Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS

June 17, 2025

CALL TO ORDER:
The Marion County Board of County Commissioners (BCC) met in regular session in Commission Chambers at 9:02 a.m. on Tuesday June 17, 2025 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:
The meeting opened with invocation by Chairman Bryant 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 Kathy Bryant, District 2; Vice-Chairman Carl Zalak, III, District 4; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5. Clerk Gregory C. Harrell was absent due to a prior commitment. Also present were County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Angel Roussel, ACA Tracy Straub, and ACA Amanda Tart.

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

1. PROCLAMATIONS AND PRESENTATIONS:
Upon motion of Commissioner Stone, seconded by Commissioner Curry, the BCC approved and/or ratified the following:

1.1. PROCLAMATION – Post-Traumatic Stress Disorder Awareness/Teal Out Day - Alex Caban, Battalion Chief Fire Rescue (Approval and Presentation)
The Board presented the Proclamation designating June 27, 2025 as "Post-Traumatic Stress Disorder Awareness/Teal Out Day" to Battalion Chief Alex Caban, Marion County Fire Rescue (MCFR), and several representatives from the MCFR Peer Support Group, H3 Adventures, Veterans Helping Veterans, as well as members from the Post-Traumatic Stress Disorder (PTSD) Awareness Day Committee.
Battalion Chief Alex Caban, MCFR, advised that proceeds from the sale of these shirts and from the PTSD Awareness Walk go towards peer support funds, educational workshops, crisis intervention, and anything else that could help a veteran, a firefighter, civilians, or anyone that works for Marion County that is struggling. He advised that the PTSD Awareness Walk will be held on June 27, 2025 at 6:30 p.m., noting it is a 2.2 mile walk in solidarity for veteran suicides.
BJ Isom, President of Healing Hometown Heros (H3) Adventures, expressed his appreciation for everyone joining to help combat PTSD and suicides. He advised that each year the County loses more firefighters and more law enforcement officers to suicide than line of duty deaths.
Executive Director Todd Belknap, Veterans Helping Veterans, expressed his appreciation for the outpouring of support. He thanked Public Relations Director Bobbi Perez, Public

Relations Specialist Roger Waddell and Administrative Staff Assistant Jessica Holly for all their hard work. Mr. Belknap encouraged people to visit www.vhvusa.org/ptsd for more information. He noted all of the funds raised remain in Marion County. Mr. Belknap advised that Veterans Helping Veterans will utilize their share of funds for Project Reboot, which is a PTSD awareness initiative being offered at no cost to any citizen in Marion County.

1.3. PROCLAMATION – Waste and Recycling Workers Week - Mark Johnson, Solid Waste Director (Approval and Presentation)
The Board presented the Proclamation designating the week of June 16th through June 24th, 2025 as "Waste and Recycling Workers Week" to Solid Waste Director Mark Johnson and several representatives.
Solid Waste Director Mark Johnson advised that standing here today are some of Marion County's best solid waste and recycling workers that help keep Marion County communities clean. These workers remove over 200,000 tons of waste out of Marion County with 1.6 million pounds of litter coming off the roadway because of their efforts. Over 300,000 cars a month visit County recycling centers. In 2012, Waste and Recycling Workers Week was created as an effort to recognize the individuals that put in the work, relating to a sometimes thankless, but needed task. He encouraged members of the community to express their appreciation to those team members who make a difference.
Commissioner Zalak expressed his appreciation to the Solid Waste team for making Marion County beautiful.
Commissioner Curry expressed his appreciation for the great work being done to keep the community beautiful.
Chairman Bryant expressed her appreciation to staff for keeping Marion County clean on a daily basis.

1.2. PRESENTATION – Florida Department of Transportation Outreach Award for the Safety Matters Video Series - Rob Balmes, Director, Transportation Planning Organization (Presentation Only)
Transportation Planning Organization (TPO) Director Robert Balmes presented the following:

> Description/Background: Marion County, in partnership with the Ocala/Marion Transportation Planning Organization (TPO), created the Safety Matters initiative to remind the community of roadway safety. The Safety Matters Series is a community-driven effort dedicated to promoting roadway safety across Marion County. This collaborative initiative underscores the importance of protecting all roadway users, including drivers, pedestrians, and cyclists.
> In partnership with key stakeholders, the Safety Matters initiative engages the community through education and awareness, reminding everyone of their shared responsibility in fostering safer roadways.
> On May 9, 2025, the Ocala/Marion County Transportation Planning Organization and Marion County were awarded the Outreach Award at the Florida Department of Transportation Central Florida Safety Summit for their work on the Safety Matters Initiative.
> Budget/Impact: None.
> Recommended Action: Presentation only.

Commissioner Stone advised that she and TPO Director Robert Balmes recently had the

privilege of attending the Florida Department of Transportation (FDOT) Central Florida Safety Summit held at the Speedway in Daytona, Florida. At the Summit, the TPO was recognized for their series on educating the public on driving safety for its “Safety Matters” video series. Also in attendance was Secretary John Tyler, District 5; and Secretary Lorraine Bobo, who is the Safety Matters Director for this area. She expressed her appreciation to Public Relations (PR) Director Bobbi Perez, PR Specialists Roger Waddell and Mark Anderson, Multimedia Technician Austin Wicker and PR Multimedia Coordinator Jovanny Arenas, as well as several others who participated in producing those videos. Commissioner Stone also expressed her appreciation to her fellow Commissioners, Marion County Sheriff’s Office (MCSO), City of Ocala Police Chief Mike Balkin, and City Council members from across Marion County municipalities.
TPO Director Robert Balmes advised that this series entitled “Safety Matters” has been a big undertaking and a real collaborative process. There were 16 partners that participated, including first responders, all four local governments, and all twelve of the TPO Board members who are in the videos. He expressed his appreciation to TPO Administrative Specialist/Social Media Coordinator Shakayla Irby who really stepped up and has done a great job with script development coordination. Mr. Balmes thanked Commissioner Curry for his leadership in pushing this project forward.

Chairman Bryant passed the gavel to Commissioner Zalak who assumed the Chair.
Commissioner Bryant out at 9:34 a.m.
1.4. PROCLAMATION – Eagle Scout Court of Honor - Nicholas Dwight Eggers (Ratification Only)
The Board approved the Proclamation congratulating Nicolas Eggers upon attaining the status of Eagle Scout in the Boy Scouts of America organization.
Commissioner Bryant returned at 9:35 a.m.
Chairman Zalak returned the gavel to Commissioner Bryant who resumed the Chair.

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.
Chairman Bryant opened the floor to public comment.
There being none, Chairman Bryant advised that public comment is now closed.

3. ADOPT THE FOLLOWING MINUTES (2 sets):
3.1. February 4, 2025
3.2. February 6, 2025
A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to adopt the meeting minutes of February 4, and 6, 2025. The motion was unanimously approved by the Board (5-0).

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES: NONE

5. CLERK OF THE CIRCUIT COURT:
5.1. Budget Amendment
Upon motion of Commissioner Stone, seconded by Commissioner Curry, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Deputy Clerk Windberg, on behalf of Clerk Harrell:
5.1.1. 25-R-181 - Fine and Forfeiture Fund - Sheriff Regular Transfer - $1,675
5.1.2. 25-R-182 General Fund - Emergency Medical Services - $900,000
5.1.3. 25-R-183 - General Fund - Legislative - $5,000
5.1.4. 25-R-184 - General Fund - Multiple Departments - $158,814
5.1.5. 25-R-185 - General Fund - Public Safety Communications - $301,479
5.1.6. 25-R-186 - Hills of Ocala MSTU for Recreation - Hills of Ocala Recreation - $12,000
5.1.7. 25-R-187 - Marion County Utility Fund - Utilities Wastewater System - $75,000
5.1.8. 25-R-188 - MSTU for Law Enforcement - Sheriff Patrol CID Transfer - $10,755
5.1.9. 25-R-189 - MSTU for Law Enforcement - Sheriff Patrol CID Transfer - $14,000
5.1.10. 25-R-190 - MSTU for Law Enforcement - Sheriff Patrol CID Transfer - $40,000
5.1.11. 25-R-191 - Silver Springs Acres MSBU for Road Maintenance - Silver Springs Acres Road Maintenance - $20,000
(Ed Note: MSTU is the acronym for Municipal Service Taxing Unit; MSBU is the acronym for Municipal Service Benefit Unit and CID is the acronym for Criminal Investigative Division.)

5.2. Clerk of the Court Items
5.2.1. Present Proposed FY 2025-26 Budget
Budget Director Audrey Fowler presented the following:

> Description/Background: Presentation of Fiscal Year 2025-26 Proposed Budget Documents.
> The Proposed Budget and the Proposed Line-Item Budget will be available on June 17th on the Marion County Clerk of Court and Comptroller website.
> Budget/Impact: None.
> Recommended Action: Motion to Approve Budget Workshop Schedule as Presented.

Budget Analyst Miguel Figueroa advised that he was present this morning to represent the Clerk of the Court and Comptroller who serves as the County Commission's Budget Officer and to present to the Board the proposed budget for the fiscal year (FY) 2025/2026. The annual budget process begins in January with the County Commission's Strategic Planning workshop and follows with a formulation of budget requests and revenue estimates to ultimately prepare a balanced budget proposal. The proposed budget is provided in three documents. The proposed budget includes the budget document, the front section of which has received a significant revision to include narrative summaries, charts, graphs, an overview of the strategic plan performance measures, and an appendix of agencies provided documents for the Board's review. The proposed line item budget, which presents the budget in a level of detail that aligns with Statutory accounting requirements. Finally, the proposed 5-Year Capital Improvement Program (CIP), of which the first year aligns with a Capital Outlay request included in the proposed annual budget.
Mr. Figueroa advised that the budget documents are currently available for viewing, or can be downloaded from the Marion County Clerk of the Court and Comptroller website at www.marioncountyclerk.org. The budget as proposed is a compilation of budget

requests received from the County Departments through the County Administrator's Office, as well as those requests submitted directly by the County's five Constitutional Officers: Clerk of the Court and Comptroller, Property Appraisers, MCSO, Supervisor of Election, and the Tax Collectors Office, as well as outside agencies that routinely provide services funded by the County. The budget, as proposed, is the County Commission's first opportunity to review these requests, as well as the corresponding tax and fee rates necessary to fund the budget as proposed. As such, the budget does not yet represent the level of funding and the prioritization of services to be determined by the BCC. The County Commission will have the opportunity to review and adjust the proposed expenditure request, as well as the corresponding tax and fee rates through the remainder of the budget process. A series of budget workshops are scheduled during the month of July, 2025. They are scheduled to take place on the morning and afternoons of Wednesday, July 16, Thursday, July 17, the morning of Wednesday, July 23, and Thursday, July 24, 2025. An overview of the detail of the proposed budget will lead off the budget workshop, followed by discussions with representatives of the Departments, Constitutional Officers, and agencies funded by the County Commission. Following preliminary reviews and adjustments of the budget, the Board is required to set proposed maximum property tax rates on or before August 4, 2025. As the first BCC meeting of August is after August 4th, a special meeting has been scheduled for July 24, 2025 at 1:30 p.m. to set the maximum millage rates. The budget is finally adopted through a series of two public hearings scheduled for the evening of Thursday, September 4, 2025 and Monday, September 22, 2025, whereupon the budget, and tax rates will be finalized for the fiscal year beginning on October 1, 2025.

Commissioner Stone opined that every year the Clerk's Office produces such exceptional documentation for the public to go in and have true transparency of how their dollars are spent to run this government. She encouraged the public to review these document, especially the proposed budget, noting the first 60 pages or so are going to give such an education about how dollars, revenues and expenses flow in and out of this community.

Chairman Bryant concurred and stated the narrative in there will give citizens such valuable information, especially if they are curious about local government and how tax dollars are spent. She noted it will also provide information about other revenue sources that come in. Chairman Bryant stated there is a misnomer out there that the County budget is completely funded by ad valorem taxes, which is not the case. There are many different revenue streams that come from different locations and those revenue streams have specific State Statutes on how they can be spent. She advised that when it comes to Constitutional Officers' budgets, the BCC does not set those budgets, noting the only budgets that the County Commission has control over are County Departments.

5.2.2. Present Proposed FY 2025-26 - 2029-30 Capital Improvement Program

Budget Director Fowler presented the following:

Description/Background: Presentation of Proposed Capital Improvement Program. The Proposed Capital Improvement Program will be available on June 17 on the Marion County Clerk of Court and Comptroller website.

Budget/Impact: None.

Recommended Action: Information only.

(Ed. Note: This Item was addressed with Item 5.2.1.).

5.2.3. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 044003, 046955, 052662, and State Attorney's List
A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve the Acquisition or Disposition of Property Forms for 044003, 046955, 052662, and State Attorney's List.

7. CONSENT:
A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion unless desired by a Commissioner.
Upon motion of Commissioner Stone, seconded by Commissioner Curry, the Board acted on the Consent Agenda as follows:

7.1. County Attorney:
7.1.1. Request Approval of Third Amendment to Mutual Assistance Agreement for Emergency Shelters in Marion County (Budget Impact - None)
The Board accepted the following recommendation as presented by County Attorney Matthew G. Minter, Legal:

> Description/Background: The Mutual Assistance Agreement for Emergency Shelters between the County and the School Board was approved on July 16, 2019. Shortly after, the Florida Department of Emergency Management (FDEM) changed the policy that relates to seeking reimbursement after disasters. The First Amendment was approved on June 16, 2020 to give the School Board the responsibility to make direct reimbursement requests to the Federal Emergency Management Agency (FEMA) for disaster related expenses. This Amendment did not extend or change the initial three (3) year term. The Second Amendment was approved on May 3, 2022, which amended Section 23 of the Shelter Agreement to provide for an additional three (3) year term, to July 16, 2025. The County and the School Board now desire to extend the agreement for an additional three (3) years from July 16, 2025 to July 16, 2028.
> Budget/Impact: None.
> Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Third Amendment to Mutual Assistance Agreement for Emergency Shelters in Marion County.

7.2. Community Services:
7.2.1. Request Approval of Second Amendment to the Agreement Between Marion County and Homeowner for State Housing Initiatives Partnership Housing Rehabilitation between Marion County and Aubrey D. Jacobs (Budget Impact - None)
The Board accepted the following recommendation as presented by Community Services Director Cheryl Butler:

> Description/Background: Marion County administers State Housing Initiatives Partnership (SHIP) funding to benefit low to moderate income households. On January 21, 2025, the Board approved an Agreement with Marion County and Ms. Jacobs in the amount of $150,000.00 to replace Ms. Jacobs home under the State Housing Initiatives Partnership Program (SHIP).
> On April 1, 2025 the Board approved Ms. Jacobs' First Amendment to enable the County to pay off the first mortgage to move the project forward without delay. This

second amendment allows Marion County to purchase a replacement manufactured home without the requirement of Ms. Jacobs to expend charitable contributions first. This will facilitate an expedited transition for the homeowner to move into a safer environment.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute all necessary documentation for the Second Amendment between Marion County and Ms. Jacobs.

7.3. Development Review Committee:

7.3.1. Request Approval of Waiver Request for Land Development Code Section 2.16.1.B(8)(g) - Agricultural Lot Split Establishment of County Municipal Services Benefit Unit for Gemini Farms, Parcel Number 20908-000-00, Application Number 32709 (for Agricultural Lot Split Application Number 32707) (Budget Impact - None)

The Board accepted the following recommendation as presented by Building Safety Director Michael L. Savage, Sr. on behalf of the Development Review Committee (DRC):

Description/Background: Section 2.16.1.B(8)(g) of the Land Development Code (LDC) 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 southwest portion of the county containing 9 lots and an access easement on approximately 91.960 acres. The LDC Section 2.16.1 allows 10 lots of 10 acres each for an Agricultural Lot Split.

The Applicant requests to allow an easement agreement that stipulates maintenance. DRC reviewed the request by the applicant, and after discussion acted on May 19, 2025 to recommend approval to the Board, ensuring the covenants stated access via the common easement would not be maintained by Marion County.

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 of the Memorandum of Understanding NO. FM1019 between Department of Financial Services and Marion County Fire Rescue (Budget Impact - Neutral; estimated savings of $2,296 per student)

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

Description/Background: This is a Memorandum of Understanding (MOU) between Marion County Fire Rescue (MCFR) and the Florida State Fire College (FSFC) to allow MCFR to lease space at the FSFC for five (5) years in order to conduct in-house firefighter minimum standards, Firefighter I and Firefighter II, training for newly hired MCFR personnel. The current practice for training new firefighter recruits requires sending them to an external fire academy such as the FSFC. While FSFC provides a high-quality program, MCFR has limited control over curriculum pacing and instructional consistency aligned with MCFR's operational expectations. All students trained under this agreement will be MCFR employees enrolled in the program as part of their onboarding and training.

This MOU proposes that MCFR will rent facility space at the FSFC and deliver both Firefighter I and Firefighter II using MCFR instructors, equipment, and curriculum. The FSFC will provide MCFR with the use of its training grounds, classroom space, and live fire props.

The current cost per student at the FSFC is $4,096. The estimated cost per student in this MCFR-led program is $1,800. This results in an estimated savings of $2,296 per student. While the number of students per class will differentiate, if a class had 20 students, the cost savings would be $45,920.

Budget/Impact: Neutral; estimated savings of $2,296 per student.

Recommended Action: Motion to approve the Memorandum of Understanding NO. FM1019 between Department of Financial Services and Marion County Fire Rescue.

7.5. Municipal Services:

7.5.1. Request Adoption of Initial Assessment Resolution for East Lake - Woodmar Improvement Area Pursuant to Capital Improvement Ordinance Number 09-10 (Budget Impact - None)

The Board accepted the following recommendation to adopt Resolution 25-R-192 as presented by Municipal Services Director Chad Wicker:

Description/Background: On September 6, 2023 the Board agreed that design and bidding for construction of the East Lake - Woodmar Improvement Area could proceed. During a Final Public Hearing tentatively scheduled for August 6, 2025 at 1:00 p.m., the Board will be asked to consider the annual special assessment for approval and to award the construction bid for road improvement. An informational meeting will be scheduled with property owners prior to the Final Public Hearing.

Budget/Impact: None.

Recommended Action: Motion to adopt the Initial Assessment Resolution and authorize the Chair and Clerk to execute same.

Resolution 25-R-192 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, RELATING TO THE CONSTRUCTION AND FUNDING OF ROAD IMPROVEMENTS; DESCRIBING THE REAL PROPERTY TO BE LOCATED WITHIN THE PROPOSED EAST LAKE - WOODMAR - SE 143rd STREET AND PORTION OF SE 145th AVENUE IMPROVEMENT AREA AND THE ROAD IMPROVEMENTS TO BE CONSTRUCTED THEREIN; ESTABLISHING THE METHOD OF ASSESSING THE COSTS OF THE ROAD IMPROVEMENTS AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENTS AND THE METHOD OF THEIR COLLECTION; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

7.6. Procurement Services:

7.6.1. Request Approval of Bid Award: 25B-088 Marion County Pavement Preservation – Pavement Technology, Inc., Westlake, OH (Budget Impact - Neutral; expenditure of $339,506)

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

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid for a qualified contractor to provide pavement rejuvenation to 273,795 square yards of asphalt pavement located at eight (8) locations throughout Marion County (approximately 15.7 miles). This proactive project is a key component of the County's pavement preservation strategy, aiming to extend the service life of existing asphalt surfaces, improve ride quality, and reduce long-term maintenance costs. By applying treatments, the County is able to rejuvenate and restore asphalt pavement, enhancing pavement flexibility and preventing premature oxidation, cracking and deterioration. One (1) submittal was received, and the tabulation is below:

Firm Name - *Location*	Bid Price
Pavement Technology, Inc. - *Westlake, Ohio*	$339,505.80

Steven Cohoon, County Engineer, recommends that Pavement Technology, Inc. receive the award as the lowest, most responsive, and most responsible bidder.

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

Budget/Impact: Neutral; expenditure of $339,505.80. 10% contingency will be added to the purchase order in accordance with the Procurement Manual. Funding is from VJ738541-563220 (Infrast Surtax Cap Proj Fund).

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract and authorize the Chairman and Clerk to execute the contract under 25B-088.

7.6.2. Request Approval of Bid Award: 25B-104 Hauling and Disposal of Utilities Wastewater Process Sludge, Debris and Grease - American Pipe & Tank, Inc., Ocala, FL (Budget Impact - Neutral; estimated annual expenditure of $250,000)

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

Description/Background: On behalf of Marion County Utilities (MCU), Procurement issued a solicitation for the hauling and disposal of wastewater process sludge, debris, and grease. The requested services include the removal and disposal of liquid and stabilized and/or unstabilized residuals from the County's wastewater treatment plants (WWTPs) and lift stations. These materials must be transported to a permitted Residuals Management Facility (RMF) located within Marion County and disposed of in compliance with all applicable regulations.

Two bids were received in response to the solicitation; however, one contractor formally withdrew their proposal. Following evaluation, MCU Director Tony Cunningham recommends awarding the contract to the remaining responsive bidder, American Pipe & Tank, Inc. (APT).

A draft contract is attached for review. Upon approval at today's meeting, the contract will be forwarded to APT for execution. Once signed by the contractor, it will be routed to Legal, the Clerk, and Chairman for signatures.

Budget/Impact: Neutral; estimated annual expenditure is $250,000. Estimated expenditures may vary based on actual need, but shall not exceed approved budgeted amounts, and shall be based on contracted unit costs.

Recommended Action: Motion to approve bid award to American Pipe & Tank, Inc. and after approval from Legal, authorize the Chairman and Clerk to execute the contract under 25B-104.

7.6.3. Request Approval of a Contract for Transfer Station Use Based on the Selection Committee Recommendation for 25P-014, to GFL Solid Waste Southeast LLC, Ocala, FL (Budget Impact - Neutral; estimated expenditure of $500,000)

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

Description/Background: On behalf of Solid Waste, a Request for Proposals (RFP) was issued to solicit proposals from qualified firms to provide disposal solutions to Marion County. The County sought proposals addressing three separate items including: use of a transfer station, Class III disposal and Class I disposal.

Three (3) firms submitted proposals. Each proposal was responsive to their respective business operation, which were evaluated and ranked by the Selection Committee members: Mark Johnson - Solid Waste, John Corneilson - Utilities, and Sky Wheeler - Tourist Development. Of the proposals, GFL Solid Waste Southeast LLC (GFL) and Friends Recycling provided proposals for both the use of a transfer station and Class III disposal. Waste Connections was the only proposer for Class I disposal.

Negotiations with the first vendor have concluded and the Solid Waste Department is recommending a contract for transfer station use be awarded to GFL.

The contract will provide Marion County access to their transfer station seven (7) days per week, 7:00 am to 5:00 pm. The services include loading and hauling of delivered waste to the Heart of Florida (HOF) landfill. To ensure the best value, Marion County will be responsible for the disposal expense at the HOF. Marion County currently handles over 700 tons of garbage per day, this vendor would be able to accommodate up to 200 tons per day of additional material at their transfer station on an as needed basis.

The cost of service provided by GFL is $25 per ton, comprised of $5 for the loading and $20 for the haul. The initial contract term is three (3) years, effective through June 30, 2028, with the option to extend for up to three (3) additional one-year periods.

Staff expects to present an additional transfer station contract for consideration at a future date. Solid Waste recommends establishing multiple contracts for the use of transfer stations to enhance system reliability and operational flexibility. These contracts will help maintain adequate capacity during planned repairs or maintenance at the existing transfer station. They will also provide essential redundancy and ensure continuity of service in the event of emergencies.

Furthermore, access to additional transfer stations will support the diversion of bulky, lightweight capacity will also enable continued waste diversion as our primary facility nears its operational limits.

Attached for review is the draft contract for GFL. Upon approval at today's meeting, it will be forwarded to GFL for signatures. Once returned, it will be sent to Legal, the Clerk and Chairman for signatures.

Budget/Impact: Neutral; estimated annual expenditure of $500,000. Annual expenditures will not exceed approved FY budgeted amounts without being brought back to the Board.

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 25P-014.

7.6.4. Request Approval of Fourth Contract Amendment: 21P-145-CA-04, Janitorial Cleaning Services - Outliers Capital SMB LLC d/b/a Blue Ribbon Cleaning Company, Inc., Ocala, FL (Budget Impact - Neutral; estimated expenditure of $225,000)

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

Description/Background: On June 15, 2021, the Board approved two separate contracts for janitorial cleaning services for Marion County's countywide facilities. Subsequently, on June 20, 2023, the Board authorized consolidating janitorial services for both countywide buildings and the Library under a single provider, Outliers Capital SMB LLC d/b/a Blue Ribbon Cleaning Company, Inc. (BRC), effective August 1, 2023.

This Fourth Contract Amendment adds the Library Department's fee schedule, which was inadvertently omitted from the Third Contract Amendment approved by the Board on April 15, 2025. The updated fee schedule reflects a 1.5% rate increase for the renewal period of May 1, 2025, through April 30, 2026. This increase was previously approved by the Board and is now being applied consistently to both Library and Facilities Management services.

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

Budget/Impact: Neutral; estimated expenditure of $225,000.

Recommended Action: Motion to approve and allow staff to issue, and upon return from Legal, authorize the Chairman and Clerk to execute the Fourth Contract Amendment under 21P-145.

7.6.5. Request Approval of Task Order for Construction Manager: 20Q-161-TO-50 Southeastern Livestock Pavilion Sales Arena Renovation - Cullison-Wright Construction Corporation, Ocala, FL (Budget Impact - Neutral; expenditure of $593,838)

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), allowing the County to select a CM based on expertise, capacity, and availability. Facilities Management has assigned the Southeastern Livestock Pavilion (SELP) Sales Arena Renovation project to Cullison-Wright Construction Corporation. The project scope includes the removal of the existing ceiling tile and grid, painting of the exposed ceiling and interior arena walls, and the demolition of the existing restrooms. The project will also include the reconstruction of two (2) restrooms that are compliant with the Americans with

Disabilities Act (ADA), in the same location as the current facilities. Substantial completion is required within 180 calendar days from the start date on the Notice to Proceed, with an additional 30 calendar days allotted for final completion.

Attached for review is a draft contract. Upon approval at today's meeting, it will be forwarded to the CM for signature. Once returned, it will be forward to Legal, the Clerk and Chairman for signatures.

Budget/Impact: Neutral; annual expenditure of $593,838, up to a 10% contingency may be added to the purchase order in accordance with the Procurement Manual. Funding for this project is from line AA718572-563102 (General Fund), project LPC202003.

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.

7.6.6. Request Approval of Task Order: 22Q-141-TO-07 NW 44th Avenue Curb Inlet Sedimentation Removal - Hartman Civil Construction Co., Inc., Hernando, FL (Budget Impact - Neutral; expenditure of $47,388)

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

Description/Background: On July 6, 2022, the Board approved contracts with five (5) firms to provide repair and maintenance services for roads, rights-of-way, and stormwater management facilities. Marion County Office of the County Engineer has selected Hartman Civil Construction Co, Inc. for the cleaning and removal of sedimentation from 16 curb inlet structures. The project is located along NW 44th Ave between NW 63rd St and NW 73rd Pl. This task order will also include an outfall repair within DRA 1103, located NE of the intersection of NW 44th Ave and NW 66th Pl, that consists of clearing and grubbing and sodding of disturbed areas.

Budget/Impact: Neutral; expenditure of $47,388. A 10% contingency will be added to the purchase order in accordance with the Procurement Manual. Funding is from EK430538-563101-STM0086MA (Stormwater Program).

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract and authorize the Chairman and Clerk to execute the contract under 22Q-141.

7.7. Transportation - County Engineer:

7.7.1. Request Approval for Resolution Supporting Local Funding Assistance from the Withlacoochee Regional Water Supply Authority (Budget Impact - Neutral; revenue up to $18,285 proposed in the FY 2025-26 budget)

The Board accepted the following recommendation to adopt Resolution 25-R-193 as presented by County Engineer Steven Cohoon, Office of the County Engineer (OCE):

Description/Background: Request approval for resolution supporting local funding assistance from the Withlacoochee Regional Water Supply Authority (WRWSA). As a member of the WRWSA, the Board is eligible to apply for WRWSA's Water Conservation Grant. The grant will reimburse up to 50% of the County's dollars spent on water use efficiency initiatives. The requested amount of cooperative funding for FY 2025-26 is $18,285. To complete the application, a Resolution is required, which confirms that the Board will budget matching funds. Upon approval of the grant application by WRWSA, an agreement will come back to the Board for execution.

Budget/Impact: Neutral; revenue up to $18,285 proposed in the FY 2025-26 budget. Total project cost is $36,570, with $18,285 in grant revenue, $10,000 from fund AA433537 (Water Resources), $4,850 from fund ZF440369 (Utilities- Water Operations), and $3,435 from fund EK430337 (Stormwater).

Recommended Action: Motion to authorize the Chairman and Clerk to execute the attached WRWSA Water Supply Funding Assistance Resolution as presented.

Resolution 25-R-193 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SUPPORT THE GRANT APPLICATION FOR LOCAL GOVERNMENT WATER SUPPLY FUNDING ASSISTANCE FROM THE WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY FOR LOCAL WATER CONSERVATION PROGRAM EFFORTS; AND PROVIDING AN EFFECTIVE DATE.

7.7.2. Request Approval of a Purchase Agreement for Retention Area within the Dunnellon Oaks Community, Parcel Number 3482-001-028 (Budget Impact - Neutral; expenditure of $22,000)

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

Description/Background: This is a request to approve and execute the attached Purchase Agreement in the amount of $22,000, plus closing costs, for parcel number 3482-001-028, a vacant 0.24-acre lot. While this parcel was not within the Dunnellon Oaks Municipal Services Taxing Unit (MSTU) improvement boundary, it is a constructed retention area that will provide benefit to the subdivision. Specifically, the parcel will provide necessary compensating storage to support roadway improvements on SW 115th Lane, SW 116th Place, SW 175th Court, and SW 177th Court, which are slated to be paved by the developer. The negotiated agreement encompasses all costs related to this transaction.

Budget/Impact: Neutral; expenditure - $22,000 plus closing cost (EK430538-561101).

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

7.7.3. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue North Road Improvement Project for Parcel 3579-003-225 (Budget Impact - Neutral; expenditure of $360,000)

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 $360,000 plus closing costs for parcel 3579-003-225 associated with the SW 49th Avenue North Road Improvement Project (Marion Oaks Trail to SW 95th Street). This is an improved lot consisting of .66 acres. The 1,613 square foot single family residence, constructed in 2005, consists of three (3) bedrooms, two (2) bathrooms, 220 square foot screened room and 483 square foot two (2) car-garage.

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 of $360,000 plus closing cost (STC073814 - TRANSP ROADS EXPAN ROW-738 - VJ738541 - 561301).
Recommended Action: Motion to approve the Purchase Agreement and authorize the Chairman and Clerk to execute the same.

8. COUNTY ATTORNEY: NONE

County Administrator Mounir Bouyounes advised that he would like to bring forward Agenda Item 14.1.1. It was the general consensus of the Board to concur.
14.1.1. Present Notification of the Appointment of Crystal McCazzio as Extension Services Director
Extension Services Director Crystal McCazzio advised that this is a great opportunity, and she is honored and humbled by the chance to serve the community in this role. She noted she learned from a young age how important Extension Services is to a community. Ms. McCazzio stated she grew up learning that citizens came to Extension Services for solutions to the challenges they faced, whether it was gardening, small farm production issues or anything in between. She provided a brief overview of current events happening at the Extension Services Department, starting with the Family Consumer Sciences Program, which offers programs such as food safety. The Department also offers help with financial management for first time home buyers. Staff are working on its 4-H Program and noted day camps are going on over the summer. Ms. McCazzio advised that the 4-H will be taking a trip to Tallahassee next week so members will get to learn about the Legislative process, budgets, and different Legislative Committees. She commented on Master Gardeners and horticulture projects such as summer gardening plant clinics. Ms. McCazzio encouraged citizens to look to Extension Services for resources relating to livestock and agriculture, family consumer sciences, etc. She noted citizens can reach out by visiting the Extension Services website, social media, Facebook, or reaching out to the Extension Services Department.
Chairman Bryant stated the Board is excited to have Ms. McCazzio as part of the Marion County family.

9. COUNTY ADMINISTRATOR:
9.1. Commission Policy Related to County Initiatives Requiring Public Relations
County Administrator Mounir Bouyounes, Administration, presented the following recommendation:
Description/Background: A draft of the Commission policy related to County Initiatives Requiring Public Relations is attached for review and consideration by the Board. The policy outlines the requirement for formal Board approval for major initiatives beyond routine operations and further clarifies the Chairman's role as the official representative of the Board of County Commissioners at county events. We are requesting clarification on whether commissioners may engage directly in their assigned liaison roles, or if prior approval from the Chairman is required when representing the Commission at events or participating in media interviews specifically related to the causes, programs, or organizations to which they have been appointed as liaisons. Clear guidance on this matter will help ensure that

such participation aligns with the intent of the liaison role and maintains a unified voice on behalf of the full Commission.

Budget/Impact: None.

Recommended Action: Motion to discuss and obtain approval of commission policy.

County Administrator Bouyounes advised that the request is for Board consideration of a proposed Policy to provide staff clarification relating to the process for County sanctioned initiatives, as well as Commissioner representation at County events. He referred to the draft Policy in the Agenda packet, which provides guidelines in Sections a, b and c. He stated Section c was included in the Policy to clarify that at the start of each new Chairmanship, the incoming Chairman and the County Administrator will meet to discuss the roles of Commissioners as liaisons to determine and clarify each Commissioner's role in events, including media engagements, community outreach, ceremonial duties, and other public-facing responsibilities amongst additional duties.

Chairman Bryant stated Section c of the Policy is redundant and opined that Sections a and b cover the necessary guidelines.

Commissioner Curry advised that the way the Board currently handles these matters has been working, noting it is important for the Chair to represent the Commission when possible. He opined that when a Commissioner is a liaison to a specific project or program, then the Chair can assign that Commissioner to speak at an event.

General discussion ensued.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to approve Board Policy 25-01, as amended to remove Section c, relating to County Initiatives Requiring Public Relations. The motion was unanimously approved by the Board (5-0).

10. COMMITTEE ITEMS:

10.1. Marion County Hospital District Board of Trustees - Request to Appoint One (1) Physician Member and One (1) Non-Physician Member to Full Terms Ending June 2029

The Board considered the following recommendation as presented by Commission Office Executive Assistant Gennifer Medina:

Description/Background: The Marion County Hospital District Board of Trustees has one physician and one non-physician member whose terms expire in June 2025. Neither has indicated an intent to seek reappointment. One application was received for the physician seat (from Dr. Mark Ortolani, Jr.), and four applications were received for the non-physician seat during the advertisement period:

- Loretha Tolbert-Rich
- Thomas O'Mara
- Rick Hugli
- Kyle Haines

Budget/Impact: None.

Recommended Action: Motion to appoint Dr. Mark Ortolani, Jr. as the physician member for a full term ending June 2029, and to appoint one additional applicant as the non-physician member for a full term also ending June 2029.

Deputy Clerk Windberg advised that Dr. Mark Ortolani, Jr. received the appropriate votes for the physician member and Loretha Tolbert-Rich received the appropriate votes as the non-physician member.

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to appoint Dr. Mark Ortolani, Jr. as the physician member to the Marion County Hospital District Board of Trustees for a full term ending June 2029; and to appoint Loretha Tolbert Rich as the non-physician member for a full term also ending June 2029. The motion was unanimously approved by the Board (5-0).

10.2. Pine Run MSTU Advisory Council - Request to Appoint Two (2) Members to Individual Unexpired Terms Ending June 2028
The Board considered the following recommendation as presented by Commission Office Executive Assistant Medina:

> Description/Background: There are two (2) vacancies for full members on the Pine Run MSTU Advisory Board, each for an unexpired term ending June 2028. Two applications were received during the advertisement period:
> - Thomas Crawford
> - Michael Whipple
>
> Budget/Impact: None.
> Recommended Action: Motion to appoint Mr. Crawford and Mr. Whipple as full members to the Pine Run MSTU advisory board for unexpired terms ending June 2028.

Deputy Clerk Windberg advised that Thomas Crawford and Michael Whipple received the appropriate votes.
A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to appoint Thomas Crawford and Michael Whipple as full members to the Pine Run MSTU Advisory Board for unexpired terms ending June 2028. The motion was unanimously approved by the Board (5-0).

10.3. Planning and Zoning Commission - Request to Appoint One (1) Alternate Member for an Unexpired Term, Ending September 2025
The Board considered the following recommendation as presented by Commission Office Executive Assistant Medina:

> Description/Background: The Planning and Zoning Commission has one (1) vacancy for an alternate member to fill an unexpired term ending in September 2025. The following individuals have submitted applications for the Board's consideration:
> - William "Nate" Chambers
> - Len Racioppi
> - Paul Stentiford
> - Mary Vazquez
> - Renee Michel
> - Kyle Haines
> - Kenneth Davis
> - Kristin Schlegel
> - Christina Larsson
>
> Budget/Impact: None.
> Recommended Action: Motion to appoint one (1) applicant as alternate member to the Planning and Zoning Commission, for an unexpired term ending September 2025.

Deputy Clerk Windberg advised that Paul Stentiford received the appropriate votes.
A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to appoint Paul Stentiford as an alternate member of the Planning and Zoning Commission for an unexpired term ending September 2025. The motion was unanimously approved by the Board (5-0).

11. NOTATION FOR ACTION:
11.1. Request Ratification of Letter to Transportation, Tourism, and Economic Development/Transportation & Economic Development Budget Commission Dated June 2, 2025, Regarding Funding for Weather Radar Gaps to Improve Public Safety
County Administrator Bouyounes, Administration, presented the following recommendation:

Description/Background: Please see attached.
Budget/Impact: None.
Recommended Action: Motion to ratify letter regarding funding for weather radar gaps to improve public safety.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to ratify the letter to the Transportation, Tourism, and Economic Development/Transportation & Economic Development Budget Commission for Weather Radar Gaps to improve public safety. The motion was unanimously approved by the Board (5-0).

11.2. Request Approval to Schedule a Public Hearing to Consider an Ordinance to Amend Article XI of Chapter 10 of the Marion County Code to Add a New Category of Transportation Impact Fees: Fast-Food Restaurant with Drive-Thru; Adding a New Subsection 10-282(b) Adopting a Marion County Transportation Fee Update Study Supplement Dated June 6, 2025; Amending the Transportation Impact Fee Schedule in Section 10-327 to include the New Category and Fee Amount; Including Findings, and Administrative Procedures, on July 1, 2025, at 10:00 a.m. or as Soon Thereafter as May be Heard in the McPherson Governmental Campus Auditorium
ACA Tracy Straub, Administration, presented the following recommendation:

Description/Background: During a Public Hearing on May 23, 2025, the Board adopted Ordinance 25-18 updating Transportation Impact Fees. A separate rate category had not been identified for Fast Food Restaurant with Drive-Thru. The Board asked that this category be brought back for discussion and potential inclusion as a sperate rate. The consultant prepared a supplemental report for consideration.
The Public Hearing is requested in the McPherson Campus Auditorium on:

- Tuesday, July 1, 2025, at 10:00 a.m. or as soon thereafter

Budget/Impact: None.
Recommended Action: Motion to approve to a public hearing to consider an Ordinance to Amend Article XI of Chapter 10 of the Marion County Code to add a new category of transportation impact fees: fast-food restaurant with drive-thru; adding a new subsection 10-282(b) adopting a Marion County transportation fee update study supplement dated June 6, 2025; amending the transportation impact fee schedule in section 10-327 to include the new category and fee amount; including findings, and administrative procedures, on July 1, 2025, at 10:00 a.m.

or as soon thereafter as may be heard in the McPherson governmental campus auditorium.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to schedule a Public Hearing on Tuesday, July 1, 2025, at 10:00 a.m. or as soon thereafter to consider an Ordinance to Amend Article XI of Chapter 10 of the Marion County Code. The motion was unanimously approved by the Board (5-0).

11.3. Request Approval to Schedule and Advertise a Public Hearing to Consider a Rate Resolution to Increase the Current Assessment Rate Associated with the Kingsland Country Estates Whispering Pines and Kingsland Country Estates Forest Glenn Municipal Service Benefit Unit for Street Lighting on Tuesday, July 15, 2025 at 10:00 a.m. or as Soon Thereafter in the McPherson Governmental Campus Auditorium

Municipal Services Director Chad Wicker presented the following recommendation:

Description/Background: The following date is being requested for a Public Hearing associated with the Kingsland Country

Estates Whispering Pines and Kingsland Country Estates Forest Glenn Municipal Service Benefit Unit for Street Lighting and in accordance with Florida Statute 197.3632.

- Tuesday, July 15, 2025, at 10:00 a.m. or as soon thereafter

Budget/Impact: None.

Recommended Action: Motion to schedule and advertise a Public Hearing for the Kingsland Country Estates Whispering Pines and Kingsland Country Estates Forest Glenn Municipal Service Benefit Unit for Street Lighting on July 15, 2025 10:00 a.m. or as soon thereafter in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to schedule and advertise a Public Hearing for the Kingsland Country Estates Whispering Pines and Kingsland Country Estates Forest Glenn Municipal Service Benefit Unit (MSBU) for Street Lighting on July 15, 2025 10:00 a.m. or as soon thereafter in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (5-0).

11.4. Request Approval to Schedule and Advertise Two Public Hearings for Public Comment on the FY 2025-26 Annual Action Plan for the Community Development Block Grant, HOME Investment Partnerships Program, and Emergency Solutions Grant, for Tuesday, July 15, 2025, at 10:00 a.m. or Soon Thereafter, and Final Public Comment on Tuesday, August 5, 2025, at 10:00 a.m. or Soon Thereafter, Both in the McPherson Governmental Campus Auditorium

Community Services Director Butler presented the following recommendation:

Description/Background: Marion County will hold two public hearings to gather input for the FY 2025-26 Annual Action Plan. These hearings will focus on the following federal programs:

- Community Development Block Grant (CDBG) Program
- HOME Investment Partnerships (HOME) Program
- Emergency Solutions Grant (ESG) Program

The hearings will address the housing, community, and economic development needs of Marion County, including programs administered through the Marion County and City of Ocala HOME Consortium.

Public input gathered during these hearings will help shape the County's FY 2025-26 Annual Action Plan.

Budget/Impact: None.

Recommended Action: Motion to schedule and advertise public hearings for public comment on July 15, 2025, or soon thereafter as possible at 10:00 a.m. and August 5, 2025, at 10:00 a.m. for the proposed FY 2025-26 Annual Action Plan CDBG, HOME, and ESG Grant Funds.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to schedule and advertise Public Hearings for public comment on July 15, 2025, at 10:00 a.m. or soon thereafter as possible and August 5, 2025, at 10:00 a.m. for the proposed FY 2025-26 Annual Action Plan CDBG, HOME, and ESG Grant Funds. The motion was unanimously approved by the Board (5-0).

12. GENERAL PUBLIC COMMENTS:

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

Chairman Bryant opened the floor to public comment.

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

The meeting recessed at 9:57 a.m.

The meeting resumed at 10:00 a.m.

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

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

6.1. PUBLIC HEARING: To Consider the Final Evaluation and Appraisal Report for the Marion County Comprehensive Plan and Authorize Staff to Submit the Report to the State of Florida

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

Description/Background: Staff will present the attached final Evaluation and Appraisal Report (EAR) for public comment and Board consideration. This item was previously considered by the Board during a workshop on January 15, 2025. However, Marion County received a Community Planning Technical Assistance (CPTA) grant to assist with the EAR and the grant requires approval of the report during a public hearing, not just a workshop as was conducted in January.

A general overview of the past year's EAR efforts are as follows:

- From June 2024 to January 2025, eight workshops were held with the Board, as well as eight community meetings and additional stakeholder meetings.

- On January 15, 2025, the Board approved transmittal of the EAR, and on January 28, 2025, the final report was submitted to FloridaCommerce.
- On February 3, 2025, Growth Services received a letter from FloridaCommerce stating compliance with the EAR process and expectation that Comprehensive Plan amendments based on the EAR are to be transmitted to FloridaCommerce by January 28, 2026.

Since the January transmittal of the EAR, Staff has held 9 workshops, with the next one scheduled for June 23, 2026, to review proposed changes to the Comprehensive Plan. Additional workshops and public meetings are still forthcoming with the intention of satisfying transmittal of amendments to the Comprehensive Plan by the January 28, 2026 deadline.

Budget/Impact: None.

Recommended Action: Take public comment, provide direction to incorporate comments into the Comprehensive Plan amendment process or otherwise, and motion approval of the previously transmitted Final EAR.

Deputy Clerk Windberg presented proof of publication of a Sunshine Notice released on June 2, 2025.

Deputy Director Ken Weyrauch, Growth Services, advised that every seven years the County is required by Statute to evaluate its Comprehensive Plan to see if any changes are needed due to changes within the County or within its populations. In 2024, staff held 8 in-person community meetings, 9 BCC workshops, and 2 stakeholder meetings. Staff also had an online survey beginning May 31, 2024 and closing on January 2, 2025 with 668 participants. The three themes that came out of the survey were: 1) to promote sustainable and strategic growth; 2) enhance transportation infrastructure and connectivity; and 3) preserve and enhance rural and natural landscapes. He stated on January 28, 2025, staff submitted the EAR report to FloridaCommerce and on February 3, 2025, Growth Services received a letter from FloridaCommerce stating compliance with the EAR process and provided a final due date of January 28, 2026 for any amendments to that report.

In response to Chairman Bryant, Mr. Bouyounes clarified that Marion County received a Community Planning Technical Assistant (CPTA) grant to assist with the cost of the EAR process, and the grant requires approval of the report during a public hearing, not just at a workshop as was conducted on January 15, 2025; wherein, the BCC approved the report. He advised that any modifications the Board wants to make to the Comprehensive Plan will be finalized at the end of this year.

Chairman Bryant opened the floor to public comment.

Busy Shires, Director of Conservation for Horse Farms Forever (HFF), NW 90th Avenue, expressed her appreciation to staff, the BCC, and the consulting firm of Kimley-Horn & Associates for the work performed on updating the Comprehensive Plan. She presented a 4 page letter dated September 15, 2023 to Growth Services Director Chuck Varadin from G. Matthew Brockway with the firm of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. in regard to the Rural Commercial (RC-1) zoning classification. Ms. Shires encouraged the Board to consider revising the RC-1, as previously discussed, during the next phase of the EAR process.

Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to incorporate the public comment made at today's hearing and to approve the previously transmitted Final EAR. The motion was unanimously approved by the Board (5-0).

13. COMMISSIONER ITEMS:
13.1. Commission Comments
Commissioner McClain stated he had nothing further to add.

Commissioner Zalak expressed his appreciation to the Public Relations team for its work on the PTSD event.

Commissioner Curry stated he had nothing further to add.

Commissioner Stone commented on previous Board discussion relating to the Districts 5 & 24 Medical Examiner Advisory Committee and the request by Lake County to be reassigned to another District. She advised that direction was given to the County Administrator to reach out to other stakeholders (MCSO, State Attorney's Office (SAO), etc.) and questioned if any feedback had been received at this time. Mr. Bouyounes stated staff did receive a letter from the SAO and are expecting to receive something from the MCSO and the Public Defender's Office later today. He advised that he reached out to the County Administrators from Hernando, Sumter, and Citrus Counties requesting input from their law enforcement agencies, noting only Hernando County has responded and stated their Sheriff did not see any impact this matter would have on his operations. Mr. Bouyounes stated he received an email from Sumter County advising that their Sheriff would not be involved in their decision relating to this issue.
Commissioner Stone stated it is her understanding that Marion County's position is that the BCC would not write a Letter of Support for Lake County leaving District 5; however, it would not object.
Mr. Bouyounes advised that the SAO has some concerns about splitting District 5 and allowing Lake County to leave. He commented on the need to work out the details relating to the Medical Examiner facility.
Commissioner Zalak stated it was his understanding that Marion County is objecting until all the legal issues were resolved (deed, payments, etc.).
Chairman Bryant commented on the role the Medical Examiner's Office plays in regard to all stakeholders.
Commissioner Stone advised that Districts 5 & 24 Medical Examiner Advisory Committee will be holding another meeting on Thursday, June 19, 2025, noting she just wanted to be very clear on where Marion County stands. She clarified that Marion County will write a Letter of Objection if it does not get clarification on the position that the building (Medical Examiner facility) will remain with District 5 regardless of Lake County's participation in District 5 and that Marion County must be made whole financially.
Mr. Bouyounes advised that Lake County voted last week to reimburse Marion County so the only outstanding issue with reimbursement is with Seminole County.
Commissioner Zalak commented on the need for an exit strategy by Lake County if it is determined to leave District 5.
General discussion ensued.
In response to Commissioner McClain, Mr. Bouyounes stated staff have not yet determined how long the existing facility will be able to serve District 5, capacity wise,

should Lake and Seminole Counties exit, but opined that it should be years. He advised that one of the Items on the next Districts 5 & 24 Medical Examiner Advisory Committee Agenda is a request for a specific exit timeline for Lake and Seminole Counties that will be acceptable to the remaining District 5 Counties.

Chairman Bryant reminded everyone in the community that the PTSD Awareness Walk will be held on June 27, 2025 at 6:30 p.m. at Veterans Park. She reminded citizens that Budget Workshops are scheduled to take place on Wednesday, July 16, Thursday, July 17, the morning of Wednesday, July 23, and Thursday, July 24, 2025. Chairman Bryant advised that those workshops can be viewed live on line by going to www.marionfl.org.

13.2. Commission Calendar
13.2.1. Present Commission Calendar
The Chairman acknowledged receipt of the Commission calendar covering the period of June 17 through July 1, 2025.

14. NOTATION FOR RECORD:
14.1. County Administrator Informational Items:
14.1.1. Present Notification of the Appointment of Crystal McCazzio as Extension Services Director
14.1.2. Present Letter from Candler Hills East Community Development District Dated May 21, 2025 Regarding Proposed Budget FY 2026
14.1.3. Present Letter from Indigo East Community Development District Dated May 21, 2025 Regarding Proposed Budget FY 2026
14.1.4. Present Letter from Withlacoochee Regional Water Supply Authority Dated May 28, 2025, Regarding Proposed Budget for FY 2025-26
14.1.5. Present Letter to the Sumter County Board of County Commissioners Dated June 6, 2025 Regarding Proposed Project on Sumter CR 102 aka Marion County SE 180th Street
14.1.6. Present Regular Report of Utilization for Reserve for Contingencies
14.1.7. Present Chamber and Economic Partnership May 2025 Activity

14.2. Present Walk-On Items From Previous BCC Meeting:
14.2.1. WALK ON: Request Approval to Schedule Public Hearing for the Resolution to Adopt a Special Assessment to be Imposed on Marion County Hospitals related to Enhanced Medicaid Reimbursements on Tuesday, July 1, 2025 at 10:00 a.m. in the McPherson Governmental Campus Auditorium
14.2.2. WALK-ON: Presented on May 20, 2025 - Request Appointment of Kathy Funk to Serve on the Parks & Recreation Advisory Council

14.3. General Informational Items:
14.3.1. Marion County Health Department – For the Latest health news and information, Visit the Website at http://marion.floridahealth.gov/

14.4. Clerk of the Court:
14.4.1. Present Monthly Report for the Building Department Budget and Actual
14.4.2. Present Administrative Budget Transfer Report for FY 2024-25

14.4.3. Present Memorandum From Gregory C. Harrell, Clerk of the Circuit Court and Comptroller, Regarding the Filing of Ordinances 25-15, 25-16, 25-17, 25-18, 25-19 and 25-20 with the Secretary Of State's Office
14.4.4. Present Letter Dated May 28, 2025, From the City of Ocala Regarding a Resolution to Amend FY 2024-25 Budget to Reconcile Cash Balance Forward Accounts Relating to the Ocala Community Redevelopment Agency

14.5. Present for information and record, minutes and notices received from the following committees and agencies:
14.5.1. Development Review Committee - May 19, 2025
14.5.2. Marion County Fire Rescue and EMS Advisory Board - November 20, 2024, and February 19, 2025
14.5.3. Land Development Regulation Commission - May 7, 2025, and May 21, 2025
14.5.4. Planning and Zoning Commission - April 28, 2025
14.5.5. Public Service Coordinating Council - February 25, 2025
14.5.6. Rainbow Lake Estates Advisory Committee - March 20, 2025, and April 17, 2025
14.5.7. Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at http://www.WaterMatters.org
14.5.8. St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at https://www.sjrwmd.com
14.5.9. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at https://ocalamariontpo.org
14.5.10. Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at http://www.wrwsa.org

There was a recess at 10:21 a.m.
The meeting reconvened at 2:03 p.m. with all members present.

Also present were: Growth Services Director Chuck Varadin, Deputy Director Ken Weyrauch, Transportation Planner Ken Odom, Senior Planner Chris Rison, Planners Kathleen Brugnoli and Sarah Wells, Staff Assistant Autumn Williams, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes and ACA Tracy Straub.

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

15. PLANNING & ZONING AND DRC WAIVER REQUESTS (AT 2:00PM):
Deputy Clerk Lewter advised that there are two (2) Proofs of Publication to be presented for this afternoon's meeting.
The first Proof of Publication is Legal ad No. 11350590 entitled, "Notice of Public Hearing by Marion County Board of County Commissioners to Consider Requests for Reasonable Accommodations", published in the Star Banner newspaper on June 2, 2025. The Notice states the Board will consider a reasonable accommodations request to keep two goats in a Single Family (R-1) zone.
The second Proof of Publication is Legal ad No. 11350560 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on June 2, 2025. The Notice stated the Board will consider adopting an Ordinance approving Comprehensive Plan Amendment, zoning changes and Special Use Permits.

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

15.1. Planning and Zoning Items for Individual Consideration:
15.1.1. 250607RA - Consideration for Sheryl O'Connell, Reasonable Accommodation for Two (2) Goats, in a Single-Family Dwelling (R-1) Zone, ±2.50 Acre Parcel, Parcel Account Number 3142-219-000, Site Address 3549 SE 41st Place, Ocala, FL 34480
The Board considered a petition by Sheryl O'Connell, for a Reasonable Accommodation under the Fair Housing Act, providing the opportunity for neighboring property owners to present any factual information that should be considered with respect to any adverse impacts that may affect neighboring properties by the application to keep two goats, on the subject property, and what reasonable Conditions might improve the effect of those situations, in a Single-Family Dwelling (R-1) zone, on an approximate 2.50 Acre Parcel, on Parcel Account Number 3142-219-000, Site Address 3549 SE 41st Place, Ocala, FL 34480.
Deputy Director Kenneth Weyrauch, Growth Services Department, provided a brief overview of the request for two (2) goats as emotional support animals in a R-1 zoned property. He advised that 18 people were notified and only 1 letter of opposition was received.
It was noted Growth Services staff recommended approval with the following Conditions:

1. The property owner will maintain a well-kept area for the goats which is fenced in and away from property lines.
2. Waste produced by the animals shall be collected twice per week to reduce negative impacts to neighbors on surrounding properties.
3. The property owner will maintain the structure of the fenced pen for the goats to ensure it is always secure and in good condition.
4. The fencing around the property shall be maintained in good condition.
5. The Reasonable accommodation runs with the owner, and not the property.
6. The Applicant acknowledges that only two (2) goats, as prescribed by her doctor, are permitted on the property.
7. The applicant agrees that this permit applies solely to the two (2) goats listed.
8. The applicant must notify Growth Services Planning and Zoning if either goat passes away.
9. Under this Reasonable Accommodation. Marion County Code Enforcement may access the property for inspections as necessary, with prior notification provided to the applicant.

Sheryl O'Connell, SE 41st Place, commented on the emotional need for the goats. She stated there are horses and chickens in the surrounding area, noting she was unaware the goats were not allowed on her property.
In response to Commissioner Curry, Ms. O'Connell advised that she owns 2 French Bulldogs, a chihuahua and 2 chickens.
Chairman Bryant opened the floor to public comment.
Mike Bigelow, SE 41st Place, advised that he was the one who filed the initial complaint, noting at that time there was a rooster onsite. He stated he purchased his home in a residential neighborhood and does not want to live next to farm animals. Mr. Bigelow

expressed concern with the noise coming from the goats.
Chairman Bryant advised that public comment is now closed.
Mr. Minter advised that each one of these requests is evaluated on a case by case basis, noting the Board evaluates the need. He stated if the Board has a medical doctor's certificate they do not presume to disagree with what the doctor is saying; however, that does not say the only type of emotional support animal there could be that would be adequate is goats. Mr. Minter advised that the Board has to consider whether or not the Conditions that might be placed on this would balance the needs for the applicant versus the needs of the neighbor who has spoken against the request. In this case there might be the question of whether or not the applicant could relocate the goats to a different spot on the property.
Chairman Bryant opined that when there is a note from a physician the Boards hands are tied.
Mr. Minter advised that the Board has the discretion to decide whether or not the proposed Conditions are adequate. He opined that a doctor can indicate that there is a need for an emotional support animal, but most medical doctors will not be confident to testify that a particular kind of support animal is superior to another kind of support animal.
In response to Commissioner Zalak, Mr. Minter opined that it would be hard pressed for someone to say they need multiple support animals. He stated the number of goats requested in this case is not excessive, but the question is whether or not there is something that would mitigate the effect on the neighbor. In the past there has been situations where the Board has required an applicant to locate the pen/enclosure furthest away from a neighbor to minimize the effect it would have on that neighbor.
Commissioner Zalak advised that the noise from a different animal could end of being worse than the goats. He stated in this case the Board could focus on the pen location an fencing, which could reduce noise.
Code Enforcement Officer Maryanne Lopez referred the picture on the overhead screens, which shows a green box around the paddock where the two goats are located. She provided a brief overview of the layout of the subject property and the neighboring property.
General discussion ensued.
In response to Ms. Lopez, Ms. O'Connell advised that there is a basketball court to the left of the pen, noting her daughter plays basketball for Forest High school.
Ms. Lopez advised that the chicken coop needs to be moved over to meet the required 20 feet setback.
ACA Straub advised that page 1831 of the Agenda packet contains photographs of the subject property.
In response to Commissioner Stone, Planner Sarah Wells, Growth Services, advised that there are tall trees buffering the subject property on the neighbors property.
Commissioner Stone advised that there is a lot of trees buffering where the goats are currently located.
Mr. Bigelow advised that there is a buffer along a majority of the property line, but there is no buffering near the goats.
Chairman Bryant stated the issue with putting any plantings in this area would be the goat eating whatever is planted.
Mr. Bigelow requested an opaque fence.
Chairman Bryant advised that an opaque fence is needed between the subject property and the neighbors property in order for this to be approved.

Commissioner Zalak opined that an L shaped, 6 foot opaque fence on the property line would solve the neighbors issues and allows the applicant to keep the goats.
Commissioner Curry stated when someone purchases property in a residential neighborhood they can expect certain things. He expressed concern with the Board approving something to try and retrofit things to accommodate an R-1 zoning, which affects the neighbors. Commissioner Curry advised that he does not support the request.
In response to Commissioner Zalak, Mr. Minter advised that the Board can deny the request if they determine that the request is not reasonable in that location.
Commissioner McClain opined that requiring the opaque fence to buffer the neighbor and limiting the applicant to two goats is reasonable. He stated there are other things the applicant could do by right that would be more bothersome.
Chairman Bryant advised that the County allows chickens, with the exception of a deed restricted community.
Commissioner Zalak stated up to 6 chickens are allowed by right.
In response to Mr. Minter, Chairman Bryant clarified that the opaque fencing will be required along the eastern boundary from the rear property line to 10 feet past the goat pen.
A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to approve the Reasonable Accommodations with Conditions 1 through 10, listed below. The motion passed 4-1 with Commissioner Curry dissenting.
The Reasonable Accommodation Conditions are as follows:

1. The property owner will maintain a well-kept area for the goats, which is fenced in and away from property lines.
2. Waste produced by the animals shall be collected twice per week to reduce negative impacts to neighbors on surrounding properties.
3. The property owner will maintain the structure of the fenced pen for the goats to ensure it is always secure and in good condition.
4. The fencing around the property shall be maintained in good condition.
5. The Reasonable accommodation runs with the owner, and not the property.
6. The Applicant acknowledges that only two (2) goats, as prescribed by her doctor, are permitted on the property.
7. The applicant agrees that this permit applies solely to the two (2) goats listed.
8. The applicant must notify Growth Services Planning and Zoning if either goat passes away.
9. Under this Reasonable Accommodation. Marion County Code Enforcement may access the property for inspections as necessary, with prior notification provided to the applicant.
10. The applicant must provide an opaque fence on the eastern boundary of the property from the rear property line, north to 10' past the end of the goat pen.

15.1.2. 250402SU - C.L.D. Properties, LLLP, Special Use Permit for a Skilled Nursing and Memory Care Facility on a 9.47-Acre B-2 Zoned Vacant Parcel with a Commercial Land Use, Parcel Account Number 35695-019-03, No Site Address Assigned
The Board considered a petition by C.L.D. Properties, LLLP, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow for a 141-bed skilled nursing and memory care facility to be developed, in a Community Business (B-2)

zone, on an approximate 9.47 Acre Parcel, on Parcel Account Number 35695-019-03, No Address Assigned

P&Z PUBLIC HEARING ON MAY 28, 2025

250402SU Planning and Zoning Commission Recommendation

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

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

The Motion passed unanimously, 6-0.

Senior Planner Chris Rison, Growth Services, provided a brief overview of the Special Use Permit (SUP) request to allow a skilled nursing and memory care facility on a 9.47 acre B-2 zoned vacant parcel with a commercial land use. He stated the current proposal allows for 141 beds at the facility.

Commissioner Zalak questioned what makes this facility not qualify by right on B-2 zoning. Mr. Rison advised that group living quarters are allowed in Multiple Family Dwelling (R-3) zoning class and are not allowed within commercial activities. He stated a hospital is allowed in commercial areas, but this facility is considered a residential.

Mr. Rison commented on the uses surrounding the subject parcel. He stated the overall plan proposes for a single story skilled nursing facility that will have varying elevations. Mr. Rison advised that the layout provides for access to Highway 200, noting the developer has provided for a deceleration turn lane into the site. The general loading area will be in the eastern portion near where the generators are located.

In response to Commissioner Zalak, Mr. Rison advised that the developer would be required to follow all commercial buffer requirements. He stated the concept plan shows landscaping along Highway 200 and a Type C buffer along SW 93rd Street Road. The applicant is requesting a slight adjustment to the Type C buffer along Highway 200 for the Drainage Retention Area (DRA). Mr. Rison advised that ordinarily what would be required along the Countryside Farms boundary would be a 20 foot width, 2 shade trees, ground cover and a buffer wall. The applicant has proposed not to provide for a wall, but instead provide a modified Type B buffer, with increased shade trees. He stated it does appear that this site will sit slightly lower than the neighboring property within Countryside Farms.

In response to Chairman Bryant, Mr. Rison advised that deliveries such as trash, food, etc. will be received in the service loading area, but ambulances will unload at the front of the facility.

Mr. Rison stated the site is located in the Highway 200 corridor, which has been listed as needing some additional support by the Marion County Fire Rescue (MCFR). MCFR staff have indicated a transport ambulance unit would be needed for this area.

Mr. Rison advised that the Commercial Future Land Use designation does enable commercial and residential activities, noting adjoining properties include some limited non residential uses, as well as a mix of existing and planned subdivisions are coming through. He stated the proposed facility will provide for a development that serves as a transition between Highway 200 and the residential activities to the east, as well as the SOD Central location.

Mr. Rison stated when providing medical services, the entity is required to be licensed through the State of Florida.

Mr. Rison commented on the proposed buffers and ingress/egress points. He stated the site will have access directly on Highway 200, noting staff is discussing possible alternative access points with the applicant.
It was noted that Growth Services Department staff and the P&Z Commission recommends approval of the Special Use Permit with the following Conditions:

1. The Special Use Permit is limited ~~to one (1) one-story 141-bed~~ a single-story skilled nursing and memory care facility use, ~~including 117 beds for skilled nursing uses and 24 beds for memory care uses~~.
2. The site shall be developed and operated consistent with the proposed uses, submitted Conceptual Site Plan (Attachment B, dated May 15th, 2025), and the conditions as provided with this approval.
3. Any expansion or change of the use shall require a new Special Use Permit, or an amendment to this Special Use Permit.
4. The applicant shall coordinate with the all appropriate agencies with jurisdiction (including ~~Marion County Department of Health and~~ the Agency for Health Care Administration) to obtain required permits to provide services and related products such as ~~food and group care account~~.
5. ~~Access shall be provided from the west through a cross-access easement provided by Maro 111 PUD, unless otherwise approved by the Office of the County Engineer. If the permanent easement has not been recorded at the time of construction of this development, access may be provided through an interim easement agreement until such time as the permanent easement is recorded. If the easement has not been recorded and if an interim easement cannot be obtained, direct access to SW HWY 200 is authorized on a temporary basis and must be removed if there is a change in use or otherwise directed by the Florida Department of Transportation.~~ Applicant shall construct the turn/deceleration land at its entrance to SW SR Hwy 200 as depicted on the Conceptual Site Plan. If, however: (a) SW 94th Place Road is hereafter constructed and either dedicated or conveyed to the County or burdened with an easement that permits it to be used as ingress and egress for the subject property; and (b) the property ceases to be used as a skilled nursing and memory care facility, the entrance onto SW SR Hwy 200 shall be discontinued and the property shall be required to connect to SW 94th Place Road (formerly SW 100th Street).
6. Parking shall be provided per LDC requirement.
7. Refuse collection and loading/service areas shall be located and screened per the Conceptual Site Plan and LDC requirements to minimize visual impact and ensure compatibility with surrounding properties.
8. Irrigation well shall require a permit through the Department of Health in Marion County or any other agencies with jurisdiction.
9. Buffers around all perimeters shall be installed as shown in the conceptual plan and landscape plan (Attachment B, dated 05/15/2025), in accordance with LDC standards.
10. No trees shall be removed from the property prior to obtaining DRC site plan approval.
11. All on-site signage shall comply with the Marion County LDC.
12. Exterior lighting shall be designed and located to minimize glare, maintain traffic safety, and ensure compatibility with adjacent uses.

13. The Special Use Permit shall not expire.
14. The Special Use Permit shall run with the subject property ~~operator by Aston Health~~.
~~15. In the event of a change in the facility operator from Aston Health, the SUP shall be rendered null and void, unless a new application is submitted and approved by the County to allow continued use under new ownership or management.~~

Jimmy Gooding, SE 36th Avenue, attorney on behalf of the applicant, commented on all the allowed uses within B-2 zoning, noting there is not a use in the Land Development Code (LDC) that allows for a Nursing home/life care services. The LDC does permit uses that are not specifically listed to be permissible if they are analogous to a permitted use or they are allowed by a Special Use Permit (SUP). He stated this is a low impact facility and provides a good transition.

Mr. Gooding advised that the proposed use is an extremely low traffic generator, noting the nursing home trip generation is 0.59 PM peak hour trips per 1,000 square feet. This is less than 1 trip because there are not a lot of people coming and going from the site. He commented on traffic that would be generated if a different type of business were to develop the property.

Chairman Bryant commented on the need for memory care facilities in the area and expressed support for the proposed facility. She advised that her concern is the buffers and mitigating the ambulance traffic impact.

Ken Tobin, Architectural Concepts, Inc, West Bay Drive, Largo, advised that Architectural Concepts has been in practice for 47 years creating these types of facilities all over the Country. He provided a brief overview of the proposed facility. Mr. Tobin stated the applicant is requesting a modified Type B buffer on the east of the property, which would consist of not building a wall and adding additional landscaping and plantings for the buffer. He advised that the reason to exclude the wall is in an attempt to save as many of the existing good trees as possible. The applicant is proposing in the landscape plan to include 7,000 square feet of three foot high landscape material that serves as a hedge for the entire length of the property. This will be located above the berm, right on the property line and this is in addition to the 12 new trees that will have to be installed as part of the Type B buffer. Mr. Tobin advised that the developer is working with Countryside Farms to keep their entrance the way it is, noting currently the Countryside Farms fence is on the applicants property. He stated they worked with staff to bring back the landscape set back from the property line to the fence line, which is in some cases 18 feet from the property line into the subject property. The applicant is still providing the 15 foot required buffer from the fence line into the property.

Mr. Tobin provided a brief overview of the floor plan of the facility. He advised that in the case of a death, arrangements will be made to handle that situation, noting the front door is not typically used in this instance out of dignity for the family and others present.

Mr. Tobin advised that the facility requires 77 spaces, but the plans are for 128 spaces. He stated all drainage and open space requirements have been met.

In response to Commissioner Curry, Mr. Tobin advised that the site is maxed out and there is no room for expansion beyond what is proposed.

Chairman Bryant expressed concern with the proposed buffer near Countryside Farms.

Mr. Tobin advised that a Type B buffer requires a 20 foot width, 2 shade trees and 3 ornamental trees per 100 feet, as well as 50 percent (%) ground cover and a buffer wall.

The applicant is proposing a 20 foot width, 19 shade trees (7 existing and 12 proposed), 21 ornamental trees, 7,000 square feet of shrubs and 3 foot high plant material.
In response to Chairman Bryant, Mr. Tobin stated 2 meetings have ben held with the Homeowner's Association (HOA) and several with homeowners.
Mr. Tobin advised that the wall would replace a lot of the green landscape. He commented on the location of the facility compared to the property line and surrounding neighbors.
Chairman Byrant addressed the topography of the area and questioned how the subject site will be at a lower elevation when they get to grade than Countryside Farms. Mr. Tobin stated the developer has to drain from the northeast to the southwest; therefore, the topography and the drainage system will slope from the big tree on the northeast.
General discussion ensued relating to the buffers.
Mr. Gooding stated originally OCE staff did not want the entrance to be off of State Road 200, but the applicant has agreed to install a turn lane. He advised that there is a proposed condition stating the "Applicant shall construct the turn/deceleration land at its entrance to SW SR Hwy 200 as depicted on the Conceptual Site Plan. If, however: (a) SW 94th Place Road is hereafter constructed and either dedicated or conveyed to the County or burdened with an easement that permits it to be used as ingress and egress for the subject property; and (b) the property ceases to be used as a skilled nursing and memory care facility, the entrance onto SW SR Hwy 200 shall be discontinued and the property shall be required to connect to SW 94th Place Road (formerly SW 100th Street)". Mr. Gooding stated the road may change but the use of the facility will not change, noting this is a specific purpose building.
Mr. Gooding requested the SUP run with the property and not the applicant.
Commissioner Zalak questioned if the applicant has to have an Agreement with Maro in order to utilize the other access point. Mr. Gooding advised that the condition says it is either dedicated to the County or burdened by the easement that lets people utilize the access.
General discussion ensued.
Commissioner Curry questioned who will be operating the facility. Mr. Tobin advised that Architectural Concepts, Inc. designs assists with building the facility, but they do not operate them. He stated the prospective owner is located in New Jersey and how he operates is he purchases the land and then leases it to the operator, which will be Aston Health.
In response to Chairman Bryant, Mr. Tobin advised that he is unaware if a contract has been signed with Aston Health at this time, but their representative has been attending all the meetings relating to this project.
Mr. Gooding stated this is a heavily regulated business and a significant investment; therefore, it is unlikely someone who is not component will be brought in to to run things.
Mr. Tobin advised that he has a similar project with Aston Health in West Melbourne that is going through this same process.
In response to Chairman Bryant, Mr. Tobin stated this is not a speculative project and there is an end user.
Chairman Bryant opened the floor to public comment.
There being none, Chairman Bryant advised that public comment is now closed.
Commissioner Stone questioned if staff has heard any feedback from the property owner directly abutting this project. Mr. Rison advised that nothing has been received specifically from that party at this time. Staff did hear from a neighboring property owner who was interested in the buffering along the entry road into Countryside Farms.

Commissioner Stone clarified that the fencing going into Countryside Farms is currently on the subject property and the property abutting the subject property is owned by the HOA president. She questioned if the lack of a wall was discussed at the HOA meetings and with the neighbor. Mr. Tobin advised that he has spoken with two of the homeowners and two of the members of the Board relating to this project and most of the discussion with the Board was related to keeping the entry. He stated the HOA president was not present at these meetings, but he did speak with him and he likes the project. The two homeowners at the P&Z meeting did initially object to the project. The one person objected due to access to State Road 200 and the person is still concerned about the buffer, but she was going to attend today to speak in favor of the project.
Mr. Gooding clarified that the concern was relating to the buffer along the entrance road only.
General discussion ensued relating to the buffer.
Chairman Bryant advised that she is not comfortable moving this forward today without having a conversation with a representative of Countryside Farms, especially the direct neighbor. She stated if the neighboring property owner is comfortable with what is being presented than she is willing to consider the request.
Commissioner McClain recommended adding a Condition allowing staff meeting with the neighbor and if they do not oppose than the applicant can move forward as proposed.
Mr. Gooding propose the following language "The owner of Marion County Tax parcel ID 3569-0444-00 requests a wall along the eastern boundary of the subject property, then the wall will be built not withstanding there's no wall required".
General discussion resumed.
Chairman Bryant directed staff to set up a meeting with the neighboring property owner, noting Mr. Gooding can attend if he wishes.
Mr. Gooding advised that the applicant agrees to staff's proposed Conditions.
A motion was made by Commissioner Stone, seconded by Commissioner McClain, to adopt resolution 25-R-194 approving the zoning change request with Conditions 1 through 15, as amended below, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).
Resolution 25-R-194 includes the following Conditions:

1. The Special Use Permit is limited a single-story skilled nursing and memory care facility use, consisting of up to a total of 141 beds as listed on the Concept Plan.
2. The site shall be developed and operated consistent with the proposed uses, submitted Conceptual Site Plan (dated May 15th, 2025, Exhibit A attached), and the conditions as provided with this approval.
3. Any expansion or change of the use shall require a new Special Use Permit, or an amendment to this Special Use Permit.
4. The applicant shall coordinate with all appropriate agencies with jurisdiction (including the Agency for Health Care Administration) to obtain required permits to provide services and related products such as food.
5. Applicant shall construct the turn/deceleration lane at its entrance to SW SR Hwy 200 as depicted on the Conceptual Site Plan. If, however: (a) SW 94th Place Road is hereafter constructed and either dedicated or conveyed to

the County or subject to an easement that permits it to be used as ingress and egress for the subject property; and (b) the property ceases to be used as a skilled nursing and memory care facility, the entrance onto SW SR Hwy 200 shall be discontinued and the property shall be required to connect to SW 94th Place Road (formerly SW 100th Street). Further, in the event ingress and egress access to SW 94th Place Road does become available to the subject property while the skilled nursing and memory care use continues, the site may establish a connection to that access, subject to compliance with the LDC effective at that time.

6. Parking shall be provided per LDC requirement.
7. Refuse collection and loading/service areas shall be located and screened per the Conceptual Site Plan and LDC requirements to minimize visual impact and ensure compatibility with surrounding properties.
8. Irrigation shall require a permit through the Department of Health in Marion County or any other agencies with jurisdiction.
9. Buffers around all perimeters shall be installed as shown in the conceptual plan and landscape plan (reference Exhibit "A" Pages 2 and 3), in accordance with LDC standards.
10. No trees shall be removed from the property prior to obtaining DRC site plan approval.
11. All on-site signage shall comply with the Marion County LDC.
12. Exterior lighting shall be designed and located to minimize glare, maintain traffic safety, and ensure compatibility with adjacent uses.
13. The Special Use Permit shall not expire, subject to compliance with the conditions of the Special Use Permit wherein non-compliance may result in revocation of the Special Use Permit consistent with Marion County regulations effective at that time.
14. The Special Use Permit shall run with the subject property.
15. The Type "B" Buffer to be provided along the site's east boundary shared with Marion County Tax Parcel ID Number 3569-044-000 shall include the provision of a minimum 6-foot high wall along the internal side of the Buffer consistent with the LDC, wherein the wall construction method shall be of a pillar/panel method in lieu of a footer/masonry method in order to support the preservation and maintenance of existing trees/vegetation in the buffer by limiting potential damage to their existing root systems. This requirement is the outcome of a discussion and agreement between the applicant and the Board of County Commissioners that the cited Type "B" Buffer wall would be required if desired by the owner of Tax Parcel ID Number 3569-044-000 based on subsequent staff contact with that property owner, Mr. David Cruz, who stated the desire have the cited wall installed as directed by this condition.

15.1.3. 25-S07 - Sandy Clay, LLC, Small-Scale Land Use Amendment from Public (P) to Medium Residential (MR), 15.52 Acres, Parcel Account Number 37896+000-01, No Address Assigned

The Board considered a petition by Sandy Clay, LLC, for a Land Use Change, Articles 2 and 3, of the Marion County Land Development Code, from Public (P) to Medium

Residential (MR), on an approximate 15.52 Acre Parcel, on Parcel Account Number 37896+000-01, No Address Assigned

P&Z PUBLIC HEARING ON MAY 28, 2025

25-S07 Planning and Zoning Commission Recommendation

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

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

The Motion passed unanimously 5-0.

Planner Kathleen Brugnoli, Growth Services, advised that Agenda Items 15.1.3 and 15.1.4 are companion items and will be addressed together. She provided a brief overview of the request for a land use change from Public to Medium Residential. Ms. Brugnoli stated 53 surrounding owners were notified and staff received 2 letters of opposition. She advised that subject property is located within the Urban Growth Boundary (UGB) and the Primary Springs Protection Overlay Zone (PSPOZ).

Ms. Brugnoli advised that the property was previously owned by Marion County for a DRA, noting it currently has a Public land use. The request for Medium Density would allow for one to four dwelling units per acre. She commented on the surrounding property uses.

Ms. Brugnoli stated Growth Services staff and the P&Z Commission are recommending approval of the land use change.

Ms. Brugnoli provided a brief overview of the request for a zoning change from A-1 to PUD.

It was noted Growth Services staff and P&Z Commission recommend approval with the following Conditions:

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

TABLE 2. SETBACKS (IN FEET)		
Direction	**Proposed**	**Recommended**
Front	20'	20'
Rear	15'	15'
Side	5'	5'
Side (on ROW)	15'	15'

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

TABLE 3. BUFFERS				
Direction	**Adjoining Use**	**Required**	**Proposed**	**Recommended**
North	Municipality	Type “C”	Type “C”	**Proposed Buffer**
South	ROW	Type “C”	Type “C”	**Proposed Buffer**
East	Residential	Type “E”	Type “C”	**Proposed Buffer**

West	ROW	Type "C"	Type "C"	**Proposed Buffer**

3. The PUD shall be limited to those uses as indicated within the PUD plan.
4. The PUD shall be developed consistently with the PUD plan. In the event an alternative use other than those listed is proposed, the site shall go through the PUD rezoning application process to ensure due public notice is provided.
5. The PUD is limited to 442 single-family detached dwelling units.
6. A property owner's association OR the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.
7. By the 150th CO for residences in the PUD, amenities shall be completed and operational.
8. Requirements provided as a result of the approved Traffic Study and Traffic review must be implemented.
9. Sidewalk to be provided internally as shown in the PUD site plan.
10. PUD site must comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.
11. The final PUD Master Plan must be brought back and heard by the Board of County Commissioners for final approval.

In response to Chairman Bryant, Ms. Brugnoli advised that a Type C buffer is 15 feet wide with three shade trees, 2 accent ornamental trees and 50% ground coverage. She stated there are some power lines along SE 92nd Loop; therefore, some trees may need to be moved further back to accommodate the powerlines. Ms. Brugnoli clarified that there will not be a wall along the roadway, noting the LDC requires a 15 feet Type C buffer.

Ms. Brugnoli stated the applicant is proposing a pool, cabana, dog park and playground with a covered shelter area.

Ms. Brugnoli commented on the Fire Rescue and Emergency Medical Services (EMS) needs, noting due to development in the area there may be a need for additional units. The closest unit for Fire Rescue would be in Belleview approximately 8 minutes away and Spruce Creek for EMS at approximately 6 minutes away.

Ms. Brugnoli advised that the traffic methodology was approved as of May 27, 2025. She stated there will be 3 driveways onto the property as follows: a full access on SE 110th Street Road; a northern left/right-in with a right-out access on SE 92nd Loop; and a southern right-in/right-out emergency access on SE 92nd Loop.

Ms. Brugnoli commented on the traffic trip differences between the previously approved PUD and the current PUD being proposed.

In response to Commissioner Zalak, Ms. Brugnoli advised that there are 10 less units being proposed.

County Engineer Steven Cohoon, OCE, advised that the proposed change will have less units, but more traffic because a single family residence is a higher trip generator. He stated when the PUD was approved in 2023 there were not as many other developments in the area. Staff has reviewed all the additional developments along the corridor and the surrounding area and it was determined that SE 92nd Place Road in 2028 is shown to have a failure, as well as Highway 441 from SE 147th Place to SE Sunset Harbor Road is showing a capacity failure.

General discussion ensued relating to road capacity.

David Tillman, Tillman & Associates Engineering, LLC, SE 16th Avenue, on behalf of the applicant, provided a brief history of SE 92nd Loop, noting the intent was always to eventually widen the road to 4 lanes. He advised that the proposed project is increasing the amount of land, lowering the number of units, lowering the density, removing the townhomes and having all single family residents. Mr. Tillman stated there is not an emergency exit on SE 92nd Loop planned.

Commissioner Zalak expressed appreciation for the proposed amenities.

Chairman Bryant questioned why a wall is not being considered along SE 92nd Loop and SE 110th Street Road. Mr. Tillman advised that typically buffers are requested is to buffer the people outside of these subdivisions, not to buffer the people who are purchasing inside the subdivision. He stated the property owner has the right to fence their yards if they choose.

In response to Commissioner Zalak, Mr. Tillman stated there is not a proposed Condition requiring staggered front setbacks, but is something the applicant could accommodate. He advised that this type of requirement would be considered Form Based Code. This is something the Board seems to want, but has not moved forward with implementing.

General discussion ensued.

In response to Chairman Bryant, Mr. Tillman advised that pine trees and a few ornamental bushes can be added to the buffer.

Commissioner Zalak commented on the way increased vegetation enhances a buffer.

In response to Chairman Bryant, Mr. Tillman expressed opposition to adding an opaque fence to the Conditions.

Chairman Bryant opened the floor to public comment.

Andre Kujawski, Olive Circle, commented on the current sand mine operation, traffic and the time frame for development to begin.

In response to Commissioner Zalak, Mr. Kujawski advised that he has not spoken with the property owner regarding any of his concerns.

Commissioner Zalak questioned if the owner had a mass grading permit. ACA Tracy Straub advised that staff will find out that information. She stated in order to begin clearing the site the applicant would be required to obtain a Florida Department of Environmental Protection (FDEP) stormwater pollution prevention permit.

Patricia Storm, Olive Circle, commented on the impact the existing sand mine operation is having on the quality of life of the surrounding neighbors.

Chairman Bryant advised that public comment is now closed.

Mr. Tillman stated he will reach out to the people doing the mass grading on the site to see if there is anything additional that can be done to mitigate concerns. He advised that the developer is ready to move forward with the development.

In response to Chairman Bryant, Mr. Tillman advised that a majority of the grading is complete and he anticipates construction to begin within 6 months.

Commissioner Zalak questioned if the fence can be placed on the property line. Mr. Tillman clarified that a fence is not being proposed, noting a 15 foot Type C buffer will be all around the property.

In response to Commissioner Zalak, Mr. Tillman advised that he would need to review the FDEP requirements for the mass grading. He stated currently there is between 45

feet to 120 feet from the back of the yards to the property line, noting this is a significant separation.
Growth Services Director Chuck Varadin introduced Susan Heyen, Marion County Parks and Recreation who will be addressing the buffers and pine trees.
Susan Heyen, Marion County Parks and Recreation, advised that Parks and Recreation Director Jim Couillard's recommendation is for fencing along SE 100th Street Road and a wall along SE 92nd Loop. She stated pine trees are grown; however, they do not provide any screening.
Mr. Tillman advised that the applicant is not requesting to replace the shade trees with pine trees, but intended to add the pine as supplemental trees.
General discussion ensued.
Chairman Bryant advised that she is not in support of the request due to the buffers.
Commissioner McClain opined that the buffers were already litigated in 2023 when the original PUD was approved.
General discussion resumed.
A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to approve the land use change, agreeing with Growth Services staff and the P&Z Commission, based on findings and recommendations that the proposed use will adversely affect the public interest, is not consistent with the Comprehensive Plan and is not compatible with the surrounding land uses. The motion was unanimously approved by the Board (5-0).

15.1.4. 250605ZP - Sandy Clay LLC, Zoning Change from General Agriculture (A-1) to Planned Unit Development on ±15.52 Acres and to Amend a Previously Approved Planned Unit Development (PUD 230108ZP on ±104.23 Acres) to be Solely for Detached Single-Family Dwellings for a Maximum Proposed Total of 442 Residential Units, 119.75 Acre Tract, Parcel Account Numbers 37896+000-01 and 37896-000-00, No Addresses Assigned
The Board considered a petition by Sandy Clay, LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Planned Unit Development (PUD) on ±15.52 acres and to amend a previously approved Planned Unit Development (PUD 230108ZP on ±104.23 acres) to be solely for detached single-family dwellings for a maximum proposed total of 442 residential units, on an approximate 119.75 Acre Tract, on Parcel Account Numbers 37896+000-01 and 37896-000-00, No Addresses Assigned

P&Z PUBLIC HEARING ON MAY 28, 2025
250605ZP Planning and Zoning Commission Recommendation
Motion was made by Mr. Bonner, seconded by Mr. Johnson, to agree with staff's findings and recommendation, and recommend approval of the land use change based on the following findings of fact:

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

The Motion passed unanimously 5-0.

This matter was addressed with Agenda Item 15.1.3.
A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to adopt Resolution 25-R-195 approving the zoning change with Conditions 1 through 16, as amended below, agreeing with Growth Services staff and the P&Z Commission, based

on findings and recommendations that the proposed use will not adversely affect the public interest, is consistent with the Comprehensive Plan and is compatible with the surrounding land uses. The motion passed 4-1 with Chairman Bryant dissenting.
Resolution 25-R-195 contained the following Conditions:

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

TABLE 2. SETBACKS (IN FEET)		
Direction	**Proposed**	**Recommended**
Front	20'	20'
Rear	15'	15'
Side	5'	5'
Side (on ROW)	15'	15'

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

Direction	Adjoining Use	Required
North	Municipality	Type "C"
South	ROW	Type "C"
East	Residential	Type "C"
West	ROW	Type "C"

3. The PUD shall be limited to those uses as indicated within the PUD plan.
4. The PUD shall be developed consistently with the PUD plan. In the event an alternative use other than those listed is proposed, the site shall go through the PUD rezoning application process to ensure due public notice is provided.
5. The PUD is limited to 442 single-family detached dwelling units.
6. A property owner's association or the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.
7. By the 150th Certificate of Occupancy for residences in the PUD, amenities shall be completed and operational.
8. Requirements provided as a result of the approved Traffic Study and Traffic review must be implemented.
9. Sidewalk to be provided internally as shown in the PUD site plan.
10. PUD site must comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.
11. The final PUD Master Plan must be brought back and heard by the Board of County Commissioners for final approval.
12. A traffic study shall be submitted to the County for review within 6 months of the approval date of the zoning change. The traffic study must be approved by the County prior to approval of the Master Plan.
13. Front setbacks shall be staggered with 2'-5' variations.
14. Height & architectural standards shall provided for the development at Master Plan Approval.
15. The rear fascia of homes shall be contrasting in color and texture.
16. One ornamental or shade tree per lot.

15.1.5. 240815ZP - Milrose Properties Florida, LLC, request Approval for the Whisper Woods Planned Unit Development, Final Planned Unit Development Master Plan for 82 Single-Family Detached Units, on an Approximate 10.33 Acre Parcel, on Parcel Account Number 9007-0000-12, No Address Assigned

Deputy Growth Services Director Ken Weyrauch presented the following recommendation:

> Description/Background: Tillman & Associates, LLC., on behalf of property owners, Milrose Properties Florida, LLC., has filed an application for the Final Planned Unit Development (PUD) Master Plan Approval on a 10.33-acre parcel on the southeast corner Bahia Rd and Pine Rd. The proposed development has a Preliminary Plat currently in Development Review and has cleared all the rejections. The proposed PUD includes a maximum of up to 82 Single-Family dwellings.
>
> Budget/Impact: None.
>
> Recommended Action: Staff recommends approval with the existing PUD conditions.

Commissioner McClain out at 4:26 p.m.

Deputy Director Ken Weyrauch, Growth Services, advised that the Whispering Woods PUD is 10.33 acres and was approved in August 2024 for 92 units at 26 foot wide lots. He stated the developer has nearly completed all of their requirements for the preliminary plat, which is equivalent to the Master Plan. Currently there are 74 lots being proposed in the Plan. Mr. Weyrauch advised that the applicant has met all the required PUD Conditions, with the exception of receiving final approval from the Board.

In response to Commissioner Zalak, Mr. Weyrauch advised that staff has not received any renderings of the street view, but were provided renderings of the amenities.

Commissioner McClain returned at 4:28 p.m.

David Tillman, Tillman & Associates Engineering, LLC, SE 16th Avenue, on behalf of the applicant, presented a 6 page handout containing renderings of the proposed amenities. He advised that he did not bring any specific renderings showing the backs of the buildings, but the developer does plan to make the backs of the houses different with architectural features. He stated it will not be just plain windows without shutters.

Commissioner Zalak requested similar variation to what is on the front of the buildings relating to color palette and texture. He questioned if this can be added to the Conditions.

Mr. Weyrauch advised that a corrective Resolution can be done to include this request.

Mr. Weyrauch provided a brief overview of the proposed amenities (as shown on the overhead screen).

In response to Commissioner Curry, Mr. Weyrauch stated these are detached single family homes.

Commissioner Curry expressed concern with the limited amount of parking in these developments.

Mr. Tillman advised that the applicant has worked with staff to address this issue, noting there will be a minimum of 20 feet from the front of the garage to the edge of the sidewalk.

Mr. Bouyounes clarified that the parking issue relates more to multifamily developments and not so much with single family residences.

General discussion ensued.

Chairman Bryant opened the floor to public comment.

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

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to approved the Master Plan with the existing PUD conditions, along with clarification that the rear fascia on the building has contrasting color and texture. The motion passed 4-1 with Chairman Bryant dissenting.

15.1.6. Revocation Hearing Regarding 240809SU - Tigo Investment Group, LLC (Landowner) & Luis Betances (Agent), Special Use Permit to Allow for a Food Truck Park, in a Community Business (B-2) Zone, 2.0 Acre Parcel, Parcel Account Number 41200-079-03, No Address Assigned, with 240904SU
Deputy Growth Services Director Ken Weyrauch presented the following recommendation:

> Description/Background: A Special Use Permit (SUP) for a Food Truck Park in Community Business (B-2) Zoning on two acres was approved on December 17, 2024. The approval of this SUP (240809SU) was dependent on another SUP (240904SU) for a temporary food truck park. That SUP (240904SU) is also proposed for revocation by staff due to failure to comply with the SUP conditions and being found in violation of the SUP. The subject property was supposed to be acquired by the applicant, but he is no longer purchasing the property.
> Budget/Impact: None.
> Recommended Action: Staff recommends revoking the SUP.

Deputy Director Weyrauch, Growth Services, advised that Agenda Items 15.1.6 and 15.1.7 are companion items and will be addressed together, noting these are SUP revocation requests. He stated the conditions for the temporary food truck park was to have restroom facilities onsite before the end of 2024, connect to water, provide a site plan and prepare the facility as a commercial business. Since original approval no permits or site plans have been submitted. Mr. Weyrauch advised that the applicant did try to get electric to the site, but was told an electrician had to pull the permit and a site plan had to be submitted. He stated the site was found in violation by the Code Enforcement Board.
Mr. Weyrauch advised that the reason staff is requesting the permanent site SUP be revoked is because it was contingent on the temporary SUP and the applicant is no longer purchasing the subject property.
Luis Betances, South US Highway 301, Summerfield, applicant, advised that the contingency for the purchase of the permanent location was the approval of the SUP, which was not approved in time and the owner declined to sell the property. He commented on the steps taken to bring the temporary site into compliance. Mr. Betances requested more time to find a new location.
In response to Commissioner Zalak, Mr. Weyrauch advised that the applicant has not complied with any of the Conditions in the SUP.
Mr. Betances stated the site is using the fire hydrant to access water until a connection can be made to the central system.
Commissioner Zalak advised that the Board required the applicant to have the bathrooms set up within 2 weeks of the approval.
Mr. Betances stated the restroom trailers are onsite, noting there are 4 stalls with water tanks.
Mr. Weyrauch clarified that the restrooms do not have running water or electricity.
Mr. Betances advised that a generator is being utilized. He advised that it takes a month to get approved by the Utility Department because the line has to be run underneath the

road to connect to the water in the area, noting the connection cost is approximately $50,000.00.

Chairman Bryant stated the applicant does not have a specific plan in place today and does not have another piece of property under contract. She advised that there were specific Conditions that had to be met in order to keep the SUP. There has been no forward movement on any of the Conditions. Chairman Bryant opined that the applicants business plan does not support what they are trying to accomplish.

Mr. Betances commented on the issues associated with trying to find a new location. He requested the Board allow them to operate another 6 months, which will allow time to try to find a new location.

General discussion ensued.

Chairman Bryant stated every other business has to be in compliance before they are able to begin operating, noting this business has not met any of the requirements. She advised that there is no telling how long, if ever, the applicant will be able to find a property and bring it into compliance to run this operation, noting there are rules and regulations that must be followed in order to be in business.

Mr. Betances advised that losing the property is the issue and why he needs more time. He stated food trucks have their own regulations, noting they are required to have their own water and power supply. Based on the food truck regulations the business is in compliance; however, it is not meeting the SUP Conditions.

In response to Chairman Bryant, Mr. Betances advised that the water to the site is coming from the fire hydrant.

General discussion ensued.

Commissioner McClain stated based on staff's testimony the applicant has not done anything to meet the SUP Conditions, but the applicant's testimony indicates there is water and bathrooms on site.

Ms. Straub referred to page 1779 of the Agenda Packet, which contains the Conditions for Resolution 24-R-546.

In response to Chairman Bryant, Mr. Betances advised that there is one restroom trailer with four toilets and two handwashing stations.

Chairman Bryant questioned how the number of restrooms required were calculated. Ms. Straub advised that Building Safety staff requested permanent restrooms in order to support the project, noting it is unclear if the actual numbers needed were known.

Mr. Weyrauch stated at the time of approval the applicant was told to get with the contractor who has the temporary restrooms and they would assist with determining the standards.

General discussion resumed.

Chairman Bryant clarified that the applicant has restrooms and water.

Utilities Director Tony Cunningham advised that a fire hydrant meter is a common thing done for construction, but it is typically considered a temporary use.

General discussion resumed.

Chairman Bryant opened the floor to public comment.

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

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to revoke SUP 240809SU. The motion passed unanimously by the Board (5-0).

15.1.7. Revocation Hearing Regarding 240904SU - Bissoondial and Krissondatt Bisram (Land Owner) & Luis Betances (Agent), Special Use Permit to Allow for a Food Truck Park, in Community Business (B-2) Zone, 1.14 Acre Parcel, on Parcel Account Number 41200-079-02, No Address Assigned, with 240809SU

Deputy Growth Services Director Ken Weyrauch presented the following recommendation:

> Description/Background: This Special Use Permit (SUP) for a food truck park in Community Business (B-2) was approved on November 19, 2024. The applicant has been found in violation of the SUP by the Code Enforcement Board, and planning staff is recommending the SUP for revocation. The conditions of the approved SUP have not been followed. No site plans or permits have been applied for.
>
> Budget/Impact: None.
>
> Recommended Action: Staff recommends to revoke SUP.

This matter was addressed with Agenda Item 15.1.6.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to revoke SUP 240904SU and allow the applicant 60 days to vacate the site. The motion passed unanimously by the Board (5-0).

Chairman Bryant requested the applicant work with staff to determine what is needed prior to trying to open a different location.

15.2. Adoption of Ordinance

15.2.1. 25-S07

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Ordinance 25-23 adopting Small Scale Comprehensive Plan Amendment No. 25-S07, agreeing with the Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, FS and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (5-0).

Ordinance 25-23 is entitled:

> AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA; ADOPTING THE FOLLOWING SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE MARION COUNTY COMPREHENSIVE PLAN:
>
> 25-S07, SANDY CLAY, LLC
> +/- 15.52 ACRES
> PARCEL NO. 37896+000-01
> FROM PUBLIC TO MEDIUM RESIDENTIAL
>
> PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

15.2.2. Revocation 240809SU Tigo Investments

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to adopt Ordinance 25-24 repealing Resolution 24-R-676, SUP 240809SU. The motion was unanimously approved by the Board (5-0).

Ordinance 25-24 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, REVOKING SPECIAL USE PERMIT NO 240809SU, RESOLUTION NO. 24-R-676 AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

15.2.3. Revocation 240904SU Bissondial & Krissondatt Bisram

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to adopt Ordinance 25-25 repealing Resolution 24-R-546, SUP 240904SU. The motion was unanimously approved by the Board (5-0).

Ordinance 25-25 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, REVOKING SPECIAL USE PERMIT NO 240904SU, RESOLUTION NO. 24-R-546 AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

15.2.4. Zoning

The Deputy Clerk presented Affidavits of Mailing and Posting of Notices received from Growth Services Director Charles Varadin and Deputy Clerk Mills McAllister regarding petitions for rezoning and Special Use Permits heard earlier in the meeting.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Ordinance 25-26 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (5-0).

Ordinance 25-26 is entitled:

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

There being no further business to come before the Board, the meeting thereupon adjourned at 5:11 p.m.

____

Kathy Bryant, Chairman

Attest:

____

Gregory C. Harrell, Clerk