Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS

June 2, 2026

CALL TO ORDER:
The Marion County Board of County Commissioners (BCC) met in regular session in Commission Chambers at 9:00 a.m. on Tuesday, June 2, 2026, at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:
The meeting opened with invocation by Commissioner McClain and the Pledge of Allegiance to the Flag of our Country.

9:00 AM ROLL CALL:
Upon roll call the following members were present: Chairman Carl Zalak, III, District 4; Vice-Chairman Matthew McClain, District 3; Commissioner Craig Curry, District 1; and Commissioner Michelle Stone, District 5. Commissioner Kathy Bryant, District 2, was absent due to a prior commitment. Also present were Clerk Gregory C. Harrell, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Angel Roussel, ACA Tracy Straub, ACA Amanda Tart and Executive Director of Internal Services Mike McCain.

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

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

1.1. PROCLAMATIONS - National Homeownership Month - Rob Peters, President/CEO, Habitat for Humanity of Marion County (Approval and Presentation)
The Board presented the Proclamation designating the month of June 2026 as "National Homeownership Month" to President/Chief Executive Officer (CEO) Rob Peters, Habitat for Humanity of Marion County, Community Services Director Cheryl Butler and several other representatives.
Community Services Director Cheryl Butler presented a brief video highlighting the Marion County Purchase Assistance program and other homeowner assistance programs available to the citizens of Marion County. She advised that the Community Services Department is very proud to have been able to serve Marion County citizens with this Down Payment Assistance program, noting their partnership with Habitat for Humanity has been pivotal in making a lot of this happen for the community.
President/CEO Rob Peters, Habitat for Humanity of Marion County, expressed his appreciation to all the home builders, lenders and everybody who makes it possible for people to have safe, stable home ownership. He advised that Habitat for Humanity is just a small piece of the pie, but the organization is going to continue to do what it can to put a dent in the affordable housing crisis. Mr. Peters stated Habitat for Humanity is grateful for the partnership that it has with the Marion County BCC.

1.2. PROCLAMATION - Faith and Family Month - Amber Rose Pennuto (Approval and Presentation)

The Board presented the Proclamation designating the month of June 2026 as "Faith and Family Month" to Amber Rose Pennuto and several representatives.

Amber Rose Pennuto stated it is an honor for everyone up here and for the many faithful, God loving, God fearing citizens of Marion County. She noted when things are done God's way, it brings glory to him, and brings blessings to everyone. Ms. Pennuto expressed her appreciation to the BCC for their faithfulness and willingness to create this Proclamation. She invited everyone here to take a moment to think about what this stands for and what a blessing it is to have a County that proclaims June as belonging to the Lord. Ms. Pennuto advised that on Saturday, June 13, 2026 at Tuscawilla Park, the organization will be having its first annual Family Fest to celebrate the Proclamation and invited everyone to come out and join in the celebration.

1.3. CERTIFICATE OF RECOGNITION - Christina Hernandez (Approval Only)

The Board approved the Certificate of Recognition for Christina Hernandez as a recipient of the Girl Scout Medal of Honor.

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 Zalak opened the floor to public comment.

Roland Boyd, NW 90th Avenue, addressed the Board in regard to Agenda Items 9.1. and 9.2. He advised that as a Union president of the Professional Firefighters of Marion County Local 3169, he wanted to sincerely thank the BCC, County Administration, Fire Chiefs and the community for their continued support throughout the contract negotiations process. Mr. Boyd expressed his appreciation to Amanda Tart, Bobbi Perez, Dana Olesky, Natalie Wesselberg and Cassandra Li for the long hours, time and effort they have given to get this contract completed. He commented on the long term commitment and investment that has been made towards the betterment of emergency services for the current and future residents of Marion County. This contract is a testament for the foresight, leadership and willingness to adapt to the ongoing changes that continue to impact fire service professionally and the individuals who relentlessly serve this community every day. Mr. Boyd advised that negotiations are never an easy process, but opined that this shows what can be accomplished when all sides remain committed to working together professionally and respectfully. This agreement represents meaningful progress for the men and women of Marion County Fire Rescue (MCFR) and demonstrates a shared commitment to moving this Department forward. Speaking on behalf of the EMTs, paramedics and firefighters of Local 3169, he wanted to express his sincere gratitude for what has been accomplished today through ratification of this contract. This agreement not only supports the workforce of today, but also helps strengthen the recruitment, retention and future of the emergency services within Marion County.

Wes Price did not appear when called upon to speak.

Joseph Walker, SE 54th Place Road, Ocklawaha, did not appear when called upon to speak.
Chairman Zalak advised that public comment is now closed.

3. ADOPT THE FOLLOWING MINUTES: (2 Sets)
3.1. March 3, 2026 A
3.2. March 3, 2026 B
A motion was made by Commissioner Curry, seconded by Commissioner Stone, to adopt the meeting minutes of March 3 (2 sets), 2026. The motion was unanimously approved by the Board (4-0).

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:
4.1. Billy Woods, Sheriff - Request Approval to Pursue the Purchase of Parcel No. 21935-002-00
The Board considered the following recommendation as presented by Sheriff William "Billy" Woods, Marion County Sheriff's Office (MCSO):

> Description/Background: The Marion County Sheriff's Office is requesting approval to pursue the purchase of the property located at 3002 NW 10th Street adjacent to Sheriff's Operations. The property would provide Emergency Management with a dedicated warehouse facility, improve operational efficiency, and create additional storage capacity for both Emergency Management and Sheriff's Facilities operations. Funding for the acquisition and potential improvements is available within the Sheriff's FY 2025-26 vehicle sales tax budget.
> Budget/Impact: None.
> Recommended Action: Motion to authorize staff to proceed with negotiations following standard land acquisition proceedings on behalf of the Sheriff's Office for property located at 3002 NW 10th Street.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to authorize staff to proceed with negotiations following standard land acquisition proceedings on behalf of the Sheriff's Office for property located at 3002 NW 10th Street. The motion was unanimously approved by the Board (4-0).

5. CLERK OF THE CIRCUIT COURT:
Upon motion of Commissioner McClain, seconded by Commissioner Curry, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Clerk Harrell:
5.1. Budget Amendment
5.1.1. 26-R-147 - County Transportation Maintenance Fund - Transportation - $50,000
5.1.2. 26-R-148 - Fine and Forfeiture Fund - Sheriff Transfer - $392
5.1.3. 26-R-149 - Fine and Forfeiture Fund - State Attorney Technology - $1,600
5.1.4. 26-R-150 - General Fund - Sheriff Jail Transfer - $7,034
5.1.5. 26-R-151 - Marion County Airport Fund - Marion County Airport - $830,989
5.1.6. 26-R-152 - MSTU for Law Enforcement - Sheriff Insurance & Tax Fees -$2,825
5.1.7. 26-R-153 - MSTU for Law Enforcement - Sheriff Patrol CID Transfer - $550
(Ed. Note: MSTU is the acronym for Municipal Services Taxing Unit and CID is the acronym for Criminal Investigation Division.)

5.2. Clerk of the Court Items

5.2.1. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 029192, 029550, 036058, 037083, 038837A, 039497, 039499, 043985, 044535, 50744, 052141, 53885, 54086, 54160, 54550, 54855, 243800, and IT List.
A motion was made by Commissioner Curry, seconded by Commissioner McClain, to approve the disposition of property forms for assets 029192, 029550, 036058, 037083, 038837A, 039497, 039499, 043985, 044535, 50744, 052141, 53885, 54086, 54160, 54550, 54855, 243800, and IT List. The motion was unanimously approved by the Board (4-0).

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

7.1. Attorney:
7.1.1. Request Approval of a Resolution Authorizing Acquisition of Real Property Interests by Gift, Purchase, or Eminent Domain for the SW/NW 80th/70th Avenue Road Improvement Project in Marion County, Florida
The Board accepted the following recommendation to adopt Resolution 26-R-154 as presented by County Attorney Mathew G. Minter, Legal:

> Description/Background: The Board of County Commissioners has previously approved Resolutions 25-R-430, 25-R-490, and 26-R-43 and 26-R-103 for the acquisition of interests in real properties related to the SW/NW 80th/70th Avenue Road Improvement Project. This Resolution seeks to acquire another project parcel, for which we have not yet been able to acquire by negotiation. The County is seeking to acquire the project parcel to construct road improvements related to the SW/NW 80th/70th Avenue Road Improvement Project, which will widen the North and South bound lanes of SW/NW 80th Avenue, relieving traffic flow on both Hwy 40 and SW/NW 80th Avenue, and surrounding collector roads. The Resolution provides for acquisition either by negotiation, based on binding offers from the County for up to 140% of the full compensation values determined by our appraiser, or eminent domain. If negotiations are unsuccessful, then the resolution authorizes proceeding with acquisition by eminent domain. Florida Statutes require the adoption of a resolution authorizing the acquisition of property by eminent domain, and this resolution will satisfy that requirement.
>
> Budget/Impact: Budget impact is currently indeterminate but is initially based on the County's appraisals. The amount for the acquisition parcel included in this resolution is $28,000.00. If litigation is required, the final value determinations will be made by a jury trial, and the County will be responsible for statutory attorney fees and expert costs as well.
>
> Recommended Action: Motion to approve and authorize the Chairman and the Clerk of Court to execute the resolution.

Resolution 26-R-154 is entitled:

> A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PURSUANT TO ARTICLE X, SECTION 6,

FLORIDA CONSTITUTION, AND CHAPTERS 73, 74, 127, and 337 FLORIDA STATUTES (2025), AUTHORIZING APPROPRIATE OFFICERS OR AGENTS OF THE COUNTY TO ACQUIRE CERTAIN INTERESTS IN REAL PROPERTY BY GIFT, PURCHASE, OR COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS FOR THE SW NW 80^{th} 70^{th} AVENUE ROAD IMPROVEMENT PROJECT IN MARION COUNTY, FLORIDA; MAKING FINDINGS OF FACT FOR PUBLIC PURPOSE AND NECESSITY; AND PROVIDING AN EFFECTIVE DATE.

7.2.1. Request Approval of Interlocal Agreement Between Marion County and the City of Dunnellon Regarding Airport Protection Zoning Regulations (Budget Impact - None)
The Board accepted the following recommendation as presented by Parks & Recreation Director Jim Couillard:

Description/Background: The attached interlocal agreement was developed at the request of the City of Dunnellon and on behalf of the Marion County Airport (Airport) after it was determined that portions of the Airport's "airport hazard area" extend into the municipal boundaries of the City of Dunnellon, as illustrated on the attached map as overlap area.

State law (Section 333.03, Florida Statutes) requires the County and City to either establish a Joint Airport Zoning Board or enter into an Interlocal Agreement to ensure consistent implementation and enforcement of applicable regulations. After a legal review by the County and City, it was determined that an Interlocal Agreement was the best option for satisfying these requirements. Under the agreement, each party retains responsibility for administering and enforcing airport zoning regulations within its respective jurisdiction, while also establishing a process for intergovernmental review of development proposals within designated airport hazard areas.

The attached Interlocal Agreement, signed by the City, ensures compliance with state statutory requirements by formalizing coordination between the County and the City; supports continued protection of the Airport from incompatible land uses or obstructions; and promotes coordinated development review between the County and the City.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Interlocal Agreement between Marion County and the City of Dunnellon regarding Airport Protection Zoning Regulations.

7.3. Procurement Services:

7.3.1. Request Approval of Bid Award: 26B-063 NE 42^{nd} Place (from NE 25^{th} Avenue to NE 30^{th} Court) Resurfacing - C. W. Roberts Contracting, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of $287,251.90)
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 resurfacing NE 42^{nd} Place from NE 25^{th} Avenue to NE 30^{th} Court. The scope of work will generally include milling and resurfacing existing asphalt pavement, constructing side street aprons, adjusting manholes and water valves, sodding shoulders, and restriping the pavement markings. A total of four (4) submittals were received in response to the solicitation, and the bid tabulation is provided below:

Firm - *Location*	**Bid Total**
C. W. Roberts Contracting, Inc. - *Ocala, FL*	$287,251.90
Art Walker Construction, Inc. - *Lowell, FL*	$298,242.00
Superior Asphalt, Inc. - *Oneco, FL*	$303,001.00
Anderson Columbia Co., Inc. - *Lake City, FL*	$317,854.02

Steven Cohoon, PE, County Engineer, recommends that C.W. Roberts Contracting, 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 C.W. Roberts Contracting, Inc. for signature and upon return, will be forwarded to the Clerk and Chairman for signatures.

Budget/Impact: Neutral; expenditure of $287,251.90. Up to ten percent (10%) contingency will be added to the purchase order in accordance with the Procurement Manual. Funding is from BM761541-563221-TIP000001 (County Engineer 80% Gas Tax Fund).

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract, and upon approval by Legal, authorize the Clerk and Chairman to execute the contract with C.W. Roberts Contracting, Inc., under 26B-063.

7.3.2. Request Approval of Bid Award: 26B-072 Marion County Animal Services – Building Demolition - Patriot Contracting of CF, LLC., Ocala, FL (Budget Impact - Neutral; expenditure of $54,963.36)

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

Description/Background: On behalf of Facilities Management, Procurement advertised a bid seeking qualified and experienced contractors for demolition services and site restoration of the Marion County Animal Services facilities. The project includes the demolition and removal of approximately 32,806 square feet of structures, access roads, parking areas, utilities, and associated site elements and restored to a rough grade. Solid Waste is paying for this demolition in preparation for the future expansion of the landfill. Six (6) submittals were received; the tabulation is listed below:

Vendor - *Location*	Bid
Patriot Contracting of CF, LLC. - *Ocala, FL*	$54,963.36
A & A Trucking & Excavating - *Ocala, FL*	$124,294.00
Excavation Specialist LLC - *Ocala, FL*	$157,685.00
Williams Construction Company LLC. - *Winter Haven, FL*	$175,962.50
Ho-Man Contracting LLC - *Ocala, FL*	$184,630.44
NuJak Companies, Inc. - *Lakeland, FL*	$252,976.40

Facilities staff recommend Patriot Contracting of CF, LLC. (Patriot) receive the award as the lowest, most responsive, and most responsible bidder.

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

Budget/Impact: Neutral; expenditure of $54,963.36. Up to 10% contingency may be added to the purchase order in accordance with the Procurement Manual. Funding is from ZA423534-562102 (Solid Waste Disposal Fund).
Recommended Action: Motion to approve the recommendation and allow staff to issue a contract and upon approval by Legal, authorize the Chairman and Clerk to execute the contract under 26B-072.

7.3.3. Request Approval of Bid Award: 26B-075 Bay Doors Annual Inspections, Maintenance and Repairs - D.H. Pace Company, Inc., Olathe, KS (Budget Impact - Neutral; estimated annual expenditure of $94,944.37)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of Facilities Management, Procurement solicited bids from qualified and experienced contractors to provide annual inspections, maintenance, and repair services for bay doors at Marion County facilities. Two (2) responsive bids were received, and the tabulation is provided below:

Vendor - *Location*	Bid Amount
D.H. Pace Company, Inc - *Olathe, KS*	$50/inspection
C & D Industrial Maintenance - *Palmetto, FL*	$75/inspection

Two (2) non-responsive submittals were also received. Facilities staff recommend D.H. Pace Company, Inc receive the award as the lowest, most responsive, and most responsible bidder.
Attached for review is a contract draft. Upon approval at today's meeting, it will be sent to the Firm for signatures. Once returned, it will be forwarded to Legal, the Clerk, and Chairman for execution.
Budget/Impact: Neutral; estimated annual expenditure of $94,944.37.
Funding is from:
AA180519-534101 = $14,310.00
AA180519-546101-180RAMP26-FAC GENERAL = $10,634.37
EF300522-546101 - $75,000 (Fire Rescue and EMS Fund).
Recommended Action: Motion to approve the recommendation and allow staff to issue a contract and upon approval by Legal, authorize the Chairman and Clerk to execute the contract under 26B-075.

7.3.4. Request Approval of Bid Award: 26B-080 NE 148th Terrace Bridge Repair – Commercial Industrial Corporation, Ocala - FL (Budget Impact - Neutral; expenditure of $337,359)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid for repair for the NE 148th Terrace Bridge. The work includes temporary traffic control and detour, excavation and embankment work, restoration of damaged bridge elements, localized deck and surface repairs, and milling and resurfacing of existing pavement. A total of three (3) submittals were received in response to the solicitation, and the bid tabulation is provided below:

Firm - *Location*	**Bid Total**

Commercial Industrial Corporation - *Ocala, FL*	$337,359.00
C.W. Roberts Contracting, Inc. - *Ocala, FL*	$353,818.00
Titan Construction Management - *Tarpon Springs, FL*	$1,034,285.00

Steven Cohoon, PE, County Engineer, recommends that Commercial Industrial Corporation 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 Commercial Industrial Corporation for signatures, and upon return, will be forwarded to the Clerk and Chairman for signatures.

Budget/Impact: Neutral; expenditure of $337,359.00. Up to ten percent (10%) contingency will be added to the purchase order in accordance with the Procurement Manual. Funding is from BM761541-563221-TIP071764 (County Engineer 80% Gas Tax).

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract, and upon approval by Legal, authorize the Clerk and Chairman to execute the contract with Commercial Industrial Corporation under 26B-080.

7.3.5. Request Approval of Contract Amendment: 25B-141-CA-01 Marion County Annual Sidewalk Repair - Hartman Civil Construction Co., Inc., Ocala, FL (Budget Impact - None)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On September 3, 2025, the Board approved a contract with Hartman Civil Construction Co., Inc. (Hartman) to remove and replace damaged pedestrian sidewalks within the County's rights-of-way. The work includes removal of material, restoration, and removal and replacement of truncated dome mats.

This agenda item requests approval of a contract amendment to formally establish that no retainage will be withheld, and no liquidated damages will apply under this annual continuing services contract. Due to the ongoing, as-needed nature of the work performed throughout the contract term, these provisions are not operationally applicable. All other terms and conditions of the contract remain unchanged.

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

Budget/Impact: None.

Recommended Action: Motion to approve the contract amendment and allow staff to issue, and upon approval by Legal, authorize the Clerk and Chairman to execute contract amendment with Hartman Civil Construction Co., Inc. under 25B-141.

7.3.6. Request Approval of Change Order to Purchase Order 2501146: 25B-009 Rotary Sportsplex Synthetic Field Improvements - Daly & Zilch, Inc., Lecanto, FL (Budget Impact - Neutral; additional expenditure of $59,609.55)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On February 18, 2025, the Board approved a contract with Daly & Zilch, Inc. for general improvements at Rotary Sportsplex Field including, but not limited to, tree removal, grading, utility and stormwater infrastructure, paving, landscaping, and other improvements in the conversion of two (2) natural fields to synthetic turf.

The prior 11 change orders for this project primarily addressed necessary adjustments to field conditions, scope, and schedule to support operational requirements at the Rotary Sportsplex. These included utility modifications due to differing site conditions, fencing revisions (resulting in a net deduction), and various enhancements funded through available contingency (such as electrical improvements, signage, safety features, landscaping, and additional sod), as well as a funding source adjustment.

Change Order 12 is being presented to increase funding to cover the cost of an entry sign at Rotary Sportsplex. This sign is part of a sponsorship agreement between Marion County, AdventHealth, and the Tourist Development Council.

The change order is attached for review. Upon approval at today's meeting, it will be presented to the Chairman for signature.

Budget/Impact: Neutral; additional expenditure of $59,609.55, bringing the total purchase order amount to $2,121,289.74. Funding is from AA361572-563102 (General Fund).

Recommended Action: Motion to approve the change order, authorize the Chairman and Clerk to execute, and allow staff to issue the change order to Daly & Zilch, Inc., LLC under 25B-009.

7.3.7. Request Ratification of Change Order 1 to Purchase Order 2601080: Rescue Boat/ Trailer/Motor - RO Holdings, LLC, Athens, AL (Budget Impact - Neutral; additional expenditure of $7,626)

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

Description/Background: On January 20, 2026, the Board approved the Grant Agreement Number FM 1210 between the State of Florida Department of Financial Services and the Marion County Board of County Commissioners for the sustainment of Florida's fire specialty teams, specifically Urban Search & Rescue (US&R).

Purchase Order 2601080 was subsequently issued utilizing these grant funds for the purchase of a rescue boat, trailer, and motor pursuant to the terms of Grant Agreement Number FM 1210, Appendix 1.

Change Order 1, presented today for ratification, is necessary to encumber additional funds for 30 horsepower (hp) motors, as 25hp motors were incorrectly specified on the original quote. Grant funds must be fully expended by June 30, 2026, after which any unspent funds will expire.

Budget/Impact: Neutral; additional expenditure of $7,626, bringing the total amount of the purchase order to $86,792. Funding comes from grant revenue in line EF300522-564101 (Fire, Rescue, and EMS Fund).

Recommended Action: Motion to ratify Change Order 1 to Purchase Order 2601080.

7.4. Tourist Development:

7.4.1. Request Approval of Tourist Development Council Recommendation for Room Night Generating Event (Budget Impact - Neutral; expenditure of up to $49,995)

The Board accepted the following recommendation as presented by Tourist Development Director Loretta Shaffer:

Description/Background: The Tourist Development Council (TDC) seeks funding approval for organizations that have festivals, events, or programs which support the TDC's mission of growing the economy and accelerating prosperity in Marion County through effective destination sales and marketing. The Room Night Generating Event Funding Program is intended to position Marion County as a must-experience destination in Florida through bringing quality events and initiatives to Marion County. The following funding contract was recommended for approval by the TDC.

Rock the Country $49,995

Budget/Impact: Neutral; expenditure of up to $49,995. Funding from CP155552-548101.

Recommended Action: Motion to approve the Tourist Development Council funding request and authorize the Chairman and Clerk to execute the attached funding agreement.

7.5. Transportation – County Engineer:

7.5.1. Request Approval of an Indemnification Agreement and Subdivision Improvement Agreement with Bond Between Colen Built Development, LLC and Marion County for the Proposed Melody Preserve Subdivision, Application 32624 (Budget Impact - None)

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

Description/Background: This is a request seeking approval of an Indemnification Agreement and Subdivision Improvement Agreement with Bond. The agreements, required under Land Development Code Section 2.18.4.E, which allows for up to 116 individual building permits representing 50% of the density on a per lot basis within the project. The six conditions outlined in the proposed Indemnification Agreement have been met and the County Attorney's office has approved the proposed agreement for Melody Preserve subdivision.

This subdivision is located in the southwest portion of the County and contains 233 lots and 11 tracts on 70.06 acres with 1.92 miles of roads.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Indemnification Agreement and Subdivision Improvement Agreement between Colen Built Development, LLC and Marion County for the proposed Melody Preserve subdivision and authorize the Chairman and Clerk to execute the same.

7.5.2. Request Approval of Purchase Agreement Associated with the NE 35th Street Phase 4 Road Improvement Project for Parcel 15895-000-00 (Budget Impact- Neutral; expenditure of $47,000)

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 $47,000 plus closing costs for parcel 1304-051-013 associated with the NE 35th Street Phase 4 Road Improvement Project (from NE 36th Avenue to NE 55th Avenue). This is a vacant parcel consisting of approximately .48 acres.

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

Budget/Impact: Neutral; expenditure of $47,000, plus closing costs (FUND STC073835-CIPTRANSP-EXPANSROW-738-VJ738541-561301).

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

8. COUNTY ATTORNEY:

8.1. Request Board Authorization for County Attorney and County Engineer to Proceed with the Acquisition of Certain Property Interests from Forestar (USA) Real Estate Group, Inc., Ocala Preserve Community Development District, and Ocala Preserve Association, Inc., or Their Successors in Interest, for the NW 49th Street Phase 3 Road Construction Project, Within the Purchase Price and Other Parameters Described Herein

County Attorney Minter, Legal, advised that he is requesting to withdraw this Item and would bring it back to the Board for consideration at a later date. It was the general consensus of the Board to concur.

Description/Background: Marion County is currently acquiring parcels for the construction of the NW 49th Street Phase 3 Road Construction Project. Acquisition of certain real property interests from Forestar (USA) Real Estate Group, Inc., Ocala Preserve Community Development District, and Ocala Preserve Association, Inc., is necessary to complete the project as designed. The approved roadway alignment traverses property owned by these entities, necessitating the acquisition of Project Parcels 2, 3, 4, 10, 19, 20, 21, 59, and 59A. The property interests being acquired include Fee Simple, Fee Simple Right-of-Way, Permanent Slope Easements, and Temporary Construction Easements.

Following extensive negotiations and the filing of a Petition in Eminent Domain, the parties have reached an agreement on the essential terms of a negotiated settlement, which is being presented for the Court's approval through a Stipulated Order of Taking and Final Judgment ("Stipulated OT"). The proposed Stipulated OT resolves issues related to certain acquisitions that were originally contemplated as temporary construction easements but were converted to perpetual slope easements due to project needs. The proposed Stipulated OT also provides for the acquisition of additional parcels that were not originally included in the Petition in Eminent Domain but are necessary to complete the project as designed.

This settlement is advantageous to the County because it fully resolves all claims arising from the acquisitions, including compensation for land value, improvements, site modifications, severance damages, attorneys' fees, expert fees, and costs, thereby avoiding the expense, delay, and uncertainty associated with continued eminent domain litigation and valuation disputes. The agreement also provides for coordinated construction of a six-foot Permacast precast wall system along the NW 49th Street frontage, to be constructed by Forestar (USA) Real Estate Group in conjunction with the County's roadway project, which will assist in addressing frontage treatment and compatibility concerns associated with the roadway expansion.

Staff respectfully requests Board approval of the proposed Stipulated OT, based on the agreed-upon essential terms, and authorization for the County Attorney and County Engineer to finalize and execute the Joint Motion for Entry of the Stipulated OT and any related ancillary documents consistent with those terms that are necessary to complete the acquisitions. Approval of these settlement terms will facilitate the timely completion of the roadway project.

Compensation and Expenses: The most important part of the settlement provides for payment of the constitutional measure of "full compensation" to the property owners for all interests taken, including any claims for severance damages or consequential damages. In addition to that, the County will be required to pay the owner's statutory attorney fees and costs. At the time of publication of this Agenda, the total amounts have not been finalized. Payment of these amounts is subject to the Court's execution of a proposed Stipulated Order of Taking and Final Judgment.

Budget/Impact: At the time of Publication, the total expenditure payable from account #STC073811- CIP TRANSPNEWINF ROW-VJ738541-561301 has not been finalized.

Recommended Action: Motion to approve the proposed Stipulated Order of Taking and Final Judgment to be finalized by the County Attorney and the County Engineer, incorporating the terms described above.

NEW BUSINESS:

County Administrator Mounir Bouyounes advised that he would like to share a brief video of the Grand Opening of the new Marion County Animal Shelter as shown on the overhead screen.

9. COUNTY ADMINISTRATOR:

9.1. Request Adoption of the Collective Bargaining Agreement Between the Marion County Board of County Commissioners and the Professional Firefighters of Marion County, Local IAFF 3169, Effective June 20, 2026, to September 30, 2026

ACA Amanda Tart, Administration, presented the following recommendation:

Description/Background: Over the past year, the County's negotiations team and the Professional Firefighters of Marion County, Local IAFF 3169, have met and tentatively agreed to a proposed Collective Bargaining Agreement. The agreement reflects a collaborative effort between County Administration, Human Resources, Fire Rescue leadership, and union representatives to address employee compensation, workforce sustainability, operational readiness, recruitment, retention, and employee wellness. This proposed agreement will provide all current Bargaining Unit employees with a $20,000 increase to their base rate of pay and increase the starting wages of all positions covered by this agreement.

The starting wage for each position will be as follows:

Job Description	**Hourly Rate**	**Annual Pay**
Single Cert FF	$21.45	$64,317.83
EMT	$22.18	$61,815.66
Paramedic	$25.92	$72,239.04
Firefighter/EMT	$21.70	$65,067.45
Firefighter/PM	$25.02	$75,022.47
Driver Engineer	$26.60	$79,760.10
EMS Lieutenant	$29.70	$82,773.90
Lieutenant	$29.19	$87,526.22
EMS Captain	$32.87	$91,608.69
Captain	$32.36	$97,031.46

This proposed agreement was ratified by the union body on May 27, 2026, and if adopted, will be effective June 20, 2026, to September 30, 2026. All salary changes will go into effect on June 27, 2026, or thereafter as described in the proposed agreement.

Budget/Impact: Additional annual expenditure in the Fire Fund of $6,287,218.81 and General Fund of $5,716,514.90.

Recommended Action: Motion to adopt the Collective Bargaining Agreement with the IAFF Local 3169, Rank and File Unit as attached.

ACA Amanda Tart advised that Agenda Items 9.1.1. and 9.1.2. are two proposed Collective Bargaining Agreements (CBA's) between Marion County Management and the International Association of Firefighters (IAFF) Local 3169. These Agreements are the results of many months of negotiations that began in June of 2025 and reflect a collaborative effort between County Administration, Human Resources (HR), the Budget Department, Fire Rescue, and the County's Union Negotiating Team. The recommendations being presented are about much more than wages and schedules. It is about ensuring that Marion County Fire Rescue (MCFR) remains capable of recruiting and retaining the highly skilled professionals who serve County residents every day. She stated it is important to recognize that today's proposal is part of a continuing effort that has evolved over multiple contract cycles. Ms. Tart advised that during the 2018 to 2021 contract, the Board approved a $3.43 per hour across the board increase representing approximately $10,000.00 annually per employee. In the 2021 to 2024 agreement, the Board approved moving stipends to base pay, created new job classifications and starting rates, and addressed salary compression across the Department. The current 2023 to 2026 Agreement focused on meeting Florida's minimum wage requirements while providing a 3% cost of living adjustment, a 2% annual education incentive, and the implementation of a 5% longevity increase in five year increments. And while not covered by the CBAs, the Board has continued to prioritize equipment upgrades and the modernization of fire stations to meet the needs of the community. She expressed her appreciation to Marion County residents for the approval of the One Cent Sales Tax that made these things possible. Each of those Agreements addressed the workforce's challenges at the time.

Ms. Tart advised that across the State of Florida and throughout the Nation, fire departments are facing unprecedented recruitment and retention challenges, and Marion County is no different. The County continues to face challenges maintaining competitive wages with an increasingly competitive market. There is a limited pool of qualified applicants, particularly for paramedics and dual certified positions. Over the past several years, the Department has been dedicated to its non-certified program. However, the Department continues to experience turnover. Once employees finish the program and get the experience they need, they are being recruited by neighboring agencies offering higher compensation, different schedules, and sometimes both. This turnover is not just with new recruits; it is happening at every level in the Department. The Department also continues to experience significant overtime costs. While overtime helps maintain service levels and staffing requirements, it places financial pressure on the organization, and it increases demands on the workforce. In addition, recruitment feedback consistently reflects that schedule flexibility is becoming a major factor in employment decisions. Today's Firefighters and Paramedics are evaluating employers not just based on salary, but also on quality of life, family time, recovery periods, and long term career sustainability. She stated the County must also position itself to meet future workforce and operational requirements, including compliance with Health Bill 929 and other evolving expectations within the fire service profession.

Ms. Tart advised that the first contract presented as Agenda Item 9.1. has an effective date of June 20, 2026 to September 30, 2026, noting it was important for the County to implement the short three month contract to get back on track with its fiscal years (FYs). In this contract, each employee covered by the agreement will receive a $20,000.00 increase to their base salary and it will increase the starting pay for all positions by $20,000.00. This means the proposed based annual pay for a Firefighter EMT will be $65,000.00 and $75,000.00 for a Firefighter Paramedic, making Marion County one of the most competitive Departments in the State. This adjustment is designed to immediately improve Marion County's competitiveness. It recognizes the value of the Department’s current workforce while helping attract the next generation of firefighters and paramedics. Recruitment, retention, firefighter health and wellness were the primary objectives driving both of today's proposals.

Ms. Tart advised that the second contract, presented as Agenda Item 9.2. has an effective date of October 1, 2026 to September 30, 2029. The major component of this contract is the implementation of a 24/72 shift schedule by September 30, 2029. This implementation date provides time for County and Fire Rescue leadership to plan appropriately. At its core, this agreement is an investment in staff because every time the County loses an experienced firefighter paramedic, it loses valuable experience, training, leadership, and institutional knowledge. Replacing that employee requires recruiting, hiring, onboarding, training, and mentoring the new employee, a process that is both time consuming and costly. She opined that by improving compensation and addressing quality of life concerns, it positions MCFR to retain experienced personnel, reduce turnover, increase recruitment outcomes, and continue providing the highest level of emergency services Marion County residents expect and deserve. This agreement is not about where the fire services have been, but where the fire services are going.

Ms. Tart expressed her appreciation to the Union negotiations team, Fire Rescue leadership, HR, Budget team, County Administration, and everyone else who contributed to these negotiations.

Fire Chief James Banta, MCFR, addressed the key benefits of the proposed CBA, which includes the competitive realities facing the Department, the implementation plan and the opportunity this CBA creates for MCFR. This agreement is an investment in the people and the future of MCFR. It improves the Department’s ability to recruit and retain employees, reduces mandatory over time, and creates a healthier, more sustainable workforce. Just as importantly, it reduces exposure to carcinogens, traumatic incidents, sleep deprivation and cumulative occupational stress. In a profession where cancer, heart disease and mental health challenges remain significant concerns, this proposal directly supports long term health and wellness of Marion County Firefighters, Paramedics and Emergency Medical Technicians (EMTs). He advised that the fire service labor market has changed dramatically, noting today's candidates are looking for competitive compensation, quality of life, and work/life balance. Chief Banta stated only a handful of departments have adopted the 24/72 schedule and MCFR would become one of the largest agencies in the State to do so. Combined with significant wage increases, included in this agreement, Marion County will position itself among the most competitive employers in the region. In order to attract and retain certified Firefighters, EMTs, and Paramedics, the County must be willing to compete for them. He clarified that the transition would occur over approximately 3 years, hopefully a little less, and is tied directly to hiring and staffing milestones. This phased approach allows the Department to maintain service levels while responsibly building the workforce needed to support the new schedule. It is a deliberate, thoughtful plan designed to minimize risk and ensure long term success. This proposal gives Marion County a unique opportunity to reshape the future of MCFR. While Recruit Academy's mentorship programs, high school programs and developing the Department's own people remain critical, that cannot be the sole staffing strategy. To meet the needs of a rapidly growing community, the Department must attract experienced, certified personnel who can contribute immediately. This proposal gives the Department the tools to do so while improving morale, retention and organizational stability. Every day, Firefighters, Paramedics and EMTs leave their families not knowing what challenges they face. These employees willingly expose themselves to danger, traumatic events, and significant health risks in service to the community. Today, the County has an opportunity to send a clear message to those men and women, because if they take care of the community, the community is going to take care of them. This agreement represents a significant investment in their health, wellness, recovery, compensation and quality of life. It is also an investment in the future of Marion County and the ability to provide exceptional service for years to come.

Chief Banta expressed his appreciation to the BCC for its vision and unwavering support through this process. He also expressed appreciation to County Administrator Bouyounes; ACA Tart; IAFF Local 3169 and its leadership, President Roland Boyd; and MCFRs Executive Team, including Deputy Chief Robert Graff, Battalion Chief Robert Kruger, Deputy Chief Drew Rodgers, Administrative Financial Services Manager Cassandra Li, and many others who helped make this work. Chief Banta noted countless hours of collaboration, discussion and hard work have gone in developing this proposal. He stated while there were certainly challenges along the way, everyone remained focused on the same goal to do what is right for the employees and ensuring a strong future for MCFR.

Chairman Zalak expressed his appreciation to ACA Tart, County Administrator Bouyounes, and Chief Assistant County Attorney Dana Olesky.

Commissioner Curry thanked ACA Tart and Chief Banta for their hard work on this matter. He opined that the passage of the Sales Tax was monumental in so many ways, not just for first responders, but for transportation as well, noting the community is going to be seeing dividends on that One Cent Sales Tax for a long time.

Commissioner McClain congratulated everyone on a successful contract, noting the Board is making the right decision when it comes to what this is going to do for Firefighters and their families. He stated the BCC is making a significant investment in the future of this organization and for the citizens of Marion County.

Commissioner Stone expressed her appreciation not only to the negotiating team, but to the citizens of Marion. She advised that it was citizen support of the One Cent Sales Tax that freed up dollars that would have been spent on capital needs of the Department that can now be invested into its first responders.

Chairman Zalak opined that at the end of the day, the Agreement is about honoring those who stand ready at the moment's notice to protect complete strangers. He stated when a complete stranger is coming to someone's auto accident, home or fire, they want the best and most competent person they can get on that rig to come potentially save their life.

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to adopt the Collective Bargaining Agreement with the IAFF Local 3169, Rank and File Unit. The motion was unanimously approved by the Board (4-0).

9.2. Request Adoption of the Collective Bargaining Agreement Between the Marion County Board of County Commissioners and the Professional Firefighters of Marion County, Local IAFF 3169, Effective October 1, 2026, to September 30, 2029
ACA Tart, Administration, presented the following recommendation:

Description/Background: Over the past year, the County's negotiations team and the Professional Firefighters of Marion County, Local IAFF 3169, have met and tentatively agreed to a proposed Collective Bargaining Agreement. The agreement reflects a collaborative effort between County Administration, Human Resources, Fire Rescue leadership, and union representatives to address employee compensation, workforce sustainability, operational readiness, recruitment, retention, and employee wellness.

Significant components of the agreement include implementation of a 24/72 work schedule for operational personnel and a continued compensation package designed to maintain competitiveness within the public safety labor market. The agreement also includes updates and clarifications to various operational, administrative, scheduling, and employment provisions intended to improve organizational efficiency, transparency, and long-term workforce stability while continuing to support the delivery of high-quality emergency services to the citizens of Marion County.

This proposed agreement was ratified by the union body on May 27, 2026, and if adopted, will be effective October 1, 2026, to September 30, 2029. The change to the schedule will go into effect no later than October 1. 2029.

Budget/Impact: Additional Annual Reoccurring Expenditure in Year 1: $15,710,312 in the Fire Fund and $14,433,961 in the General Fund.

Additional Annual Reoccurring Expenditure in Year 2: $11,113,455 in the Fire Fund and $9,392,660 in the General Fund.

Additional Annual Reoccurring Expenditure in Year 3: $6,425,703 in the Fire Fund and $3,965,255 savings in the General Fund.

Total Reoccurring Estimated Expenditure at the end of Year 3: $33,249,470 in the Fire Fund and $19,864,366 in the General Fund.

Recommended Action: Motion to adopt the Collective Bargaining Agreement with the IAFF Local 3169, Rank and File Unit as attached.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to adopt the Collective Bargaining Agreement with the IAFF Local 3169, Rank and File Unit. The motion was unanimously approved by the Board (4-0).
(Ed. Note: This Item was addressed with Agenda Item 9.1.1.).

10. COMMITTEE ITEMS: NONE

11. NOTATION FOR ACTION:

11.1. Request Approval to Schedule and Advertise a Public Hearing to Consider a Resolution Adopting the Local Mitigation Strategy (LMS) Five-Year Plan 2025 Update on Tuesday, June 16, 2026, at 10:00 a.m., or as Soon Thereafter, in the McPherson Governmental Campus Auditorium
Growth Services Director Chuck Varadin presented the following recommendation:

Description/Background: Local Governments are required to maintain a Local Mitigation Strategy (LMS) Plan, which identifies potential natural and manmade hazards faced by each community, along with methods to minimize and mitigate impacts and speed recovery from disasters. The LMS Working Group and staff have completed the required update and have submitted it to the Florida Division of Emergency Management (FDEM), and local municipality adoption of the plan is underway.

To ensure compliance with FEMA guidelines for the Flood Management Program, the Board is requested to conduct a required Public Hearing to consider the adoption of the 2025 updated Local Mitigation Strategy Five-Year Plan for Marion County by Resolution.

The Public Hearing is recommended for Tuesday, June 16, 2026, at 10:00 a.m., or as soon thereafter as possible, in the McPherson Governmental Campus Auditorium. This is during a regularly scheduled meeting of the Board of County Commissioners.

Budget/Impact: None.

Recommended Action: Motion to schedule and advertise a Board of County Commissioners Public Hearing to consider adoption of the proposed 2025 updated Local Mitigation Strategy Plan for Marion County by Resolution on Tuesday, June 16, 2026, at 10:00 a.m. or as soon thereafter as possible in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to schedule and advertise a Board of County Commissioners public hearing to consider adoption of the proposed 2025 updated Local Mitigation Strategy Plan for Marion County on Tuesday, June 16, 2026, at 10:00 a.m. or as soon thereafter as possible in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (4-0).

11.2. Request Approval to Schedule and Advertise Two Public Hearings for the Fiscal Year 2026-27 Annual Action Plan for the Community Development Block Grant, HOME Investment Partnerships Program, and Emergency Solutions Grant, for Tuesday, July 7, 2026, at 10:00 a.m. or Soon Thereafter, and on Tuesday, August 4, 2026, 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 (2) public hearings to gather input for the FY 2026-27 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 2026-27 Annual Action Plan.

Budget/Impact: None.

Recommended Action: Motion to schedule and advertise public hearings on July 7, 2026, or soon thereafter at 10:00 a.m. and August 4, 2026, at 10:00 a.m. for the proposed FY 2026-27 Annual Action Plan CDBG, HOME, and ESG Grant Funds, both in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to schedule and advertise public hearings on July 7, 2026, or soon thereafter at 10:00 a.m. and August 4, 2026, at 10:00 a.m. for the proposed FY 2026-27 Annual Action Plan CDBG, HOME, and ESG Grant Funds, both in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (4-0).

11.3. Request Ratification of Letter of Support Dated May 21, 2026 for the Ocala Rapid Response Aerial Pilot Federal Grant for the Ocala Police Department
Executive Assistant Jennifer Clark, Commission Office presented the following recommendation:

Description/Background: The Ocala Police Department is applying for a federal grant for the Ocala Rapid Response Aerial Pilot (RRAP). This 60 month demonstration project is a necessary evolution of the Local Road Safety Plan framework. While the City's current implementation projects focus heavily on the physical engineering of safer roads, including major corridor modifications along the local High-Injury Network, upgraded intersection signal visibility, and targeted school zone safety enhancements, the RRAP uniquely addresses the critical, often overlooked pillar of post-crash care. By deploying an autonomous aerial overwatch network that bridges the gap between physical prevention and emergency response, this initiative creates a complete and effective safety ecosystem for residents.
Budget/Impact: None.
Recommended Action: Motion to ratify the letter of support for the Ocala Rapid Response Aerial Pilot (RRAP) Federal Grant for Ocala Police Department dated May 21, 2026.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to ratify the Letter of Support for the Ocala RRAP Federal Grant for Ocala Police Department dated May 21, 2026. The motion was unanimously approved by the Board (4-0).

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 Zalak opened the floor to public comment.
Joseph Walker, SE 54th Place, Ocklawaha, addressed the Board in regard to illegal dumping and a homeless camp behind the Winn-Dixie plaza in the Forest area near the fire station. He opined that the firefighters need to clean up that area by the fire station, noting this is all happening on County owned property.
Jennifer Morrell, SW 46th Court, advised that it is not the responsibility of the Fire Department to clean up County property around fire stations, noting Commissioners should think outside the box to address this issue. She opined that Commissioners should be more respectful to constituents.

There was a recess at 9:58 a.m.
The meeting reconvened at 10:02 a.m.

Chairman Zalak noted it is the ten o'clock hour and public comment would continue after the public hearing.

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

6.1. PUBLIC HEARING to Consider an Ordinance Amending the Marion County Code, Creating Section 18-8, Entitled Nonconsensual Towing and Resolution Establishing Maximum Rates for Nonconsensual Towing Services and Storage of Vehicle and Vessels

The Board considered the following recommendation as presented by County Attorney Matthew G. Minter, Legal:

> Description/Background: On May 5, 2026, the Board held a Public Hearing to consider an ordinance to establish maximum rates to be charged for the towing of vehicles from or immobilization of vehicles, removal and storage of wrecked or disabled vehicles from an accident scene or for the removal and storage of vehicles, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle. The public hearing was continued until June 2, 2026, to allow the Professional Wrecker Operators of Florida (PWOF) additional time to provide information and collaborate with County staff regarding the proposed rates.
>
> The proposed ordinance would create a new section within the Marion County Code governing nonconsensual towing. The maximum allowable rates would be established by separate resolution, which will also be considered at the public hearing.
>
> Budget/Impact: None.
>
> Recommended Action: Motion to Approve an Ordinance Amending the Marion County Code, Creating Section 18-8, Entitled Nonconsensual Towing and Approve the Resolution Establishing the Maximum Rates for Nonconsensual Towing and Trespass Towing.

Deputy Clerk Windberg presented proof of publication entitled, "Notice of Public Hearing by Marion County Board of County Commission to consider adoption of an Ordinance" published on the publicly accessible website www.marionfl.org/legalNotices on April 24, 2026. The Notice states the Board would consider an Ordinance creating section 18-8, Marion County Code, relating to non-consensual towing and trespass towing from private property; and to establish maximum rates for non-consensual towing services and storage of vehicles and vessels.

Chief Assistant County Attorney Dana Olesky advised that this morning is a continuation of the public hearing that was initially held on May 5, 2026 regarding the consideration of an Ordinance to amend Marion County Code creating Section 18-8 entitled "Non-Consensual Towing", as well as adoption of a Resolution establishing maximum rates for non-consensual towing. She stated at the last meeting she was tasked with meeting with Professional Wreckers of Florida Association (PWOF) regarding their proposed rates. Ms. Olesky advised that there has been one revision to the proposed Ordinance since the May 5th public hearing to include that not only can the tow companies not exceed the maximum rate set by the Resolution, but they also cannot charge any additional charges that are not outlined in the Resolution. She stated for today's purposes there were three separate draft Resolutions that were published. Ms. Olesky advised that the first draft Resolution outlined staff's maximum tow rates that were proposed, noting she made no changes to the specific rates; however, in the Resolution she did add language regarding the Consumer Price Index (CPI) that was a topic of discussion at the public hearing on

May 5th. The second draft Resolution is the rates proposed by PWOF. She stated that Resolution does not include language with regards to a CPI. Ms. Olesky clarified that the third Resolution is not Florida Highway Patrol's (FHP's) proposed rates, noting it is the rates that FHP last utilized when they adopted them in 2024. FHP does not have a proposal for rates that they are suggesting.

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

Commissioner Zalak out at 10:04 a.m.

Ms. Olesky stated just to recap, the Statute outlines that the BCC typically cannot control any type of pricing; however, with regards to non-consensual towing, the Board must adopt rates. During staff's one-on-ones with Commissioners there was a lot of discussion about what would happen if the Board did not adopt the rates. There is no penalty provision within the Statute, so if the Board should not adopt any rates today, they would default back to Alachua County rates.

Commissioner Zalak returned at 10:05 a.m.

Chairman McClain returned the gavel to Commissioner Zalak who resumed the Chair.

Ms. Olesky clarified that the reason why the Board is here today is because there were some exorbitant charges within the Alachua County Resolution, noting staff confirmed with Alachua County it was a scrivener's error in Class D vehicle rates. She advised that the Resolution on the Alachua County website said the charge was $5,000.00 for Class D vehicle towing, when in fact it is $500.00, noting she received clarification from Alachua County that the website has been updated and provided staff with the updated Fee Resolution. Ms. Olesky stated if the Board were to take no action today on adopting the Ordinance and Rate Resolution, it would continue to default to Alachua County and then FHP would continue to handle any complaints regarding overcharges by the tow companies.

In response to Chairman Zalak, Captain Jonathan Young, FHP, SE 25th Avenue, advised that what really prompted FHP to ask the Board to consider setting its own rates was that FHP was having some crazy towing bills due to that Scrivner's error for a Class D wrecker that had a $5,000.00 hookup fee. He stated it was just the beginning, noting there are a lot of other fees and things associated with the Alachua County Ordinance. This is what prompted FHP's conversation with the Board. Captain Young clarified that his role is just to give the Board guidance from FHP's aspect, but never to tell the BCC what rates to set. He advised that the back story was up until this past January, FHP would set rates if a County did not, then the State rewrote the wrecker rules and in January FHP no longer set rates. FHP does ask each County to set its own rates, but there is no enforcement mechanism. If a County does not set rates, then it goes to the closest contiguous County that has set rates. So, if Marion County did adopt rates today, the only other County it could impact would be Levy County. Captain Young clarified that if Marion County Class A rates were lower than Alachua, then Levy County would adopt Marion County rates and if they were higher, Levy County would maintain Alachua County rates.

Commissioner Stone expressed appreciation for Captain Young taking the time to meet with her to help understand this issue a little better.

Chairman Zalak opened the floor to public comment.

John Duggan, NW 195th Street, Williston, stated there was a petition signed by 95% of towman in town for him to represent them, noting he met with staff and talked about some reasonable rates. He noted the rates proposed with staff are not the rates being presented today. Mr. Duggan expressed concern with the vehicle storage rates being proposed.

Chairman Zalak stated staff did provide the Board with a copy of the rates Mr. Duggan is

referencing.
Mike Seaman, Edgewater Drive, Orlando, advised that he is the Executive Director of Professional Wrecker Boards of Florida. He stated the organization is requesting the Board adopt rates that are fair and equitable, noting tow truck drivers are risking their lives on the side of the roads, the same as first responders. Mr. Seaman requested the BCC adopt the rates recommended by PWOF.
Chairman Zalak advised that public comment is now closed.
Commissioner McClain advised that this whole thing started because of a scrivner's error in Alachua County, which has since been corrected. He noted prior to that, he had not heard from any citizen or from any tow truck companies that there was any kind of problem. Commissioner McClain opined that since there is no enforcement mechanism in the Statute, the Board would be accepting an unfunded mandate from the State. He advised that his suggestion is to leave everything as it is and do not adopt any rates today and not accept that unfunded mandate from the State.
A motion was made by Commissioner McClain, seconded by Commissioner Curry, to not adopt an Ordinance or rate Resolution relating to non-consensual towing services and storage of vehicles and vessels; and to continue utilizing rates from Alachua County. The motion was unanimously approved by the Board (4-0).

12. GENERAL PUBLIC COMMENTS - CONTINUED:
Chairman Zalak opened the floor to public comment.
Rhonda Buckner did not appear when called upon to speak.
Kayla Lacroix did not appear when called upon to speak.
Michelle Tullis, Cedar Street, Dunnellon, addressed the Board in regard to public safety, government accountability, and the role citizens play in the justice system. She advised that people often hear the phase, “if you see something, say something” and are encouraged to report suspicious activity, provide tips, serve as witnesses, and assist law enforcement with crimes when they occur. Ms. Tullis stated citizens are often asked to be the eyes and ears of the community, but civic participation does not end when a report is filed. She advised that it took from March 31, 2023 until March 5, 2025 for critical updates to be reflected on a flyer in her sister's missing person’s case. This was 705 days after repeated requests to the Marion County Sheriff's Department to do so, noting families should not have to fight for basic awareness and current information. Ms. Tullis stated only 10 days passed that the relevance of the first flyer was no longer relevant to the public, but it stayed for 705 days before the next flyer went public. She advised that her sister Sara Ebersol vanished on March 3, 2023 and Tyrone Mormon has been publicly announced as the person of interest, noting he has remained silent under the Fifth Amendment. Ms. Tullis advised that she is not asking for this Board to investigate the case, noting she understands that is not its role. She stated she is asking for something much simpler, that the BCC recognizes that a citizen in Marion County has disappeared and their family still has no answers. When a loved one goes missing, families do not get to choose the detective; the only thing they get is to live with is the outcome. Citizens have the right to ask questions, advocate for victims, attend public meetings, and speak on matters of public concern. Crime grows best in silence and that is why awareness makes people uncomfortable. The First Amendment was not created to protect popular speech, it was created to protect speech that may be uncomfortable, inconvenient, or critical. Protesting spreads awareness. These rights are not inconveniences; they are essential to a free society, generating tips and keeping cases current. If the public knows

her sister's name today, it is because ordinary citizens refuse to let her be forgotten. Ms. Tullis stated she refuses to do what would be easier for everyone else and be quiet. She opined that Commissioners need to imagine what a family waiting for answers would want from the people sitting in their chairs. Government transparency builds public trust and when citizens feel informed, they are more likely to cooperate. When they feel heard, they are more likely to participate. Yet a presumptive death letter was issued by MCSO with no notification to her family. Her family continues to search for answers. Here it is now in under three years an active death certificate for Sara Gail Ebersole, born September 18, 1996, was granted by Marion County's 5th Judicial Circuit, even though she is still listed as missing and endangered. Ms. Tullis advised that over the last three years she has faced threats, harassment, and intimidation, simply for refusing to stop searching for her missing sister. She stated she even had her vehicle vandalized, $2,500.00 worth of damage, and conveniently Ocala Police Department (OPD) could not locate the records or fingerprinting that were done from that event. Ms. Tullis stated she refuses to give up on her sister and will continue to show up, and by doing that, she has been threatened with a potential warrant. She noted what is most troubling is not how easily those threats can be overlooked, while the family seeking answers now becomes the focus. The community has shared flyers, attended events to raise awareness and offered support. Ms. Tullis opined that a healthy community should have civic engagement even when difficult questions are asked. The most dangerous words in any community are "that is not my problem". An informed community does not weaken public safety, it strengthens it. Victims should not disappear twice, once from the community and once again from public conversation. It's been 1,187 days today.

Melanie Connell, SE 9th Street, Silver Springs, advised that she is driven to speak here today in order to raise awareness about the missing person case of Sara Gail Ebersole, which holds great personal significance despite never having met her. She stated Ms. Ebersole was a young woman of 26 with multiple roles as a mother, a sister, an aunt, a friend, and more that defined her beyond her profession or associations. Ms. Connell opined that this case merits justice and this community deserves to witness. She expressed concern that more effort had been put into arresting Sara's sister, Michelle Tullis, and her supporters than investigating Sara's disappearance. Ms. Connell implored that the BCC helps to secure a thorough investigation into the disappearance of Sara Ebersole.

Rubly Waldron did not appear when called upon to speak.

Barbara Decker, Delaware Avenue, New Port Richey, addressed the Board in regard to the Sara Ebersole missing person case, noting she has been an active protester on the main road by Tyrone Mormon's house. She stated she was a witness when the police came and told them they were doing no harm because they were across the road. Ms. Decker advised that Ms. Tullis had been all out advocating for her sister, never once crossing the line or breaking the law. She expressed concern that MCSO is not following the evidence in this case.

In response to Chairman Zalak, County Attorney Minter advised that public rights-of-ways (ROWs) are traditional forums for people peacefully protesting. He clarified that he did not know the facts Ms. Decker is referring to where law enforcement came out to where they were protesting.

Commissioner McClain offered to meet with Ms. Tullis and others after this meeting or a different day so they can discuss what has been done already and he will try to give them some ideas if he can come up with any, but that is the best the Board can do in this matter.

Commissioner Curry suggested that Ms. Tullis and Ms. Decker may want to meet with the State Attorney William Gladson to discuss this matter further.
Heather Miller, SE 225th Street, Hawthorne, expressed concern with the number of missing persons that have not been located, as well as with the number of deaths in jails and the prisons, and questioned whether the Board plans on dealing with those issues.
Commissioner Curry advised that if there is something that needs to be looked into, normally the Florida Department of Law Enforcement (FDLE) would be the avenue to go through.
Commissioner McClain clarified that this Board has no investigative authority over the Sheriff's Department.
Kayla Lacroix, Highway 20, Palatka, advised that she was the person who was arrested while protesting on behalf of Sara Ebersole, noting she was not treated well at the jail. She stated she has medical conditions and was denied medical treatment at the Marion County jail.
Wendell London, Highway 20, Hollister, opined that if the BCC approves the Sheriff's budget, it should be able to hold the Sheriff's Office accountable for its actions.
Jennifer Morrell, SW 46th Court, advised that she moved up to Marion County from Miami, to be safer; however, she was almost abducted at a truck stop. She opined that Ms. Ebersole may have been a victim of human trafficking.
Chairman Zalak advised that public comment is now closed.

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

Commissioner McClain stated he had nothing further to add.

Commissioner Stone stated she had nothing further to add.

Chairman Zalak stated he had nothing further to add.

13.2. Commission Calendar
13.2.1. Present Commission Calendar
The Chairman acknowledged receipt of the Commission calendar covering the period of June 2 through June 23, 2026.

14. NOTATION FOR RECORD:
14.1. County Administrator Informational Items:
14.1.1. Present Letter Dated April 23, 2026, from Gregory C. Harrell, Clerk of Court and Comptroller Regarding Audit Fees
14.1.2. Present Letter Dated April 27, 2026, Regarding Payment from the Department of Financial Services, on Behalf of the U.S. Department of Agriculture's Forest Service, in Accordance with the Secure Rural Schools Act
14.1.3. Present Budget Resolutions 2026-139 and 2026-140 Approved on May 5, 2026, by the City Council of the City of Ocala, Florida

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

14.3. Clerk of the Court:
14.3.1. Present Report No. 2026-03 Grant Compliance Review FedEx Ground Package System, Inc.
14.3.2. Present Constitutional Officers' and Commissioners' Bonds Pursuant to Chapter 137.05, Florida Statutes
14.3.3. Present Administrative Budget Transfer Report for Fiscal Year 2025-26
14.3.4. Present Regular Report of Utilization for Reserve for Contingencies

14.4. Present for information and record, minutes and notices received from the following committees and agencies:
14.4.1. Code Enforcement Board (CEB) - April 8, 2026
14.4.2. Development Review Committee (DRC) - May 4 and 11, 2026
14.4.3. Land Development Regulation Committee - April 15, 2026
14.4.4. Tourist Development Council - April 23, 2026

14.5. General Informational Items:
14.5.1. Marion County Health Department – For the Latest health news and information, Visit the Website at http://marion.floridahealth.gov/
14.5.2. Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at http://www.WaterMatters.org
14.5.3. St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at https://www.sjrwmd.com
14.5.4. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at https://ocalamariontpo.org
14.5.5. Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at http://www.wrwsa.org

There was a recess at 10:38 a.m.
The meeting reconvened at 2:01 p.m. with all members present, except Commissioner Bryant.

Also present were: Growth Services Deputy Director Ken Weyrauch, Senior Transportation Planner Ken Odom, Planner Jared Rivera, Administrative Manager Autumn Williams, Staff Assistant Kim Lamb, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes and ACA Tracy Straub.

15. PLANNING & ZONING AND DRC WAIVER REQUESTS - REQUEST PROOF OF PUBLICATION (AT 2:00PM):
Deputy Clerk Mills-McAllister presented proof of publication entitled, "Notice of Public Hearing by Marion County Board of County Commission to Consider Requests for Land Use Change, Rezoning, and Special Use Permit Applications" published on the publicly accessible website www.Marionfl.org/LegalNotices on May 18, 2026.
County Attorney Matthew G. Minter provided a brief overview of the process for today's zoning and Special Use Permit (SUP) hearings.
Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

15.1. Cover Documents

15.1.1. Present Cover Documents from Planning and Zoning Commission Public Hearing

15.2. Planning and Zoning Consent Items:

Growth Services Deputy Director Kenneth Weyrauch advised that the (1) petition listed on the Consent Agenda is recommended for approval by both the Planning Division and the P&Z Commission.

P&Z PUBLIC HEARING ON APRIL 27, 2026

Motion was made by Mr. Behar and seconded by Mr. Bonner, to agree with staff's findings and recommendation and recommend approval of the Consent Agenda items.

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, 4-0

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve Consent Agenda Item 15.2.1, agreeing with Growth Services Department staff and the P&Z Commission recommendations, based on findings that the proposed use is compatible with the 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 (4-0).

The motion approved the Consent Agenda as follows:

15.2.1. 260501SU - Ward-Merrill, L.L.C, Special Use Permit, to Allow an Accessory Structure on the Property Without a Primary Residence, in a Single-Family Dwelling (R-1) Zone, 1.64 Acre Parcel, on Parcel 4938-001-001, No Address Assigned

The Board adopted Resolution 26-R-155 granting a petition by Ward-Merrill, LLC, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow an accessory structure on the property without a primary residence, in a Single-Family Dwelling (R-1) zone, on an approximate 1.64 Acre Parcel, on Parcel Account Number 4938-001-001, No Address Assigned

Resolution 26-R-155 contained the following Conditions:

1. The Special Use Permit authorizes the placement of an accessory structure for non-habitable purposes, which shall be located consistent with the submitted concept plan (see Exhibit A) in order to accommodate the construction of a new single-family residence in the future.
2. The Special Use Permit shall be contingent upon the ownership of the subject property, which shall remain under the ownership of Ward-Merrill, L.L.C and C. Raymond Merrill. The Special Use Permit shall also be contingent upon the ownership of PID 4938-001-000, across the SE 138th Terrace right-of-way to the west of the subject property, which shall remain under ownership of Merrill C Raymond Family Trust and C. Raymond Merrill. Should either property change in ownership/management, the accessory structure shall be removed from the subject property, unless otherwise approved through a new Special Use Permit.
    a. The Special Use Permit shall terminate upon the construction of a single-family residence within the subject property.

3. At least eight (8) foot setbacks from all subject property boundaries shall be observed for the siting of the accessory structure.
4. A vegetative buffer along the eastern and southern subject property boundaries, approximately twenty-five (25) feet in width; shall be maintained, unless or until the construction of a single-family residence.
5. No well or septic permits shall be authorized for the subject property, unless or until a primary residence is established.
6. The storage of all personal goods and material shall be maintained within the accessory structure. Outdoor storage is expressly prohibited.
7. Outdoor ground and building lighting shall not cast direct light on adjacent properties.
8. The Special Use Permit shall expire on May 19, 2031; however, it may be renewed administratively three times for five years each by written instrument signed and issued by the Growth Services Director (or designee), unless:
    a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit;
    b. Neighboring property owners within 300 feet of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit; and/or
    c. The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or equivalent review process at the time).

15.3. Planning and Zoning Items for Individual Consideration:

15.3.1. 260503SU - Wood Resource Recovery (WRR) of Marion County, LLC, Special Use Permit to Operate a Human Food Grade De-Packing Facility to Augment a Currently Operating Vegetative Debris Composting Facility, in a Heavy Industrial (M-2) Zone, 36.77 Acre Tract, Parcels 12869-001-00 and 12907-003-00, Site Addresses 8510 and 8548 NW Gainesville Road, Ocala, FL 34482

The Board considered a petition by WRR of Marion County, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow for the operation of a Food Waste De-packaging facility, in Heavy Industrial (M-2) zone, on an approximate 36.77 Acre Tract, on Parcel Account Numbers 12869-001-00 and 12907-003-00, Site Address 8510 and 8548 NW Gainesville Road, Ocala, FL 34482

P&Z PUBLIC HEARING ON APRIL 27, 2026

260503SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Behar, 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 3-1 with Mr. Bonner dissenting.

Senior Transportation Planner Kenneth Odom, Growth Services, provided an overview of the SUP request to allow for the operation of a human food grade de-packing facility to augment a currently operating vegetative debris composting facility, in an M-2 Zone. He commented on concerns relating to additional trucks on this corridor, noting the applicant plans to have 3 trucks daily for a total of 6 trips. Mr. Odom advised that the property is located on the very edge of the Farmland Preservation Area (FPA) but within the Urban Growth Boundary (UGB), noting this is a high intensity commerce area. He stated there is available capacity of this corridor with only 43% being utilized at this time.

In response to Chairman Zalak, Mr. Odom clarified that the 43% capacity relates to Gainesville road not Highway 326, which does have some failures at the interchange.

Mr. Odom provided a brief overview of the operation.

Chairman Zalak questioned whether the airtight chamber is a digester. Mr. Odom stated it is not a digester; it is a sealed vessel that is just for containment. He advised that an injection system that they use goes into the vegetative debris windrows that come directly out of the tank, so fermentation is not designed to happen in that tank. It is in the composting of the windrows itself.

Mr. Odom stated there is a handout containing potential alternative Conditions the Board could consider if they choose to approve this Item. These are things that came in late, but staff wanted to ensure they were submitted. He advised that Solid Waste Director Mark Johnson is present today and is much more experienced as a subject matter expert (SME) relating to leachate and odors that could be generated by this process. Mr. Odom stated this is a brand new technology, so there would be no way to allow this type of operation by right. He advised that a SUP is the only way staff could consider this to actually be a usable technology within Marion County, at least to bring it before the Board of County Commissioners.

In response to Commissioner Curry, Mr. Odom stated the Vero Beach system has just opened up; unfortunately, it is not a good comparison because it is located right next to a landfill. He advised that the applicants are associated with the Alachua County facility and they will be able to provide the Board with information on the operations and standards at that particular location.

Commissioner Curry commented on a letter of opposition from the Saint Bernard Foundation, Inc., indicating that the application provided zero evidence of consistency with the Comprehensive Plan and other procedural requirements of the zoning Ordinance. He stated Mr. Odom just stipulated that it did comply.

Mr. Odom advised that it is staff's assertion, noting this is the County's heaviest district. He stated this is a heavy industrial area, designed specifically for this. Mr. Odom advised that Commerce District allows for Regional Business (B-4), Heavy Business (B-5), Light Industrial (M-1), and M-2, which are the most intense commercial industrial use zonings in the County. He stated this has a proven track record of safe operation with no code violations and has been operating since 2009, which is something staff did take into consideration. Mr. Odom advised that the SUP gives the Board the power to basically make exceptions in certain circumstances, to approve items even for temporary periods of time, which is what the applicant is requesting. He stated everything being requested has been researched under the County's Code and Comprehensive Plan and was found to be consistent with such.

In response to Commissioner Curry, Mr. Odom advised that he is unaware of the investment by the applicant, noting staff did not discuss any of the finances with the applicant.

Chairman Zalak opined that the difference is when there is a regular zoning that is not a SUP staff looks at it and looks for consistency and all those things; however, the letter from the Saint Bernard Foundation, Inc., is probably saying that under a SUP, it is the applicant's obligation to prove to the Board that it is compatible with the Comprehensive Plan.

Mr. Minter commented on Condition 14, noting it would be helpful to document the timeframe relating to the 3 consecutive administrative renewals allowed.

Mr. Odom stated it can be modified, noting the Board has the ability to not approve the SUP for an initial 5 year period and can make it 1 or 2 years if they choose. He advised that staff look at the five year period and then successive administrative renewals as an availability to them as long as there are no code violations, or negative impacts to the surrounding area.

In response to Chairman Zalak, Mr. Odom stated this request is different than the compost operation on Highway 326 that is in reference to World Equestrian Center (WEC).

Chairman Zalak advised that the operation on Highway 326 is completely indoors and none of the material is getting windrowed outside. He stated he has never seen outside storage and questioned if any exists. Mr. Odom advised that there is no outside storage at the facility on Highway 326. He stated the proposed project is exterior.

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

1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
2. Development of the site is limited to a composting facility for green waste (e.g. vegetation, waste wood and wood mulch), animal bedding and food waste only. Expansion or modification of the number, type, approximate size, or location of any of the proposed use or site operations beyond those shown on the conceptual plan is prohibited; however, a new Special Use Permit Application may be submitted for consideration to expand the uses/operations.
3. All primary composting process activity (2nd step) shall occur within an "in-vessel" system as defined by the US Environmental Protection Agency (EPA) per 40 CFR Part 503 Rule.
4. All food waste materials shall be held within the transfer portion of the de-packing facility building upon arrival, and all food waste shall be processed and stored in airtight containment within twenty-four hours of receipt on site in order to mitigate offensive odors and animal intrusion at this location.
5. A minimum of four monitoring wells shall be provided on site and quarterly reporting provided to the Marion County Solid Waste Department. The report shall include at a minimum TKN, NH_4, phosphorus and ortho-phosphorus levels.
6. Prior to commencing the composting operations authorized by this Special Use Permit, the applicant shall install the monitoring wells referenced in Condition #5 and provide baseline data reporting from each well. The report shall include at a minimum the existing levels of TKN, NH_4, total phosphorus, and ortho-phosphorus, in order to establish a baseline data set on site. The applicant shall be responsible for the costs of all testing requirements including ambient air testing if deemed necessary by Marion County Solid Waste staff.

7. Per Marion County Code *Section 4.3.9(E) Performance Standards for Commercial and Industrial Zoning: No odor shall be permitted at any facility property line exceeding the lowest amount set forth in the Table III, "Odor Thresholds" of Chapter 5 of the Air Pollution Abatement Manual (APAM) of the Manufacturing Chemists Association. For compounds not described in the table, odor thresholds shall be described in Chapter 5 of APAM, and no odor shall be permitted at any facility property line exceeding the amount determined by such method.* Odor from the composting process must be managed and remain below levels established by APAM and best practice standards by the EPA. If offensive levels or odor are determined to occur off-site a meeting with staff members from Marion County Solid Waste and a mitigation plan must be established within ten (10) working days. Filtration, scrubbers, bio-covers, tarping systems or the use of odor sequestering gases and/or liquids (ECOSORB/ATMOS) shall be used by the applicant if deemed necessary at any time that this SUP is active.
8. The applicant shall maintain processing records for the food grade materials processed on site including total amounts per month and per annum to the Marion County Solid Waste Department. This shall include the total weight of food depacking product received on site and then the processed weights of the separated materials. The applicant shall also make these ongoing records available to staff of the Growth Management Department or its divisions, if requested, within 30 calendar days of receiving such a request.
9. Liquid by-products from the de-packing process shall be captured in on-site drains, within the de-packing facility, and shall be included in with the primary processed food grade materials as indicated on the conceptual plan in accordance with the applicable federal, state, and local regulations.
10. Development of the site shall comply with all applicable Springs Protection Zone requirements; the applicant may not obtain a LDC waiver from these requirements.
11. No composting operations, including storage or curing areas, shall be located in the on-site wetland.
12. The ingress/egress will continue to be from the existing commercial entrance on NW Gainesville Rd. using the paved driveway apron.
13. Existing buffers shall be maintained as they currently exist.
14. The Special Use Permit shall expire May 19th, 2031; however it may be renewed administratively for up to 3 consecutive times by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
    - There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,
    - Neighboring property owners within 300’ of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
    - The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through

the Special Use Permit review process (or review process equivalent at that time).

Levin Gaston, NW 142nd Street, Williston, applicant, advised that he understands individuals are concerned; however, he believes this project can be done and will be good for everybody. He provided an overview relating to his history in Marion County, noting he started in 1994. Mr. Gaston stated there is now a fifth location in Marion County and the only complaint they ever had was being too close to the airport. He advised that de-packaging expired food is safe, profitable and environmentally responsible. Mr. Gaston advised that he has spent nearly 20 years studying what is being proposed and is very confident the project can operate without an issue with the nearby church, school or neighbors, particularly with odor. He stated the investment relating to this project is not inconsequential for the applicant or Denali Water Solutions. Mr. Gaston advised that the SUP does not give the applicant permission to do whatever they want, noting if the project cannot be done right, the applicant will either have to fix the issue or close the operation down. He commented on similar operations he visited that had no building and no odor. Mr. Gaston stated people try to keep connecting the project with landfills and solid waste; however, the only thing that connects the operation with solid waste is the packaging. If it were not for that, there would be no need for a Solid Waste Permit. Mr. Gaston stated he is allowed to compost food waste with a registration on agricultural properties in Florida. He advised of the best management practices (BMPs) that have to be followed, but expired food when it is managed properly is not solid waste. Mr. Gaston stated there is an open building with a roof to ensure that the processed food, slurry and processed water does not get blended in with the storm water, which will be managed separately. He advised that everything the applicant does with this is going to happen in that contained floor, so it is going to be received into a pit, and the free liquids will be captured and put in a 10,000 gallon tank. The material is put into the equipment, augured and then the food slurry goes into another 20 by 30 foot pit containing carbon. The material goes in there in a certain amount and then is blended all together. Mr. Gaston stated the material will be taken out and put in compost windrows, noting the applicant has the equipment to do that. He advised that the windrows are roughly 12 feet tall and 30 feet wide, typically, noting the idea is to allow plenty of oxygen to get through the material. Mr. Gaston stated it is the oxygen that activates all of the microbes in that, which turns it into really good stuff. He commented on letters the Board has received that demonstrate the applicant is currently operating in Gainesville without objectionable odors, noting the applicant is bringing in post-consumer food waste from the University of Florida (UF). Mr. Gaston advised that the material is coming in waste trucks and it is dumped in an outside pit with carbon in it, blended up, and then is put in a windrow, but it is outside. He stated a while ago he dumped in that pit for a week to see what would happen. Several people have come through that were not part of the operation and said they did not have an issue with odors. Mr. Gaston advised that the Gainesville facility does not have depackaging equipment, noting the food waste is post-consumer. He stated the food waste is received as is, noting he was stunned that test results showed no contamination. Mr. Gaston advised that if complaints are received they will be dealt with quickly and squared away. He stated storm water will be separated; therefore, there is not going to be any issues with water. Mr. Gaston advised that the definition of leachate is water that has gone through pollution and then ends up in the ground, noting water that is mixed with food is not leachate, it is processed water. He commented on studying Doctor Elaine Ingham's Soil Food Web for the last 5 years, noting he has learned that it is not the water that goes into the soil that is an issue it is the water that runs off. Mr. Gaston stated one of the things that happen during agricultural issues with the application of herbicides, pesticides, fungicides, is it kills the biology. He advised that it takes down the soil structure, and the soil gets compacted, so the water runs off. It is the herbicides, pesticides, fungicides that end up running off, resulting in water pollution. Mr. Gaston commented on growth, noting if food is not managed the right way it will create more issues. He stated the University of Kansas (KU) has demonstrated that for every 1% of organic matter the operation gets in the soil, they had 25,000 gallons per acre of water holding capacity. Mr. Gaston provided a brief overview relating to Dr. Ingham and her work. He commented on a letter from Dr. Thomas Dykstra, noting Dr. Dykstra is excited about this opportunity. Mr. Gaston advised that the compost would activate the biology, soil gets restored, opens up the soil structure, builds water holding capacity, and reduces the need for irrigation. He stated this will help crops and farms, residential yards, athletic fields, stormwater areas, and municipal properties. Mr. Gaston advised that this can be done without odor, the applicant will not contaminate the groundwater, noting one of the things the applicant has to do is put in monitoring wells to demonstrate that as long as they keep the carbon right, the operation will not attract the pests and the vectors. He stated the organization has been at this location since 2009 and has not received noise complaints, noting the new operation will not cause more noise than has occurred previously.

Commissioner Curry questioned if there are any Department of Environmental Protection (DEP) requirements relating to this process. Mr. Gaston advised that when the operation is composting there is what is called the DEP Rule 62-709 that addresses size of the windrows, prevention of fires, regular turning, testing of temperatures and the ability to demonstrate that what the operation is making is good. He stated this is accomplished through soil tests, compost tests and that sort of thing. Mr. Gaston advised that the organization has sites throughout Central Florida, noting he has a good relationship with DEP.

In response to Commissioner Curry, Mr. Gaston stated his knowledge comes from doing the work. He commented on the George Kirkpatrick Recycling Bill that was passed in 1986 and made everything his operation was doing with its tree debris illegal. He commented on receiving assistance from Alachua County in regard to setting up a site that became Wood Resource Recovery, noting it was the first company in Florida permitted to recycle. Mr. Gaston provided an overview relating to the history of the operation. He commented on the composting courses he has taken. Mr. Gaston advised that he learned to test for bacteria, fungus, protozoa, microarthropods and the health benefits compared to nitrogen, phosphorus, potassium (NPK) and the potential of hydrogen (pH). He stated he would not start marketing and selling product without knowing that he could make a dependable product that would do what he says, noting the operation has begun doing that now.

Mr. Minter commented on the handout from Marion County Solid Waste (potential alternative Conditions – Solid Waste) and questioned whether the applicant would have a fully enclosed receiving area. Mr. Gaston stated he will not have a fully enclosed receiving area. He advised that if the project does not perform like the applicant says it will, Marion County will shut it down and the money that has been invested will go away or it will be fixed by the applicant. Mr. Gaston stated he is building berms that the applicant is going to vegetate in the only place that is open, noting the school and church cannot see anything. He stated the project is being constructed more in the center of the property and odors will not leave the site.

In response to Mr. Gaston, Mr. Odom advised that the document referenced by Mr. Minter is a list of alternatives submitted by Solid Waste Director Mark Johnson.
Mr. Gaston stated this project is not solid waste, noting what would make this solid waste would be if it goes to the landfill. He advised that way the applicant keeps this from being solid waste is by taking good care of the product and keeping it out of the landfill.
Chairman Zalak opened the floor to public comment.
Traci Walker, NW Gainesville Road, stated her family owns the Canyons Zip Line and Adventure Park and she resides on a farm located less than 1 mile from the proposed project. She advised that the Canyons provide jobs for roughly 50 individuals from entry level positions to executive roles helping to build careers right here in Marion County. Ms. Walker stated everything she is going to discuss comes from publicly available records, agency documents, government enforcement actions. She advised that her family are neither environmental experts nor attorneys, but simply the people who will live with the consequences of this decision. Ms. Walker expressed concern relating to odors, noise, traffic and vectors. She commented on CompostUSA operation, noting it took years to shut down their SUP. Ms. Walker stated after the P&Z Commission meeting she hoped to find a good track record for Gaston and Denali's businesses; instead, she found a disturbing pattern. There were over 130 DEP violations, fires at sites, leachate violations, Federal EPA fines, State agency environmental fines in seven states, with Missouri and Arkansas creating Special Legislation in response to public outcry regarding Denali's operations. She commented on the contributions from the Canyons including the 1.5 percent (%) discretionary Sales Tax, heads in beds contributing to Tourist Development Council (TDC) funds and use of the Canyons by VisitFlorida. Ms. Walker opined that the applicant has other options and sites, noting food waste is not a compatible use. She advised that the Canyons and existing surrounding neighbors cannot be relocated and requested the Board deny the SUP.
Alexandra Scales, SE 1st Avenue, attorney on behalf of multiple property owners, requested the Board deny the SUP application. She stated the proposed use is fundamentally incompatible with the surrounding areas, poses foreseeable odor and groundwater risks, and is being compared to facilities that are materially different from what is actually proposed. Ms. Scales advised that this matter is about whether this specific facility belongs at this specific location. She stated the Marion County Land Development Code (LDC) requires that special uses be evaluated for compatibility with surrounding properties, impacts to adjoining land owners, odor effects, utility impacts, and consistency with the Comprehensive Plan. Ms. Scales addressed the history relating to CompostUSA, noting it is directly relevant to this application. She advised that the Board should not ignore a local example that demonstrates how these operations can conflict with the very communities they are placed within, noting the burden should fall on the applicant to demonstrate why this time will be different. Ms. Scales advised that throughout the planning and zoning process, individuals have repeatedly heard that a similar facility already operates nearby. That statement leaves out a critical fact that the facility being referenced is a closed system operation, unlike the proposed facility. She stated the recommendation from County staff emphasizes that food waste will be received and processed in enclosed transfer areas and airtight containers, but that is only one portion of the process. The Board must evaluate the entire process. Ms. Scales advised that the waste is depackaged and converted into a slurry that contains significant moisture and elevated nitrogen levels, and then that slurry is sprayed onto outdoor windrows. At that point, the material is no longer in the closed system. She stated it is outside, exposed

to heat, humidity, rainfall, prevailing winds, and it continues decomposing in the open air. Ms. Scales advised that the odor generating potential is not limited to what happens inside a tank, noting the greatest odor risk occurs after the slurry leaves the tank. She stated once the slurry is placed onto outdoor windrows, this becomes an open air composting operation that is fundamentally different from the enclosed facility repeatedly referenced during the P&Z Commission hearing. The Board should not treat these two operations as equivalent because they are not. Ms. Scales advised that Marion County Code specifically identifies odor as a required factor in SUP review. She stated the applicant's own process depends upon biological decomposition, which is precisely what creates the odor risk. Ms. Scales advised that if the Board approves the project, strict operational rules are required, including banning slurry spraying during high humidity to prevent trapped odors, and mandating immediate incorporation or covering of applied slurry. She stated a SUP is a choice by the County and should be denied based on Gaston and Denali Water Systems' history of violations, fines, and environmental risks. Ms. Scales commented on a list of Conditions previously provided to the Board that should be included in the SUP if the project is approved. She commented on violations issues to Gaston by FDEP, fines imposed on Denali Water Systems for alleged violations, and Legislation introduced in Missouri aimed at restricting certain Denali operations due to concerns regarding environmental impacts and public health. Ms. Scales requested the Board deny the SUP.

Wes Price, NW 100th Street, expressed concern relating to leachates, traffic, and the karst features in the area.

Pastor Martin Smith, West Highway 329, Reddick, commented on possible impacts of the project relating to the aquifer and the individuals it will affect.

Jo McCants, NW 30th Avenue, expressed concern relating to the project's impacts on children in the area.

Kenny MacKenzie, NW 60th Avenue, commented on the impacts of an accident at the site.

Chairman Zalak stated individuals have a right to request various uses relating to their property, noting that does not mean it will be granted.

Justin Wilson, NW Gainesville Road, stated he owns the 10 acres directly across from Gaston's facility now and the business 200 yards away and has been there for generations. He advised that he has endured the smell from when there was septic waste disposal, after being told there was not going to be a smell. The community was promised then that they were not going to smell it and now they are being promised that again. Mr. Wilson commented on an increase in flies, rodents and scavengers and expressed concern relating to health risks.

Laura Domas, NW 60th Street, expressed concern relating to this new type of operation being located near a school, homes, animals and agricultural operations.

Robert Walker, West Highway 326, stated the applicant's current site has 9 violations on their DEP permit that is currently in place. He requested clarification relating to whether the slurry will be poured over or injected into piles. Mr. Walker addressed the additional wood debris needed for this project and opined that there should be stricter guidelines for tonnage allowed.

Thomas Nichols, NW 89th Place, commented on property values, odors and previous offers on his property, which is adjacent to the subject parcel on the north end.

Evelyn Nichols did not appear when called upon to speak.

Jeanette McDonald, NW 30th Avenue, stated she is a biologist and worked for USDA for seven years, noting she is a licensed inspector with USDA. She advised that leaching would occur and result in a lawsuit for the County. Ms. McDonald expressed concern relating to contamination and flight safety.

Busy Shires, NW 90th Avenue, advised that she is representing the Saint Bernard Foundation, Inc. She stated the organization is a business partner with the Public Education Foundation of Marion County, and they sponsor the Fesseden Elementary School, as well as several other schools in the northwest section of Marion County. Ms. Shires advised that the Foundation opposes the SUP.

Abigail Rose McCoy, West Highway 326, expressed concern relating to the safety of children, teachers, animals, and requested the facility be located elsewhere.

In response to Chairman Zalak, Ms. Scales stated Sandy Wagner, Daniel Wilson and Piper Mosbrucker donated their time to her.

Asonti Craig, NW 1st Street, commented on food waste, odors, health and safety.

Gail Stern, NW 135th Street, Reddick, commented on the water supply, leachate at the Fire College, the aquifer, effluent, and revamping heavy industrial zones in the area of the proposed project.

Ed Gasca, SE 125th Terrace Road, Silver Springs, expressed concern relating to odors.

Ira Stern, NW 135th Street, Reddick, commented on possible impacts to Silver Springs, leaching, the Fire College, 3 trucks accessing the facility daily, and burning that occurred on Gainesville Road.

Cynthia Hill, NW 38th Avenue Road, addressed the rural lifestyle in the area, children, schools, the church, farming and neighbors.

Craig Thompson, NW Gainesville Road, Reddick, commented on Griffin Industries, in Hampton, Florida and requested the proposed project be located at that facility.

Mike Nigriny, NE 28th Court, expressed opposition to the project

Linda Ward, NW Highway 326, commented on the wellbeing of children attending the Fessenden school and impacts from noise.

Chairman Zalak advised that public comment is now closed.

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

Commissioner Zalak out at 3:58 p.m.

Mr. Gaston stated the proposed use is not new; it is new to this area. It can be done without odors. He advised that the slurry will not be sprayed into the windrows, noting it will be blended into carbon in the building.

Environmental Director of Facility and Compliance Hauling Compliance Sarah Harrison, Denali Water Solutions, Teal Circle, Berlin, Maryland, commented on the organization's compliance history.

Commissioner Zalak returned at 4:00 p.m.

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

Ms. Harrison stated Denali values safety and regulatory compliance. She advised that she believes many of the violations referenced were land application violations relating to some food processing residuals, which are not associated with this type of facility. Ms. Harrison stated Denali partners with facilities across the Unites States relating to depackaging, noting while this is new technology to Marion County, Denali is the technical expert with 37 environmental employees across the organization. She commented on the multi-faceted permitting relating to the site, which includes the SUP at the local level. Denali has also applied for a facility Florida Department of Environmental Services (FDEP) permit for the depackaging site, noting that application is currently under review with FDEP. Ms. Harrison advised that a National Pollutant Discharge Elimination System

(NPDES) permit associated with the project will be required where the applicant will be installing storm water storage and there will be an NPDES industrial storm water permit associated with the site before the project goes into effect. She stated the infrastructure is being worked on now so there will be storage for stormwater associated with the facility where the applicant can provide testing in accordance with the industrial stormwater permit to ensure that there is not a runoff problem from the actual windrows or the facility itself. Ms. Harrison advised that the facility is designed with trench drains to ensure there is no water leaving the actual facility, noting as part of the FDEP permit, the applicant will be required to have a plan for that water. She stated the plan is an extra layer on top of the DEP permit the applicant submitted in conjunction with the Florida DEP permits called the alternative leachate plan to ensure that any water that is associated with receiving in the materials and processing, the materials is managed and not leaving the actual site. Ms. Harrison commented on the importance of managing the incoming material properly, noting it is processed within 24 hours as the facility is not designed to store any more than 24 hours' worth of material. She advised that the applicant cannot design the facility per DEP standards to have more than 24 hours of storage, so it is not physically possible to have a long-term storage of material there. If the machine were to go down and the operation could not process, the applicant would have to send it to an alternative site that was permitted to accept the material. Ms. Harrison stated Denali appreciates having individuals like the Gaston's who are willing to partner with them and look for this part of the solution for food waste in this community.

Mr. Minter questioned Ms. Harrison's qualifications. Ms. Harrison advised that she has a degree in Poultry Science from the University of Georgia (UGA) and an Environmental Science Master's Degree from Virginia Tech (VT), noting she has been in the environmental management business for 12 years.

In response to Mr. Minter, Ms. Harrison stated the land applications occur across the United States, but not in Florida to her knowledge. Food processing residuals (FPR) coming from poultry plants or any type of food manufacturing facility, as well as biosolids are land applied. She advised that the material is taken in and directly land applied on farmland as an organic fertilizer. There is testing and required permits for that material; however, that is not a material that is processed prior to land application. Ms. Harrison stated composting itself is a process, noting it is a treatment of the food waste. She advised that the food waste is brought to a certain temperature for a certain amount of time to ensure pathogens and odors are reduced before creating it into a valuable product. Ms. Harrison stated during composting the material is put through that aerobic process before creating a product that is going on to agricultural land. It has a pretty significant step before being land applied. She advised that Denali does not produce the material; however, they have customers that they would land apply that for including poultry industries, municipal wastewater plants, and other food manufacturers. Ms. Harrison clarified that Denali did not specifically produce it, but they did provide the permitting support and the land application in many areas. In some sites Denali holds the permits and at some sites Denali's customers hold the permits.

Mr. Minter commented on the application of slurry on to the windrows and questioned if that is what would be considered land application. Ms. Harrison stated it would not, noting the slurry is being mixed with the carbon source and creating the mixture of carbon and food waste. This mixture creates the windrow so that mixture in itself is blended together and the entire thing is the windrow. Ms. Harrison advised that an appropriate way to reduce odor in windrows is ensuring the correct carbon to nitrogen ratio, so whenever the windrow is created, the applicant has the correct moisture, the correct recipe per se to ensure that that windrow is going to create a valuable product at the end. She stated the facility will be run by the Gastons, but Denali will be providing operational and environmental support where needed and ensuring the operation is compliant relating to permitting and ensuring the applicant has everything in order to be able to operate the facility. Ms. Harrison advised that Denali has facilities that are in the exact same structure and facilities that are fully outside as far as the depackaging and windrow operations. She stated Denali has not been under consent orders or violations for any of those like facilities.

Chairman Zalak questioned if there are the same type of depackaging facilities located completely indoors. Ms. Harrison advised that there are some of Denali's partner facilities that do have facilities indoors, noting in most instances it was a pre-existing building that put the depackager in after the fact.

Bill Gaston, NW 53rd Drive, Gainesville, stated he does not believe everyone understands exactly what is being proposed. He advised that the decision to partner with Denali was not made until he visited the site. Mr. B. Gaston stated there are 38 acres, it is industrial zoning and located on the east/west corridor at Interstate 75 (I-75).

In response to Commissioner McClain, Mr. Odom advised that he is unsure how long the property has been zoned M-2; however, the compost operation has been there since 2009.

Commissioner McClain commented on the list of permitted uses relating to M-2 zoning, noting the applicant is requesting the SUP due to the proposed use not having been tested previously.

Mr. Odom stated this type of depackaging facility is not something the County ever considered relating to the current Code. He advised that the applicant could use food sources on site in a composting scenario, but they are incorporating a depackaging machine that separates organic matter from inorganic matter and then injects it into the composting operations.

Commissioner McClain stated the property has M-2 zoning and commerce district, the most intense use possible, noting if Mr. Gaston wanted to sell this property to someone tomorrow the community might get something that may be even more distasteful than what is being heard today. He advised that if someone were to come in and use that straight zoning, the Board would not be able to put any special Conditions on any of the things that they may be doing.

Chairman Zalak stated this is heavy industrial, although most of those manufacturing things would actually happen inside in most cases. He commented on the other uses an individual could have here; however, he is not in favor of this particular site and this risk and this opportunity as it stands today.

Commissioner Stone advised that it is too bad that the Board did not take some of these things into consideration when the Comprehensive Plan was put in place and those zonings were given in that area.

Chairman Zalak opined that this operation might be fine at the transfer station, but at this location he does not believe the applicant can provide the assurances needed to move forward.

Commissioner McClain stated if the applicant could find a way to move the operation indoors, it would solve a lot of the issues.

(Ed Note: The Deputy Clerk was in receipt of a 6 page letter from Dykstra Laboratories, Inc., a 2 page letter from the Saint Bernard Foundation, a 6 page letter from McGraw

Rauba Mutarelli, a 6 page handout entitled, “Missouri House bill takes aim at ‘cesspool’ of meatpacking sludge”, a 12 page handout entitled, “Environmental Science and Technology”, a 2 page handout entitled, “Missouri House of Representatives, a 5 page handout containing potential alternative Conditions and a 5 page handout entitled, “Department of Environmental Protection Violations across Gaston owned and/or operated sites”.)

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to deny the SUP request, disagreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is not compatible with surrounding land uses, is not consistent with the Comprehensive Plan and will adversely affect the public interest. The motion was unanimously approved by the Board (4-0).

15.4. Adoption of Ordinance

15.4.1. 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 SUPs heard earlier in the meeting.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to adopt Ordinance 26-23 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 (4-0).

Ordinance 26-23 is entitled:

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

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

There being no further business to come before the Board, the meeting thereupon adjourned at 4:21 p.m.

____

Carl Zalak, III, Chairman

Attest:

____

Gregory C. Harrell, Clerk

THIS PAGE INTENTIONALLY LEFT BLANK