

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

February 17, 2022

CALL TO ORDER:

The Marion County Board of County Commissioners met in regular session in Commission Chambers at 9:11 a.m. on Thursday, February 17, 2022 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The meeting opened with invocation by Commissioner Gold 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 Craig Curry, District 1; Commissioner Kathy Bryant, District 2; Commissioner Jeff Gold, District 3; and Commissioner Michelle Stone, District 5. Also present were Clerk Gregory C. Harrell, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Angel Roussel and ACA Tracy Straub.

ANNOUNCEMENTS:

Chairman Zalak addressed upcoming scheduled meetings as listed on the Commission Calendar (Item 12.2.1).

1. PROCLAMATIONS AND PRESENTATIONS:

Upon motion of Commissioner Bryant, seconded by Commissioner Gold, the Board of County Commissioners (BCC) approved and/or ratified the following:

1.1 PROCLAMATION - Engineers Week - Elton Holland, P.E., County Engineer (Approval and Presentation)

The Board presented the Proclamation designating February 22 through 26, 2022 as Engineers Week to County Engineer Elton Holland and several members of the Office of the County Engineer, (OCE).

County Engineer Elton Holland, OCE, thanked the BCC for the recognition and Proclamation. He advised of upcoming community events including "Engineers Day" at the Discovery Science Center, Mathcounts Competition, and an annual golf tournament. Mr. Holland commented on scholarships offered to local high school students.

Chairman Zalak commented on the experiments children can participate in during Engineers Day, noting the event will be held March 5, 2022.

1.2. PROCLAMATION - 82nd Annual Southeastern Youth Fair (Approval Only)

The Board approved the Proclamation recognizing February 25 through March 5, 2022, as the 82nd Anniversary of the Southeastern Youth Fair.

1.3. PROCLAMATION - Eagle Scout Court of Honor William Ulry (Ratification Only)

The Board ratified the Proclamation congratulating William Ulry upon attaining the status of Eagle Scout in the Boy Scouts of America organization.

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3. ADOPT THE FOLLOWING MINUTES: (3 sets)

3.1. November 2, 2021

3.2. November 8, 2021 A

3.3. November 8, 2021 B

A motion was made by Commissioner Gold, seconded by Commissioner Bryant, to adopt the meeting minutes of November 2, and 8 (2 sets), 2021. The motion was unanimously approved by the Board (5-0).

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.

Mayor Bill White, City of Dunnellon, expressed concerns relating to the Tourist Development Council (TDC). He advised that the City of Dunnellon has been a TDC member for many years, noting he was the liaison for the City of Dunnellon over the past year. Mayor White commented on the natural resources in Dunnellon that are a key component of the tourist industry in Marion County. He expressed the Dunnellon City Council's desire to continue to serve on the TDC. Mayor White stated Dunnellon was replaced with Belleview at the December meeting, noting he was present today to make it known Dunnellon would like to continue to serve and is disappointed the City has been replaced.

Commissioner Gold advised that he represents District 3, (City of Belleview), and he questioned why the City of Belleview was not a member of the TDC. He stated it was during a TDC meeting both he and Mayor White attended that the Council members learned there could only be 1 additional municipality besides the City of Ocala (municipality with the largest population). Commissioner Gold advised that he spoke at a Belleview City Commission meeting and the City Council was excited about the opportunity, noting TDC Director Loretta Shaffer is always available to assist Mayor White, and the Council is still there to help promote the City of Dunnellon.

In response to Chairman Zalak, Chief Assistant County Attorney Dana Olesky, Legal, provided a brief overview of Florida Statue (FS) 125.0104 as it relates to the TDC. She advised that once a member is appointed, they serve a term of four years, after that time the Board could choose to rotate the membership among the other municipalities or keep the City of Belleview as a member. Ms. Olesky stated the City of Dunnellon's 4 year term ended in February, 2022 and the City of Belleview representative will be on the Board for 4 years starting in March, 2022.

Chairman Zalak advised that communication can be sent to the municipalities and those that express interest can be placed into the rotation.

Commissioner Bryant stated projects benefitting a particular municipality will still be considered regardless of which municipality sits on the TDC, noting the TDC provides funding for things that promote tourism for all of Marion County.

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:

4.1. Billy Woods, Sheriff - Request \$2,000 from Law Enforcement Trust Fund (LETf)

The Board considered the following letter dated February 4, 2022 from Sheriff Woods, Marion County Sheriff's Office (MCSO):

Dear Chairman Zalak:

I am requesting your concurrence in the expenditure of Two Thousand (\$2,000) Dollars from the Law Enforcement Trust Fund for a donation to the Florida FBI National Academy Associates, Inc. This donation will help assist with the FBI National Academy Associates, Inc. state-wide re-training conference. This training is held for FBI National Academy graduates in the State of Florida.

This organization has made the proper request for a donation and assurance that the monies will be spent in accordance with Chapter 932 of the Florida Statutes. I certify that this request meets the requirements of Chapter 932 of the Florida Statutes and that there are no recurring expenses for subsequent fiscal years.

Respectfully Submitted,
Billy Woods, Sheriff

A motion was made by Commissioner Gold, seconded by Commissioner Stone, to approve expenditure of \$2,000 from the Law Enforcement Trust Fund (LETf) to the Florida FBI National Academy Associates, Inc. The motion was unanimously approved by the Board (5-0).

5. CLERK OF THE CIRCUIT COURT:

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

5.1. Budget Amendment

5.1.1. Building Safety Fund - Building - \$1,000,000 was pulled for discussion with Consent Agenda Item 7.3.6.

5.1.2. 22-R-29 – County Transportation Maintenance Fund - Transportation - \$46,560

5.1.3. 22-R-30 – Fine and Forfeiture Fund - Sheriff Regular Transfer - \$8,857

5.1.4. 22-R-31 – Fire, Rescue and EMS Fund - Fire Rescue Services - \$17,249

5.1.5. 22-R-32 – Fire, Rescue and EMS Fund - Fire Rescue Services - \$29,935

5.1.6. 22-R-33 – Fire, Rescue and EMS Fund - Fire Rescue Services - \$168,280

5.1.7. 22-R-34 – General Fund - General Fund Transfers - \$1,800,000

5.1.8. 22-R-35 – General Fund - Sheriff Emergency Management Transfer - \$8,372

5.1.9. 22-R-36 – General Fund - Sheriff Jail Transfer - \$22,445

5.1.10. 22-R-37 – General Fund - Sheriff Jail Transfer - \$57,540

5.1.11. 22-R-38 – Insurance Fund - Insurance - \$46,560

5.1.12. 22-R-39 – Insurance Fund - Insurance - \$1,800,000

5.1.13. 22-R-40 – MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$1,500

5.1.14. 22-R-41 – MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$35,128

5.1.15. 22-R-42 – MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$55,000

5.1.16. 22-R-43 – MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$63,864

5.1.17. 22-R-44 – MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$90,943

5.1.18. 22-R-45 – MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$109,195

5.1.19. 22-R-46 – Parks and Recreation Fees Fund - Parks and Recreation Fees - \$50,390

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

5.2. Project Adjustment

5.2.1. Transfer Project Funds and Amend the Capital Improvement Program (CIP) - Stormwater Fund - \$99,884

County Engineer Holland, OCE, presented the following recommendation:

Description/Background: This project adjustment serves to close out SMC0004WQ - Silver Springs Shores Unit 7 Innovative Stormwater Retrofit CP 78. Construction on this project was completed in FY 21 and all outstanding invoices have been paid. A balance of \$99,884 remains in the project budget and will be moved to SMC999999 - Stormwater Projects Unassigned, for use in other CIP projects as necessary.

Budget/Impact: Neutral.

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

A motion was made by Commissioner Gold, seconded by Commissioner Stone, to approve the transfer of Project Funds and amend the CIP. The motion was unanimously approved by the Board (5-0).

5.2.2. Transfer Project Funds and Amend the Capital Improvement Program (CIP) - Stormwater Fund - \$120,751

County Engineer Holland, OCE, presented the following recommendation:

Description/Background: This project adjustment serves to close out SMC0002MA - DRA 3559 Capacity Improvement. Construction on this project was completed in January 2022 and all outstanding invoices have been paid. A balance of \$120,751 remains in the project budget and will be moved to SMC999999 - Stormwater Projects Unassigned, for use in other CIP projects as necessary.

Budget/Impact: Neutral.

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

A motion was made by Commissioner Gold, seconded by Commissioner Stone, to approve the transfer of Project Funds and amend the CIP. The motion was unanimously approved by the Board (5-0).

7. CONSENT:

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

County Administrator Mounir Bouyounes advised that he would like to withdraw Item 7.5.5. It was the general consensus of the Board to concur.

Commissioner Stone advised that she had no items to pull off the Consent Agenda and all her questions were answered by Staff. She noted that there have been newspaper articles relating to how the Board approves Consent Items, and she has spent a lot of time studying the Consent Items prior to today's meeting.

Commissioners Bryant and Gold concurred with Commissioner Stone.

Chairman Zalak advised that the Commissioners have 3 to 4 hours of meetings with Staff on the Mondays before the Agenda is published and Staff continues to answer the

Commissioner's questions as they come across Items when reviewing the Consent Agenda.

7.1. Community Services:

7.1.1. Request Approval of Contract Agreement Between Marion County and the Florida Department of Economic Opportunity (DEO) to Implement the Housing Strategies and Solutions Project and Develop a Guided Growth Plan for Housing (Budget Impact - None)
The Board accepted the following recommendation as presented by Community Services Director Cheryl Martin:

Description/Background: On May 18, 2021, Marion County submitted an application to receive the DEO's Community Planning Technical Assistance Grant to partner with the DEO in planning and developing a guide to the County's growth. The development of a Guided Growth Plan for Housing proactively addresses the housing need to support future growth. This plan will serve as a key tool for implementing land use policy to support increased house production. The County will partner with the DEO to develop the guide for a housing strategy for Marion County.

On July 13, 2021, the County received an award letter from the DEO informing that the submitted grant proposal to implement the Housing Strategies and Solutions project and development of a Guide Growth Plan for Housing was selected for funding in the amount of \$48,000.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to execute contract agreement, and all associated documents, between Marion County and the Florida Department of Economic Opportunity to implement the Housing Strategies and Solutions project and develop a Guided Growth Plan for Housing.

7.2. Development Review Committee:

7.2.1. Request Approval of Final Plat for Stone Creek Bridlewood Phase II Subdivision, Application Number 27424 (Budget Impact - None)

The Board accepted the following recommendation as presented by Building Safety Director Michael Savage:

Description/Background: On February 7, 2022, the Development Review Committee approved the Final Plat for the Stone Creek Bridlewood Phase II subdivision and recommended that the Board approves and authorizes execution by the Chair and the Clerk. This subdivision is located in the southwest portion of the County and contains 145 lots and nine (9) tracts on 35.47 acres with 1.26 miles of private road.

Approval of this plat is subject to approval of the improvement agreement on today's consent agenda under Transportation - County Engineer.

Budget/Impact: None.

Recommended Action: Motion to approve the subject plat and to authorize the Chair and Clerk to execute the same.

7.2.2. Request Approval of Final Plat for Parliament Park at Calesa Subdivision, Application Number 25955 (Budget Impact - None)

The Board accepted the following recommendation as presented by Building Safety Director Savage:

Description/Background: On February 7, 2022, the Development Review Committee approved the Final Plat for the Parliament Park at Calesa subdivision, a commercial subdivision, and recommended that the Board approves and authorizes execution by the Chair and the Clerk. This subdivision is located in the southwest portion of the County and contains four (4) lots and four (4) tracts on 94.83 acres with 2.30 miles of private road.

Budget/Impact: None.

Recommended Action: Motion to approve the subject plat and to authorize the Chair and Clerk to execute the same.

7.2.3. Request Approval of Waiver Request for LDC 2.16.1.B(8)(g) - Agricultural Lot Split Establishment of County MSBU for Jax Road Ranches II, Parcel Number 07731-000-00 and 07731-001-00, Application Number 27678 (Budget Impact - None)

The Board accepted the following recommendation as presented by Building Safety Director Savage:

Description/Background: Section 2.16.1.B(8)(g) of the Land Development Code states a County MSBU shall be established for the maintenance of the improvements created by this division prior to final approval and recordation. A waiver to this provision may only be granted by the Board upon review and recommendation by the DRC. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests waiver to allow an easement agreement that stipulates maintenance.

This agricultural lot split is located in the northeast portion of the County and contains twelve (12) lots on 122.12 acres.

DRC action on January 24, 2022, by a vote of 4-0, was to recommend approval subject to providing the appropriate documentation that the property owners will maintain the easement.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's approval to allow the agricultural lot split without the creation of an MSBU for maintenance.

7.3. Procurement Services:

7.3.1. Request Approval to Reject All Submittals: 21Q-064, NW 115th Court Flood Relief Project and Authorization for Chairman to Execute Grant Withdrawal Letter (Budget Impact - None)

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 (OCE), Procurement Services advertised a Request for Qualifications (RFQ) for a flood mitigation project on NW 115th Court. The chosen Firm would design and permit stormwater Drainage Retention Areas (DRAs), conveyance infrastructure, and raise the road to alleviate flooding in future storm events. Funding was both from HMGP reimbursable grants and the available budget.

Four (4) responses were received with the Selection Committee recommending Kimley-Horn and Associates (KHA). However, upon further investigation by the County and KHA during the scoping of the project, it has been determined a project

in this location will provide minimal benefit to the surrounding properties, due to the lack of capacity that can be created in the floodplain, and thus would result in very low cost-benefit ratio. This low ratio will not support grant funding for the construction of a project in this location under the FEMA Hazard Mitigation Grant Program.

Budget/Impact: None; rejecting all bids carries no budget impact.

Recommended Action: Motion to approve rejection of bids received under 21Q-064, and authorize Chairman to execute Grant Withdrawal Letter.

7.3.2. Request Approval of Bid Award: 22B-069, Silver Springs Shores Unit 23 Innovative Stormwater Retrofit CP 75 - Hartman Civil Construction Company, Inc., Ocala FL (Budget Impact - Neutral; expenditure of \$487,594 as approved in the FY 21/22 budget)

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

Description/Background: On behalf of the Office of the County Engineer (OCE), Procurement Services advertised a bid for earthwork, infrastructure improvements, and placing of Bold & Gold® CTS Filtration Media in the bottom of DRAs 7049 and 7256. Two (2) contractors responded to the bid with the tabulation below:

CONTRACTOR NAMES - <i>City</i>	BID
Hartman Civil Construction - <i>Ocala</i>	\$487,594.25
Carr & Collier, Inc. - <i>Okahumpka</i>	\$751,192.00

Attached for review is a contract draft. This contract is being presented in conjunction with a purchase of Bold & Gold® also appearing on this agenda. Pending approval at today's meeting, the contract will be sent for the Contractor's signatures and upon return, will be routed for same by the County Attorney, Clerk, and Chairman.

Budget/Impact: Neutral; project cost is \$487,594. Up to ten percent (10%) contingency may be added to the purchase order in accordance with the Procurement Manual. Funding from Stormwater Program (EK430538), Project Code SMC02WQ.

Recommended Action: Motion to approve recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman and Clerk to execute contract with Hartman Civil Construction Company, Inc., the lowest responsive bidder for 22B-069.

7.3.3. Request Approval of Task Order for Pre-Qualified Contractor: 17Q-087-TO-52, Miscellaneous Maintenance for Roads, Right-of-Ways, and Stormwater Management Facilities – Art Walker Construction, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$229,198 as approved in the FY 21/22 budget)

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

Description/Background: On behalf of the Office of the County Engineer (OCE) a Request for Qualifications (RFQ) was advertised for firms to provide repair and maintenance for roads, right-of-ways, and stormwater facilities. On August 1, 2017, the Board contracted with five (5) firms to be Pre-Qualified contractors for various projects under this agreement. A Task Order was issued for a road overlay on Bay Road from Guava Pass to SE 113th Street Road. The work includes placing an HMA leveling course on the selected areas, placing a friction course on the

selected areas, removing and replacing concrete driveway aprons, replacing any traffic markings, as well as stabilizing shoulder and sod. Elton Holland, County Engineer, is recommending approval of the Task Order to Art Walker Construction, Inc. the lowest Pre-Qualified bidder as show in the tabulation below:

CONTRACTOR - <i>City</i>	BID
Art Walker Construction - <i>Ocala</i>	\$299,198.00
CWR Contracting - <i>Ocala</i>	\$516,350.25

Attached for review is the Task Order Agreement draft; pending approval at today's meeting, it will be sent to the Contractor for signatures, and upon return, will be routed for same by the County Attorney, Clerk, and Chairman.

Budget/Impact: Neutral; expenditure of \$299,198. Up to ten percent (10%) contingency can be added to the Purchase Order per the Procurement Manual. Funding from Public Transportation (BO762541), Project Code TIP057348.

Recommended Action: Motion to approve recommendation and allow staff to issue the Task Order Agreement and upon approval by Legal, authorize the Chairman and Clerk to execute the same with Art Walker Construction, Inc. under 17Q-087-TO-52.

7.3.4. Request Approval of Contract Renewal: Q19-105-CA-01, Refrigerant Removal and Disposal - NoVent Refrigerant Services, Inc., Tampa, FL (Budget Impact - Neutral; estimated annual expenditure of \$87,000 as approved in the FY 21/22 budget)

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

Description/Background: On May 13, 2019 the County Administrator approved a contract with NoVent Refrigerant Services, Inc. (NoVent), for the removal and disposal of refrigerant gases from equipment disposed of at all outlying Marion County Recycling Centers and the Baseline Landfill on an as-needed basis. The contract did not require Board approval as the estimated annual budget was \$40,000; however, due to a significant increase in the volume of appliances being disposed of by Marion County residents, the contract was brought before the Board on June 2, 2020 to approve an increase of \$40,000 for the cost for removal of the additional refrigerant, bringing the total annual expenditure to \$80,000.

Solid Waste is requesting to use the first renewal option which would extend the contract for an additional year. On January 3, 2022, Procurement reached out to the vendor to inquire about utilizing the first renewal option. The vendor agreed to renew and in doing so, requested a price increase of 13% due to the increase of inflation, labor rates, and insurance rates. After negotiating with the vendor, the price increase was then settled to 6.5%. The current price on the contract is \$9.95 per unit. The increase would then bring the price to \$10.60 per unit. Environmental Services Director, Jody Kirkman, supports both the contract renewal and price increase.

Attached for review is a draft of the contract amendment including supporting documents for the requested increase. Upon approval at today's meeting, the contract amendment will be sent to NoVent Refrigerant Services, Inc., and upon return, will be forwarded for the County Attorney's, Clerk's, and Chairman's signatures.

Budget/Impact: Neutral; estimated annual expenditure of \$87,000.

Recommended Action: Motion to approve the first contract renewal amendment, and upon approval from Legal and execution with NoVent Refrigerant Services, Inc., authorize the Chairman and Clerk to execute the renewal with NoVent Refrigerant Services, Inc. under Q19-105.

7.3.5. Request Approval to Purchase a Replacement Vehicle Due to a Vehicular Accident (Budget Impact - Neutral; not to exceed \$25,490)

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

Description/Background: On August 10, 2021, County vehicle P-167 was in a vehicular accident which resulted in this vehicle being considered damaged beyond repair and the department received payment in the amount of \$6,850 for the vehicle. Alan Jay has provided a quote for a replacement vehicle of \$28,122 under cooperative purchasing Contract: Sourcewell Contract 091521-NAF and 060920-NAF. Marion County Fleet is recommending a fifteen percent (15%) contingency be in place because the dealership does not guarantee the vehicle will be available when we are ready to purchase.

The Utilities Department is requesting approval to purchase the replacement vehicle out of the FY 22 budget by means of the normal procurement methods off a government contract that matches the department's vehicle specifications.

Budget/Impact: Neutral; not to exceed \$25,490. This price includes fifteen percent (15%) contingency.

Recommended Action: Motion to approve and authorize the purchase of the replacement vehicle through normal procurement methods off a government contract that matches the department's vehicle specifications.

7.3.6. Request Approval of Piggyback: 22PB-071, Commercial and Residential Building Inspection and Plans - City of Clermont Contract Number 2021-071 - Willdan Engineering Inc., Anaheim, CA and 22PB-085, Plan Review and Inspection Services - City of Fort Lauderdale Contract Number 12376-813 - C.A.P. Government, Inc., Coral Gables, FL (Budget Impact - Neutral; annual expenditure not to exceed \$1,000,000 as approved in the FY 21/22 budget)

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

Description/Background: Marion County Building Safety requests approval to piggyback the City of Clermont's contract with Willdan Engineering, Inc. and City of Fort Lauderdale's contract with C.A.P. Government, Inc., for plan reviews and inspection services. Due to the dire need of services, Procurement Services requests to expedite by issuing two (2) purchase orders for backlogged work while contracts are being drafted.

Attached for review is a copy of City of Clermont and City of Fort Lauderdale's contract identifying the scope of work and fee schedule. Pending approval at today's meeting, two (2) purchase orders will be issued, one (1) for Willdan Engineering Inc. and one (1) for C.A.P. Government, Inc.

Budget/Impact: Neutral; estimated annual expenditure of \$1,000,000.

Recommended Action: Motion to approve piggyback, allow staff to issue purchase orders and upon execution with Willdan Engineering Inc. and C.A.P.

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Government, Inc., authorize the Chairman and Clerk to execute contracts upon Legal review under 22PB-071 and 22PB-085.

5.1.1. Building Safety Fund - Building - \$1,000,000

The Board adopted Budget Amendment Resolution 22-R-047 transferring \$1,000,000.00 within the Building Safety Fund.

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

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

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

Pending Requisition/Dell Marketing, LP - Marion County Information Technology Department requests approval to purchase a two (2) year warranty extension for the ERP servers and storage area networks at both data centers. The purchase includes six (6) PowerEdge R640 Upgrades and Extensions (\$5,827.38/each), and ten (8) Dell Networking S4000 Series Switches Upgrades (\$9,480.97/each), (2) Dell Networking N2000 Series switches Upgrades (\$2,367.77/each), (2) ProSupport Plus Storage (\$22,821.35/each), and (2) ProSupport Storage Protection Bundle (\$17,280/each). Total Expenditure of \$155,545.62; funds are available in AA174516-552106. *This purchase meets the requirements of competitive bidding through NCPA #01-42.*

Pending Requisition/Environmental Conservation Solutions - Marion County Office of the Engineer (OCE) requests approval to purchase 4,843 tons of Bold & Gold® (\$103/ton) as part of the plan to retrofit two (2) drainage retention areas (DRAs) in bid 22B-069 Silver Springs Shores Unit 23 Innovative Stormwater Retrofit CP 75 of DRAs 7049 and 7256. Total Expenditure \$498,829; funds are available in EK430538 (Stormwater Program). *This purchase is only available from a Sole Source Supplier.*

Pending Requisition/Alan Jay Chevrolet Cadillac, Inc. - Marion County Office of the County Engineer requests approval to purchase one (1) 2002 Chevrolet Silverado 5500 medium duty regular cab 2WD 1WT 60" cab (\$52,224) including express power windows (\$285), remote keyless entry (\$170), fuel fill kit (\$120), battery jump start stud (\$49), spotter glass mirrors (\$480), 201" wheelbase (\$520), front stabilizer bar (\$170), diesel particulate filter (\$245), rear shock absorbers (\$60), limited slip axle (\$355), rear exit exhaust system (\$49), audio system (\$270), license plate bracket (\$12), front G Traction Blackwall tires max load 7,940 lbs. (\$185), rear G Traction Blackwall tires max load 15,000 lbs. (\$375). This truck replaces ST-16 Sign Truck. Total expenditure is \$100,225; funds are available in line BL400541-564101. *This purchase meets the requirements of competitive bidding per Sourcwell #2002 060920-NAF.*

Recommended Action: Motion to approve requested purchases.

7.4. Tourist Development:

7.4.1. Request Approval of Tourist Development Council (TDC) Funding Request (Budget Impact - Neutral; expenditure of \$2,500 as approved in the FY 21/22 budget)

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

Description/Background: The Tourist Development Council (TDC) is seeking approval for date and name change of the following funding request which was originally approved by the Board of County Commissioners (BCC) on May 4, 2021 at their regularly scheduled board meeting. This funding was approved for the organization in consideration of the TDC's mission to lead, market, and grow the County's travel and tourism industry to generate economic development opportunities and prosperity for the entire community. Due to COVID-19 restrictions that were in place during the previously scheduled timeframe, the event planner is requesting that the funding be applied to the new date, February 25- 27, 2022 with the new name, PanAmerican Taekwon-Do International Winter Camp, which is reflective of the time of year to which the event was rescheduled.

PanAmerican Taekwon-Do International Winter Camp \$2,500

Budget/Impact: Neutral; expenditure of \$2,500 was approved on May 4, 2021 and is in the FY 21/22 budget, funding from CP155552-548101.

Recommended Action: Motion to approve the Tourist Development Council request for date and name change and authorize the Chairman to execute updated attached funding agreement.

7.5. Transportation - County Engineer:

7.5.1. Request Approval of State of Florida Department of Transportation (FDOT) Local Agency Program Agreement (LAP) and Resolution for the Construction and Addition of Sidewalk Improvements in the Vicinity of Legacy Elementary School (Budget Impact - Neutral)

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

Description/Background: This project is for the construction of +/- 4.22 miles of new sidewalks in the vicinity of Legacy Elementary School. These sidewalks will be five (5) feet wide and approximately 4.22 miles in length.

Funding is programmed for \$1,864,554 and FDOT will provide Marion County up to \$1,400,659 of reimbursable costs. These expenditures are in the department's current fiscal year.

Budget/Impact: Neutral - This project is programmed in the current County Transportation Improvement Plan and is identified in the adopted FY 2021-2022 Line Item Budget: TIP077370-Fund 1020-Cost Center 760

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

7.5.2. Request Approval of State of Florida Department of Transportation (FDOT) Local Agency Program Agreement (LAP) and Resolution for the Construction and Addition of Sidewalk Improvements in the Vicinity of Saddlewood Elementary School (Budget Impact - Neutral)

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

Description/Background: This project is for the construction of +/- 0.46 miles of new sidewalks in the vicinity of Saddlewood Elementary School. These sidewalks will be five (5) feet wide and approximately 0.46 miles in length.

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Funding is programmed for \$308,285 and FDOT will provide Marion County up to \$300,096 of reimbursable costs. These expenditures are in the department's current fiscal year.

Budget/Impact: Neutral - This project is programmed in the current County Transportation Improvement Plan and is identified in the adopted FY 2021-2022 Line Item Budget: TIP077380-Fund 1020-Cost Center 760.

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

7.5.3. Request Approval of a New Antenna Site Agreement Between Marion County and the State Department of Management Services (Budget Impact - Revenue of \$3,500 monthly)

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

Description/Background: This is a request for approval of a new Antenna Site Agreement between Marion County and the State Department of Management Services (DMS) for space on a Marion County owned tower located on a portion of parcel 32840-009-00. The existing Agreement was assigned from L3Harris Technologies, Inc. to DMS on October 5, 2021 with the understanding that a new Agreement would be created between Marion County and DMS for the purposes of updating, amending, restating and replacing the existing Agreement. Staff recommends approval of this new Agreement as it will allow DMS to continue the operation of a Statewide Law Enforcement Radio System (SLERS) through December 31, 2049.

Budget/Impact: Revenue of \$3,500 Monthly - General Fund - AA000362 - 362010

Recommended Action: Motion to approve the new Antenna Site Agreement and authorize the Chair and Clerk to execute the same.

7.5.4. Request Approval of a Second Amendment and Memorandum to Personal Communications Service System Facility (PCS) Site Agreement Between Marion County and STC Two, LLC (Budget Impact - Revenue of \$677 monthly)

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

Description/Background: This is a request for approval of a Second Amendment and Memorandum to Personal Communications Service System Facility (PCS) Site Agreement (Collectively, "Second Amendment") between Marion County and STC Two LLC. The Second Amendment is associated with a Marion County Utility site located in Marion Oaks Subdivision (parcel 8001-0000-19) known as Well 9. STC Two LLC is requesting to add 140 square feet of land to their existing Land Lease in order to sublease to a third party. The negotiated increase in the monthly rental rate will be \$677.38.

Budget/Impact: Revenue of \$677.38 Monthly - Utilities ZF440362-362010 - Rent - County Owned Property

Recommended Action: Motion to approve the Second Amendment and Memorandum to PCS Site Agreement and authorize the Chair and Clerk to execute the same.

7.5.5. Request Approval to Declare Parcel Numbers 09686-018-01, 09690-003-13, 09866-20-106, 1002-003-005, 1027-015-003 and 1028-003-017 as Surplus and Approve the Conveyance of the Properties by Statute 125 Deed (Budget Impact - None)

The following recommendation by County Engineer Holland, OCE, was withdrawn.

Description/Background: This is a request to declare Parcel Numbers 09686-018-01, 09690-003-13, 09866-20-106, 1002-003-005, 1027-015-003 and 1028-003-017 as surplus, and approve a FS 125 Deed and Resolution associated with an Application for Conveyance of County Owned Property. The application is pursuant to Chapter 125.38 FS, which provides that the Board of County Commissioners may convey a specific property to the United States or any department or agency thereof or a not for profit corporation organized for the purposes of promoting community interest and welfare. The applicant, Community First Support Foundation Inc., is a Florida Not for Profit Organization and is requesting that Marion County donate various parcels to them. If approved, the properties will be deeded from Marion County to Community First Support Foundation Inc. for promoting public or community interest and welfare.

Budget/Impact: None.

Recommended Action: Motion to declare Parcel Numbers 09686-018-01, 09690-003-13, 09866-20-106, 1002-003-005, 1027 -015-003 and 1028-003-017 as surplus, approve the Resolution and Statute 125 Deed, and authorize the Chair and Clerk to execute the same.

7.5.6. Request Approval of a Purchase Agreement Associated with the NW/NE 35th Street Phase 1B Road Improvement Project (Budget Impact - Neutral; expenditure of \$16,000 as approved in the FY 21/22 budget)

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

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$16,000 plus closing cost for a portion of parcel 25226-006-00 associated with the NW/NE 35th Street Phase 1B Road Project (from 600 FT east of West Anthony Road to CR200A). The acquisition consists of 4,248 square foot (SF) of land and trees along with a 750 SF Temporary Construction Easement. This Purchase Agreement is inclusive of all fees and costs related to this transaction under the threat of eminent domain.

Budget/Impact: Neutral; expenditure of \$16,000 plus closing cost (Fund:1023 – 2nd Local Option Fuel Tax Fund – Cost Center: 762 - 561301 - TIP70100C)

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

7.5.7. Request Approval of Southwest Florida Water Management District (SWFWMD) Cooperative Funding Initiative (CFI) Project Agreement (Type 1-3) Number 22CF0003725 Between SWFWMD and Marion County for the Rainbow Springs 5th Replat Stormwater Retrofit Project (Project Number WR10) (Budget Impact - Neutral; reimbursement of up to \$424,047)

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

Description/Background: The County has been approved for Southwest Florida Water Management District (SWFWMD) cooperative funding for a water quality

improvement project within the Rainbow Springs 5th Replat subdivision. SWFWMD has awarded funds for the construction of this project. Approval of this agreement will provide for reimbursement of 50% of the construction costs up to \$424,047. The agreement expires December 31, 2023. Construction of this innovative stormwater retrofit is estimated to cost \$848,094. Vendor services will be solicited for this effort.

Funding for this project was identified in the Stormwater Implementation Program (SIP) and in the FY 21/22 Budget.

Budget/Impact: Neutral - Expenditure of \$424,047 and reimbursement of up to \$424,047 to the Stormwater Program Grant Revenue Account

Recommended Action: Motion to approve and authorize the Chairman to execute the Southwest Florida Water Management District Cooperative Funding Initiative (CFI) Project Agreement (Type 1-3) Number 22CF0003725 between SWFWMD and Marion County for the Rainbow Springs 5th Replat Stormwater Retrofit Project (Project Number WR10).

7.5.8. Request Approval of Amendment 1 to Cost-Share Agreement 36906 Between the St. Johns River Water Management District (SJRWMD) and Marion County for the Silver Springs Shores Unit 68 Innovative Stormwater Retrofit - CP 79 (Budget Impact - None; reimbursement of up to \$244,859)

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

Description/Background: The County has been approved for St. Johns River Water Management District (SJRWMD) cost-share funding for a water quality improvement project within Silver Springs Shores Unit 68. SJRWMD has awarded funds for the construction of this project. The Agreement will provide for reimbursement of 25% of the construction costs up to \$244,859. The Agreement was approved and signed by the Board on September 14, 2021 (Agenda Item 7.12.4.).

This amendment extends the expiration date of the Agreement from March 31, 2022 to June 30, 2022.

Budget/Impact: None; reimbursement of up to \$244,859.

Recommended Action: Motion to approve and authorize the Chairman to execute Amendment 1 to Cost-Share Agreement 36906 Between the St. Johns River Water Management District (SJRWMD) and Marion County for the Silver Springs Shores Unit 68 Innovative Stormwater Retrofit - CP 79.

7.5.9. Request Approval of Amendment 1 to Cost-Share Agreement 36905 Between the St. Johns River Water Management District (SJRWMD) and Marion County for the Silver Springs Shores Unit 23 Innovative Stormwater Retrofit - CP 75 (Budget Impact - None; reimbursement of up to \$273,514)

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

Description/Background: The County has been approved for St. Johns River Water Management District (SJRWMD) cost-share funding for a water quality improvement project within Silver Springs Shores Unit 23. SJRWMD has awarded funds for the construction of this project. The Agreement will provide for

reimbursement of 25% of the construction costs up to \$273,514. The Agreement was approved and signed by the Board on July 20, 2021 (Agenda Item 7.7.1.). This amendment extends the expiration date of the Agreement from March 31, 2022 to June 30, 2022.

Budget/Impact: None; reimbursement of up to \$273,514.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute Amendment 1 to Cost-Share Agreement 36905 Between the St. Johns River Water Management District (SJRWMD) and Marion County for CP 75 Silver Springs Shores Unit 23 Innovative Stormwater Retrofit.

7.5.10. Request Approval of Improvement Agreement for Stone Creek by Del Webb Bridlewood Phase II Subdivision, Application Number 27424 (Budget Impact - None)

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

Description/Background: The project developer desires approval of their Final Plat prior to completing all improvements associated with the subdivision. Land Development Code Section 2.18.4.D states that if the improvements are not completed, an Improvement Agreement shall be provided and approved by the Board. The County Attorney has reviewed and approved the Improvement Agreement with Surety Bond in the amount of \$2,932,795.44. This subdivision is located in the southwest portion of the County and contains 145 lots and 9 tracts on 35.47 acres with 1.26 miles of private road.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Improvement Agreement and to authorize the Chair and Clerk to execute the same.

7.5.11. Request Approval of a Resolution and a Construction, Maintenance, and Operations Agreement Between Marion County and Florida Department of Transportation (FDOT) to Facilitate Improvements to the County's Advanced Traffic Management System (ATMS) (Budget Impact - None)

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

Description/Background: This request is to approve a Resolution and a Agreement with the Florida Department of Transportation (FDOT) to facilitate improvements to the County's Advanced Traffic Management System (ATMS). Improvements include, but are not limited to, installing fiber optic cable, radio equipment, and network switches.

The attached Construction, Maintenance, and Operations Agreement authorizes FDOT to act on behalf of the County to construct these ATMS improvements. It grants permission to FDOT and its contractor to enter onto County property and rights-of-way to install the equipment.

Once constructed, County will operate and maintain the equipment installed under this Agreement for its useful life.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute both the Resolution and the Construction, Maintenance, and Operations Agreement with the Florida Department of Transportation.

7.5.12. Request Approval of a Purchase Agreement Between Myra A. Gresko, Bruce E. Oehlerking, Michael Oehlerking and Marion County for a Portion of Parcel Numbers 35341-001-20 and 35341-001-00 (Budget Impact - Neutral; expenditure of \$300,000 as approved in the FY 21/22 budget)

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

Description/Background: This is a request for approval of a Purchase Agreement between Myra A. Gresko, Bruce E. Oehlerking, Michael Oehlerking and Marion County in the amount of \$300,000 (plus closing cost) to acquire a ten (10) acre parcel for the future expansion of the Oak Run Waste Water Treatment Facility (WWTP). The acquisition consists of a portion of parcel numbers 35341-001-20 and 35341-001-00, further identified as Tracts four (4) and five (5) on the enclosed Parcel Sketch.

In addition, the attached Addendum to the Purchase Agreement states "BUYER AND SELLER" will enter into an agreement prior to real estate closing outlining that the seller will have the rights to assign up to 50 of the 114.96 Equivalent Residential Connections (ERC's) to be used within the Oak Run WWTP service area, which were assigned by the seller from a previous agreement. Currently, Marion County has in escrow \$39,000 pursuant to the Subdivision Maintenance Agreement (SMA) and the seller agrees to provide a credit of an additional \$82,000 for a total of \$121,000 to be used for any defaults under the Agreement. Upon the real estate closing, another agenda item will be brought to the Board for acceptance of the subdivision improvements per the terms of the original SMA. Both the County Engineer and the Environment Services Director recommend approval of this Purchase Agreement with Addendum.

Budget/Impact: Neutral; expenditure of \$300,000 plus closing cost UTC000138 - CIP UTILITY - REHABL CNS - 448; ZF448536-563102.

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

7.6. Utilities:

7.6.1. Request Approval of Water Main Extension Connection Agreement 21-SA-113-O Between TCEB Group, LLC and Marion County Utilities (MCU) (Budget Impact - None)

The Board accepted the following recommendation as presented by Environmental Services Director Jody Kirkman:

Description/Background: In accordance with Land Development Code section 6.14.2, developers (property owners) are required to connect to a public water system if the property is within the defined connection distance. For a single-family residence, the connection distance is 400 feet from the parcel's closest corner to the public water main. In this case, the owner is required to connect to the public water main provided by Marion County Utilities (MCU) by constructing additional water main to reach the farthest end of the property's corner. Attached is the Agreement and supporting location map as Exhibit 1, which shows the path of the proposed water main. Owners have the option to pay MCU contractor's low bid price or hire their own contractor; the selection is noted on page two (2) of the Agreement. Prior to the Owner entering into the Agreement, the not to exceed (NTE) construction cost, number of benefitting lots, and share values (if applicable) are verified. MCU also notifies benefitting lot owners by mail so they are aware of

the conditions of the impact on their property. After the water main construction is complete, the cost and timetable data are flagged in the permitting system and MCU's GIS to ensure construction shares (if applicable) are returned to the owner in the time period specified. The proposed 300' extension constructed to serve the Owner's parcel also creates a benefit for four (4) additional parcels along the route of the water main extension.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Water Main Extension Connection Agreement 21-SA-113-O.

7.6.2. Request Approval of Water Main Extension Connection Agreement 21-SA-107-O Between Southern Impression Homes, LLC and Marion County Utilities (MCU) (Budget Impact - None)

The Board accepted the following recommendation as presented by Environmental Services Director Kirkman:

Description/Background: In accordance with Land Development Code section 6.14.2, developers (property owners) are required to connect to a public water system if the property is within the defined connection distance. For a single-family residence, the connection distance is 400 feet from the parcel's closest corner to the public water main. In this case, the owner is required to connect to the public water main provided by Marion County Utilities (MCU) by constructing additional water main to reach the farthest end of the property's corner. Attached is the Agreement and supporting location map as Exhibit 1, which shows the path of the proposed water main. Owners have the option to pay MCU contractor's low bid price or hire their own contractor; the selection is noted on page two (2) of the Agreement. Prior to the Owner entering into the Agreement, the not to exceed (NTE) construction cost, number of benefitting lots, and share values (if applicable) are verified. MCU also notifies benefitting lot owners by mail so they are aware of the conditions of the impact on their property. After the water main construction is complete, the cost and timetable data are flagged in the permitting system and MCU's GIS to ensure construction shares (if applicable) are returned to the owner in the time period specified. The proposed 375' extension constructed to serve the Owner's parcel also creates a benefit for five (5) additional parcels along the route of the water main extension.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Water Main Extension Connection Agreement 21-SA-107-O.

8. COUNTY ATTORNEY:

8.1. Request Approval of the Draft Interlocal Agreement for the Expenditure of Opioid Settlement Funds with the City of Ocala

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

Description/Background: Marion County is a party in a lawsuit regarding the opioid crisis. The Board of County Commissioners previously approved the Florida Subdivision Participation Agreements with the State of Florida regarding the National Distributor Settlement, the National Janssen Settlement and the Endo Settlement of claims related to the distribution of opioids. Under the Memorandum of Understanding with the State of Florida, attached hereto as Exhibit A, in order

to be considered a “Qualified County” and be entitled to receive its share of the regional funds and have direct control over its allocation, rather than it being distributed to a managing entity, the County must adopt an abatement plan and enter into an agreement with the City of Ocala relating to the expenditure of opioid funds.

County staff has worked together with the City of Ocala to develop a draft agreement adopting a joint abatement plan and providing a structure for the distribution of opioid settlement funds received. The agreement would establish a committee comprised of members appointed by Marion County, the City of Ocala, the Administrative Judge of the Circuit Court, the Marion County Hospital District, and the Florida Department of Health in Marion County to make recommendations for the expenditure of all opioid settlement funds to the Board of County Commissioners and to modify and develop the abatement plan as necessary to ensure the most effective use of opioid settlement funds.

Budget/Impact: None.

Recommended Action: Motion to approve the draft Interlocal Agreement for the Expenditure of Opioid Settlement Funds; and authorize the County Attorney’s Office to continue to work with the City of Ocala to finalize same for execution by the Chairman.

County Attorney Matthew G. Minter, Legal, requested this item be withdrawn and brought back on March 1, 2022. It was the general consensus of the Board to concur.

9. COUNTY ADMINISTRATOR:

9.1. Provide Update on the Blue Run of Dunnellon Park Restroom Project – Jim Couillard, PLA, ASLA, Parks & Recreation Director

Parks and Recreation Director Jim Couillard presented an 8 page handout entitled, “Blue Run of Dunnellon Bathroom Project” to follow along with the PowerPoint presentation. He advised that the management and Capital Improvements at this park are part of the State approved Management Plan, and like other Capital Improvement projects at the park the bathroom project is contingent on the availability of funding. Mr. Couillard stated there have been efforts to obtain funding through grants and other sources.

Mr. Couillard advised that the land was acquired and deeded to the City of Dunnellon in 2008, it is operated by Marion County and managed by the City of Dunnellon. He stated the County has invested more than \$1,100,000.00 in the park since 2008.

Mr. Couillard commented on the main areas of the park (as shown on the overhead screens), noting a portion of the County’s Legislative Appropriations this year is related to connecting the trail system at Blue Run of Dunnellon Park to the downtown Dunnellon area.

Mr. Couillard provided a brief overview of the proposed location for the new bathroom facilities, and a comparison of the benefits and costs associated with the current system and various designs available to the County.

Commissioner Bryant questioned the cost of renting a parks trailer bathroom. Mr. Couillard advised that these units can have overflow issues, noting the environmentally sensitive location where the facility will be located. He stated these units are not designed for long term use, are prone to vandalism, and are hard to clean.

Commissioner Stone questioned whether the pre-cast building could be moved after placement. Mr. Couillard advised that it could.

Mr. Couillard stated staff is recommending the pre-cast model because it will last, can be considered a permanent structure, is more accommodating for ADA, is easy to clean and more affordable than other options.

In response to Chairman Zalak, Mr. Couillard advised that the restroom at the paved trail at Santos Trailhead is very similar to the park standard model.

Mr. Couillard provided an overview of the costs associated with the project, noting there is a gap in funding of \$137,210.00.

Commissioner Gold questioned where the gap funds would come from. Chairman Zalak opined the County should use the gains it had this year.

Commissioner Bryant questioned whether there have been additional conversations with Representative Joe Harding's office and if the communication to increase the requested amount for improvements to the trailhead was sent.

Executive Director Amanda Tart, Administrative Services, stated the request was sent to Representative Harding's office and she also spoke with a representative of GrayRobinson who has been working directly with Representative Harding. She advised that paperwork regarding this project has been sent to the County, but the funding is not in the budget at this time.

Commissioner Bryant commented on an electronic mail (email) from Mayor White, noting the City of Dunnellon's preference for the original design.

Chairman Zalak opined that over the years, the County had a contextual agreement to put in a bathroom, but expressed the importance of being fiscally responsible.

Commissioner Stone stated the County has \$150,000.00 budgeted for the project and any gap in funding could come from the City of Dunnellon or the State.

Commissioner Bryant questioned what party would get to dictate the design, noting the City of Dunnellon has already expressed a preference for the original design. She opined that such details should be decided prior to moving any funds.

In response to Chairman Zalak, Mr. Bouyounes stated there was an email sent to Commissioner Bryant the previous evening relating the City of Dunnellon's design preference .

Mayor White advised that the City of Dunnellon learned this Item was being discussed only after reviewing the Agenda. He stated there is a base price of \$250,000.00 and roughly an additional \$100,000.00 to \$400,000.00 depending on which design is chosen. Mayor White advised that the City of Dunnellon paid \$18,000.00 in 2016 for the original design, which was approved by the County. He commented on previous correspondence from the County relating to this project and expressed a desire to provide input on behalf of the City of Dunnellon. Mayor White stated Dunnellon is interested in seeing what more they can do relating to the project, and has already contacted Florida Governmental Utility Authority (FGUA). He advised that FGUA has agreed to meet with the County to review the pricing, noting FGUA has commented that it appears to be high.

Mayor White advised that most individuals that use the park are initiated from the County through KP Hole (in the county) and exit the river at the ramp (in the city) where the restroom is, noting this is as much a park for the County as it is for the City of Dunnellon. Commissioner Gold questioned whether the \$53,400.00 from the City of Dunnellon is contingent upon the County selecting a design accepted by the City of Dunnellon. Mayor White stated it would be understood that the City of Dunnellon would have a say in how their money is spent.

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Commissioner Gold commented on the individuals that go to the KP Hole and contribute to the local economy by utilizing stores, gas stations, and restaurants when they exit the river.

Chairman Zalak opined that if the City of Dunnellon has consternation, the County could move forward with a pre-cast/standard design, and the City of Dunnellon could use their funds to enhance the façade of the structure. He advised that the County works to be a good partner and has assisted Dunnellon with Fire Services, traffic issues, and is unsure why issues continue relating to Blue Run of Dunnellon Park. Chairman Zalak commented on the possibility of providing a grant to Dunnellon and allowing them to use those funds to construct a bathroom.

Mr. White acknowledged the good relationship with the County. He stated because of the \$300,000.00 range in design options, the City of Dunnellon is requesting the option to initiate something to aid with the cost. He advised that until recently, Dunnellon assumed the bathroom constructed would be based on the design that was approved as recently as 2018/2019. Mayor White stated there is now discussion of a much modified plan that Dunnellon has not been able to respond to and they would like the opportunity to see what they are able to do to bridge the funding gap for the design that was previously approved.

Chairman Zalak advised that Mayor White should work with the Dunnellon City Council to come up with the funding, and if they are unable to secure the dollars, he can come back to the Board with any alternative recommendations.

Commissioner Bryant stated the cost estimates have always been associated with the completed project regardless of how much is related to the water and sewer, it is still a cost that must be funded. She opined that Chairman Zalak's suggestion to budget a set amount of funds towards the project in the form of a grant is a great idea.

Chairman Zalak stated from his perspective the Board could provide roughly \$300,000.00 total for this project, and Dunnellon can use that and any additional funding from the State or other sources to build the bathroom.

Mayor White advised of prior agreements that stipulate there are approximately 20 items the County is charged with putting into the park over time, including a restroom. He stated the Master Plan contains language that the restroom the County puts in should be equal or equivalent to the restrooms in County parks.

In response to Chairman Zalak, Mr. Couillard stated the language is "comparable" to how other County parks are operated, noting there is a current project to add a bathroom in Salt Springs and the Parks and Recreation standard bathroom will be utilized at that location. He advised that there are comparable standards within the Parks System that include the pre-cast model or the Parks and Recreation standard.

In response to Chairman Zalak, Mr. Couillard stated Assistant County Attorney Russell Ward has provided opinions relating to the County's obligations.

Mr. Bouyounes requested the Board allow County Attorney Minter to review the matter and provide an update at the next Board meeting.

Chairman Zalak questioned whether Mayor White could be present at the next Board meeting. Mayor White advised that he could.

In response to Commissioner Stone, Chairman Zalak stated the Board could wait until the Legislative Session is completed to have a better idea of any funding the State may provide.

Commissioner Bryant advised that staff has provided a recommendation for a bathroom that is very much like the standard that is put in County parks and the County is trying to

secure the dollars to fill the gap to fund the project. She stated the County is contributing roughly \$300,000.00 compared to \$50,000.00 from the City of Dunnellon and wants to have a restroom at the location.

Chairman Zalak advised that it could be beneficial to wait until construction prices come down depending on the design the City of Dunnellon wants because of the extra costs associated with the sensitive area where this facility will be located.

Commissioner Bryant stated the product needs to be what is best for the river, not the most aesthetically pleasing.

General discussion ensued.

Commissioner Gold requested Mr. Couillard bring back information relating to the number of individuals that access Belleview Sportsplex compared to Blue Run Park of Dunnellon as it relates to bathroom facilities.

(Ed. Note: The Deputy Clerk did not receive copies of the emails referenced in this matter.)

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

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

6.1. PUBLIC HEARING to Consider Amending the Marion County Code of Ordinances, Chapter 2 Administration, Article III, Officers and Employees

Description/Background: The County Administrator, in consultation with the Board of County Commissioners, has identified a need to clarify and update provisions of the County Code of Ordinances describing the powers and duties of the County Administrator with respect to personnel matters of County employees.

Budget/Impact: None.

Recommended Action: Motion to adopt the attached ordinance of Marion County, Florida relating to amending the Marion Code of Ordinances, Chapter 2 Administration, Article III Officers and Employees; to clarify and update provisions of the County Code of Ordinances describing the powers and duties of the County Administrator with respect to personnel matters of County employees; providing for conflicts; providing for severability; providing for inclusion in code; and providing an effect date.

Deputy Clerk McAllister presented Proof of Publication No. 6872258 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on February 3, 2022. The Notice states the Board will consider adoption of an Ordinance pertaining to the Marion County Code.

Mr. Minter advised that this is an Ordinance to change the County Code provisions related to the powers and duties of the County Administrator, noting the catalyst for the change initially related to the positions of Executive Assistant to the County Commissioners. He stated the need to clarify the role of the County Administrator who is currently over all County employees, except for the County Attorney and his staff. Due to the relationship between the Board and the Executive Assistant it was necessary to determine the role of the Board in selecting a new Executive Assistant with that individual being under the County Administrator. Mr. Minter advised that this Amendment provides that the County Administrator will collaborate with members of the Board in the hiring of those positions only. He noted clarifying language was added to update the Code relating to the County Administrators authority over all the other County employment positions.

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Mr. Bouyounes stated he is still working with Mr. Minter regarding some old language in the Code that will be brought back to the Board later, noting this change was made quickly to avoid any delay relating to the new position.

In response to Chairman Zalak, Mr. Minter advised that the collaboration portion relates only to the hiring process for that position.

Chairman Zalak opened the floor to public comment.

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

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to adopt Ordinance 22-05 relating to amending the Marion Code of Ordinances, Chapter 2 Administration, Article III Officers and Employees; to clarify and update provisions of the County Code of Ordinances describing the powers and duties of the County Administrator with respect to personnel matters of County employees; providing for conflicts; providing for severability; providing for inclusion in code; and providing an effect date.

Ordinance 22-05 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE MARION COUNTY CODE OF ORDINANCES, CHAPTER 2 - ADMINISTRATION, ARTICLE III - OFFICERS AND EMPLOYEES, Division 2 - County Administrator, Section 2-48 - Powers and Duties, paragraphs (12) and (13), TO UP-DATE AND CLARIFY THE AUTHORITY OF THE COUNTY ADMINISTRATOR WITH RESPECT TO PERSONNEL MATTERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

10. COMMITTEE ITEMS:

10.1. Tourist Development Council - Request Ratification of Councilmember Barry Mansfield as the City of Ocala Representative

Executive Assistant Nadja M. Griffis, Commission Office, presented the following recommendation:

Description/Background: The City of Ocala has sent notification that they have selected Councilmember Barry Mansfield as their representative for the Tourist Development Council. This term will take effect immediately.

Budget/Impact: None.

Recommended Action: Motion to ratify Councilmember Mansfield as the City of Ocala representative to the Tourist Development Council effective immediately.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to ratify Councilmember Mansfield as the City of Ocala representative to the Tourist Development Council effective immediately. The motion was unanimously approved by the Board (5-0).

10.2. Marion Oaks MSTU for General Services Advisory Council – Request Approval to Advertise for Two (2) Full Members for Full Terms

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

Description/Background: There are two (2) terms on the Marion Oaks MSTU for General Services Advisory Council that will expire in March 2022. Both incumbents are eligible for re-appointment should they wish to apply.

Budget/Impact: None.

Recommended Action: Motion to approve advertisement for two (2) full members for full terms to the Marion Oaks MSTU for General Services Advisory Council.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to approve advertisement for two (2) full members for full terms to the Marion Oaks MSTU for General Services Advisory Council. The motion was unanimously approved by the Board (5-0).

Mr. Bouyounes advised that this item is a request for permission to advertise the position that became vacant. He stated Board has Policy 18-01 in place which authorizes staff to advertise those positions when they become open. He questioned whether the Board wanted staff to continue to bring Agenda Items asking for permission to advertise open positions on all Advisory Boards.

It was the general consensus of the Board that an Agenda Item was not necessary.

10.3. Code Enforcement Board - Request Appointment of One (1) Alternate Member for an Unexpired Term

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

Description/Background: There is one (1) vacancy on the Code Enforcement Board as an alternate member for an unexpired term ending November 2024. There has been one (1) application received.

- Hunter Street - supervisor, Bowman Steel

Budget/Impact: None.

Recommended Action: Motion to appoint Mr. Street to the Code Enforcement Board as an alternate member with a term expiring November 2024.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to appoint Mr. Street to the Code Enforcement Board as an alternate member with a term expiring November 2024. The motion was unanimously approved by the Board (5-0).

10.4. Board of Adjustment - Request Appointment of One (1) Full Member for an Unexpired Term

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

Description/Background: There is one (1) vacancy on the Board of Adjustment as a full member for an unexpired term ending June 2023. There have been three (3) applications received, one (1) of which is a current alternate member seeking appointment as a full member.

- Christian Cadell Hager - realtor, Gazelle Family Properties, LLC

- Jon Harvey - planning technician, Tillman and Associates

- Rachel E. Sams (incumbent - alternate) - business owner, Thrivent Financial

Budget/Impact: None.

Recommended Action: Motion to appoint an applicant to the Board of Adjustment as a full member in an unexpired term ending June 2023.

Clerk Harrell advised that Christian Cadell Hager received the appropriate votes.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to appoint Mr. Hager to the Board of Adjustment as a full member in an unexpired term ending June 2023. The motion was unanimously approved by the Board (5-0).

10.5. Tourist Development Council - Request Appointment of Two (2) Full, Collector Members for Full Terms

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Executive Assistant Griffis, Commission Office, presented the following recommendation:
Description/Background: There are two (2) collector terms on the Tourist Development Council that are expiring February 2022; the new terms will begin March 1, 2022 and expire February 2026. The current incumbents are eligible for re-appointment and have submitted applications.

- Jeff Bailey (incumbent) - Chief Operating Officer, HDG Hotels
- Jason Reynolds (incumbent) - Executive director, Florida Horse Park

Budget/Impact: None.

Recommended Action: Motion to appoint Mr. Bailey and Mr. Reynolds to the Tourist Development Council as full, collector member in full terms ending February 2026.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to appoint Mr. Bailey and Mr. Reynolds to the Tourist Development Council as full, collector member in full terms ending February 2026. The motion was unanimously approved by the Board (5-0).

10.6. Tourist Development Council - Request Appointment of Two (2) Full, Non-collector Members for Full Terms

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

Description/Background: There are two (2) terms on the Tourist Development Council as non-collectors that are expiring this month; the new terms will begin March 1, 2022. One (1) incumbent is eligible for re-appointment and has submitted an application. In total, two (2) applications have been received.

- Victoria Billig (incumbent) - Assistant Director, Appleton Museum of Art
- Christopher Duane Fernandez - Manager/Owner, Santos Bike Shop

Budget/Impact: None.

Recommended Action: Motion to appoint Ms. Billig and Mr. Fernandez to the Tourist Development Council as full, non-collector members for terms expiring February 2026.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to appoint Ms. Billig and Mr. Fernandez to the Tourist Development Council as full, non-collector members for terms expiring February 2026. The motion was unanimously approved by the Board (5-0).

11. NOTATION FOR ACTION: NONE

12. COMMISSIONER ITEMS:

12.1. Commission Comments

Commissioner Bryant advised that she had nothing further to add.

Commissioner Stone commented on a survey requesting community input relating to "Commitment to Zero" Action Plan for Safer Streets in Ocala Marion. She advised that individuals may participate in the survey at: www.ocalamariontpo.org/safety-plan.

Commissioner Gold advised that he had nothing further to add.

Commissioner Curry commented on the smaller communities across the Country contributing more Olympians than large cities like New York and Chicago, noting Marion

County had 3 Olympians. He stated he would like them to be recognized for their contributions.

Chairman Zalak commented on a recent meeting he attended addressing pedestrian safety, noting Orlando was one of the top locations in the nation relating to accidents involving pedestrians. He stated this was contributed to tourists from other countries looking the wrong way for oncoming traffic because the driving lanes are backwards.

12.2. Commission Calendar

12.2.1. Present Commission Calendar

The Chairman acknowledged receipt of the Commission calendar covering the period of February 17, 2022 through March 1, 2022.

13. GENERAL PUBLIC COMMENTS: NONE.

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

14.1.1. Present CEP January 2022 Activity Report and Performance Matrix

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

14.3. General Informational Items:

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

14.4. Clerk of the Court:

14.4.1. Present Regular Report of Utilization for Reserve for Contingencies

14.4.2. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 44550

14.4.3. Present Memorandum from Gregory C. Harrell, Clerk of the Circuit Court and Comptroller, Regarding the Filing of Ordinances 22-01 and 22-02 with the Secretary of State's Office

14.4.4. Present Monthly Report for the Building Department Budget and Actual

14.4.5. Present Administrative Budget Transfer Report for FY 2021-22

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

14.5.1. Code Enforcement Board - December 8, 2021

14.5.2. Housing Finance Authority - December 8, 2021

14.5.3. Marion County Historical Commission - October 11, November 8, and December 13, 2021

14.5.4. Marion County Hospital District (MCHD) - December 13, 2021

14.5.5. Planning and Zoning Commission - December 27, 2021

14.5.6. Rainbow Lakes Estates (RLE) Advisory Committee - November 18, 2021

14.5.7. Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>

14.5.8. St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at <https://www.sjrwmd.com>

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14.5.9. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <http://www.ocalafl.org/tpo>

14.5.10. Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>

There was a recess at 10:29 a.m.

The meeting reconvened at 2:10 p.m. with all members present.

Also present were: Senior Planners Chris Rison and Ken Weyrauch, Transportation Planner Ken Odom, Staff Assistant IV Darlene Pocock, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, ACA Angel Roussel and ACA Tracy Straub.

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

15. PLANNING & ZONING AND DRC WAIVER REQUESTS (AT 2:00PM):

Deputy Clerk Lewter presented Proof of Publication No. 6830247 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on February 1, 2022. The Notice states the Board will consider approval of a Comprehensive Plan Amendment, rezoning and/or Special Use permit (SUP) applications, as well as considering adoption of an Ordinance.

County Attorney Matthew G. Minter provided a brief overview of the process for today's zoning and Special Use Permit hearings. He noted the applicant will be given an opportunity to give their initial presentation to the BCC or they may wait until after public comment, at which time the applicant (or agent) will respond. If a speaker has questions for the applicant, they must address the BCC at the podium and the Board will then in turn direct those issues to the applicant for a response.

Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

15.1. Planning and Zoning Consent Items:

Senior Planner Christopher Rison, Growth Services, advised that the five (5) petitions listed on the Consent Agenda are recommended for approval by both the Planning Division and the P&Z Commission. She stated the following chart contains items that received no objection during the Planning and Zoning Commission Meeting:

	ITEM	OWNER	FROM-TO	ACREAGE
1	220202SU	John Lee Jr.	Special Use Permit in R-4	0.61
2	220204Z	Golden Ocala Equestrian Land LLC	B-2 to A-1	18.2
3	220205Z	Bruce Calder and Barbara Moseley	R-4 to B-2	4.28
4	220206Z	Vicki Loren Armour	P-MH and A-1 to A-1	43.8
5	220207Z	Scott and Mary LaTour	A-1 and R-1 to R-4	3.0

Motion was made by Mr. Bonner and seconded by Mr. Behar, to agree with staff's findings and recommendation, and recommend approval of the following Consent Agenda items (220202SU, 220204Z, 220205Z, 220206Z, and 220207Z) based on the following findings of fact:

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

The Motion passed 6-0

Chairman Zalak opened the floor to public comment.

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

A motion was made by Commissioner Bryant, seconded by Commissioner Gold, to approve consent agenda items 15.1.1 through 15.1.5, agreeing with Growth Services Department staff and the P&Z Commission recommendations, based on findings that the proposed uses are compatible with the surrounding land uses, are consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

The motion approved the Consent Agenda items as follows:

15.1.1. 220202SU - John Lee Jr., Special Use Permit in R-4, 0.61 Acres

The Board adopted Resolution 22-R-051 granting a petition by John T. Lee, Jr., 15158 NE 216th Court, Fort McCoy, FL, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow two (2) accessory structures with well and power - without a primary residence, (owner residence is across the street) in an R-4 (Mixed-Use Residential) zone, on an approximate 0.61 Acre Parcel, on Parcel Account Number 10520-001-04.

Resolution 22-R-051 contains the following Conditions:

1. This Special Use Permit shall run with the owner (John T. Lee, Jr.). The applicant (Angela Lee Dunn, daughter/POA) shall reside at 15158 NE 216th Court. In the event of Mr. John T. Lee, Jr. 's passing, the Special Use Permit shall then run with applicant and/or the applicant's spouse.
2. Placement of the 30' x 40' pole barn and 12' x 32' storage shed shall observe the accessory structure setbacks for the site's R-4 zoning, with the west boundary as the front, east boundary as the rear, and the north and south as the sides.
3. The 20' wide vegetative buffer that currently exists along the north and northwest boundaries of the site shall be maintained as shown on the conceptual plan; however dead or dying trees may be removed and replaced consistent with LDC provisions.
4. An E-Type Buffer shall be provided and maintained along the site 's east boundary along NE 216th Terrace; however, in lieu of the E-Type buffer an opaque privacy fence a minimum of 6' in height may be provided.
5. Electric service and a well may be provided to the subject property.

15.1.2. 220204Z - Golden Ocala Equestrian Land, LLC., B-2 to A-1, 18.2 Acres

The Board granted a petition by Golden Ocala Equestrian Land, LLC. Donald R. DeLuca, 7340 North Highway 27, Ocala, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from B-2 (Community Business) to A-1 (General

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Agriculture), for all permitted uses, on an approximate 18.2 Acre portion of a 32.45 Acre Parcel, on Parcel Account Number 12513-000-02.

15.1.3. 220205Z - Bruce Calder, ET AL and Barbara Moseley, R-4 to B-2, 4.28 Acres
The Board granted a petition by Bruce R. Calder, ET AL, 114 Pecan Run, Ocala, FL, and Barbara Moseley, 8430 Moes Acres Place, Bryceville, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from R-4 (Residential Mixed Use) to B-2 (Community Business), for all permitted uses, on an approximate 4.28 Acre Parcel, on Parcel Account Number 35670-000-00.

15.1.4. 220206Z - Vicki Loren Armour, P-MH and A-1 to A-1, 43.75 Acres
The Board granted a petition by Vicki Loren Armour, PO Box 369, Citra, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from A-1 (General Agriculture) and P-MH (Mobile Home Park) to A-1 (General Agriculture), for all permitted uses, on an approximate 43.75 Acre Parcel, on Parcel Account Number 03600-005-00.

15.1.5. 220207Z - Scott and Mary LaTour, A-1 and R-1 to R-4, 3.0 Acres
The Board granted a petition by Scott R. and Mary A. LaTour, 4701 NE Jacksonville Road, Ocala, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from A-1 (General Agriculture) and R-1 (Single Family Dwelling) to R-4 (Residential Mixed Use), for all permitted uses, on an approximate 3.0 Acre portion of a 14.39 Acre Parcel, on Parcel Account Number 15836-000-00.

15.2. Planning and Zoning Items for Individual Consideration:

15.2.1. 210401Z - Deer Path North - Phase 2 PUD, Master Plan Review and Approval
The Board considered the following recommendation as presented by ACA Tracy Straub on behalf of Growth Services:

Description/Background: 210401Z- HTM Developers, LLC. Deer Path North - Phase 2 PUD was approved with developmental conditions. One of the developmental conditions stated that the project's final PUD Master Plan shall require review and approval by the Marion County Board of County Commissioners. The Development Review Committee recommended final approval during their January 31, 2022 meeting.

Budget/Impact: None.

Recommended Action: Review and approve PUD Master Plan.

Senior Planner Christopher Rison, Growth Services, advised that the applicant has provided the Master Plan for Board review and approval as a requirement of the PUD Conditions. He stated the property is a 34.07 acre parcel, noting the final design resulted in 128 lots. The original illustration included 127 lots, but the PUD allowed for up to 135 lots. Mr. Rison provided a brief overview of the proposed site plan. He advised that a rezoning application to eliminate all buffer requirements for this PUD has been submitted and is going through the application process.

In response to Chairman Zalak, Mr. Rison stated the new application will come to the Board in approximately April 2022.

Chairman Zalak opened the floor to public comment.

Carol Gioglio, East Fort King Street, expressed traffic concerns.

In response to Ms. Gioglio, Chairman Zalak advised that the applicant is proposing to move the emergency exit, noting there will not be daily traffic going down Fort King to enter the subdivision.

Ms. Gioglio commented on the existing trees in the area and urged to Board to require Deer Path Phase 2 to have their own entrance.

Chairman Zalak advised that emergency access will be gated and will not be a daily ingress/egress.

Mr. Rison stated the new proposed emergency access is on East Fort King Street.

In response to Ms. Gioglio, Mr. Rison advised that the development will be connecting to Marion County Utilities for water and sewer services.

ACA Angel Roussel stated there is no change in service areas at this time; therefore, Ms. Gioglio will remain with Sunshine Utilities.

General discussion ensued.

Chairman Zalak advised that public comment is now closed.

David Tillman, SE 16th Avenue, Tillman & Associates Engineering, on behalf of the applicant, advised that having the emergency access point on E Fort King Street made more sense for the development, noting this access will only be used in emergency situations and will not be a daily ingress/egress. He stated there are no plans to make any utility connections through Ms. Gioglio's subdivision. Mr. Tillman advised that all the trees in place along Ms. Gioglio's lot line are planned to remain in place.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve the final PUD Master Plan. The motion was unanimously approved by the Board (5-0).

15.2.2. 211210Z - Daniels Lots, LLC., B-2 to R-3, 4.58 Acres

The Board considered a petition by Daniels Lots, LLC. John P. Daniels, 3843 48th Avenue South, St. Petersburg, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from B-2 (Community Business) to R-3 (Multiple Family Dwelling), for all permitted uses, on an approximate 4.58 Acre Parcel, on Parcel Account Number 9027-0000-21.

WRITTEN OPPOSITION WITHIN 300 FEET 1 of 21= 5%

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Bonner, seconded by Mr. Kroitor, to disagree with staff's findings and recommendation, and recommend approval of the requested 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 4-2 with Mr. Behar and Mr. Fisher dissenting

Transportation Planner Kenneth Odom, Growth Services, commented on the request for a zoning change. He stated staff is recommending denial based on the fact that it is a multifamily residential development in the midst of single-family residential homes. There are multifamily residential homes being built in other areas of Silver Springs Shores; however, they are not completely enclosed by single family residential homes.

In response to Chairman Zalak, Mr. Odom advised that Lake Diamond subdivision is a PUD, which allows High Density Residential. Turning Leaf subdivision is to the southeast and contains two story single family homes. Silver Springs Shores Unit 7 is directly west

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of the subject property. He stated the density of the Lake Diamond PUD is approximately 4 units per acre.

John Daniels, 48th Avenue South, St. Petersburg, presented five 11x17 handouts containing maps of the subject property and surrounding areas and provided a brief history of the zoning on the subject parcel and the surrounding area. He advised that his intent is to have the land rezoned to conform to the underlying land use and sell the property, noting the underlying land use is High Density Residential.

Mr. Daniels commented on the need for multifamily housing within Marion County.

In response to Chairman Zalak, Mr. Odom advised that if the applicant is building multifamily units a type "A" buffer is required.

Mr. Daniels stated the intent is to rezone to R-3, which would allow all uses compatible for R-3 zoning.

General discussion ensued.

Mr. Minter questioned if the current land use is compatible with the zoning. Mr. Odom stated the property is High Density Residential with B-2 zoning. He advised that in order to make it compatible the property would need to be rezoned to an "R" designation.

Chairman Zalak stated the Board is obligated to either approve some type of residential use or change the land use designation.

Mr. Daniels advised that he has no intention of creating a PUD or developing the property. He reiterated the plan is to sell the property.

Chairman Zalak opened the floor to public comment.

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

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to approve the rezoning request from B-2 to R-3, disagreeing with Growth Services staff and agreeing with the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest.. The motion was approved by the Board by a vote of 4-1, with Chairman Zalak voting nay.

15.2.3. 220201SU - Kevin and Sandra Barrentine, Special Use Permit in A-1, 1.46 Acres
The Board considered a petition by Kevin R. and Sandra Barrentine, 7365 NW 83rd Court Road, Ocala, FL, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow parking of one (1) Commercial Vehicle, in an A-1 (General Agriculture) zone, on an approximate 1.46 Acre Parcel, on Parcel Account Number 12491-002-12.

WRITTEN OPPOSITION WITHIN 300 FEET 1 of 13= 8%

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Kroitor, seconded by Mr. Behar, to agree with staff's findings and recommendation, and recommend approval of the requested 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 6-0

Senior Planner Ken Weyrauch, Growth Services, commented on the Special Use Permit request.

In response to Chairman Zalak, Mr. Weyrauch advised that the road entering the site is a non-County maintained private road.

It was noted that the Growth Services Department staff and the P&Z Commission recommended approval of the Special Use Permit with the following Conditions:

1. The site shall be operated consistent with the submitted conceptual plan and conditions as provided with this approval.
2. The owner/operator of the commercial vehicle shall reside onsite.
3. This Special Use Permit shall run with the applicant (Sandra Barrentine) and not the property.
4. The Special Use Permit is limited to a maximum of one (1) commercial vehicle specifically a commercial tractor (2015 International Prostar) only (VIN 3HSDJAPR9FN022868) as indicated in the submitted application.
5. No mechanical repairs/maintenance on the commercial vehicle shall take place on-site.
6. The ingress/egress shall be from NW 83rd Court Rd. The applicant may be required to stabilize the existing driveway if the private subdivision deems it necessary to continue the use of NW 83rd Court Rd. Any driveway apron and/or other related improvements required by the Marion County Transportation Department, according to this condition, shall be completed within ninety (90) days of notification that improvements must be made.
7. A six-foot (6') opaque fence shall be installed on the east boundary line of the property to provide for screening of the commercial vehicle. Unless specifically restricted by the HOA documents.
8. The Special Use Permit shall expire on February 17, 2027. The applicant may submit a new Special Use Permit Application for consideration to renew and extend this permit in the future.

Mr. Weyrauch stated the applicant has agreed to staff's proposed Conditions.

In response to Commissioner Stone, Mr. Weyrauch advised that the Homeowners Association (HOA) will allow the parking of the semi-tractor.

Sandra Barrentine, NW 83rd Court Road, applicant, confirmed she does agree with the conditions provided by staff. She stated the semi-tractor has been parking on the property for 9 years and she was unaware a permit was needed.

Chairman Zalak opened the floor to public comment.

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

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to adopt Resolution 22-R-052 approving the Special Use Permit request with Conditions 1 through 8, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

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 Mary Elizabeth Burgess and Deputy Clerk Mills-McAllister regarding petitions for rezoning and Special Use Permits heard earlier in the meeting.

A motion was made by Commissioner Gold, seconded by Commissioner Bryant, to adopt Ordinance 22-06 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (5-0).

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Ordinance 22-06 is entitled:

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

There being no further business to come before the Board, the meeting thereupon
adjourned at 2:58 p.m.

Carl Zalak, III, Chairman

Attest:

Gregory C. Harrell, Clerk