requirements. Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute all necessary documentation associated with this agreement with S & A Allen S.S. Blvd, LLC and authorize the Community Services Director to extend the term of the agreement if necessary.

### **7.3. Development Review Committee:**

**7.3.1.** Request Approval of Waiver Request for Land Development Code 2.16.1.B(8)(g) - Agricultural Lot Split Establishment of County Municipal Services Benefit Unit for the Dave & Ann Quanbeck Division (Olympic Hill), Parcel 05949-001-00, Application Number 33595 (Budget Impact - None)

The Board accepted the following recommendation as presented by Marion County Fire Rescue (MCFR) Fire Marshal Ken McCann, on behalf of the Development Review Committee (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 northwest portion of the County and contains three (3) lots on 100.68 acres.

The applicant requests a MSBU waiver for maintenance of newly created improvements and is providing an easement agreement that stipulates maintenance with the homeowners. DRC action on January 12, 2025, by a vote of 5-0, was to approve the waiver to the MSBU maintenance.

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.

### **7.4. Fire Rescue:**

**7.4.1.** Request Approval and Execution of the Fourth Amendment to Community Paramedic Program Agreement between Florida Hospital Ocala, d/b/a AdventHealth Ocala, and Marion County Fire Rescue; and Grant Agreement for Community Paramedicine Services (Budget Impact - Revenue of \$100,000)

The Board accepted the following recommendation as presented by Fire Chief James Banta, MCFR:

Description/Background: Marion County Fire Rescue's (MCFR) Community Paramedicine approach, mission, and purpose is to reduce health spending while improving the health status of the residents of Marion County. This program assists citizens in finding the resources needed while reducing the utilization of 9-1-1 emergency services and reducing the opiate crisis within our community.

Approving and executing the attached agreements will equate to accepting the award in the amount of \$100,000 from Florida Hospital, Inc., a Florida not for profit corporation, d/b/a AdventHealth Ocala, in partnership with the Community Foundation for Ocala/Marion County.

Budget/Impact: EMS Revenues of \$100,000.

Recommended Action: Motion to approve and execute the Fourth Amendment and Grant Agreement for Community Paramedicine services.

### **7.5. Procurement Services:**

**7.5.1.** Request Approval of Change Order 1 to Purchase Order 02200833: 15Q-051-TO-191 Martel Paved Training Course & Asphalt Millings Pad - Kimley Horn and Associates Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$9,210)

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

Description/Background: On May 19, 2015, the Board of County Commissioners approved contracts with 10 engineering firms to provide various civil/site-related engineering services for the County.

On March 1, 2022, the Board approved a Task Order Agreement with Kimley Horn and Associates, Inc., in the amount of \$236,615, for professional engineering services for the design and permitting of the Martel Paved Training Course and Asphalt Milling Pad.

Being presented today is Change Order One (1) to redesign the landscape buffer along the northern property line to meet Type A buffer requirements per the Special Use Permit.

Budget/Impact: Neutral; additional expenditure of \$9,210. Funding is from line VJ736521-563102 (INFRAST SURTAX CAP PROJ FUND).

Recommended Action: Motion to approve Change Order 1 to Purchase Order 02200833.

**7.5.2.** Request Approval of Change Order 2 to Purchase Order 2400547: 23Q-087-TO-06, Heagy Burry Boat Ramp Project Administration, Construction, Engineering, and Inspection - Kimley-Horn and Associates, Inc. Ocala, FL (Budget Impact - Neutral; additional expenditure of \$45,085)

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

Description/Background: On June 6, 2023, the Board approved contracts with ten (10) engineering firms to provide civil and site engineering services for the County in accordance with §287.055, Florida Statutes. Parks & Recreation assigned the Heagy Burry Boat Ramp Project administration, construction engineering, and inspection services to Kimley-Horn and Associates, Inc.

Since execution of the original agreement, the project scope has expanded due to unforeseen site conditions. Additional services are required, including coordination for an Alachua County dock permit, sinkhole coordination, underground utility

redesign, bulkhead redesign, Phase 2 cost estimating, and added construction-phase support not included in the original scope.

A copy of Kimley-Horn's proposal and scope of work is attached for review and will become part of the project file and backup to the purchase order.

Budget/Impact: Neutral; expenditure of \$45,085. Funding is from CR362572-563102 PRC000031 (Parks & Rec Fee Fund).

Recommended Action: Motion to approve the recommendation, authorize the Chairman and Clerk to execute, and allow staff to issue the Change Order to Kimley-Horn and Associates, Inc. under 23Q-087.

**7.5.3. Request Approval of Contract Amendment (Renewal): 21P-235-CA-02 - Auction Services for County Surplus – Weeks Auction Company, LLC, Ocala, FL (Budget Impact – Revenue Generating)**

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

Description/Background: On March 15, 2022, the Board approved a contract with Weeks Auction Company, LLC (WAC) to provide auction services for County surplus equipment. WAC has received a favorable evaluation under this contract. Fleet Management Director, Mark Williams has requested to renew this contract for the second of two (2) annual renewal options.

Attached for review is the draft contract amendment. Upon approval at today's meeting, the contract will be sent to the firm, and once returned, will be forwarded to the County Attorney, Clerk, and Chairman for signatures.

Budget/Impact: Revenue Generating.

Recommended Action: Motion to approve and allow staff to issue, and upon approval from Legal, authorize the Chairman and Clerk to execute the contract renewal under 21P-235.

**7.5.4. Request Approval of Task Order: 20Q-161-TO-53 Baseline Landfill Solid Waste Transfer Station Repairs - Dinkins Construction LLC, Ocala, FL (Budget Impact - Neutral; expenditure of \$4,477,387.10)**

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

Description/Background: On April 6, 2021, the Board approved contracts with six (6) Construction Managers (CM) to allow project selection based on expertise, capacity, and availability. Facilities Management and Solid Waste have selected Dinkins Construction, LLC to serve as construction manager for the Baseline Landfill Solid Waste Transfer Station Repairs.

This project will repair wear and tear related damages sustained at the transfer station and includes necessary improvements to electrical systems, fire protection, and structural steel. The scope also includes replacement of the tunnel scales and resurfacing of the tipping floor.

Attached for review is a draft contract. Pending approval at today's meeting, it will be forwarded to the CM for signatures, and upon return, will be sent to Legal, the Clerk and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$4,477,387.10. Up to 10% contingency may be added to the purchase order in accordance with the Procurement Manual.

Funding for this project is from line ZA423534-563102 (Solid Waste Disposal 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 under 20Q-161.

**7.5.5. Request Approval of Purchase Order for Installation of Curtains at the Biosolids Building Within the Marion County Utilities Southwest Regional Water Reclamation Facility - FHS Industrial Constructors, LLC, Bartow, FL (Budget Impact - Neutral; expenditure of \$60,160)**

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

Description/Background: This item requests approval for the installation of Polyvinyl Chloride (PVC)-coated polyester curtains at the Biosolids Building located within the Marion County Utilities (MCU) Southwest Regional Water Reclamation Facility. The project is intended to address ongoing concerns from nearby residents related to odors and mechanical noise generated from biosolids operations. Installation of these curtains will help mitigate noise and odor emissions, improving environmental conditions around the facility.

Procurement formally solicited bids for this project; however, no responses were received. MCU solicited quotes prior to requesting advertisement through Procurement, anticipating costs not to exceed \$50,000, for which FHS Industrial Constructors, LLC, provided the lowest quote. As a result, MCU requests to proceed with FHS Industrial Constructors, LLC,

The project includes the furnishing and installation of eight (8) beige, 18-ounce PVC-coated polyester curtains, each measuring 20 feet by 18 feet. Curtains will be mounted on stainless steel tracks with stainless steel anchor hardware and sewn with acid-resistant thread. Each curtain will include Velcro closures from the bottom up to nine (9) feet, wind ties, and no vision panels. All materials, freight, and required rental equipment are included. Curtains will be shipped directly to the facility, and site access will accommodate necessary lift equipment. A copy of the vendor's proposal is attached.

Budget/Impact: Neutral; project cost is \$60,160. Funding is available in ZF448536-563102 (Marion County Utility Fund).

Recommended Action: Motion to approve and authorize staff to release the purchase order for FHS Industrial Constructors, LLC,

**7.5.6. Request Approval of Purchases \$50,000 and Over**

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

Description/Background: The item(s) below have been received by Procurement Services and are approved for conformance with the Procurement Code/Manual, pending approval at today's meeting.

1. Pending Requisition/Presidio Networked Solutions, LLC - Marion County Information Technology requests approval to purchase the renewal of Cisco Con-SmartNet Technical Support Service for the County's network tools solution from March 1, 2026 through February 28, 2027, ensuring continued access to critical network services, software support, hardware protection,

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and switch monitoring, per attached quote 2001725070061-01. Total expenditure of \$89,825.12. Funds are available in line AA174516-546301 (General Fund), per attached breakdown. *This purchase meets competitive bidding requirements under NASPO VALUEPOINT CISCO CONTRACT AR3227 FLORIDA 43220000-NASPO-19-ACS.*

Recommended Action: Motion to approve requested purchases.

## **7.6. Transportation - County Engineer:**

**7.6.1.** Request Approval of a Purchase Agreement Associated with the SW 49<sup>th</sup>/40<sup>th</sup> Avenue Phase 1 Road Project for a Portion of Parcel 2390-018-000 (Budget Impact - Neutral)

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

Description/Background: This is a request to approve a Purchase Agreement for a 0.35-acre Temporary Construction Easement and 0.18 acres of Right-of-Way from Parcel 2390-018-000 associated with the SW 49<sup>th</sup>/40<sup>th</sup> Avenue Phase 1 Road Project (from SW 66<sup>th</sup> Street to SW 43<sup>rd</sup> Street).

The Purchase Agreement is a zero-dollar transaction, as the consideration for the acquisition is provided through roadway improvements being constructed as part of the project, including the construction of a turn lane that directly benefits the remaining property. As such, no monetary compensation is required.

The negotiated agreement is inclusive of all costs associated with the transaction and results in cost savings to the County by avoiding additional expenses typically associated with condemnation proceedings.

Budget/Impact: Neutral (STC073804-CIP- TRANSP- NEWINF- ROW- VJ738541-561301).

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

**7.6.2.** Request Approval of a Purchase Agreement Associated with the SW 49<sup>th</sup> Avenue North Road Improvement Project for Parcels 35695-038-02, 35695-038-04 and 35695-038-05 (Budget Impact- Neutral; expenditure \$904,997)

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

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$907,997 plus closing costs for parcels 35695-038-02, 35695-038-04 and 35695-038-05 associated with the SW 49<sup>th</sup> Avenue North Road Improvement Project (Marion Oaks Trail to SW 95<sup>th</sup> Street). These are unimproved parcels totaling approximately 9.30 Acres.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure \$904,997 plus closing costs (Fund TIP77250B- TIPROADS- EXPANSROW- 772 -GB772541-561301).

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

**7.6.3. Request Approval for Rebate Funding Agreement with Southwest Florida Water Management District for Water Incentives Supporting Efficiency Program (Budget Impact - Neutral; grant revenue up to \$2,850)**

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

Description/Background: Request approval for Rebate Funding Agreement with the Southwest Florida Water Management District (SWFWMD). The Board is eligible to apply for SWFWMD's Water Incentives Supporting Efficiency (WISE) program. The agreement will reimburse up to \$2,850 of the County's dollars spent on rebates for installation of smart irrigation controllers or ultra-high efficiency toilets. County funding allocated for FY2025/26 is \$10,000 for irrigation retrofit rebates and \$3,000 for toilet rebates. Funds are available immediately upon approval and signing of the agreement and are valid for up to one year from signing.

Budget/Impact: Neutral; credit up to \$2,850. Total project cost is \$10,000 from fund AA433537 (Water Resources) and \$3,000 from fund ZF442533 (Utilities).

Recommended Action: Motion to approve the Rebate Funding Agreement and authorize Chairman and Clerk to execute the same.

**7.6.4. Request Approval of a Deed of Easement Between Marion County and Michael Vecchio Associated with the NW/SW 80<sup>th</sup> Avenue and West Highway 40 Intersection Improvement Project for a portion of Parcel 23304-000-02 (Budget Impact - Neutral)**

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

Description/Background: This is a request to approve a Deed of Easement between Marion County and Michael Vecchio providing for a permanent, non-exclusive right of ingress and egress over a portion of parcel 23304-000-02 acquired by Marion County associated with the NW/SW 80<sup>th</sup> Avenue and West Highway 40 Intersection Improvement Project. Parcel 23304-000-02 was acquired from Mr. Vecchio. Mr. Vecchio was granted a right of access according to a Stipulated Order of Taking and Final Judgement, Case Number 2025-CA-0573 filed on August 16, 2025, and a Mediated Settlement Agreement, dated June 20, 2025. This Deed of Easement records that grant of access as required.

Mr. Vecchio owns the adjacent parcel (parcel 23304-000-00) to the north of the acquired parcel. Previously he accessed his parcel from the County right-of-way of SW 80<sup>th</sup> Avenue and through a portion of the acquired parcel. Aside from the permanent right of ingress, egress and access over a portion of parcel 23304-000-02, this easement stipulates that the County will provide Mr. Vecchio access to his property, including temporary driveway connections, during construction of the intersection improvement project, including construction of associated drainage piping and drainage retention facilities. The easement also allows the County temporary use of a portion of Mr. Vecchio's parcel for the aforesaid construction activities.

Budget/Impact: Neutral.

Recommended Action: Motion to approve the Deed of Easement and authorize the Chairman and Clerk to execute the same.

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**7.6.5. Request to Approve and Adopt the Maintained Right-of-Way Map and Specific Purpose Survey for NW 63<sup>rd</sup> Street at State Road 93 (Interstate 75) (Budget Impact-None)**

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

Description/Background: This is a request to approve and adopt the Maintained Right-of-Way Map and Specific Purpose Survey for NW 63<sup>rd</sup> Street at State Road 93 (Interstate 75).

The recording of the road right-of-way map shall deem the depicted land has been conveyed to the public, and all rights, title, easement and appurtenances in and to the road shall be vested to Marion County.

Budget/Impact: None.

Recommended Action: Motion to approve and adopt the Maintained Right-of-Way Map and Specific Purpose Survey for NW 63<sup>rd</sup> Street at State Road 93 (Interstate 75) and authorize the Chair and Clerk to execute the same.

**7.6.6. Request to Approve and Adopt the NW 73<sup>rd</sup> Terrace/ NW 5<sup>th</sup> Lane/ NW 71<sup>st</sup> Avenue Maintained Right-Of-Way Map (Budget Impact - None)**

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

Description/Background: This is a request to approve and adopt the NW 73<sup>rd</sup> Terrace/ NW 5<sup>th</sup> Lane/ NW 71<sup>st</sup> Avenue Maintained Right-Of-Way Map. The recording of the road right-of-way map shall deem the depicted land has been conveyed to the public, and all rights, title, easement and appurtenances in and to the road shall be vested to Marion County.

Budget/Impact: None.

Recommended Action: Motion to approve and adopt the NW 73<sup>rd</sup> Terrace/ NW 5<sup>th</sup> Lane/ NW 71<sup>st</sup> Avenue Maintained Right-Of-Way Map and authorize the Chair and Clerk to execute the same.

**7.6.7. Request Approval of a Resolution to Vacate a Portion of the Plat of Danbury as recorded in Plat Book "A", Page 3, Parcel 37896+000-01 (Budget Impact- Neutral; revenue of \$500)**

The Board accepted the following recommendation to adopt Resolution 26-R-33 as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request for approval of a Resolution by Petitioner, Sandy Clay, LLC, to vacate a portion of Lots 1, 2, and 4 (Parcel Number 37896+000-01) in the Danbury Plat, as recorded in Plat Book "A", Page 3. The Board of County Commissioners approved an Agreement, Resolution, and Notice on April 2, 2024, related to a parcel exchange with Sandy Clay, LLC involving Parcel 37896+000-01; this plat vacation request is a separate action to facilitate redevelopment and replatting of the property.

The Development Review Committee (DRC) considered this request on October 20, 2025, and it was the Committee's recommendation that the petition be granted.

Budget/Impact: Neutral; Revenue of \$500 - Plat Vacate - BL400341-341903.

Recommended Action: Motion to adopt a Resolution to vacate a portion of lots 1, 2, and 4 in the Danbury Plat as recorded in Plat Book "A", Page 3 and to authorize the Chairman and Clerk to execute the same.

Resolution 26-R-33 is entitled:

RESOLUTION TO VACATE A PORTION OF PLAT OF DANBURY AS RECORDED IN PLAT BOOK "A" PAGE 3 PUBLIC RECORDS OF MARION COUNTY, FLORIDA

**7.6.8.** Request Approval of a Resolution to Vacate a Portion of the Plat of Pine Oak Estates, as recorded in Plat Book U, Page 76, Parcel 3967-002-008 (Budget Impact - Neutral; revenue of \$500)

The Board accepted the following recommendation to adopt Resolution 26-R-34 as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request for approval of a Resolution by Petitioner, Orlene G. Maze, to vacate a portion of Lot 8, Block B, (Parcel 3967-002-008) in the Plat of Pine Oaks Estates, as recorded in Plat Book U, Page 76. The Petitioner is vacating this portion of their parcel to remove the eight (8) foot utility easement requirement, per the plat, from their property.

The Development Review Committee (DRC) considered this request on October 6, 2025, and it was the Committee's recommendation that the petition be granted.

Budget/Impact: Neutral; Revenue of \$500 - Plat Vacate - BL400341-341903.

Recommended Action: Motion to adopt a Resolution to vacate a portion of Lot 8, Block B, in the Plat of Pine Oaks Estates, as recorded in Plat Book U, Page 76 and to authorize the Chairman and Clerk to execute the same.

Resolution 26-R-34 is entitled:

RESOLUTION TO VACATE A PORTION OF PLAT OF PINE OAK ESTATES AS RECORDED IN PLAT BOOK U PAGE 76 PUBLIC RECORDS OF MARION COUNTY, FLORIDA

**7.6.9.** Request Approval of a Resolution to Vacate a Portion of the Plat of Silver Springs Shores, Unit No. 64 as recorded in Plat Book J, Pages 431-433 Parcels 9064-1793+05 and 9064-1799+01 (Budget Impact - Neutral; Revenue of \$500)

The Board accepted the following recommendation to adopt Resolution 26-R-35 as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request for approval of a Resolution by Petitioner, Heather Island, LLC, to vacate portions of Block 1793, Lots 1 and 5 Parcels 9064-1793+05 and 9064-1799+01, in Silver Springs Shores Unit 64, as recorded in Plat Book J, Pages 431-433. Vacating these lots removes existing recorded drainage reservation areas from the plat that are associated with the proposed Oak Shores Planned Unit Development (PUD), eliminates any remaining public interest, and does not constitute approval of any zoning or development.

The Development Review Committee (DRC) considered this request on November 24, 2025, and it was the Committee's recommendation that the petition be granted. Upon further conversation with the County Attorney's Office and the applicant, the applicant shall provide a temporary easement for public access and any existing utilities currently located within the vacated area of parcel 9064-1793+05.

Budget/Impact: Neutral; Revenue of \$500 - Plat Vacate - BL400341-341903.

Recommended Action: Motion to adopt a Resolution to vacate portions of Block 173, Lots 1 and 5, Silver Springs Shores Unit 64, as recorded in Plat Book J, Pages 431-433 and to authorize the Chairman and Clerk to execute the same, subject to

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providing a temporary easement for public access and any existing utilities currently located within the vacated area of parcel 9064-1793+05.

Resolution 26-R-35 is entitled:

RESOLUTION TO VACATE A PORTION OF PLAT OF SILVER SPRINGS SHORES, UNIT NO. 64 AS RECORDED IN PLAT BOOK J PAGE 431 PUBLIC RECORDS OF MARION COUNTY, FLORIDA

**7.6.10.** Request to Approve and Adopt Maintained Right-Of-Way Map for a Portion of the Following SW 200<sup>th</sup> Avenue / SW 107<sup>th</sup> Lane / SW 106<sup>th</sup> Lane (Budget Impact - None)

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

Description/Background: This is a request to approve and adopt the Maintained Right-of-Way (ROW) Map for portions of SW 200<sup>th</sup> Avenue, SW 107<sup>th</sup> Lane, and SW 106<sup>th</sup> Lane within the Chatmire Subdivision. This map will formally document ROW limits historically maintained by Marion County and identify newly established ROW limits, to also become County-maintained that resulted from a settlement with an adjacent property owner.

The recording of the road ROW map shall deem the depicted land has been conveyed to the public and all rights, title, easement and appurtenances in and to the road shall be vested to Marion County.

Budget/Impact: None.

Recommended Action: Motion to approve and adopt the Maintained Right-of-Way Map for portions of SW 200<sup>th</sup> Avenue, SW 107<sup>th</sup> Lane, and SW 106<sup>th</sup> Lane and authorize the Chair and Clerk to execute the same.

## **7.7. Utilities:**

**7.7.1.** Request Approval of Assignment and Assumption of Water and Wastewater Agreement Between Ocala Meadows Farms LTD and Adena GC Holdings, LLC and Subsequent Agreement Between Adena GC Holdings, LLC and Iron Lake Property, LLC (Budget Impact - None)

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

Description/Background: Marion County has an existing Standard Utility Service and Conveyance Agreement with Ocala Meadows Farms LTD. Attached for review and consent is an Assignment and Assumption of Water and Wastewater Agreement to transfer all remaining rights and interests to Adena GC Holdings, LLC, which agreed to accept the assignment and to assume all obligations related to the real property that is the subject of the Utility Agreement from and after the effective date.

Adena GC Holdings, LLC, is in the process of selling the property and is subsequently requesting approval to assign all of its rights, title and interest to Iron Lake Property, LLC, which has agreed to accept the assignment and to assume all obligations related to the property.

Marion County Utilities consents to these assignments and consent from Marion County Board of County Commissioners is required for the assignment and assumption to become effective.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Assignment and Assumption of Water and Wastewater Agreements.

## **8. COUNTY ATTORNEY: NONE**

### **9. COUNTY ADMINISTRATOR:**

#### **9.1. Heagy Burry Project Update**

Parks and Recreation Director Jim Couillard presented a PowerPoint presentation as seen on the overhead screens entitled "Heagy-Burry Boat Ramp Improvements". He stated he is present today to provide an update on the status of the Heagy-Burry project, which is a boat ramp in Orange Lake. Mr. Couillard referred to a slide depicting parcels in the project area owned by the County, noting the project being focused on now is where the lime rock is in the older area. He advised that construction is well under way and the contractor is making progress. Mr. Couillard addressed a slide displaying pictures of the construction and stated the boat ramp is being installed. He advised that some of the bulkhead work has completely changed the look of the park, noting the park was heavily vegetated on the front and had a raveling sinkhole that continuously rolled into the lake. The lake is currently at the lowest level it has been since 2017. Mr. Couillard stated the push to get this boat ramp completed is important for upcoming events and access to the lake. He commented on water quality work performed to protect the lake and the bulkhead construction, which is the first bulkhead project seen in Marion County in a long time. Mr. Couillard advised that construction is focused on the upland improvements (parking, boat ramp approach, parking areas, curb, sidewalks, etc.). He stated the good news is the contractor is actively working, noting an owner-contractor call took place yesterday and included the consultant and leadership of BDI Construction. The contractor is committed to finishing the project by March 10, 2026. Mr. Couillard advised that the parking lot inspection was done yesterday, concrete work is underway, and the turning and twists of rebar is being done today. He stated all of the material for the project is onsite including the ramps, bulkheads, gangways, and floating docks. Mr. Couillard clarified that the restroom is not onsite because staff does not want it to be used until the site is ready. In response to Chairman Zalak, Mr. Couillard commented on the karst features in the area and the cost of repairs, which have impacted the timeline of the project. He stated there was a major sinkhole near where the boat ramp was going; therefore, another consultant and someone to mitigate the sinkhole was necessary. A tremendous amount of grout was pumped into the site.

Mr. Couillard advised that there was also issues with permitting and a well next to a residence. He opined that this has been a project filled with challenges, but staff has been handling them very well.

Chairman Zalak stated it needs to be up and running for residents and an upcoming tournament.

Mr. Couillard advised that it is the Department's goal to have everything done at least a month before the tournament.

Chairman Zalak directed the County Administrator and his team make sure the turnaround is completed on State Road (SR) 441.

In response to Mr. Bouyounes, Chairman Zalak stated when pulling out of Heagy-Burry the turnaround cannot be made with a truck and trailer. He advised that when it was brought up to the Florida Department of Transportation (FDOT) they were going to work

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on it, but staff needs to make sure it will work. Chairman Zalak stated individuals can no longer turn left out of the Heagy-Burry boat ramp and across the highway; therefore, it is necessary to go up and make a U-turn. He clarified that the U-turn needs to be capable of stacking a couple of trucks and boats as tournaments let out, etc. Chairman Zalak stated the ability to make a U-turn was not there a couple of months ago. He advised that he would like this done so both of the projects can open at the same time and it is a smooth transition.

Mr. Bouyounes stated staff will follow up with FDOT and give the Board an update in the near future.

Mr. Couillard advised that Kimley-Horn and Associates (KHA) has been actively engaging with FDOT for that solution.

Project Manager Rich Busche, KHA, stated because of comments from the County a couple of weeks ago, KHA was contacted by FDOT's consultant. He advised that they are still providing a turnaround to the north of where individuals come out of the main road. Mr. Busche stated they have given KHA the design plans, confirmed that a boat and trailer will be able to make the turnaround, that it will be long enough to stack boats and trailers inside of it, and have issued the plan revision to the contractor. He advised that he has not heard a timeline from FDOT on when they could get their contractor to do it; however, the planned revision has been issued, designed, and put out to the field.

Chairman Zalak questioned if the design includes room to stack a couple of vehicles. Mr. Busche stated it does.

Chairman Zalak advised that they do not want to clog up the left lane at SR 441, noting individuals need to be able to get out of that traffic.

Mr. Busche stated a concern he had when looking at it was the U-turn because the design vehicle needed to be an F-250 Super Duty with a reasonably sized boat on the back of it. He advised that the design team confirmed that is the design vehicle they used for the plans and individuals would be able to make the turnaround without leaving the pavement of the southbound travel lanes.

In response to Chairman Zalak, Mr. Busche stated it will not need a bump-out because the lanes have a paved shoulder and the median itself has been made very wide where the trucks will make the turnaround. He advised that those plans have been provided to the County.

Mr. Bouyounes questioned who the plans have been provided to. Mr. Busche stated they have been given to ACA Straub and Mr. Couillard.

## **9.2 WALK-ON: City of Dunnellon Railroad Ties Fire Update**

County Administrator Bouyounes, Administration, presented the following recommendation:

Description/Background: Present update on City of Dunnellon railroad ties fire.

Budget/Impact: None.

Recommended Action: For information only.

Assistant County Attorney Linda Blackburn, Legal, presented a PowerPoint presentation entitled "City of Dunnellon Railroad Ties Timeline". She stated on August 29, 2025 the Florida Department of Environmental Protection (FDEP) received an application from Track Line Rail, LLC for an air pollution construction permit for the property located on 20365 E. McKinney Avenue, City of Dunnellon, FL. The permit requested new shredding and grinding operation of wooden railroad ties. Ms. Blackburn advised that in September,

2025 the FDEP portal confirmed the air permit processing fee was received and the application was deemed complete.

Ms. Blackburn stated on October 2, 2025 the FDEP issued a preliminary determination for Project Number 0830196-001-AC, noting the report stated Track Line Rail, LLC, applied on August 29, 2025. She clarified that the City of Dunnellon facility was described in the future tense as a new operation and an undeveloped industrial site connected to the CSXT rail line. Ms. Blackburn advised that the proposed operation included 1 shredder, 2 grinders, and 3 Tier-4 diesel powered engines. The FDEP concluded that there would be no significant air quality impacts anticipated, and no modelling was required. She stated on October 3, 2025 FDEP issued the draft permit package through its portal. Ms. Blackburn advised that between October 17 through 31, 2025 Track Line Rail, LLC, was required to publish the Notice, so FDEP published a Public Notice of Intent expiring on October 31, 2025. She stated at the time in between the period that the County was advised, that this public Notice had been published of the permit application and there was a related Environmental Protection Agency (EPA) permit issued. Ms. Blackburn stated on October 24, 2025 Marion County Code Enforcement investigated the property after receiving a complaint regarding the stored railroad ties. She advised that the inspection revealed large quantities of used railroad ties that were being stored on site; therefore, the County issued Notices of Violation (NOV's) to CSXT and Track Line Rail, LLC, The violations that were cited were Marion County Code Chapter 16, Article 3, Section 16-92 (Accumulation of Junk and Debris). Ms. Blackburn advised that the storage of the used railroad ties on parcels zoned agriculture (A-1) with a preservation Land Use designation was done inappropriately. The Notice stated at a minimum, a Special Use Permit (SUP) and the BCC's approval would be required to store, shred, or grind the used ties and that the property would be inspected on November 11, 2025. She stated on October 27, 2025 the City of Dunnellon held their first Emergency City Council meeting regarding the railroad ties, noting the Code Enforcement Supervisor was there providing updates and answering questions to the City of Dunnellon. Ms. Blackburn advised that based on this meeting, City of Dunnellon issued its own NOV's to CSXT and Track Line Rail, LLC, citing storage of hundreds of used ties in a flood plain area zoned as Rapid Infiltration Basin (RIB) and multiple-family dwelling (R3). She stated on October 29, 2025 Code Enforcement requested a meeting and property access from CSXT, noting they asked for Marion County Sheriff's Office's (MCSO's) coverage per their protocol and received case notes from the City of Dunnellon. It was also at this time that the County submitted its formal opposition and request for a denial to the FDEP for the draft air permit. The City of Dunnellon requested an extension of time to file an administrative hearing petition, their formal opposition, and the request for denial of the draft permit.

Ms. Blackburn advised that on November 4, 2025 the BCC ratified the approval to send comments and opposition and the request for denial to the FDEP. She stated on November 5, 2025 Code Enforcement spoke with the property manager for Florida Northern Railroad (FNOR), who is the property management company for the parcel that is being used. Ms. Blackburn advised that on November 6, 2025 the County issued a second NOV citing Marion County Code Chapter 9, Article 3, Section 9-47 (Hazardous Materials Being Stored). She stated the compliance deadline for clearing this parcel was set for November 17, 2025, noting FNOR was added as a recipient to CSXT and Track Line Rail. Ms. Blackburn advised that on November 7, 2025 the County spoke with the General Manager of FNOR regarding this Notice. She stated on November 11, 2025 a call was held between Code Enforcement, Growth Services Director Varadin, the County

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Attorney's Office, and FNOR General Manager Michael Philpot. FNOR redirected any further requests for information to CSXT at that time. Ms. Blackburn advised that on November 14, 2025 there was a coordination call between the County Attorney's Office, Code Enforcement, and CSXT. She stated on November 17, 2025 Code Enforcement received a call from a concerned citizen concerning the amount of railroad ties that were out on the properties. Ms. Blackburn advised that on November 18, 2025 the County issued a 3<sup>rd</sup> Notice and a cease and desist order to CSXT, City of Dunnellon, and FNOR with a 15 day deadline to abate the violations, noting the compliance date was December 3, 2025. She stated the order required immediate removal of all railroad ties, no additional ties be brought onto the property, compliance with hazardous material laws and there was to be County approvals for any storage, shredding, and grinding operations. Ms. Blackburn clarified that CSX confirmed receipt of the Notice later that day. She advised that on November 21, 2025 certified Notices were delivered to FNOR and Track Line Rail, LLC, but Track Line Rail, LLC, refused delivery of the certified mail.

Ms. Blackburn stated on December 4, 2025 the County Attorney's Office had a call with CSXT's General Counsel where the County agreed to delay filing an injunction lawsuit that was prepared; however, CSXT was going to pursue voluntary removal by City of Dunnellon. She advised that fire safety concerns were outlined in a letter sent by Fire Chief Jamie Banta, MCFR, that was sent to the Mayor of the City of Dunnellon. Ms. Blackburn stated on December 10, 2025 CSXT confirmed via electronic mail (e-mail) that Track Line Rail, LLC would promptly remove ties and CSXT would provide rail cars for them to do so. She advised that CSXT provided 22 rail car cars that arrived on site on December 10, 2025 and the County requested a timeline for removal as well as soil and water testing. Ms. Blackburn noted CSXT advised at that time a timeline was undetermined. She stated on December 17, 2025 the County received reports that rail cars were on site and removal was beginning; however, on December 29, 2025 concerned residents reported rail cars were no longer on site and it didn't appear that anything had moved. Ms. Blackburn advised that Marion County confirmed ties had been moved from City of Dunnellon and off of Marion County property.

Ms. Blackburn stated on January 5, 2026 County Attorney Minter emailed CSXT confirming rail cars had arrived in mid-December, 2025, but no removal activity had occurred to date. She advised that on January 6, 2026 CSXT communicated that additional rail cars would be on site to begin removal; however, no firm deadline was provided. Ms. Blackburn stated on January 14, 2026 the County attended City of Dunnellon Code Enforcement's Board meeting, noting they found CSXT in violation with a February 2026 compliance deadline. She advised that the County learned that FDEP had allowed Track Line Rail, LLC, permitting and forwarded information to CSXT. Ms. Blackburn stated on January 15, 2026 the County Attorney spoke with CSXT General Counsel requesting the FDEP contact used by CSXT and a firm deadline for complete removal, but at that time CSXT remained unable to commit to a deadline. She advised that the County emphasized the need to provide its residents with an accurate timeline for removal and on January 20, 2026, Code Enforcement inspection revealed that no burning was observed; however, no removal activity was observed either. Ms. Blackburn stated on January 22, 2026, the County Attorney's Office again spoke with CSXT's General Counsel, repeating the request for the FDEP contact to pursue permit revocation and a removal deadline, but, again, no deadline was provided. She noted CSXT agreed to continue monitoring the progress. Ms. Blackburn advised that on January 29, 2026 the County Attorney's Office emailed CSXT's General Counsel, followed up on the FDEP

permitting position, attached the new FDEP wastewater related correspondence to Track Line Rail, LLC, The fire broke out onsite in the early morning hours of February 1, 2026. She stated on February 2, 2026 Code Enforcement reinspected the property, noting no progress was observed. Ms. Blackburn advised that City of Dunnellon provided reports that 16,500 railroad ties were removed by rail cars in total and 1,200 ties had been removed by trucks. She stated rail cars were expected to return, but track damage may delay removal.

Chairman Zalak advised that there were a lot of comments that the Board was not pursuing the fire issue, noting Ms. Blackburn's timeline presented today that the County Attorney's Office has done a phenomenal job keeping the subject front and center to best protect the community.

Commissioner Bryant expressed gratitude to Ms. Blackburn.

Fire Chief James Banta, MCFR, presented a PowerPoint Presentation entitled "Marion County Fire Rescue City of Dunnellon Railroad Tie Fire February 1, 2026". He stated the initial call came in at 2:42 a.m., noting MCFR was originally dispatched to a dumpster fire at an O'Reilly Auto Parts store. Chief Banta advised that Engine 3 (the unit that covers the City of Dunnellon) responded, arrived on scene and did not find a dumpster fire; however, they noticed that there was a fire that appeared to be coming from the railroad tie area. He stated after investigation, MCFR found an active fire and then started organizing units to start managing the fire. Chief Banta advised that, in total, the Department had 19 fire suppression units, 7 fire engines, 1 tower, 8 grass trucks, 3 tankers and 54 firefighters in totality throughout the scene. He stated MCFR executed a pre-incident plan that had been developed back in October 2025 when the Department first identified that the site could be a possible issue. Chief Banta advised that the plan consisted of communication between executive staff, senior staff, and battalion chiefs so they would know about the hazard in the area, noting they reviewed access areas. He stated if there was a fire at this location, the Department wanted to prevent it from extinguishing adjacent wood lines, neighborhoods and railroad ties. Chief Banta advised that a part of the plan was also to coordinate with City of Dunnellon and County officials for any voluntary evacuations due to smoke and then engage community partners from MCSO, Marion County Emergency Management, Florida Department of Emergency Management (FDEM), Florida Department of Health (FDOH) and CSXT. He stated the tactics deployed where firefighters containing the fire at both north and south ends of the pile, heavy equipment operations conducted to break down and separate the railroad tie piles, as well as extinguishing and smothering fire using heavy equipment and dirt. Chief Banta referred to a slide depicting the logos of stakeholders that were onsite (FDEM, MCSO, MCFR, FDOH, FDEP, CSXT, City of Dunnellon, and Marion County). He commented on the contribution from Florida Forest Service, noting they were a significant contributor to stopping the spread of the fire. Chief Banta commented on slides depicting photos of the fire damage, organizations and staff present on site coordinating tactical planning (including FDEM Executive Director Kevin Guthrie), and overviews from a ladder truck after the fire was put out. He advised that the Department measured about half a mile of total railroad ties, which approximately half of were burned. Chief Banta addressed concerns about the amount of water applied to the fire, noting the overall tactical plan was to stop the spread of the fire and not to extinguish it. He clarified that significant amounts of water were used, but most of that was used on the ends of the fire to keep it from spreading further while trying to remove railroad ties. Chief Banta stated MCFR did not actively try to suppress the areas of the fire that were significantly involved in order to

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balance environmental concerns along with extinguishment. He advised that a CSXT contractor has been on site doing air quality testing starting this morning. MCFR's Hazardous Materials Team also independently started doing air quality testing around the area and will continue to for the next several days. Chief Banta stated there have been no reported significant concerns regarding tolerable levels outside the immediate burning area. He advised that the Department is going to continue coordination with Marion County Emergency Management, City of Dunnellon and CSXT contractors. Chief Banta stated the investigation into what caused the fire is being conducted by the Florida Department of Agriculture and Consumer Services (FDACS) law enforcement, and CSXT law enforcement.

Chairman Zalak expressed appreciation towards Chief Banta, MCFR, and all partners involved.

In response to Chairman Zalak, Chief Banta advised that in the afternoon, air quality samples started going out and being looked at once CSXT arrived on site. He stated the MCFR Hazmat Team later in the day began doing some initial testing. Chief Banta advised that there were no levels above normal at that point if outside of the fire. He stated the Blue Cove area did not have any significant markers. Chief Banta commented on the lack of winds, long term soil quality and its remediation, as well as air quality rapidly not being a concern.

Chairman Zalak questioned if there were teams that took soil samples. Chief Banta stated FDEP was there and took initial samples from around the immediate scene, but he cannot speak to what they have found.

Chief Banta advised that it was a collaborative effort and MCFR could not have done it alone.

In response to Commissioner Curry, Chief Banta confirmed the Florida Forest Service is doing the investigation relating to the cause of the fire.

Commissioner Curry questioned if there has been any word regarding that investigation. Chief Banta advised that he does not want to speculate regarding the cause of the fire. He stated MCFR only burned a couple acres outside of the actual CSXT property and Florida Forest Service did a tremendous job preventing the fire from escaping into the residential areas.

Chairman Zalak advised that it is great they had the heavy equipment to move the ties quickly.

In response to Commissioner Curry, Chief Banta advised that he cannot speak to how long it will be before CSXT can completely clear the area. He stated his recommendation is they remove all ties as soon as possible.

Commissioner Bryant opined that the County Attorney's Office should send a letter signed by Chairman Zalak from the County demanding all ties be removed as soon as possible. Chairman Zalak concurred and commented on cleanup.

In response to Chairman Zalak, Chief Banta advised that right now MCFR is reviewing all personnel and apparatus costs to verify how much this cost Marion County from a Fire Rescue standpoint. He stated the Department is looking at different avenues to collect those costs either through the Fire Prevention Ordinance, Hazards Materials Ordinance or any other ways they can collect.

Chairman Zalak advised that the Board wants to make sure the taxpayers do not pay for this, noting CSXT should be held accountable and pay. He opined that at the end of the day he does not care what company or agency had involvement because it was on

CSXT's property and it was their ties/items; therefore, the County should go after them. Commissioner Bryant concurred.

Mr. Minter advised that at this point the Board has sent enough letters and had enough conversations. He stated the County Attorney's Office has a complaint for injunction prepared, noting with the Board's approval Legal will move forward.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to consider the filing of an Injunction against CSXT regarding the February 1, 2026, railroad tie fire in City of Dunnellon. The motion was unanimously approved by the Board (5-0). Chairman Zalak opened the floor to public comment.

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

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to authorize the County Attorney's Office to file the Injunction against CSXT regarding the February 1, 2026, railroad tie fire in City of Dunnellon. The motion was unanimously approved by the Board (5-0).

In response to Chairman Zalak, Mr. Minter advised that staff will be filing a complaint with the Fifth Judicial Circuit Court and serve all relevant defendants (Track Line Rail, LLC, FNOR, and CSXT), noting they will have an opportunity to respond. He stated this will get the County beyond going back and forth with the letters.

Emergency Management Director Preston Bowlin, MCSO, provided an overview of the procedure for notifying Florida State Watch Office, noting numerous departments and individuals who would be interested in the monitoring of the fire are notified. He stated CSXT estimated the number of railroad ties that were on site at the time was roughly 100,000. Mr. Bowlin advised that the team performed a size assessment to figure out how many ties were going to be burned at the end of the day. He stated even with CSXT's comments, the estimate is anywhere between 30,000 and 40,000 ties were burned. Mr. Bowlin commented on the coordination efforts from the parties on scene to identify MCFR protection needs, setting MCSO perimeters for the potential of the fire spreading, making notifications through Alert Marion, meeting with command staff, communicating with the weather service, etc. He stated the notification made to FDOH Administrator Mark Lander who responded on scene. Mr. Bowlin advised that the FDEP's representative has been on the scene since Sunday (February 1, 2026) and there are upcoming conference calls between them, City of Dunnellon, and the Local Emergency Planning Committee (LAPC) located in Orlando to discuss ground monitoring. He stated Carl Taylor, Florida Forest Service, and his team were phenomenal on scene with their heavy equipment. Mr. Bowlin opined that he could not be more proud of the agencies and the residents of Marion County that came to assist. He advised that private contractors reached out to see what was needed or how they could be of assistance. Mr. Bowlin expressed appreciation to command staff for being able to come together and execute objectives. He addressed the fire break that was already present, noting that is where staff knew that is where they needed to stop the fire. Mr. Bowlin stated in his communications with CSXT they advised of their heavy equipment being several hours out. He advised that the Department spoke with City of Dunnellon Mayor Walter Green regarding what needs to be done, resulting in the issuing of a Local State of Emergency. Mr. Bowlin stated staff were able to find a contractor with equipment, to help start enlarging the fire break before the rest of the equipment arrived. He commented on CSXT's contracted hazmat personnel, CSXT Risk Management, and CSXT police responses to the fire. Mr. Bowlin advised that a command post was set up and Mr. Guthrie as well as the State Coordinator for the region were on scene, noting Mr. Guthrie's aid in coordinating calls with FDEM to assist the City of

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Dunnellon with ground, water and air monitoring being conducted by the agencies. He stated Mr. Guthrie was also able to assist in reducing support from MCFR through Sunday night. Mr. Bowlin advised that the Florida Guard was able to bring in a 4-man drone team with a supervisor to search for hotspots, which they did find and were able to have MCFR extinguish. He stated Mr. Guthrie is working with his team to see if there is anything they have missed where support can be supplied from the State, noting there is a conference call being held later today with FDEP relating to ground monitoring. Mr. Bowlin advised that in conversations held on February 2, 2026 with the City of Dunnellon, staff were told Blue Cove and the surrounding areas are on municipal water. He stated they are not supposed to be on wells, but wells may be used for irrigation. He addressed the concerns regarding piles of ash, noting he provided recommendations to CSXT and they are working diligently. Mr. Bowlin referred to pictures as seen on the overhead screens and commented on the ash cleanup progress. He stated bulldozers have begun to thin the piles out, but the ground is still very hot. Mr. Bowlin advised that 50 gondola carts are en route and are expected to transport 2 loads for transportation to Alabama. They will be offloaded and then return to get the rest.

Chairman Zalak stated FDEP is going to treat this as any other spill or hazardous site. He advised that they will have to remove the ash and soil down to a depth until they get clean dirt and then ship it all out. Chairman Zalak stated the hazardous material is not going to sit on the piece on property. He advised that there are concerns about elements, noting if it is not done in a timely manner than carcinogens will go into rivers, aquifers, etc. Chairman Zalak questioned if FDEP has the ability to get that done quickly. Mr. Bowlin stated that conversation will take place at 11:30 a.m. today.

Chairman Zalak requested he be contacted after the call.

Mr. Bowlin advised that MCSO Emergency Management will continue to support Marion County and the City of Dunnellon through each step of the recovery. He commented on sending recommendations with other agency/Department heads to City of Dunnellon. Mr. Bowlin stated the ground cannot be immediately bulldozed into hoppers until it is cooled down.

Commissioner Stone questioned if the agencies need any support from the County regarding monitoring. Mr. Bowlin commented on the coordination between all agencies/departments.

In response to Commissioner Stone, Mr. Bowlin stated other than MCFR response he does not see any further financial burden to the County unless something else goes awry. He clarified that all support that has been brought in has been at no cost to the County. General discussion ensued relating to the location of the burn area.

Chairman Zalak expressed gratitude to Mr. Bowlin and stated he does a great job coordinating all of these resources. He advised that when he found out the State was also going to fly the drones that night, it made him feel a lot better about being able to get out to the hotspots and extinguish the fire.

In response to Commissioner McClain, Ms. Blackburn advised that CSXT is a railroad governed by Federal law. She stated staff had to connect the dots relating to who the rail ties belonged to, how they got there, why they were there, and what was going on. Ms. Blackburn advised that after connecting the dots staff found out CSXT was the property owner, noting the path of least resistance was working with them to police their own property and not come in with a strongarm of a lawsuit to have the ties removed. She stated the period of time the County has been involved has been 3 months before the fire and staff has been making great efforts with CSXT to bring railcars out there to move the

ties with carts that came out in December (2 months after the County got involved). Ms. Blackburn advised that there were a ton of rail ties out there and the County was attempting to work with them in good faith; however, staff was not able to make the headway citizens were wanting them to make at the pace they wanted to see.

Commissioner McClain reiterated that this is a Federally operated railroad on their property, noting a portion of it was on County property then it was moved. Ms. Blackburn stated the size of the property that CSXT owns is approximately 100 acres, which is in 4 different parcels. She advised that some of it lies in the City of Dunnellon and some of it lies in the unincorporated area of Marion County. Ms. Blackburn clarified that the railroad ties were shifting between those areas and back again several times. She stated finding out where they were, what was going on, and how it was operating was somewhat of a challenge, noting it was CXST's property to police.

Mr. Bouyounes advised that in regards to the injunction, the largest section of CSXT right-of-way (ROW) is inside City of Dunnellon. He questioned if this is included in the injunction. Ms. Blackburn stated a telephone conference needs to be had with the City of Dunnellon to see if they want to join into the injunction.

Chairman Zalak clarified that the City of Dunnellon City Council will have to make a vote to join in on the lawsuit.

Mr. Minter stated City of Dunnellon has an attorney out of Maitland who has been their City Attorney for years and staff will be in communication with him.

Chairman Zalak advised that they will need to join in so the County can go after CSXT in one lawsuit.

Commissioner Bryant opined that she cannot imagine they would not like to join, noting they have been fighting it as well.

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

**6.1. PUBLIC HEARING CANCELLED** for Consideration of an Ordinance to Establish the Canterwood Acres Community Development District and Request Approval to Reschedule and Authorize Advertising a Public Hearing on Tuesday, March 17, 2026, at 10:00 a.m., or soon thereafter, in the McPherson Governmental Campus Auditorium  
Growth Services Director Chuck Varadin presented the following recommendation:

Description/Background: Brian Lamb of Inframark, LLC, filed a petition on behalf of Ocala SW 100<sup>th</sup>, LLC, to establish a new Community Development District (CDD) for a development to be titled Canterwood Acres pursuant to F.S. Section 190.005 and Marion County's Code of Ordinances (COO) Chapter 14.5, Article III, Division 1. COO Sections 14.5-43 and -44 require a draft petition to be considered in a "counseling phase" followed by the formal petition in a "formal filing phase."

The Board previously scheduled a public hearing to consider the Canterwood Acres CDD Petition for February 3, 2026, at 10:00 a.m. An advertising error on behalf of the newspaper publisher requires rescheduling the hearing date to comply with advertising requirements for a CDD Petition. The petitioner will be responsible for placement and funding of the necessary public notice advertising (4 consecutive weekly ads) in a qualified newspaper of general circulation pursuant to Chapter 50, F.S., for the hearing. Staff recommends rescheduling the public hearing to consider the ordinance establishing the Canterwood Acres CDD to Tuesday, March 17, 2026, at 10:00 a.m., or soon thereafter, in the McPherson Governmental Campus Auditorium.

Budget/Impact: None.

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Recommended Action: Motion to schedule and authorize advertising (at the petitioner's expense) a public hearing to consider an ordinance to establish the Canterwood Acres Community Development District on Tuesday, March 17, 2026, at 10:00 a.m., or soon thereafter, in the McPherson Governmental Campus Auditorium.

Mr. Bouyounes advised that for the second time the applicant did not properly advertise the public hearing, noting there has not been proper notification of the hearing and so it cannot be conducted. He stated the next available date is at the BCC meeting on March 17, 2026 at 10:00 a.m.

Commissioner Stone opined that because it was advertised incorrectly the first time and not at all the second time, it would be more prudent for the Board to request the applicant provide information and confirmation that the newspaper will advertise on a certain date and then BCC will then set the hearing. She advised that she does not want to give it a date certain, but if she does she recommends it be in May 2026.

Chairman Zalak opined that the Board could give the authority of scheduling to the County Administrator once proof has been provided.

Commissioner Bryant questioned if the hearing has to be scheduled before it can be advertised. Mr. Bouyounes stated if the applicant provides a plan as to when they will advertise then staff can work with them to come up with a date for the public hearing.

Commissioner Stone advised that she would like notification that the applicant has made the request of the newspaper, the newspaper has confirmed receipt of the request and payment for advertising certain dates, and enough time that it has come back to the Board. She opined that she does not want a third cancellation on an Agenda because it looks bad on the County even though the applicant is responsible to have it advertised.

In response to Mr. Minter, Commissioner Stone stated the newspaper would confirm they have received confirmation of a request to run the hearing notice, the newspaper has received their payment from the applicant, and the notice on certain dates with enough time for it to come back to the Board to be approved.

Commissioner Bryant questioned if Commissioner Stone would be ok with setting the date in the motion, but telling the applicant this is the third and final date the Board will set. Commissioner Stone stated she is unsure of whether the Board can tell an applicant they cannot come back before the BCC after a third failure of advertisement.

Mr. Minter advised that the BCC probably cannot do that. He stated his concern is anytime an advertisement is submitted to the paper it already has a date.

Commissioner Bryant advised that the motion be crafted as such that it be contingent upon getting confirmation from the paper that the legal advertisement requirement has been met.

General discussion ensued.

Growth Services Director Chuck Varadin advised that one thing staff is looking into is if advertisement from the applicant can be done by the Department through the County owned website (<https://www.marionfl.org/LegalNotices>), noting Florida Statute (FS) does allow it to be on a publicly accessible website.

In response to Chairman Zalak, Mr. Varadin stated he spoke with Assistant County Attorney Dana Olesky, Legal, and she concurred that posting through the website is an option but there is a question surrounding the fee.

Commissioner Bryant advised that it takes 4 weeks to advertise and March 17, 2026 is 6 weeks out. She reiterated the Board can make the motion contingent on proof of the publication before it goes on the Agenda.

Commissioner Stone opined that this issue is a big deal if the applicant cannot get the advertising right, noting she would like them to get the message that the BCC will not keep advertising a public hearing that has not been publicly noticed. She questioned how many times has the Board ever had 2 public hearings incorrectly advertised or not advertised at all. Commissioner Stone stated it comes back on the BCC.

General discussion resumed.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to schedule and authorize advertising (at the petitioner's expense), contingent upon proper advertisement by February 17, 2026, a public hearing to consider an Ordinance to establish the Canterwood Acres CDD on Tuesday, March 17, 2026, at 10:00 a.m., or soon thereafter, in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (5-0).

## **10. COMMITTEE ITEMS: NONE**

## **11. NOTATION FOR ACTION:**

**11.1.** Request Approval to Schedule and Advertise Two Public Hearings to Consider an Ordinance to Amend the Marion County Land Development Code on Thursday, February 26, 2026, at 5:30 p.m. and Monday, March 23, 2026, at 1:30 p.m. with Each Hearing to be Held in the McPherson Governmental Campus Auditorium

Growth Services Director Varadin presented the following recommendation:

Description/Background: Staff has submitted Land Development Code (LDC) Amendment Applications to update and review the following:

- LDC Article 1, Division 2 Definitions;
- LDC Article 4 to add Section 4.3.28 Fly-In Communities; and
- LDC Article 4 to add Section 4.3.29 Private Airports.

The proposed revisions are to be considered by the Land Development Regulation Commission (LDRC) in a Public Hearing on February 4, 2026, at 5:30 p.m., consistent with LDC Section 2.4.3.

LDC Section 2.5.5.A(1) requires the Board to consider the adoption of the proposed amendments in two advertised Public Hearings for each revision to the LDC. At least one hearing is to be held after 5:00 p.m. on a weekday, unless the Board, by a majority plus one vote, elects to conduct that hearing at another time of day. Further, the second Public Hearing shall be held at least ten days after the first hearing. The following dates and times are being requested to conduct each of the required public hearings and accommodate the required advertising to consider the proposed Amendments:

- Thursday, February 26, 2026, at 5:30 p.m. in the McPherson Governmental Campus Auditorium, and
- Monday, March 23, 2026, at 1:30 p.m. in the McPherson Governmental Campus Auditorium.

Budget/Impact: None.

Recommended Action: Motion to schedule and advertise two Public Hearings with the Board of County Commissioners to consider revisions to LDC Article 1, Division 2 definitions, Section 4.3.28 and Section 4.3.29 on Thursday, February 26, 2026, at 5:30 p.m. and Monday, March 23, 2026, at 1:30 p.m. in the McPherson Governmental Campus Auditorium.

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It was the general consensus of the Board to have one-on-one meetings with staff prior to the hearings.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to schedule and advertise two Public Hearings with the BCC to consider revisions to LDC Article 1, Division 2 definitions, Section 4.3.28 and Section 4.3.29 on Thursday, February 26, 2026, at 5:30 p.m. and Monday, March 23, 2026, 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](http://www.marionfl.org).

Chairman Zalak opened the floor to public comment.

Charles Forman, NE 14<sup>th</sup> Street, did not appear to speak when called upon.

Joseph Walker, SE 54<sup>th</sup> Place, Ocklawaha, expressed concern with the railroad ties discussed earlier in the meeting.

Chairman Zalak advised that public comment is now closed.

## **13. COMMISSIONER ITEMS:**

### **13.1. Commission Comments**

Commissioner Curry advised that he has nothing further to add.

Commissioner McClain advised that he has nothing further to add.

Commissioner Stone referred to a banner displayed promoting the Run for The Springs event as seen on the overhead screens. She stated it is being held on February 28<sup>th</sup>, 2026 at Silver Springs State Park. Commissioner Stone advised that the BCC is making decisions for the best of the community and living to the County's vision statement.

Commissioner Bryant expressed appreciation to everyone who worked tirelessly to get the City of Dunnellon fire under control, noting the teams worked well together and everything executed the way that it should.

Chairman Zalak advised that the fire could have been a real disaster and commented on the teamwork it took to prevent further disaster. He expressed gratitude to Department leadership.

### **13.2. Commission Calendar**

#### **13.2.1. Present Commission Calendar**

The Chairman acknowledged receipt of the Commission calendar covering the period of February 3 through March 3, 2026.

## **14. NOTATION FOR RECORD:**

### **14.1. County Administrator Informational Items:**

**14.1.1. Present Solid Waste Monthly Operations Report for November and December 2025**

**14.1.2.** Present Updated 2025-26 Commission Liaison and Projects Chart

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

**14.3. Clerk of the Court:**

**14.3.1.** Present Report No. PC2026-01: Municipal Services Department – Silver Creek and Silver Creek 1<sup>st</sup> Addition Road Improvements Petition Court

**14.3.2.** Present Memorandum From Gregory C. Harrell, Clerk Of The Circuit Court And Comptroller, Regarding The Filing Of Ordinances 26-01 and 26-02 With The Secretary Of State's Office

**14.3.3.** Present Administrative Budget Transfer Report for FY 2025-26

**14.3.4.** Present Regular Report of Utilization for Reserve for Contingencies

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

**14.4.1.** Code Enforcement Board (CEB) - December 10, 2025

**14.4.2.** Development Review Committee (DRC) - January 5, 2026

**14.4.3.** Land Development Regulation Commission (LDRC) - December 3 and 17, 2025 and January 7, 2026

**14.4.4.** Marion Oaks MSTU Advisory Board for Recreational Services and Facilities - October 14, 2025

**14.4.5.** Pine Run Estates Advisory Board - April 17, May 15, June 18, July 17, August 21, and September 18, 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>

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There being no further business to come before the Board, the meeting thereupon adjourned at 10:49 a.m.

\_\_\_\_\_  
Carl Zalak, III, Chairman

Attest:

\_\_\_\_\_  
Gregory C. Harrell, Clerk

DRAFT