

Marion County

Board of County Commissioners

Action Summary – **FINAL**

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

Tuesday, November 5, 2024

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

The Marion County Board of County Commissioners welcomes you to its regularly scheduled meeting held the first and third Tuesday of each month at 9 a.m. unless otherwise noted. The zoning portion of the meeting is also held on the third Tuesday of each month at 2 p.m.

All commission and zoning meetings are open to the public.

Pre-screening will be conducted upon entering the administrative building, located at 601 SE 25th Ave., Ocala, FL 34471.

As a courtesy to others, silence your cell phones and other electronic devices before entering the auditorium. If you need to take a call, please step outside.

PUBLIC COMMENTS

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

-Regular BCC Meeting

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

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

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

-BCC Planning and Zoning Meeting

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

Marion County staff is available throughout each meeting for your convenience.

Anyone requiring accommodations due to a disability or physical impairment should contact Marion County Administration at 352-438-2300 at least two (2) days before a meeting.

Agenda items are posted on Marion County's website, <https://www.marionfl.org>, before each board meeting. Click the "Agendas & Videos" link on the homepage to download the agenda packet and back-up documentation.

The Marion County Clerk of Court keeps the official minutes and audio recordings of commission meetings, workshops and public hearings. To request a copy of these materials, contact the Clerk's Office at 352-671-5622. Marion County streams video for most board meetings, workshops and public hearings (when applicable) live online through the county's website. These recordings are archived online after meetings, but DVDs can be requested by contacting Marion County Administration at 352-438-2300.

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

*** ELECT NEW CHAIR AND VICE CHAIR ***

Commissioner Bryant elected Chair
Commissioner Zalak elected Vice Chair

ANNOUNCEMENTS**Tuesday, November 5, 2024**

- 10:00 a.m. – Public Hearing to Consider a Developer’s Agreement for 140 MC, LLC., Related to Rezoning Case Number 20240505ZC, Hidden Little Lake Weir, LLC., for Parcel Number 45509-000-00

Thursday, November 7, 2024

- 3:00 p.m. – Workshop Regarding the Comprehensive Plan Evaluation and Appraisal Report

Thursday, November 14, 2024

- 9:30 a.m. – Workshop to Discuss the Preliminary Engineering Report for Marion Oaks Manor Extension from SW 49th Avenue to County Road 475

Tuesday, November 19, 2024

- 9:00 a.m. – Commission Meeting regularly scheduled for the first and third Tuesday of every month
- 10:00 a.m. – Public Hearing for a Road Closing Associated with Bellevue Hills Manor
- 10:00 a.m. – Public Hearing to Consider an Ordinance to Amend the Marion County Land Development Code
- 2:00 p.m. Commission Meeting regularly scheduled for the third Tuesday of every month.

Wednesday, November 20, 2024

- 1:30 p.m. – Joint Workshop with Tourist Development Council Regarding the Gap and Feasibility Study

Thursday, November 21, 2024

- 2:00 p.m. – Public Hearing for Dunnellon Oaks Road Improvement

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

1. PROCLAMATIONS AND PRESENTATIONS:

Motion by Vice Chair Bryant, second by Commissioner Zalak, to approve the agenda items 1.1. through 1.5. The motion carried 5 / 0.

1.1. PRESENTATION - Community Action Stops Abuse Marion Emergency Shelter Opening Celebration - Cheryl Martin, Community Services Director (Presentation Only)

PRESENTED

1.2. PROCLAMATION - Lung Cancer Awareness Month - Amy Roberts, Chair, Cancer Alliance of Marion County (Approval and Presentation)

PRESENTED

Additional resources: canceralliancemc.org

1.3. PROCLAMATION - Eagle Scout Court of Honor - Nathan Simpson
(Approval and Presentation)

PRESENTED

1.4. PROCLAMATION - Veterans Appreciation Month - Jeffrey Askew, Veterans Services Director (Approval and Presentation)

PRESENTED

1.5. CERTIFICATE OF RECOGNITION - Marion County Fire Rescue and Public Safety Communications Deployments Due to Hurricane Helene and Milton - James Banta, Fire Chief (Approval and Presentation)

PRESENTED

2. AGENDA ITEM PUBLIC COMMENTS:

Reserved for comments related to items specifically listed on this agenda. Scheduled requests will be heard first and limited to five (5) minutes. Unscheduled requests will be limited to two (2) minutes. Citizens may contact Marion County Administration by 5:00 p.m. the Friday before the meeting at 352-438-2300 to request to speak or submit the request online at: www.marionfl.org.

Mike Netherclift - 9.1. Renaming Coehadjo Pickleball Courts to honor John R. Hunt

3. ADOPT THE FOLLOWING MINUTES:

Motion by Commissioner Curry, second by Vice Chair Bryant, to approve agenda items 3.1. and 3.2. Motion carried 5 / 0.

3.1. June 18, 2024

3.2. June 20, 2024

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:

Motion by Vice Chair Bryant, second by Commissioner Curry, to approve agenda items 4.1. through 4.4. Motion carried 5 / 0.

4.1. 2023-27 Edward Byrne Memorial Justice Assistance Grant Program - \$65,805

4.2. Billy Woods, Sheriff - Request Approval of the Annual Federal Equitable Sharing Agreement and Certification

4.3. Request Approval of Traffic Enforcement Agreement Between William "Billy" Woods, Sheriff of Marion County, Marion County Board of County Commissioners, and Calesa Township Master Association, Inc.

4.4. Request Approval of Traffic Enforcement Agreement Between William "Billy" Woods, Sheriff of Marion County, Marion County Board of County Commissioners, and Roan Hills Homeowners Association, Inc.

5. CLERK OF THE CIRCUIT COURT:

5.1. Budget Amendment

Motion by Vice Chair Bryant, second by Commissioner McClain, to approve agenda items 5.1.1. through 5.1.5. Motion carried 5 / 0.

- 5.1.1. Budget Transfer from Fire, Rescue and EMS Fund to Insurance Fund - \$100,000
- 5.1.2. County Transportation Maintenance Fund - Transportation - \$10,508
- 5.1.3. General Fund - County Administrator - \$6,850
- 5.1.4. General Fund - Emergency Medical Services - \$264,733
- 5.1.5. General Fund - Procurement Services - \$10,000

5.2. Clerk of the Court Items

- 5.2.1. Request Approval to Proceed with the Annual Contract with MAXIMUS to Perform Cost Allocation Study for the FY 2025-26 Budget

Motion by Commissioner McClain, second by Commissioner Curry, to approve agenda item 5.2.1. Motion carried 5 / 0.

- 5.2.2. Present the Acquisition or Disposition of Property Form Authorizing Change in Status for Asset 050223

Motion by Commissioner McClain, second by Commissioner Curry, to approve agenda item 5.2.2. Motion carried 5 / 0.

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

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

- 6.1. PUBLIC HEARING: Second of Two Public Hearings to Consider Developer's Agreement (24-03DA) Between Marion County, Florida and 140 MHC, LLC., Related to Rezoning Case 240505ZC (Hidden Little Lake Weir, LLC)

Motion by Commissioner Curry, second by Commissioner McClain, to approve agenda item 6.1. Motion carried 5 / 0.

7. CONSENT:

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

Motion by Vice Chair Bryant, second by Commissioner Curry, to approve agenda items 7.1.1. through 7.9.4., excluding subitems 9 and 11 in agenda item 7.7.11, which were pulled to be brought back at later date. Motion includes revision to agenda item 7.7.8. to update section 4.01 on page 8 of Agreement. Motion carried 5 / 0.

7.1. Administration:

7.1.1. Request to Approve a Lease Agreement Between District Board of Trustees of the College of Central Florida and Marion County

7.2. Attorney:

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

7.3. Community Services:

7.3.1. Request Approval of the First Amendment to Marion County Standard Professional Services Agreement Challenge Grant Between Marion County and Ocala Housing Authority (Budget Impact - Neutral; not to exceed \$39,293)

7.3.2. Request Approval of the Interlocal Agreement to Monitor and Review the Expenditure of Opioid Settlement Funds Between Marion County and Marion County Hospital District (Budget Impact - Neutral; not to exceed \$213,000)

7.4. Human Resources:

7.4.1. Request Approval of the Reclassification of Five Technology Support Specialist Positions, Pay Grade 106-109 Non-Exempt, to Five Technology Support Specialist Positions, Pay Grade 107-110 Non-Exempt, Within the Budget of Information Technology AA174516 (Budget Impact - Neutral; expenditure of \$2,870)

7.5. Municipal Services:

7.5.1. Request Approval of License Agreement with Southwest Florida Water Management District for Data Collection Sites at Lakes in Rainbow Lakes Estates (Budget Impact - None)

7.6. Parks & Recreation:

7.6.1. Request Approval of Athletic Facility Agreement with Belleview Youth Baseball, Inc. for Use of Belleview Sports Complex (Budget Impact - Revenue Generating; estimated \$5,600 per season)

7.6.2. Request Approval of Athletic Facility Agreement with Belleview Soccer Club, Inc., for Use of Belleview Sports Complex (Budget Impact - Revenue Generating; estimated \$5,800 per season)

7.6.3. Request Approval of Athletic Facility Agreement with Wrigley Fields Baseball Association, Inc. for Use of Wrigley Fields (Budget Impact - Revenue Generating; estimated \$2,680 per season)

7.7. Procurement Services:

- 7.7.1. Request Approval of Agency Contracts and Amendments for FY 2024-25 Disbursements and Present for Record (Budget Impact - None)
- 7.7.2. Request Approval of Change Order 2 to Purchase Order 2301057: 23Q-041G Growth Services Transportation Fee Update - Alfred Benesch & Company, Tampa, FL (Budget Impact; additional expenditure of \$46,758)
- 7.7.3. Request Approval of Change Order 4 to Purchase Order 2300760: 19Q-270, SE Regional Water Treatment Plant Design - Kimley-Horn and Associates, Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$20,310)
- 7.7.4. Request Approval of Contract Renewal: 21C-156-CA-04, Employee Medical Center Services - Heart of Florida Health Center, Inc., Ocala, FL (Budget Impact - Neutral; estimated annual expenditure of \$46,800)
- 7.7.5. Request Approval of Contract Renewal: 23B-209 Roll Off Boxes - Baler & Compactor Hydraulic Service, LLC, Jacksonville, FL (Budget Impact - Neutral; annual expenditure of \$172,800)
- 7.7.6. Request Approval of First Contract Amendment: 24Q-056-CA-01, Freedom Library Remodel and Addition, Construction Manager at Risk - Charles Perry Partners, Inc., Gainesville, FL (Budget Impact - Neutral; expenditure not to exceed \$8,304,324)
- 7.7.7. Request Approval to Reject all Submittals: 24P-284 Ocala/Marion County Visitors and Convention Bureau Shuttle Services (Budget Impact - None)
- 7.7.8. Request Approval of Selection Committee Recommendation and Award: 24P-223, Worksite Employee Clinic Healthcare Services - Medical Risk Solutions, LLC dba My Health Onsite - Ocoee, FL (Budget Impact - Neutral; estimated annual expenditure of \$3,283,524)
Revision to update section 4.01 on page 8 of agreement
- 7.7.9. Request Approval of Task Order for Civil/Site Engineers for Miscellaneous Projects: 23Q-087-TO-26 Engineering Design Services for Chatmire Subdivision Roads - Guerra Development Corporation, Ocala, FL (Budget Impact - Neutral; expenditure of \$220,671)
- 7.7.10. Request Approval of Task Order for Civil/Site Engineers for Miscellaneous Projects: 23Q-087-TO-27, Construction Plans and Permitting to Decommission Golden Holiday Water and Wastewater Treatment Plants - Ardurra Group, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$71,909)

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

Subitems 9 and 11 pulled to be brought back at a later date

7.8. **Tourist Development:**

7.8.1. Request Approval of Tourist Development Council Funding Request for a Room Night Generating Event - Charity Challenge Cup Hosted by Lightning City Gymnastics, Inc. (Budget Impact - Neutral; expenditure of up to \$5,012)

7.8.2. Request Approval of Tourist Development Council Funding Request for a Room Night Generating Event - HITS Ocala Winter Circuit Weeks 1-5 Hosted by HITS, LLC (Budget Impact - Neutral; expenditure of up to \$37,500)

7.8.3. Request Approval of Tourist Development Council Funding Request for a Room Night Generating Event - HITS Ocala Winter Circuit Weeks 6-10 Hosted by HITS, LLC (Budget Impact - Neutral; expenditure of up to \$37,500)

7.9. **Transportation - County Engineer:**

7.9.1. Request to Approve a Release of Easement Between Marion County and the State of Florida Department of Transportation for Parcel Numbers 3196-002-005 and 3196-002-006 for a Road Construction Project on State Road 40 (Budget Impact - None)

7.9.2. Request to Approve a Grant of General Utility Easement between Magnolia Island, LLLP and Marion County associated with Application Requests 29790 and 30733 (Budget Impact - None)

7.9.3. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue Segment F Road Improvement Project for Parcel 8001-0121-39 (Budget Impact - Neutral; expenditure of \$437,100)

7.9.4. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue Segment F Road Improvement Project for Parcel 8001-0122-07 (Budget Impact - Neutral; expenditure of \$363,300)

8. **COUNTY ATTORNEY:**

8.1. Request Consideration of Reduction and/or Release of Civil Restitution Lien for Errol Todd Matthews

Motion by Vice Chair Bryant, second by Commissioner Zalak, to approve agenda item 8.1. with conditions. Motion carried 5 / 0.

Waive interest for payment of \$743; lien will be released if assigned to duty

DIRECTION TO STAFF: determine if assigned to duty while incarcerated

9. **COUNTY ADMINISTRATOR:**

- Extend park pass discount to constitutional employees – **Board approved**
- Workshop on November 14th - update on engineering report; looking to qualify for federal funding, which will delay process for flyover, but project should still be expedited; bridge is separate project and proceeding as planned – **WORKSHOP CANCELLED**
- Agreement with Marion Oaks for SUP - obligated to notify Summer Glen; will be brought back to board meeting on November 19th
- Debris collection update:
Day 22 - 40,000 cubic yards removed; avg 7 dump trucks/day; working towards middle of county for final debris removal; hyperlink on website for additional updates; expected completion in 30-45 days; pressure coming from Tampa area, still reasonable number of trucks; exemption approved by Governor; FEMA notification – private property not eligible for reimbursement; \$2.8M reimbursable costs expected. Additional requests/applications for private property after end of week, EOD Friday, will be denied.

DIRECTION TO STAFF: Put together ideas for improving traffic on SR484

9.1. Request for Consideration and Approval of the Naming of Pickleball Courts at Coehadjo Park as “John R. Hunt Pickleball Courts”

Motion by Vice Chair Bryant, second by Commissioner Zalak, to approve agenda item 9.1. Motion carried 5 / 0.

9.2. Present the Marion County Fire Rescue Five-Year Operational Plan Closeout

PRESENTED

9.3. Request Approval of the 2025 Schedule of Regular Meetings of the Board of County Commissioners

Motion by Commissioner Zalak, second by Commissioner Curry, to approve agenda item 9.3. with conditions. Motion carried 5 / 0.

- First meeting in March and September will be on Wednesday
- January 29th Budget Strategic Planning - request items for agenda; invite constitutional officers; provide significant budget impacts in advance
- March 29th - Marion County Day in Ocala
- April 10th - Marion County Day Tallahassee
- July - budget workshops 16th, 17th, 22nd, 23rd, 24th August 4th - deadline to establish maximum millage TPO meetings to be determined
- Vice Chair Bryant - cancel first meeting in January, preparing for strategic planning; meeting on July 24th – establish maximum millage; no increased attendance when meetings were in evenings
- Commissioner Zalak - clear guidelines during strategic planning workshop for budget; P&Z meeting topics could be rescheduled, as needed

10. COMMITTEE ITEMS: NONE**11. NOTATION FOR ACTION:**

11.1. Request Appointment of Joshua Kramer, Utilities Deputy Director, as the Marion County Representative and Tony Cunningham, Utilities Director, as the Alternate Member Representative for the Board of Directors for the Florida Governmental Utility Authority

Motion by Commissioner McClain, second by Vice Chair Bryant, to approve agenda item 11.1. Motion carried 5 / 0.

11.2. Request Board Guidance on Kennel Moratorium and Approval to Schedule and Advertise a Public Hearing to Consider an Ordinance Amending Chapter 4 of the Marion County Code Relating to Animal Control and Enforcement on Tuesday, December 3, 2024 at 10:00 a.m., or soon thereafter in the McPherson Governmental Campus Auditorium

Motion by Vice Chair Bryant, second by Commissioner McClain, to approve agenda item 11.2. with conditions. Motion carried 5 / 0.

- Board to see drafts and provide feedback prior to December 3rd
- Vice Chair Bryant - need to address irresponsible pet owners, difference between sanctuary and kennel
- Commissioner McClain - solution to operating as nonprofit and hoarding animals; emergency management plan requirements
- Commissioner Zalak - clarify personal ownership when operating a kennel/sanctuary; regulate community cats/animals around sanctuary; number of domestic animals is covered in land development code
- Ordinance discussion on December 3rd – address moratorium separately

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 .

Brian "David" Brown - Tibbetts Lumber Company - SE 68th Street, Industrial 35 subdivision, right-of-way and drainage issues

Henry Munoz - flyover beneficial for traffic around high school

13. COMMISSIONER ITEMS:

13.1. Request Approval of Renewal of Surety Bonds for Commissioners Bryant, Curry, McClain, Stone and Zalak (Budget Impact - Neutral; expenditure of \$500)

Motion by Vice Chair Bryant, second by Commissioner Curry, to approve agenda item 13.1. Motion carried 5 / 0.

13.2. Commission Comments

Commissioner Zalak – thankful for community support

Vice Chair Bryant – thank you for prayers; entering holiday season - Bring the Harvest Home 2024 kickoff, donations for Borther's Keepers, Interfaith, Salvation Army, Veterans Helping Veterans, 15th year - marionfl.org/bhh; thank you to board members for support

Commissioner McClain – remember to vote; no matter what happens, support each other

Commissioner Curry – congratulations to new chair and vice chair; looking forward to working with Mr. Cunningham in Utilities; Jamboree Day was fantastic – Commissioner Zalak should be in dunk tank

Chair Stone - pleasure to serve as chair

13.3. Commission Calendar

13.3.1. Present Commission Calendar

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

- 14.1.1.** Present Notification of the Appointment of Anthony "Tony" Cunningham as Marion County Utilities Director
- 14.1.2.** Present Letter from Southwest Florida Water Management District Dated October 18, 2024, Regarding the Proposed 2025 Five-Year Water Resource Development Program
- 14.1.3.** Present Letter of Support for the University of Central Florida for the John Scott Daily Florida Institute of Government

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

- 14.2.1.** Solid Waste Disposal Fund - Solid Waste Disposal - \$1,540,000
- 14.2.2.** Request to Consider Approval of an Emergency Ordinance Providing for a Declaration of Emergency and Providing Regulations for the Removal of Storm Debris from Public and Private Property and Roadways in the Aftermath of Hurricane Milton In October, 2024
- 14.2.3.** Request Approval of Four Change Orders for Purchase Orders Associated with Debris Management for Hurricane Milton (Budget Impact; Neutral)

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.** Property Appraiser's Budget Transfer Approved by the Department of Revenue
- 14.4.2.** Present Memorandum from Gregory C. Harrell, Clerk of The Circuit Court and Comptroller, Regarding the Filing of Ordinance 24-27 with the Secretary of State's Office
- 14.4.3.** Present Administrative Budget Transfer Reports for FY2024 and FY2025
- 14.4.4.** Present Regular Report of Utilization for Reserve for Contingencies

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

- 14.5.1.** Board of Adjustments - September 9, 2024
- 14.5.2.** Dog Classification Board - July 22, 2024
- 14.5.3.** Development Review Committee - September 30 and October 7, 2024
- 14.5.4.** Housing Finance Authority - August 21 and September 18, 2024
- 14.5.5.** Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>
- 14.5.6.** St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at <https://www.sjrwmd.com>
- 14.5.7.** Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <https://ocalamariontpo.org>
- 14.5.8.** Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>