

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

February 18, 2025

CALL TO ORDER:

The Marion County Board of County Commissioners met in regular session in Commission Chambers at 9:02 a.m. on Tuesday, February 18, 2025, at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

9:00 AM ROLL CALL:

Upon roll call the following members were present: Chairman Kathy Bryant, District 2; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5. Vice-Chairman Carl Zalak, III, District 4, arrived shortly after the meeting commenced. Also present were Clerk Gregory C. Harrell, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Angel Roussel, ACA Tracy Straub, ACA Amanda Tart, and Executive Director of Internal Services Mike McCain.

Vice-Chairman Carl Zalak, III, District 4, arrived at 9:03 a.m.

ANNOUNCEMENTS:

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

1. PROCLAMATIONS AND PRESENTATIONS:

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

1.1. PROCLAMATION - Engineers Week - Amber L. Gartner, P.E., on behalf of the Florida Engineering Society (Approval and Presentation)

The Board presented the Proclamation designating the week of February 16 through February 22, 2025 as "Engineers Week" to Amber L. Gartner, on behalf of the Florida Engineering Society, several staff members from the Office of the County Engineer (OCE), as well as representatives from the engineering community.

Amber Gartner advised that as part of the Engineers Week awareness campaign, the Florida Engineering Society encourages young students to pursue futures in Math, Science, Engineering, and Technology. She provided a brief overview of upcoming celebration events, which include the "Math Counts" competition designed for middle school students, noting this year 10 students from four different schools in Marion County, including Howard Middle School, North Marion Middle School, Liberty Middle School, and Belleview Middle School, would advance to the State competition scheduled for March 14, 2025. Ms. Gartner also advised of the upcoming "Engineering Day" activities at the Discovery Science Center, planned for March 15, 2025 designed for students aged 5 through 15, providing hands-on experiences such as constructing egg cradles and dropping them from bucket trucks. She commented on the organizations involvement with

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the Institute for Human and Machine Cognition's (IHMC) "Science Saturday" program, which they will be hosting on April 4, 2025 offering enriching programs for students in third through seventh grade.

1.2. PROCLAMATION - Ocala Chapter, National Society Daughters of the American Revolution Month and 100th Anniversary - Renee Coventry, Regent, Ocala Chapter (Approval and Presentation)

The Board presented the Proclamation designating the month of March 2025 as the "Ocala Chapter National Society Daughters of the American Revolution Month" to Renee Coventry and several representatives from National Society Daughters of the American Revolution (DAR). The Proclamation also recognizes the Chapter's 100th anniversary.

Renee Coventry, Regent, Ocala Chapter, DAR, expressed her appreciation to the BCC for commemorating an important milestone. She commented on various initiatives undertaken by the Chapter, which included providing copies of the U.S. Constitution to Marion County's fifth-grade students, awarding scholarships, promoting literacy, and working with veterans. Ms. Coventry provided a brief overview of upcoming events organized by the Chapter to honor the anniversary and promote American history. These included the hosting of the American Battlefield Trust's American Revolutionary War Experience exhibit at Christ the King Anglican Church, happening during spring break from March 17th to the 21st, 2025. This free, educational event is aimed at all ages. She advised that the Chapter is lobbying for a dedicated space in the Marion County Veterans Park to honor Revolutionary War Patriots.

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

Commissioner Bryant out at 9:20 a.m.

Commissioner Stone out at 9:20 a.m.

1.3. PROCLAMATION - 2025 Southeastern Youth Fair (Approval Only)

The Board approved the Proclamation recognizing the Southeastern Youth Fair's 85th anniversary.

1.4. PROCLAMATION - Eagle Scout Court of Honor - Baylie Ayala (Approval Only)

The Board approved the Proclamation congratulating Baylie Ayala upon attaining the status of Eagle Scout in the Boy Scouts of America organization.

Commissioner Stone returned at 9:22 a.m.

Commissioner Bryant returned at 9:22 a.m.

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

County Administrator Mounir Bouyounes advised of a revision to Agenda Item 1.4, noting a copy of the Proclamation congratulating Baylie Ayala upon attaining the status of Eagle Scout was inadvertently not attached to the Agenda packet.

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

Chairman Bryant requested staff provide a brief update relating to Agenda Item 6.1. (request to consider an Ordinance to amend Chapter 5.5 of the Marion County Building Code).

Mr. Bouyounes advised that staff are recommending additional revisions be made to the proposed Ordinance, noting staff will be requesting the BCC continue the public hearing scheduled this morning at 10:00 a.m.

Chairman Bryant opened the floor for public comment.

Robert J. Quirk, NE 28th Loop, addressed the Board in regard to Agenda Item 6.1. He stated the Preserve Estates at Wilderness Condominium Association was part of the catalyst for the proposed Ordinance. Mr. Quirk advised that he is very appreciative of the proposed Ordinance addressing gazebos, noting most of the lot owners in his subdivision are looking to build some type of shade structures on their properties. He commented on previous confusion as to whether a permit is required. Mr. Quirk advised that the proposed Ordinance relates to shade structures up to 160 square feet (sf) and opined that the size of gazebos needs to be increased at least 168 sf (12x14).

Chairman Bryant requested Mr. Quirk meet with Building Safety Director Michael Savage on this matter prior to the next public hearing.

Building Safety Director Michael Savage stated he will meet with Mr. Quirk to address this issue.

Chairman Bryant advised that public comment is now closed.

3. ADOPT THE FOLLOWING MINUTES: (3 sets)

3.1. October 29, 2024

3.2. November 5, 2024

3.3. November 7, 2024

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt the meeting minutes of October 29, November 5 and 7, 2024. The motion was unanimously approved by the Board (5-0).

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:

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

The Board considered the following recommendation from Tax Collector George Albright:

Description/Background: Summary of bids for May 2025 delinquent advertising: Estimated totals based on approximately 26,000 real estate and 775 tangible personal property delinquent accounts.

Voice of South Marion:

Real Estate \$0.31 line/\$0.93 per parcel	\$24,180
Tangible \$0.31 line/\$0.62 per parcel	<u>\$ 481</u>
Total	\$24,661

Ocala Gazette:

Real Estate \$0.33 line/\$0.99 per parcel	\$25,740
Tangible \$0.33 line/\$0.66 per parcel	<u>\$ 512</u>
Total	\$26,252

Ocala Star Banner:

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

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

Director of Tax Services Craig Silverman, Marion County Tax Collector's Office, presented a request for the BCC to select a newspaper to advertise real estate and personal property with delinquent taxes in accordance with Chapter 197.402, Florida Statutes (FS), noting this is a statutory requirement that needs approval from the BCC to move forward.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to approve the selection of Voice of South Marion as the newspaper for advertising.

Commissioner McClain advised that in the past, the Board had looked into moving away from advertising through a newspaper to a fully online platform and expressed interest in revisiting this option to streamline the process.

County Administrator Bouyounes advised that a decision regarding online posting would have to come from the Tax Collector's Office, noting a similar initiative was explored in 2022, but it did not work out at that time. He stated staff had coordinated with all Constitutional Officers previously, but it didn't yield the desired results. As such, the issue remains unresolved. Mr. Bouyounes stated staff will revisit the initiative and conduct further discussions in coordination with all relevant Constitutional Officers to explore the feasibility of moving to an online platform for advertising delinquent taxes.

The motion was unanimously approved by the Board (5-0).

County Administrator Bouyounes advised of 2 Walk-On Items from the Tax Collector's Office that were to be addressed by the County Attorney's Office (under Item 8), but can be addressed at this time if the Board desires.

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

8.2. Walk-On: Request Approval of Resolution Pursuant to Florida Statute 145.022, Establishing Salary for George Albright, Tax Collector of Marion County

The Board considered the following recommendation to adopt a Resolution as presented by County Attorney Matthew Minter:

Description/Background: Pursuant to Florida Statute 145.022, the Marion County Tax Collector has requested via letter attached that the Board of County Commissioners adopt a Resolution to continue the Tax Collector as an office under the County budget system, which provides that the Tax Collector's salary will be based on the rates and population figures set out in Chapter 145, Florida Statutes, subject to fees collected by the Tax Collector's Office being turned over to the Board of County Commissioners.

Mr. Albright indicates this request is consistent with prior resolutions for the same purpose.

Budget/Impact: Neutral.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute Resolution to continue the Tax Collector under the County budget system for the duration of his current term in office.

Attorney Vanessa Thomas, legal counsel for the Tax Collector's Office, advised that the request is to adopt a Resolution to continue the Tax Collector as an office under the

County budget system, which provides that the Tax Collector's salary will be based on the rates and population figures set out in Chapter 145, Florida Statutes (FS).

Chairman Bryant opened the floor to public comment.

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

In response to Commissioner Stone, Ms. Thomas stated the reason this came before the Board as a Walk-On Item is that there is usually a deadline to provide the information to the Department of Revenue (DOR).

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Resolution 25-R-51 to continue the Tax Collector under the County budget system for the duration of his current term in office. The motion was unanimously approved by the Board (5-0).

Resolution 25-R-51 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR CONTINUATION OF THE TAX COLLECTOR ON THE BUDGET SYSTEM FOR THE DURATION OF HIS CURRENT TERM OF OFFICE AND PROVIDING FOR AN EFFECTIVE DATE

8.3. Walk-On: George Albright, Tax Collector - Request Approval for Marion County to Provide Payment of The Monthly Rental for One-Half of The Month of January 2025 and for The Months of February and March 2025 Until a Fourth Lease Renewal Agreement with Ocala Springs Shopping Center, LLC (Budget Impact - \$7,525)

The Board considered the following recommendation as presented by County Attorney Minter:

Description/Background: The Marion County Tax Collector requests that Marion County agree to provide payment of the monthly rental for one-half of the month of January 2025 and for the months of February and March 2025 until a Fourth Lease Renewal agreement with Ocala Springs Shopping Center, LLC for a term of five (5) years commencing January 15, 2025 can be placed on a March 2025 Agenda for consideration by the Board of County Commissioners.

The Marion County Tax Collector has re-negotiated the terms of the renewal so that the current rental rate of \$3,010.00 per month, which includes CAM and tenant's share of operating expenses shall remain the same through year one (1) of a five-year renewal. The landlord is seeking a rental increase for years two (2) through five (5) to \$3,440.00 per month including CAM and tenant's share of operating expenses.

The provision to pay the rent due for half of January and the months of February and March 2025 do not cause an additional budget impact for fiscal year 2024/2025. The total amount of this request is \$7,525.00 to be paid to the landlord Ocala Springs Plaza, LLC.

Budget/Impact: \$7,525.00.

Recommended Action: Motion to approve providing payment of the monthly rental for one-half of the month of January 2025 and for the months of February and March 2025 until a Fourth Lease Renewal agreement with Ocala Springs Shopping Center, LLC for a term of five (5) years commencing January 15, 2025 can be placed on a March 2025 Agenda for consideration by the Board of County Commissioners.

Exhibit A-Letter from Tax Collector

Exhibit B-Current Lease Agreement.

Attorney Vanessa Thomas, legal counsel for the Tax Collector's Office, stated the request relates to one of the Tax Collector's branch offices located in Ocala Springs Shopping Center on the corner of Highway 326 and Highway 441. She commented on an upcoming lease renewal, noting the request is to continue lease payments for this branch office through March to allow time for negotiating new lease terms. Ms. Thomas noted once the new lease renewal has been negotiated, it will come back to the BCC for approval in March 2025.

In response to Chairman Bryant, Ms. Thomas stated she will work with the property owner to try and have future lease renewal dates coincide with the County's fiscal year (FY).

Chairman Bryant opened the floor to public comment.

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

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to approve providing payment of the monthly rental for one-half of the month of January 2025 and for the months of February and March 2025 until a Fourth Lease Renewal agreement is executed with Ocala Springs Shopping Center, LLC for a term of five (5) years commencing January 15, 2025.

Commissioner Stone expressed her appreciation to the Tax Collector for having branch offices located throughout the County for the convenience it offers to citizens.

The motion was unanimously approved by the Board (5-0).

5. CLERK OF THE CIRCUIT COURT:

5.1. Budget Amendment

Clerk Harrell advised that Item 5.1.16 specifically relates to Consent Agenda Items 7.8.3, 7.8.4, and 7.8.5.

Commissioner Stone stated she would like to move forward Consent Agenda Items 7.8.3, 7.8.4, and 7.8.5. to be considered at the same time as the Board adopts the Budget Amendment Resolutions. It was the general consensus of the Board to concur.

Upon motion of Commissioner Stone, seconded by Commissioner Curry, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Clerk Harrell; as well as approving coinciding Consent Agenda Items 7.8.3, 7.8.4, and 7.8.5.

5.1.1. 25-R-52 – 2nd Local Option Fuel Tax Fund - Transportation Improvement 2nd 5 Cents - \$9,998,263

5.1.2. 25-R-53 - Building Safety Fund - Building - \$180,000

5.1.3. 25-R-54 - County Transportation Maintenance Fund - Road and Street Facilities - \$5,049,840

5.1.4. 25-R-55 - Fine and Forfeiture Fund - Sheriff Regular Transfer - \$8,278

5.1.5. 25-R-56 - General Fund - Clerk to County Commission Transfer - \$6,213

5.1.6. 25-R-57 - General Fund - Fleet Management - \$9,000

5.1.7. 25-R-58 - General Fund - Multiple Cost Centers - \$31,000

5.1.8.a 25-R-59 - General Fund - Multiple Cost Centers - \$84,702

5.1.8.b 25-R-60 - General Fund - Multiple Cost Centers - \$157,257

5.1.9. 25-R-61 - General Fund - Sheriff Emergency Management Transfer - \$7,360

5.1.10. 25-R-62 - General Fund - Sheriff Jail Transfer - \$6,461

5.1.11. 25-R-63 - Infrastructure Surtax Capital Project Fund - Infrastructure Tax Transport - \$926,372

- 5.1.12.** 25-R-64 - Insurance Fund - Employee Health - \$49,240,169
- 5.1.13.** 25-R-65 - Marion County Utility Fund - Utilities Water System - \$100,000
- 5.1.14.** 25-R-66 - MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$60,933
- 5.1.15.a** 25-R-67 - Multiple Funds - Multiple Cost Centers - \$97,055
- 5.1.15.b** 25-R-68 - Multiple Funds - Multiple Cost Centers - \$3,526
- 5.1.16.** 25-R-69 - Parks and Recreation Fees Fund - Parks and Recreation Fees - \$1,841,864

(Ed. Note: MSTU is the acronym for Municipal Service Taxing Unit and CID is the acronym for Criminal Investigative Division.)

Commissioner Zalak commented on Budget Amendment Resolution 5.1.16, noting he is excited about the new fields that will be going in at the Rotary Sportsplex.

Commissioner Stone advised that while attending the Central Florida Metropolitan Planning Organization (CFMPO) meeting, she was approached by a Commissioner from Seminole County who told her that he comes to Marion County frequently because his grandchild plays at these fields and spoke highly of the County's sports fields.

5.2. Clerk of the Court Items

5.2.1. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 040716, 040733 and 050817

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to approve the Acquisition or Disposition of Property Forms for 040716, 040733 and 050817. The motion was unanimously approved (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 McClain, seconded by Commissioner Stone, the Board acted on the Consent Agenda as follows:

7.1. Administration:

7.1.1. Request Approval of Small Project Completion and Certification Form for Hurricane Idalia Damages (Budget Impact - Additional Revenue of \$14,097)

The Board accepted the following recommendation as presented by County Administrator Mounir Bouyounes:

Description/Background: Marion County has submitted one (1) project to The Federal Emergency Management Agency (FEMA) for reimbursement of Emergency Protective Measures for Hurricane Idalia. FEMA has reviewed the documentation and transferred the project to the State of Florida for 100% reimbursement.

The reimbursement is to be deposited in the funds as shown below:

Row Labels	Sum of Amount
0010-General Fund	\$13,311.13
1120-Fire Rescue and EMS Fund	\$473.01
1320-Silver Springs Shores Special Tax District	\$118.11
4520-Marion County Utility Fund	\$194.00
Grand Total	\$14,096.25

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Budget/Impact: Revenue generating; additional revenue of \$14,097.

Recommended Action: Motion to approve and authorize the Chair to execute the Small Project Completion and Certification Form for Hurricane Idalia Damages.

7.2. Attorney:

7.2.1. Request Approval of Settlement Agreement for Water and Wastewater Improvements related to Oak Trace Villas Phase 2 and Phase 3 Development

The Board accepted the following recommendation as presented by County Attorney Matthew Minter:

Description/Background: This agreement goes back to 1999, and relates to provision of County Water and Wastewater Services to a development known as Oak Trace Villas at SW 85th Ct, off of SW 103rd Street Road, which connects to SR 200. The property was in a Federal Court receivership in the late 90's, and in 1999, the Receiver entered into Marion County Water and Wastewater System Standard Developer's Service Agreement Contract No. 99-07. The Receiver assigned its rights under that Agreement to the current developer's predecessor, 103rd Street Partnership, who has now assigned its rights under the Agreement to the current developer, Straight Line Construction of Gainesville, LLC. For several years, Marion County staff and the County Attorney's Office have engaged in negotiations with developer's representatives, with the main focus on quantifying the number of Water and Wastewater Equivalent Residential Connection (ERC) credits that the developer is entitled to. We now have a developer actively proceeding with development of Phase 2 and Phase 3 of Oak Trace Villas, and this Agreement will resolve those issues, specifically as provided in Section 6.1, 42 Water Credits and 42 Wastewater Credits to be used for Water and Wastewater Capital Charges for the developments within 7 years of execution of the settlement agreement. These determinations were based on the best available information, relating back to the 1999 Agreement, and in order to avoid the expense of uncertain litigation between the parties.

Budget/Impact: Neutral.

Recommended Action: Motion to Approve Settlement Agreement for Water and Wastewater Improvements related to Oak Trace Villas Phase 2 and Phase 3 Development.

7.3. Community Services:

7.3.1. Request Approval of a Fourth Modification Agreement Between Marion County and Willie Mae Scott and Calvosia Lamar Bradley (Budget Impact - None)

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

Description/Background: On February 15, 2002, Community Services assisted Willie Mae Scott with State Housing Initiatives Partnership (SHIP) Housing Program funds. Ms. Scott was approved for a home replacement in the amount of \$66,427.28 with the original Mortgage and Promissory Note recorded with the Marion County Clerk of Court on February 20, 2002. Throughout the years additional modifications have been made on behalf of the homeowner. Staff identified that Ms. Scott passed away and realized that her son Mr. Calvosia Lamar Bradley was awarded the home through the probate process. Therefore, this modification allows her son to assume all rights and duties of the Borrower and

resumes monthly mortgage payments to the County for the remaining loan terms. Staff has communicated with Mr. Bradley and recommends approval of the modification.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Mortgage Modification between Marion County and Calvosia Lamar Bradley, son of Willie Mae Scott and all necessary documentation associated with the Marion County SHIP Housing Program Funds.

7.3.2. Request Approval of the Second Amendment to Marion County Standard Professional Services Agreement Challenge Grant Program Between Marion County and Ocala Housing Authority (Budget Impact - Neutral; not to exceed \$184,973)

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

Description/Background: Marion County Ocala/Marion Joint Office on Homelessness receives \$86,000 in Challenge Grant funding annually from the Department of Children and Families. On March 5, 2024 the Board of County Commissioners (BCC) approved an 8th amendment that increased Challenge Grant Funds to the Continuum of Care by \$369,944.82.

On July 2, 2024 the BCC approved an agreement with Ocala Housing Authority (OHA) to administer \$56,844 in Challenge Grant funds to provide permanent supportive housing to homeless families. On October 15, 2024 the BCC approved a first amendment to increase the agreement by \$39,292.80. This second amendment to OHA will increase its agreement by \$184,972.41 for a total amount of \$281,109.21. This additional funding will assist with case management and necessary repairs needed to OHA's permanent supportive housing units. The Continuum of Care Board of Governors supports the increased funding to OHA.

Budget/Impact: Neutral; not to exceed \$184,972.41.

Recommended Action: Motion to approve and authorize the Chair and Clerk to execute the Second Amendment to the Agreement between Marion County and Ocala Housing Authority to include all necessary documents associated with this agreement.

7.4. Development Review Committee:

7.4.1. Request Approval of a Final Plat for Harmony Estates, Parcel Numbers 47659-000-01 and 47659-000-02, Application Number 32085 (Budget Impact - None)

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

Description/Background: This is a request to approve the Final Plat for Harmony Estates.

This subdivision is located in the southeast portion of the County containing six (6) lots and zero (0) miles of road on approximately 71.44 acres.

This Final Plat was approved by the Development Review Committee on February 3, 2025.

Budget/Impact: None.

Recommended Action: Motion to approve the Final Plat for Harmony Estates and authorize the Chairman and Clerk to execute the same.

7.4.2. Request Approval of Waiver Request for Land Development Code Section 2.16.1.B(8)(g) - Agricultural Lot Split Establishment of County Municipal Services Benefit Unit for Dungarven Ridge, Parcel Number 02691-000-00, Application Number 32273 (for Agricultural Lot Split Application Number 32272) (Budget Impact - None)

The Board accepted the following recommendation as presented by Building Safety Director Savage on behalf of the DRC:

Description/Background: Section 2.16.1.B(8)(g) of the Land Development Code (LDC) states a County Municipal Services Benefit Unit (MSBU) shall be established for the maintenance of the improvements created by this division prior to final approval and recordation. A waiver to this provision may only be granted by the Board upon review and recommendation by the Development Review Committee (DRC).

This Agricultural Lot Split is located in the northwest portion of the county containing 10 lots on approximately 125.78 acres. The LDC Section 2.16.1 allows 10 lots of 10 acres each for an Agricultural Lot Split.

The Applicant requests to allow an easement agreement that stipulates maintenance. DRC reviewed the request by the applicant, and after discussion acted on January 27, 2025 to recommend approval by the Board, ensuring the covenants stated access via the common easement would not be maintained by Marion County.

Budget/Impact: None.

Recommended Action: Motion to approve the Agricultural Lot Split without the creation of a MSBU subject to providing the appropriate documentation that the property owners will provide maintenance.

7.5. Fire Rescue:

7.5.1. Request Approval of the Grant Agreement for Community Paramedicine Services between the Community Foundation for Ocala/Marion County and Marion County (Budget Impact - Revenue of \$100,000)

The Board accepted the following recommendation as presented by Fire Chief James Banta, Marion County Fire Rescue (MCFR):

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

On January 21, 2025, the Marion County Board of County Commissioners (MCBCC) approved the Third Amendment to Community Paramedic Program agreement to accept the awarded funds of \$100,000 from Florida Hospital, Inc., a Florida not for profit corporation, d/b/a AdventHealth Ocala in partnership with the Community Foundation for Ocala/Marion County.

This grant agreement for Community Paramedicine services is to approve the agreement between MCBCC and the Community Foundation to accept the funds that are awarded from AdventHealth Ocala.

Budget/Impact: Revenue of \$100,000.

Recommended Action: Motion to approve the Grant Agreement for Community Paramedicine Services between the Community Foundation for Ocala/Marion County and Marion County.

7.5.2. Request Approval of Purchase Agreement Amendment 101 between Lutheran Services Florida and Marion County Board of County Commissioners d/b/a Marion County Fire Rescue for Coordinated Opioid Recovery Network of Addiction Care (Budget Impact - Neutral)

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

Description/Background: Marion County's Community Paramedicine approach, mission, and purpose is to reduce health spending while improving the health status of the residents of Marion County. The scope of work is for Marion County Fire Rescue (MCFR) to provide overdose (OD) patients with treatment that includes use of specialized emergency medical services (EMS) protocols for overdose and acute withdrawal to minimize precipitating symptoms.

MCFR will work with existing project partners and collaborate with Lutheran Services Florida to ensure patients are rapidly treated by EMS for OD withdrawal symptoms at both AdventHealth and HCA Ocala emergency department. This includes use of specialized EMS protocols as defined by the integrated Community Paramedicine Program Medical Director for OD and acute withdrawal to minimize advancing symptoms.

The purpose of this amendment is to remove monthly status reports and add the language of the Health Insurance Portability and Accountability Act.

Budget/Impact: Neutral.

Recommended Action: Motion to approve the Purchase Agreement Amendment 101 between Lutheran Services Florida and Marion County Board of County Commissioners d/b/a Marion County Fire Rescue for coordinated opioid recovery network of addiction care.

7.6. Growth Services:

7.6.1. Request for Approval for Assignment of Transferrable Development Credits (TDC 2009-01A) from Weyerhaeuser Company (Successor to Plum Creek Land Company and Plum Creek Timberlands, L.P.) to Weyerhaeuser NR Company for 558 Transferable Development Credits

The Board accepted the following recommendation as presented by Growth Services Director Chuck Varadin:

Description/Background: In 2009, the Board approved accepting a conservation easement over 1,957 acres from the Plum Creek companies, and in return issued 1,957 transferable development credits ("Credits") which the then petitioner requested be assigned to two of their then specific companies as follows: Plum Creek Land Company, 1,399 credits; Plum Creek Timberlands, L.P., 558 credits. The Plum Creek companies have since been acquired by and incorporated into the Weyerhaeuser Company, as the successor Credits holder. The Weyerhaeuser Company is requesting to assign 558 Credits to the Weyerhaeuser NR Company. The request is intended to update contact information on file with Marion County to facilitate private parties seeking to acquire their Credits.

The *Assignment of Transferrable Development Unit Credits* executed by Weyerhaeuser Company to Weyerhaeuser NR Company is attached. Transfer of the Credits will be effective upon recording of the executed form.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Assignment transferring 558 Credits from Weyerhaeuser Company to Weyerhaeuser NR Company, and authorize the Chairman to sign the *Assignment of Transferrable Development Unit Credits* form to reflect the Board's approval.

7.7. Human Resources:

7.7.1. Request Approval of the Reclassification of One Staff Assistant Position, Pay Grade 104 Non-Exempt, to One 911 Specialist Position, Pay Grade 103-108 Non-Exempt, within the Budget of 911 Management CM313525 (Budget Impact - Savings of \$2,362)

The Board accepted the following recommendation to adopt Resolution 25-R-70 as presented by Human Resources (HR) Director Sara Caron:

Description/Background: Requesting to reclassify a position within the Marion County 911 Management Department from a Staff Assistant II to a 911 Specialist matrix position. This request is driven by the significant increase in workload and responsibilities observed over the past few years, as well as the department's evolving needs. Reclassifying the position will ensure that staff are positioned at the appropriate level to handle the complexity of current and future demands.

Budget/Impact: Savings of \$2,362.

Recommended Action: Motion to approve the reclassification of one (1) Staff Assistant II position, pay grade 104 nonexempt, to one (1) 911 Specialist position, pay grade 103-108 non-exempt, within the budget of 911 Management CM313525.

Resolution 25-R-70 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE RECLASSIFICATION OF ONE (1) STAFF ASSISTANT II POSITION, PAY GRADE 104 NONEXEMPT, TO ONE (1) 911 SPECIALIST POSITION, PAY GRADE 103-108 NON-EXEMPT, WITHIN THE BUDGET OF 911 MANAGEMENT CM313525, ALONG WITH THE CORRESPONDING JOB DESCRIPTION AND PAY GRADE AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

7.8. Procurement Services:

7.8.1. Request Approval of Bid Award 24B-280: MCSO Jail Boiler Replacement - Air Mechanical & Service Corp., Tampa, FL (Budget Impact - Neutral; expenditure of \$336,981)

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

Description/Background: On behalf of Facilities Management, Procurement advertised a bid seeking qualified and experienced contractors for the replacement and repairs of the boilers at the Marion County Jail. After reviewing the bids submitted, it was decided by Facilities Director, Jared Goodspeed, that to fit within budget, a revised scope of work would be performed, which would exclude boiler replacement in two of the five buildings. This project is to include all labor and materials to replace boilers in three buildings and any additional repairs that may be needed, in the amount of \$336,981.03. There were two (2) submittals received, only one of which was deemed responsive. The revised tabulation is listed below:

Vendor – Location	Bid
Air Mechanical & Service Corp. – Tampa, FL	\$336,981.03
Balanced Mechanical & Plumbing Services – Ocala, FL	Non-Responsive

Facilities Director, Jared Goodspeed, recommends Air Mechanical & Service Corp. receive the award as the lowest, most responsive and responsible bidder. Attached for review is a draft contract, and upon approval at today's meeting, it will be sent to Air Mechanical & Service Corp. for signatures. Once returned, it will be forwarded to the County Attorney, Clerk and Chairman for signatures.

Budget/Impact: Neutral; expenditure not to exceed \$336,981.03, up to a two percent (2%) contingency may be added to the purchase order in accordance with the Procurement Manual. Funding is from VJ735523-562102 (Infrastructure Surtax Capital Project Fund) Project SOC000023.

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract and upon approval by Legal, authorize the Clerk and Chairman to execute the contract under 24B-280.

7.8.2. Request Approval of Bid Award: Q25-047 Marion Oaks Community Center Walking Trail Resurfacing Project - Superior Asphalt, Inc., Brooksville, FL (Budget Impact - Neutral; expenditure of \$59,901)

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

Description/Background: On behalf of the Municipal Services Department, Procurement advertised a bid to hire a qualified contractor to resurface the asphalt walking trail located at the Marion Oaks Community Center. This work will also include asphalt removal, excavation, rough grading and stabilizing disturbed areas. Three (3) submittals were received, and the tabulation is below:

Firm Name – Location	Bid Price
Superior Asphalt, Inc – Brooksville, FL	\$59,901.00
Live Oak Management Group, LLC – Live Oak, FL	\$83,848.50
C.W. Roberts Contracting, Inc – Ocala, FL	\$84,100.00

Municipal Services Director, Chad Wicker, recommends that Superior Asphalt, Inc. receive the award as the lowest, most responsive, and most responsible bidder.

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

Budget/Impact: Neutral; expenditure of \$59,901. Up to 10% contingency may be added to the purchase order in accordance with the Procurement Manual. Funding is from HG510519-563101 (Marion Oaks MSTU).

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract and authorize the Chairman and Clerk to execute the contract under Q25-047.

7.8.3. Request Approval of Bid Award: 25B-009 Rotary Sportsplex Field Improvements - Daly & Zilch, Inc., Lecanto, FL (Budget Impact - Neutral; expenditure of \$1,861,675)

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

Description/Background: On behalf of the Parks & Recreation Department, Procurement advertised a bid to hire a qualified general contractor for general improvements at Rotary Sportsplex Field including, but not limited to, tree removal, grading, utility and stormwater infrastructure, paving, landscaping, and other improvements in the conversion of two natural fields to synthetic turf. Three (3) submittals were received, and the tabulation is below:

Firm Name – Location	Bid Price
Daly & Zilch (Florida), Inc – Lecanto, FL	\$1,861,674.40
Integrity Site Development, Inc. – Anthony, FL	\$2,435,945.95
C.W. Roberts Contracting, Inc. – Ocala, FL	\$2,668,164.00

Parks & Recreation Department Director, Jim Couillard, recommends that Daly & Zilch (Florida), Inc. receive the award as the lowest, most responsive, and most responsible bidder.

Attached for review is a draft of the contract. Upon approval at today's meeting, it will be sent to Daly & Zilch (Florida), Inc. for signature and once returned, it will be forwarded to Legal, the Clerk and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$1,861,674.40 Up to 10% contingency may be added to the purchase order in accordance with the Procurement Manual. Funding is from AA715572-563102-PRC202201 (General Fund) - \$1,361,674.40, and AA361572-563102-PRC202201 (General Fund) - \$500,000.

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract and authorize the Chairman and Clerk to execute the contract under 25B-009.

(Ed. Note: This Item was addressed with Budget Amendment Resolution 5.1.16.)

7.8.4. Request Approval of Contract: 24C-255 Rotary Sportsplex Synthetic Turf Installation - Astroturf Corporation, Dalton, GA (Budget Impact - Neutral; expenditure of \$2,286,266)

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

Description/Background: On behalf of the Parks & Recreation Department, Procurement requests approval to contract with Astroturf Corporation to purchase and install the Astroturf Synthetic Turf System: LigaTurf RootZone 3D3 Blend 52-2". This project will also include drainage base construction. This is being purchased utilizing a competitively solicited contract through Sourcewell Cooperative Contract Number 031- 622-AST. This contract works in conjunction with project 25B-009 Rotary Sportsplex Field Improvements, which is also being presented to the Board today for approval.

Attached for review is the draft contract. Upon approval at today's meeting, the contract will be sent to Astroturf Corporation for signature and once returned, will be forwarded to Legal, the Clerk, and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$2,286,266. Funds are available in lines AA715572-563102-PRC202201 (General Fund) - \$369,402 and CR362572-563102-PRC202201 (Parks and Rec Fees Fund) - \$1,916,864.

Recommended Action: Motion to approve and allow staff to issue and authorize the Chairman and Clerk to execute contract with Astroturf Corporation under 24C-255.

(Ed. Note: This Item was addressed with Budget Amendment Resolution 5.1.16.)

7.8.5. Request Approval of Contract: 24C-258 Rotary Sportsplex Sports Lighting - Musco Sports Lighting, LLC, Oskaloosa, IA (Budget Impact - Neutral; expenditure of \$338,875)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of the Parks & Recreation Department, Procurement requests approval to contract with Musco Sports Lighting, LLC (Musco) to purchase and install sports field lighting at two synthetic turf fields at Rotary Sportsplex. This is being purchased utilizing a competitively solicited contract through Sourcewell Cooperative Contract number 041123-MSL. This contract will work in conjunction with the project 25B-009 Rotary Sportsplex Field Improvements, which is also being presented at the Board today for approval.

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

Budget/Impact: Neutral; expenditure of \$338,875. Funds are available in line AA715572-563102-PRC202201 (General Fund).

Recommended Action: Motion to approve and allow staff to issue and authorize the Chairman and Clerk to execute contract with Musco Sports Lighting, LLC under 24C-258.

(Ed. Note: This Item was addressed with Budget Amendment Resolution 5.1.16.)

7.8.6. Request Approval of Change Order 3 for Purchase Order 2500467: 24B-256, Marion County Sheriff Office Domestic Waterline - GWP Construction, Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$53,580)

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

Description/Background: On September 17, 2024, the Board approved a contract to GWP Construction, Inc. (GWP) for the waterline replacement at the Marion County Jail, in the amount of \$516,662.82. On December 17, 2024, a change order was issued to utilize \$6,263.23 of the contingency, after the contractor encountered an unexpected conflict with an unmarked 24" corrugated metal storm drain. On February 3, 2025, another change order was issued to utilize \$30,825.10 of the contingency to add a new water line to the jail warehouse building, tunneling the 8" water line under the perimeter fence and E&F pods, and new isolation valves to be installed at the A&C pods. Neither of those change orders required Board approval.

Change Order 3 is being presented to add an additional \$53,579.50. During Phase 2, GWP crews discovered that portions of Phase 1 were not completed as indicated on the as-built drawings. Phase 1 must be completed prior to completing Phase 2, which includes tying in the Phase 1 line to the jail at two (2) separate locations. The Phase 1 line also, must be cleaned and tested prior to tying into the building.

Attached for review is a copy of the Change Order. Pending approval today, the change order will be presented for the Clerk and Chair's signatures.

Budget/Impact: Neutral; additional expenditure of \$53,579.50 bringing the total purchase order amount to \$570,242.32. Funding is from line VJ735523-563102 (Infrastructure Surtax Capital Project Fund) Project SOC000025.

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Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute Change Order 3 to Purchase Order 2500467 for GWP Construction, Inc., under project 24B-256.

7.8.7. Request Approval of Contract: 25C-075 Drug Treatment Providers - CATS, Inc., Ocala, FL and Perspectives II, LLC, Summerfield, FL (Budget Impact - None)

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

Description/Background: On July 18, 2023, the Board approved a contract with Professional Probation Services, Inc. (PPS) to provide Misdemeanor Offender Supervision Services for the Clerk of the Court. PPS is seeking approval to have contract management authority over, as well as to work in conjunction with Drug Treatment Providers CATS, Inc. and Perspectives II, LLC to provide Substance Abuse Evaluation Services and Treatment as directed by PPS.

Attached for review is a draft of the identical contracts; pending approval at today's meeting, it will be sent to CATS, Inc. and Perspectives II, LLC for signatures and upon return, will be routed for same by the County Attorney, Clerk, and Chairman.

Budget/Impact: None, services are provided at no cost to the County.

Recommended Action: Motion to approve and execute agreements with CATS, Inc. and Perspectives II, LLC for Substance Abuse Evaluation Services and Drug Treatment Services under contract 25C-075.

7.8.8. Request Approval of Contract Amendment: 21Q-042-CA-04 Limerock Supplier - MJ Stavola Farms, Inc., Ocala, FL and Commercial Industrial Corp., Ocala, FL (Budget Impact - Neutral; expenditure not to exceed \$300,000)

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

Description/Background: On January 19, 2024, and February 21, 2021, the Board approved Limerock Supplier contracts with several suppliers to provide limerock material.

Based on a favorable review of the MJ Stavola Farms, Inc. and Commercial Industrial Corp., Steven Cohoon, P.E., County Engineer, recommends approval of a one-year renewal option. Attached for review is one draft (both are identical) of the contract amendment. Pending approval at today's meeting, the contract will be forwarded to the suppliers for review and signature. Once returned, it will then be sent for the County Attorney, Clerk, and Chairman's signatures.

Budget/Impact: Neutral; estimated expenditure of \$300,000. Funding comes from BN403541-553101 - 20% Gas Tax Construction Fund.

Recommended Action: Motion to approve the recommendation and allow staff to issue the contract. Upon approval by Legal, authorize the Chairman and Clerk to execute the contract with MJ Stavola Farms, Inc. and Commercial Industrial Corp. under 21Q-042-CA-04.

7.8.9. Request Approval of Contract Renewal: 21B-254-CA-02 Supply of Custom Solid Waste Compactors and Containers - Reaction Distributing, Inc., Ajax, Ontario (Budget Impact - Neutral; estimated annual expenditure of \$216,114)

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

Description/Background: On December 7, 2021, the Board approved a contract with Reaction Distributing, Inc. to provide and deliver custom solid waste compactors and containers. This supplier has complied with the original agreement's terms and conditions, which included two (2) annual renewal options, one of which was exercised on December 19, 2023. Solid Waste Director, Mark Johnson, recommends use of the final one (1) year renewal.

Attached for review is a draft contract. Should this be approved at today's meeting, it will be sent to Reaction Distributing, Inc. for signatures and upon return, will be forwarded to the County Attorney, Clerk and Chairman for signatures.

Budget/Impact: Neutral; estimated expenditure of \$216,114. Actual cost will vary and will not exceed the approved annual budgeted amount. Funding is from ZA427534-564101 (Solid Waste Disposal Fund).

Recommended Action: Motion to approve the contract renewal, allow staff to issue a contract and upon approval by Legal, authorize the Chairman and Clerk to execute the contract renewal under 21B-254-CA-02.

7.8.10. Request Approval of Contract Renewal: 21P-235-CA-01 - Weeks Auction Company, LLC, Ocala, FL (Budget Impact - Neutral)

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

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

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

Budget/Impact: Neutral.

Recommended Action: Motion to approve and allow staff to issue, and upon approval from Legal, authorize the Chairman and Clerk to execute the contract renewal under 21P-235-CA-01.

7.8.11. Request Approval of Ninth Contract Amendment: 18Q-160-CA-09 Southwest/Northwest 80th Avenue Widening Preliminary Engineering Report - Guerra Development Corp., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$388,530)

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

Description/Background: On November 18, 2018, the Board awarded a contract to Guerra Development Corp. to develop and provide a Preliminary Engineering Report (PER) that will support the widening and other future improvements to SW/NW 80th/70th Avenue from SW 90th Street to ½ mile north of US 27. The Office of the County Engineer requires additional work, including the design of two new roundabouts: one at the intersection of SW 80th Avenue and SW 38th Street, and second at SE 38th Street connecting to the southern West Port High School driveway. Other services include additional cultural resource assessment, environmental analysis, surveying, drainage retention area selection or

modification, corridor realignment, and the addition of plan sheets associated with project phasing and right-of-way acquisition.

Attached for review is a draft of the contract along with the fee schedule. Pending approval at today's meeting, the contract will be sent to Guerra Development Corp. for signatures. Once the contract is returned, it will be routed for appropriate County signatures.

Budget/Impact: Neutral; expenditure of \$388,530. Funding is available from VJ738541-563220 (Project STC073815) - Infrastructure Surtax Capital Project Fund.

Recommended Action: Motion to approve the request to allow staff to issue a contract amendment and upon approval by Legal, authorize the Clerk and Chairman to execute the Ninth Amendment with Guerra Development Corp. under 18Q-160-CA-09.

7.8.12. Request Approval of Selection Committee Recommendation: 24Q-279 Fire Training Facility - A&E Services - Monarch Design Group, LLC, Ocala, FL (Budget Impact - Neutral; expenditure of \$354,755)

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

Description/Background: On behalf of the Facilities Department, Procurement has issued a Request for Qualifications (RFQ) to engage professional architectural services. The project scope includes programming and conceptual design for a new fire station prototype and a fire training facility. This involves refining the general programmatic requirements, layout, size, and overall character of the facilities, building upon the initial master plan in collaboration with the user group. The civil engineering component will also encompass preliminary surveys, geotechnical testing, and environmental assessments. After receiving and evaluating eleven (11) submissions, five (5) were short-listed.

Phase I	
Firm – Location	Rank
Monarch Design Group, LLC – <i>Ocala, FL</i>	1- 720
Architecture Studio – <i>Ocala, FL</i>	2 - 650
Zyscovich Company – <i>Fort Lauderdale, FL</i>	3 – 595
The Lunz Group - <i>Lakeland, FL</i>	4 – 585
WJ Architects – <i>St. Petersburg, FL</i>	5 – 575
Phase II	
Firm – Location	Rank
Monarch Design Group, LLC – <i>Ocala, FL</i>	1 - 1,950
The Lunz Group - <i>Lakeland, FL</i>	2 - 1,720
Architecture Studio – <i>Ocala, FL</i>	3 - 1,610
Zyscovich Company – <i>Fort Lauderdale, FL</i>	4 - 1,320
WJ Architects - <i>St. Petersburg, FL</i>	5 - 1,060

The Selection Committee, comprised of Joshua Kramer, Kerry Blood, and Joe Rinuado, recommends awarding the contract to Monarch Design Group, LLC (MDG). Facilities Director, Jared Goodspeed, is in agreeance with the selection committee's recommendation and endorses awarding the contract to MDG. Attached for review is a draft of the contract, pending approval at today's meeting,

it will be sent to the firm for signatures. Once returned, it will be routed to the County Attorney, Clerk, and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$354,755. Funding is available in line VJ732522-562102 – Infrastructure Surtax Capital Project Fund.

Recommended Action: Motion to approve the recommendation and allow staff to issue to contract, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with MDG under 24Q-279.

7.8.13. Request Approval of Selection Committee Recommendation: 24Q-295 Tourism Photography and Video - Digital Fury, LLC, Ocala, FL and Maven Photo and Film, Ocala, FL (Budget Impact - Neutral; expenditure of \$250,000)

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

Description/Background: The Ocala/Marion County Visitors and Convention Bureau (OMCVCB) solicited proposals from qualified agencies for an annual contract to provide professional photography and videography services. The selected agency(ies) will capture high-quality, candid visuals showcasing leisure activities, outdoor adventures, business travel, event venues, and special occasions to position Marion County as a premier tourism destination.

The resulting content will be featured on the OMCVCB website, social media platforms, advertisements, and press materials. Bidders were required to submit a portfolio and comprehensive pricing that includes all shoot-related costs, such as travel, models, and post-production. Deliverables will consist of high-resolution edited photos and 4K video, provided within specified timeframes.

All images and videos will become the exclusive property of OMCVCB, delivered in both raw and edited formats, and uploaded to a digital asset management system for official use.

The Selection Committee, comprised of Jessica Heller, Sara Lambert, Austin Wicker, recommends awarding Digital Fury, LLC and Maven Photo and Film the contract.

Tourism Development Director, Loretta Shaffer, is in agreeance with the selection committee's recommendation and endorses awarding the contract to Digital Fury, LLC and Maven Photo and Film. Attached for review is one draft of the contract (both contracts are identical). Upon approval at today's meeting, it will be sent to the firm for signatures. Once returned, it will be routed to the County Attorney, Clerk, and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$250,000. Funding is available in line CP155552-548101 – Tourist Development Fund.

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Digital Fury, LLC and Maven Photo and Film under 24Q-295.

7.8.14. Request Approval of Task Order for Civil/Site Engineers for Miscellaneous Projects: 23Q-087-TO-34 Stormwater Asset Study - Kimley-Horn and Associates, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$75,475)

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

Description/Background: On June 6, 2023, the Board approved contracts with 10 engineering firms to provide various civil/site-related engineering services for the County. Firms were selected based on area of specialty and equitable distribution of work among all firms in accordance with §287.055 Consultant's Competitive Negotiation Act (CCNA).

Kimley-Horn and Associates, Inc. has been chosen to develop a comprehensive stormwater asset inventory and a structured inspection schedule to enhance the system's operation and maintenance.

Attached for review is the draft contract. If approved during today's meeting, it will be forwarded to the firm for signatures. Once signed and returned, the contract will be routed to the County Attorney, Clerk, and Chairman for final approval.

Budget/Impact: Neutral; expenditure of \$75,475. Funding comes from EK430538 - 531109 - Stormwater Program.

Recommended Action: Motion to approve and authorize staff to issue a Purchase Order to Kimley-Horn and Associates, Inc. under 23Q-087-TO-34.

7.8.15. 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 in conformance with the Procurement Code/Manual, pending approval at today's meeting.

1. Pending Requisition/Alan Jay Ford Lincoln - Marion County Office of the County Engineer is seeking approval to purchase two (2) 2025 Ford F-350 Super Crew Cab at the cost of \$57,968 per unit, to include all specifications detailed on the quote attached. This purchase will replace Asset #37669 (P-17) and Asset #43985 (P-183) which have met the Fleet Department's replacement criteria. Total expenditure of \$115,936; funds are available in line BL400541-564101 - County Transportation Maintenance Fund. This purchase meets competitive bidding requirements under Sourcwell Contract 091521-NAF and 032824-NAF.
2. Pending Requisition/Ring Power Corporation - Marion County Office of the County Engineer is seeking approval to purchase one (1) Caterpillar 926 Wheel Loader at the cost of \$215,353 to include all specifications detailed on the quote attached. This purchase will replace Asset #39479 (L-12), which has met the Fleet Department's replacement criteria. Total expenditure of \$215,353; funds are available in line BL400541-564101 - County Transportation Maintenance Fund. This purchase meets competitive bidding requirements under Sheriffs Contract FSA23-EQU21.0.
3. Pending Requisition/Florida Coast Equipment - Marion County Office of the County Engineer is seeking approval to purchase three (3) Kubota Utility Vehicles RTVX2-SKLH24 at the cost of \$17,756.71 per unit to include all specifications detailed on the quote attached. This purchase will replace Asset #47210 (ATV-46), Asset #47205 (ATV-47), and Asset #45817 (ATV-48), which have met the Fleet Department's replacement criteria. Total expenditure of \$53,270.14; funds are available in line BL400541-564101 - County Transportation Maintenance Fund. This purchase meets competitive bidding requirements under Sourcwell Contract 031121-KBA.

4. Pending Requisition/Ring Power Corporation - Marion County Office of the County Engineer is seeking approval to purchase one (1) Caterpillar 289D Compact Track Loader at the cost of \$89,691 to include all specifications detailed on the quote attached. This purchase will replace Asset #46282, which has met the Fleet Department's replacement criteria. Total expenditure of \$89,691; funds are available in line BL400541-564101 – County Transportation Maintenance Fund. This purchase meets competitive bidding requirements under Sheriffs Contract FSA23-EQU21.0.
5. Pending Requisition/ATMAX Equipment - Marion County Office of the County Engineer is seeking approval to purchase one (1) Mowermax Prime Mover at the cost of \$254,670.63 per unit to include all specifications detailed on the quote attached. This purchase will replace Asset #50687 (TT-9), which has met the Fleet Department's replacement criteria. Total expenditure of \$254,670.63; funds are available in BL400541-564101 – County Transportation Maintenance Fund. This purchase meets competitive bidding requirements under Sheriffs Contract FSA23-EQU21.0.
6. Pending Requisition/Razorback LLC - Marion County Utilities requests approval to replace the hydropneumatics tank at the Cedar Hills Water Treatment Plant. Total expenditure of \$131,225. Funds are available in line UTC000137 - ZF448536-563102 - Marion County Utility Fund. This purchase meets competitive bidding requirements under contract 23B-134.
7. Pending Requisition/Carahsoft Technology Corp. - Marion County Fire Rescue (MCFR) requests approval to renew their annual subscription for First Due Pre-Planning software, which includes one (1) Access to First Due Platform for single agency (\$59,473.37), one (1) Access to the First Due Fire Prevention Suite (\$37,537.50). MCFR also requests to renew this contract annually, per the agreement terms, without being brought back to the Board for approval provided the expenditure does not exceed future fiscal year budgeted amounts. Total expenditure of \$97,010.87; funds are available in line EF300522-552106 - Fire, Rescue and EMS Fund. This purchase meets competitive bidding requirements under contract 23C-219.
8. Pending Requisition/Cumberland International Trucks - Marion County Solid Waste requests approval to purchase one (1) 2025 International HX-Grapple Truck which includes a Rotobec loader and 24' dump body, Allison 4,000 RDS transmission, Frame reinforcement, and 46,000-pound rear axle with driver controlled differential locking mechanism. Total expenditure of \$327,678.50. Funds are available in line ZA425534-564101 - Machinery & Equipment. This purchase meets competitive bidding requirements under Sheriffs Contract FSA23-VEJ21.1.

Recommended Action: Motion to approve purchases over \$50,000.

7.9. Public Safety Communications:

7.9.1. Request Approval of Acceptance of a 2023 Starcraft 26BH Travel Trailer by Marion County Public Safety Communications for Record (Budget Impact - None)

The Board accepted the following recommendation as presented by Public Safety Communications Director Lisa Cahill:

Description/Background: On October 17, 2024, the County Administrator signed a memorandum of agreement with the State of Florida Division of Emergency

Management (FDEM) for the transfer of ownership and possession of one (1) 2023 travel trailer that had been purchased by FDEM to aid in the State of Florida's disaster response to Hurricane Ian.

The travel trailer is no longer needed by FDEM, and they have transferred ownership of the travel trailer to the County to be utilized by Public Safety Communication's Telecommunicator Emergency Response Taskforce (TERT) team when they are deployed to Public Safety Answering Points (PSAPs), or 911 centers, to help during disasters and other emergencies. The value of the travel trailer is under \$50,000. Final executed documents are included for informational purposes only.

Pending approval at today's meeting, an acceptance letter will be presented for the Chairman's signature.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the acceptance letter to Florida Division of Emergency Management.

7.10. Transportation – County Engineer:

7.10.1. Request Approval to Declare Parcel Numbers 1806-002-030 and 9033-1112-05 as Surplus and Authorize Staff to Proceed with Donation to Kasher and Patel Real Estate Investment Group, LLC for Affordable Housing (Budget Impact - None)

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

Description/Background: This is a request to declare Parcel Number 1806-002-030 and Parcel Number 9033-1112-05 as surplus and approve a Purchase Agreement and a Statute 125 Deed from Marion County to Kasher and Patel Real Estate Investment Group, LLC.

This request is associated with an Application for Conveyance or Lease of County Owned Property pursuant to provisions in Chapter 125.379 FS.

If approved, these parcels will be deeded from Marion County to Kasher and Patel Real Estate Investment Group, LLC to construct affordable housing. The applicant is subject to applying for a permit and completing construction of a single-family residence on each of the two (2) parcels of property conveyed herein within two (2) years from conveyance. In the event the Kasher and Patel Real Estate Investment Group, LLC do not comply within the two-year time-frame conditions, their rights will automatically terminate and revert to Marion County.

Additional terms and conditions are outlined in the Purchase Agreement.

Budget/Impact: None.

Recommended Action: Motion to approve Parcel Number 1806-002-030 and Parcel Number 9033-1112-05 as surplus, approve a Purchase Agreement, authorize staff to proceed with the donation and a Statute 125 Deed from Marion County to Kasher and Patel Real Estate Investment Group, LLC, and authorize the Chairman and Clerk to execute the same.

7.10.2. Request Approval of Marion County Subdivision Improvement Agreement with Surety Bond and Supplement to Marion County Subdivision Improvement Agreement with Surety Bond for 95th Street Holdings, LLC Associated with Pioneer Ranch Phase 2, Application Number 31006 (Budget Impact - None)

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

Description/Background: The project developer desires approval of their Final Plat prior to completing all improvements in their development of Pioneer Ranch Phase 2. 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, as well as a security, limited to an irrevocable letter of credit or bond only, in the amount of 120 percent of the estimated cost of remaining improvements. The attached agreements outline proposed improvement timing and surety for improvement completion.

The Subdivision Improvement Agreement has been traditionally used, and a supplemental agreement has been created to provide for items such as amenities, landscaping and buffering. Specifically, for this development, section 2 of the supplemental agreement specifies that phases one (1) and two (2) amenity area (clubhouse/pool) shall be permitted and bonded at 120% construction cost prior to issuance of the 200th Certificate of Occupancy within phases one (1) - five (5) of the development. Phases three (3) and four (4) amenity area (sports court area) shall be constructed and in service prior to the 100th certificate of occupancy within phases three (3) and four (4). Phase five (5) amenity area (dog-park) shall be constructed and in service prior to the 70th certificate of occupancy in phase five (5).

Section 3 of the supplemental agreement will allow the landscaping/buffering completion to be deferred to the earlier of six (6) months after the date that the Florida Department of Environmental Protection issues a total water clearance letter for the water system, or 12 months after the date of this agreement.

The County Attorney's office has reviewed and approved the Subdivision Improvement Agreement with Surety Bond in the amount of \$2,767,464 and the Supplemental Improvement Agreement with Surety Bond in the amount of \$135,015. This subdivision is located in the southwest portion of the County and contains 189 lots on 57.42 acres with 1.31 miles of roads.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Marion County Subdivision Improvement Agreement With Bond and Supplement To Marion county Subdivision Improvement Agreement With Bond and to authorize the Chairman and Clerk to execute the same.

7.10.3. Request Approval of Marion County Subdivision Improvement Agreement With Bond and Supplement To Marion County Subdivision Improvement Agreement with Bond for Freedom Commons Development, LLC Associated with Marion Ranch Phases 3 & 4, Application Number 31528 (Budget Impact - None)

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

Description/Background: The project developer desires approval of their Final Plat prior to completing all improvements in their development of Marion Ranch Phases 3 & 4. 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, as well as a security, limited to an irrevocable letter of credit or bond only, in the amount of 120 percent of the estimated cost of remaining

improvements. The attached agreements outline proposed improvement timing and surety for improvement completion.

The Subdivision Improvement Agreement has been traditionally used, and a supplemental agreement has been created to provide for items such as amenities, landscaping and buffering. Specifically for this development, section 2 of the supplemental agreement will allow the landscaping/buffering completion to be deferred to the earlier of six (6) months after the date that the Florida Department of Environmental Protection issues a total water clearance letter for the water system, or 12 months after the date of this agreement.

The County Attorney's office has reviewed and approved the Subdivision Improvement Agreement with Surety Bond in the amount of \$4,838,422 and the Supplement Agreement with Surety Bond in the amount of \$346,929. This subdivision is located in the southwest portion of the County and contains 280 lots and six (6) tracts on 94.81 acres with 2.09 miles of roads.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Marion County Subdivision Improvement Agreement With Bond and Supplement To Marion County Subdivision Improvement Agreement With Bond and to authorize the Chairman and Clerk to execute the same.

7.11. Utilities:

7.11.1. Request Approval of Water Main Extension Connection Agreement WME-040-O Between Logainvestment, LLC and Marion County (Budget Impact - Neutral; expenditure of \$43,555)

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

Description/Background: In accordance with Land Development Code section 6.14.2, developers (property owners) are required to connect to public utilities if the property is within 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 property owner is required to connect to the public water main provided by Marion County Utilities (MCU) and is required to install 389 feet of water main across the parcel's frontage to the end of the property. The water main extension will serve the property owner's parcel and will also create a benefit for five (5) additional parcels along the route of the water main extension. The total project cost is derived from the construction cost of \$42,854.50, plus design fee of \$700, totaling \$43,554.50. The benefitting parcel cost will be \$ 7,259.08.

Budget/Impact: Neutral; project cost is \$43,554.50 and construction purchase order includes 10% contingency in accordance with the Procurement Manual. Funding is from ZF448536-563102 with project code UTC000094.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Water Main Extension Connection Agreement and authorize staff to issue the purchase order for T&C Underground under 22P-146.

7.11.2. Request Approval of Water Main Extension Connection Agreement WME-085-S Between Holiday Builders, Inc. and Marion County Utilities (Budget Impact - Neutral; expenditure of \$23,826)

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

Description/Background: In accordance with Land Development Code section 6.14.2, developers (property owners) are required to connect to public utilities if the property is within 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 property owner is required to connect to the public water main provided by Marion County Utilities (MCU) and would be required to install the water main across the entire parcel's frontage and end the system at the farthest end of the property. The County has the necessary funding in place to extend the water main beyond the property owner's 123-foot obligation as well as an additional 35 feet so the end of the water main is in a better placement to prevent disruption when future extension happens.

Resolution No. 1-R-381 approved by the Board on August 17, 2021, authorizes in certain circumstances to allow MCU to enter into a Share Agreement whereby each parcel connecting to MCU system pays only their share of the project based upon MCU low bid contractor's price for the work. The water main extension, as designed, will serve a total of four (4) parcels along the route.

Total Project Cost	\$23,826.00	\$23,126 construction + \$700 design
Collective Owner's obligation	\$23,826.00	
<i>Per Parcel Cost</i>	<i>\$5,956.50</i>	

Budget/Impact: Neutral; project cost is \$23,826 and construction purchase order includes 10% contingency in accordance with the Procurement Manual. Funding is from ZF448536-563102 with project code UTC000094.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the subject Water Main Extension Connection Agreement and authorize staff to issue the purchase order for T&C Underground under 22P-146.

7.11.3. Request Approval of Agreement Between Fluidyne Corporation and Marion County Utilities (Budget Impact - Neutral; expenditure of \$140,000)

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

Description/Background: In July 2019, the Board approved contract 19B-112 for the construction of capacity and nutrient removal improvements at the Silver Springs Shores Wastewater Treatment Facility. These improvements included the purchase and installation of additional grit removal equipment manufactured by Fluidyne Corporation.

During the initial design phase of the project, equipment specifications were developed using 304 Stainless Steel. Quotes for proposed equipment were obtained for an estimated construction cost; however, by the completion of the design phase, the equipment specifications were modified requiring the use of 316 Stainless Steel instead. The composition of 316 Stainless Steel is more resistant to corrosion and is preferred since the headworks of the wastewater treatment plant is a corrosive environment. To help reduce the cost of construction, Marion County Utilities (MCU) procured the grit removal system through direct purchase from the manufacturer, but utilized the quote from the initial design phase, which was with the 304 Stainless Steel instead of the 316 Stainless Steel specification. The specified 304 Stainless Steel equipment was installed during construction.

In November 2022, the project reached completion and equipment was placed into service which included the new grit removal equipment. In January 2023, staff noticed excessive corrosion and degradation of the grit removal equipment resulting from Hydrogen Sulfide gases. After investigation by MCU staff and notifying the manufacturer, it was determined that the equipment was manufactured with 304 Stainless Steel per the quote utilized during procurement of the equipment. Staff began working with the manufacturer to develop a solution for the issue since the equipment was within the initial warranty period. After negotiations between MCU staff, County Attorney staff and the manufacturer, a tentative agreement was reached where the manufacturer will provide replacement equipment consisting of 316 Stainless Steel and Fiberglass at a reduced price of \$140,000, a reduction of \$150,000 from market price. Staff recommends approving settlement and purchasing new equipment at the discounted price.

Budget/Impact: Neutral; expenditure of \$140,000.

Recommended Action: Motion to approve and authorize the Chairman to execute the Agreement with Fluidyne Corporation and to purchase new equipment at the discounted price.

8. COUNTY ATTORNEY:

8.1. Request Approval of Resolutions Authorizing Acquisition of Real Property Interests by Gift, Purchase, or Eminent Domain for the SW 40th Avenue/SW 49th Avenue Improvement Phase 1 Project in Marion County, Florida

The Board considered the following recommendation to adopt 2 Resolutions as presented by County Attorney Matthew Minter:

Description/Background: Two resolutions are presented for Board approval for the acquisition of interests in real property as to which we have not yet been able to acquire by negotiations. The County is seeking to acquire the parcels to construct road improvements related to the SW 40th Ave/SW 49th Ave Improvement Phase 1 Project, which will extend SW 49th Avenue north to SW 43rd Court Road, relieving traffic flow on Interstate 75, SW 66th Street, SW 27th Avenue, and surrounding collector roads. The resolutions provide for acquisitions either by negotiation, based on binding offers from the County for up to 120% of the full compensation values determined by our appraiser, or eminent domain. If negotiations are unsuccessful, then the Resolutions authorize proceeding with acquisition by eminent domain. Florida Statutes require the adoption of a resolution authorizing acquisition of property by eminent domain, and these resolutions will satisfy that requirement.

Budget/Impact: Budget impact is currently indeterminate but is initially based on the County's appraisals. The combined amount for all acquisition parcels included in these resolutions is \$568,500.00. If litigation is required, the final value determinations will be made by a jury trial, and the County will be responsible for statutory attorney fees and expert costs as well.

Recommended Action: Motion to approve the Resolutions and authorize the Chairman and the Clerk of Court to execute same.

County Attorney Matthew Minter stated the request is for approval of 2 Resolutions authorizing the exercise of the County's power of eminent domain to acquire fee simple right-of-way (ROW) parcels, along with temporary construction and drainage easements

for the SW 40th Ave/SW 49th Ave Phase 1 Road Improvement project. This project will extend SW 49th Avenue north to SW 43rd Court Road. He provided an overview of eminent domain law, noting in Florida, a jury trial involving eminent domain is one of only two types of trials with a 12-person jury, the other being in criminal capital murder cases where the death penalty may be imposed. Mr. Minter acknowledged that some citizens (members of the jury) dislike the idea of the government seizing private property without consent. However, by the Federal and State Constitution, the government is obliged to pay full compensation for the property, covering the property's value, as well as associated costs like attorney fees and appraisal costs. He commented on the necessity of this process, particularly for critical projects like road improvements. Mr. Minter advised that, although the government has the inherent power to invoke eminent domain, efforts are always made to negotiate voluntary property transactions first.

Chairman Bryant expressed her appreciation to staff for all the work that has gone into trying to acquire these parcels without the eminent domain process.

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

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to adopt Resolutions 25-R-71 and 25-R-72 authorizing acquisition of property by eminent domain. The motion was unanimously approved by the Board (5-0).

Resolution 25-R-71 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PURSUANT TO ARTICLE X, SECTION 6, FLORIDA CONSTITUTION, AND CHAPTERS 73, 74, 127, and 337 FLORIDA STATUTES (2023), AUTHORIZING APPROPRIATE OFFICERS OR AGENTS OF THE COUNTY TO ACQUIRE CERTAIN INTERESTS IN REAL PROPERTY BY GIFT, PURCHASE, OR EMINENT DOMAIN FOR RIGHT OF WAY FOR THE SW 40th AVE / SW 49th AVE IMPROVEMENT PHASE 1 PROJECT IN MARION COUNTY, FLORIDA; MAKING FINDINGS OF FACT FOR PUBLIC PURPOSE AND NECESSITY; AND PROVIDING AN EFFECTIVE DATE.

Resolution 25-R-72 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PURSUANT TO ARTICLE X, SECTION 6, FLORIDA CONSTITUTION, AND CHAPTERS 73, 74, 127, and 337 FLORIDA STATUTES (2023), AUTHORIZING APPROPRIATE OFFICERS OR AGENTS OF THE COUNTY TO ACQUIRE CERTAIN INTERESTS IN REAL PROPERTY BY GIFT, PURCHASE, OR EMINENT DOMAIN FOR RIGHT OF WAY FOR THE SW 40th AVE / SW 49th AVE IMPROVEMENT PHASE 1 PROJECT IN MARION COUNTY, FLORIDA; MAKING FINDINGS OF FACT FOR PUBLIC PURPOSE AND NECESSITY; AND PROVIDING AN EFFECTIVE DATE.

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

9. COUNTY ADMINISTRATOR:

9.1. Request Approval of Marion County's Federal Legislative Priorities for the 119th Congress

The Board considered the following recommendation as presented by Legislative Manager Matthew Cretul:

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Description/Background: Marion County is requesting our federal legislative delegation members support our third specific requests as they take part in the 119th Congress.

Budget/Impact: None.

Recommended Action: Recommend approval of federal priorities with any additions or edits as directed by the Board.

Legislative Manager Matthew Cretul presented a 2 page handout entitled, "Marion County's Potential 2025 Federal Legislative Priorities", which identified 3 potential priorities. The first priority focused on expanding the Medicaid inmate exclusion policy. He explained that although progress has been made with the Centers for Medicare & Medicaid Services (CMS), Marion County seeks to have the definition of "in custody" broadened to incorporate individuals awaiting trial disposition. This adjustment would shift some financial responsibilities away from the County, which currently incurs significant costs for inmate health care.

Chairman Bryant emphasized the importance of this policy change due to its potential to save millions of dollars annually for the County.

Commissioner Stone advised that the National Association of Counties (NACo) has also made this a priority as it affects Counties nationwide.

Mr. Cretul advised that the second priority involved maintaining the tax-exempt status of municipal bonds, noting the 2017 Tax Cuts and Jobs Act (TCJA) are set to expire in 2025. Mr. Cretul stated the third priority addresses the continued federal funding for road projects, urging delegates to advocate for consistent support from the Department of Transportation (DOT). He commented on the need to ensure Marion County remains a recipient of federal road project grants, similar to the \$19,000,000.00 previously received for the State Street project.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to approve Marion County's Federal Legislative Priorities for the 119th Congress. The motion was unanimously approved by the Board (5-0).

9.2. Present Information Technology Department Update

The Board considered the following recommendation as presented by Information Technology (IT) Director Tom Northey:

Description/Background: Present Information Technology Department update.

Budget/Impact: None.

Recommended Action: For informational purposes only

IT Director Tom Northey presented a brief update relating to the County's 5-Year IT Strategic Plan, which began in FY 2024 and includes several key initiatives to improve the County's technology infrastructure and services. He referred to the PowerPoint presentation (as shown on the overhead screen) and stated Operation Goal 1 provides a strong focus on moving to cloud technologies to modernize the platform and enhance service delivery. Mr. Northey provided a brief overview of how citizens will be able to access the portal, noting the plan outlines three primary areas of focus: citizen and staff experience, platform and technology modernization, and outreach and impact. He advised that one of the main goals is to enhance cybersecurity as the County transitions to the cloud, noting Microsoft awarded the County a \$25,000.00 voucher for an independent third-party security review, underscoring the emphasis on secure cloud infrastructure.

Mr. Northey stated one of the major components includes the upcoming launch of Tyler's MyCivic mobile app in 2026, aimed at providing a user-friendly interface for citizens to engage with County services. He commented on several key upcoming projects, including the imminent rollout of a new digital payment platform called Tyler Payments, scheduled to launch in May 2025, which will manage over \$3,000,000.00 in monthly transactions. Also, a new web-friendly portal for utility bill payments is set to go live in April 2025.

Mr. Northey advised that another significant initiative is the Enterprise Resource Planning (ERP) permitting and licensing system within the OCE, noting OCE is the 7th Department to begin utilizing the Tyler's Enterprise Asset Management module. He stated once the module is up and running, the County will be able to discontinue the previous asset module (Cardigraph) at a savings of \$126,000.00 annually. The IT Department is also working on a new SharePoint site (EmpowerMarion) launched to facilitate cloud-based collaboration across departments. Mr. Northey provided a brief demonstration of the SharePoint site and expressed his appreciation to staff, noting each department assigned a liaison to help develop the project.

Mr. Northey addressed the implementation of Microsoft's Teams phone system for improved communication across departments. So far, 41% of departments have been trained in Microsoft 365 technologies, 6% of departments are syncing documents to OneDrive in the cloud, and 2 departments have moved from the Avaya phone system to Teams phones.

Mr. Northey addressed Operational Goal 3, noting 47% of the 600+ iPhones are now secured and managed on the Microsoft Cloud Management platform for a savings of \$44,000.00 annually. In 2024, staff increased the number of business applications in the cloud by 7% and in 2025 staff are focusing on moving the County's time and attendance system (Kronos), along with shifting the Fire Rescue's scheduling system, to the cloud.

Mr. Northey addressed Operational Goal 4 to increase wireless capabilities, noting in 2024 staff focused on establishing a new secure foundation for our enterprise wireless infrastructure. He stated 51 new Wireless Access Points have been deployed to date and the Growth Services Building is the next scheduled location to receive new access points.

Mr. Northey addressed Operational Goal 5, which addresses interdepartmental instructional teams. He stated with all the new technology; training is key, and opined that "change fatigue" is real. Mr. Northey advised that the Department has hired a training professional educator with over 10 years of experience, who is incorporating Change Management and Adult Learning Theories' latest methodologies to deliver an impactful technology training to employees. The Department has also prioritized training, logging over 220 hours of training sessions across multiple programs with the newly established mobile training lab bringing learning directly to various County departments.

Mr. Northey addressed Operational Goal 6, noting the County is also enhancing the Geographic Information Systems (GIS) experience through partnerships with Environmental Systems Research Institute, Inc (Esri) to develop a user-focused, strategic GIS operations plan.

Mr. Northey addressed Operational Goal 7, as it relates to organizational realignment and the hybrid workforce. He advised that by using many of the cloud technologies such as Microsoft Teams, employees can collaborate in real-time, whether they are working remotely or in the office. Mr. Northey stated a successful hybrid work model has been implemented in the IT Department with 10% of IT Team members successfully working in a hybrid capacity. Additionally, IT employees have the flexibility to work remotely as needed.

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Chairman Bryant requested staff bring back statistics as it relates to the hybrid work model.

Commissioner Zalak expressed his appreciation to Mr. Northey and IT staff.

Chairman Bryant noted it is the ten o'clock hour. She advised that the Board would continue with the Agenda Items after the public hearing is concluded.

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 an Ordinance to Amend Chapter 5.5 of the Marion County Building Code

Building Safety Director Michael Savage presented the following recommendation:

Description/Background: Public Hearing to consider an ordinance to amend Chapter 5.5 of the Marion County Code related to building and building regulations. This ordinance will create a list of items that will be exempt from permitting and update the Marion County Code to the 8th edition of the Florida Building Code.

Budget/Impact: None.

Recommended Action: Motion to adopt the ordinance to amend Chapter 5.5 of the Marion County Building Code.

Deputy Clerk Windberg presented Proof of Publication of legal ad No. 10964774 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on February 7, 2025. The Notice states the Board will consider the adoption of an Ordinance pertaining to the Marion County Building Code.

Chief Assistant County Attorney Dana Olesky advised that due to some language changes that were left out of the published Agenda Item, staff is requesting to continue the public hearing to the second regularly scheduled BCC meeting in March 2025. Additionally Building Director Michael Savage has just held conversations with citizens relating to gazebos and would like to incorporate some additional language into the proposed Ordinance.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to continue the public hearing to Tuesday, March 18, 2025 at 10:00 a.m. The motion was unanimously approved by the Board (5-0).

Building Director Michael Savage stated after speaking with the citizens in attendance, they are looking for 12 x 16 foot gazebos to be included in the proposed Ordinance.

9.3. Update Regarding Fire Rescue and Transportation Impact Fee Studies and Other Fees and Assessments

The Board considered the following recommendation as presented by Assistant County Administrator Tracy Straub:

Description/Background: On January 29, 2025, the Board held a Workshop to present the Impact Fee Studies for Fire Rescue and Transportation. Staff was asked to bring items back for the Board's additional consideration.

Budget/Impact: N/A.

Recommended Action: For consideration and discussion.

ACA Tracy Straub presented a 2 page handout entitled, "Marion County Transportation Impact Fee – Capped Schedule without Extraordinary Circumstances". She stated staff were directed by the BCC to bring back additional information concerning impact fees and assessments. Ms. Straub referred to the chart (page 1102 of the Agenda packet),

which reflects the proposed impact fees and assessments for consideration for new construction, noting the Transportation Impact Fee (TIF), Fire Impact Fee, and EMS Impact Fee would be one-time fees paid at the issuance of the Certificate of Occupancy (CO).

Commissioner Curry out at 10:07 a.m.

Ms. Straub clarified that the Fire Rescue, EMS, and Solid Waste assessments are annual charges that would be added to the homeowner's tax bill.

Commissioner Curry returned at 10:08 a.m.

Ms. Straub noted the Board has yet to hold a workshop to discuss the possibility of a Parks and Recreation Impact Fee for new residential construction.

Ms. Straub referred to the 2 page handout entitled, "Marion County Transportation Impact Fee – Capped Schedule without Extraordinary Circumstances", which contains recently updated information as provided by the consultant. She provided a brief overview of the updated changes, including the additions of "automated car wash" and "mine/commercial excavation". Ms. Straub advised that the Statute allows the BCC to raise impact fees 50% from the current collection in 4 steps annually (12.5% each year for 4 years). If the Board wants to accelerate that timeline it would have to declare "Extraordinary Circumstances". She advised that in order to declare "Extraordinary Circumstances" a study must be completed, and the Board must hold 2 workshops allowing for public comment in order to set that collection rate.

Ms. Straub referred to the chart on pages 1105 and 1106 of the Agenda packet, which provides information relating to TIF credits and balances, as well as proportionate share balances. Pages 1107 and 1108 provide examples of Impact Fee Assessment rates at 50%.

Chairman Bryant advised that her preference would be to declare "Extraordinary Circumstances" and go to the numbers/percentages as shown by the consultant, and then decide at what level the BCC wants to implement those fees. For example, if the Board adopted the impact fees at 50% the fee for a 1,501 to 2,499 square foot (sf) single family residential (SFR) home would be \$2,659.00; however, if the BCC chooses not to utilize "Extraordinary Circumstances" it would take 4 years to reach that amount. She noted that the impact fees in 2009 for the same SFR were approximately \$4,500.00.

Growth Services Coordinator Kimberly Hatcher clarified that in 2009, the TIF was at \$6,107.00.

Chairman Bryant advised that approximately 100,000 more people have moved to Marion County since 2009, noting there are \$1,350,000,000.00 worth of transportation projects that have already been identified. She advised that although the Sales Tax is designated for some of these needs, a shortfall highlights the necessity for strategic planning in sourcing additional funding. Chairman Bryant opined that growth should help pay for the infrastructure needed to accommodate that growth. She reiterated the importance of having the funding to address the impact growth is having in the community. Chairman Bryant advised that declaring "Extraordinary Circumstances" does not mean the Board has to implement impact fees at 100%; however, it does give them the flexibility to set the fee where it needs to be without being locked in per State Statute.

In response to Commissioner Stone, Ms. Straub clarified that if the Board implements the fees up to 25% then the Statute allows for 2 "up to" equal steps, and if the fees are implemented at 50% then it must be across 4 equal steps (12 month intervals for each step).

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Commissioner McClain expressed concern for declaring "Extraordinary Circumstances" and commented on the potential impact it could have on the local economy (unintended consequences). He opined that increasing impact fees too rapidly could result in extracting substantial funds from the economy in a shorter period. Commissioner McClain recommended a gradual approach to minimize economic disruptions.

In response to Chairman Bryant, Ms. Straub advised that based on existing rates, the County is collecting approximately \$10,000,000.00 to \$13,000,000.00 in TIFs annually. Chairman Bryant explained that in 2011 the BCC suspended impacts fees in an effort to boost the fragile economy and bring job opportunities into the County and spur the economy. In 2017 when the BCC reimplemented impact fees, it did so at a very reduced rate.

Commissioner Zalak opined that the impact fee rates currently in place are not sufficient, noting the rates should have been raised 8 years ago.

General discussion ensued.

In response to Commissioner Curry, Chairman Bryant stated the consideration at this time is whether the BCC wants to move forward with declaring "Extraordinary Circumstances" or if it wants to set impact fees at the rate and methodology set by State Statute.

General discussion resumed.

In response to Commissioner Stone, Mr. Bouyounes advised that the BCC cannot totally waive impact fees for affordable housing, noting it would have to offset those fees with another funding source. He clarified that impact fees have to be equitable for all payers.

General discussion resumed.

In response to Chairman Bryant, Ms. Straub reiterated that the Board must hold 2 public workshops allowing for public comment and schedule 1 public hearing in order to set a collection rate for impact fees.

General discussion ensued relating to impact fees for automated car washes and working mines.

Mr. Minter commented on impact fees from other Counties across the State, noting Marion County's rates are very low.

In response to Commissioner McClain, Mr. Bouyounes opined that setting the TIF rate at 50% would get the County where it needs to be.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to accept the Impact Fee Study and direct staff to schedule 2 workshops and 1 public hearing to consider declaring Extraordinary Circumstances for Transportation Impact Fees. The motion was unanimously approved by the Board (5-0).

ACA Straub referred to the Agenda packet, which includes an updated Fire Rescue and EMS Impact Fee schedule, along with an analysis from the Fire Marshal Ken McCann relating to structural fires that have occurred across Marion County. Also included is a synopsis of the proposed fire assessment rates.

Fire Chief James Banta, MCFR, stated he is present to answer any questions the board may have.

Mr. Bouyounes advised that for the Fire Impact Fees, staff recommended proceeding with a public hearing in late April 2025, noting this timing decision was made to allow for discussions with the City of Ocala, particularly regarding EMS fees prior to the public hearing.

Commissioner Zalak opined that he would prefer further discussion as it related to buildings with fire sprinklers, noting it costs a business a lot of money to install them to

meet code. He stated those businesses should not have to pay the same Impact Fees as everyone else.

Chief Banta advised that the Department has to provide the same level of response to those facilities regardless of the protections that are in place as required by law. He opined that he could support providing credits for people who go above and beyond the building code.

Chairman Bryant recommended the Board schedule one-on-ones with staff to have their questions answered. She opined if it is a matter that needs further Board discussion then Commissioners need to reach out to the County Administrator to have a workshop scheduled prior to the public hearing.

Ms. Straub advised that at the scheduled public hearings, if the Board elects to adopt either of these impact fees, a 90 day Notice must be provided. She clarified that the impacts fees would not go into effect immediately and would become effective 90 days after adoption.

Mr. Bouyounes advised that while there has been some discussion on the possibility of implementing a Parks and Recreation Impact Fee, there are several considerations to keep in mind before proceeding with any formal studies.

Chairman Bryant opined that it would be better for the Board to finish what it is working on now (TIF and Fire Rescue) and then possibly direct staff to have a study performed relating to Parks and Recreation.

General discussion ensued.

Commissioner Zalak opined that the Board should first seek to evaluate overall operational and capital funding strategies for parks in conjunction with potential revenue sources beyond impact fees. He requested staff to bring back a plan in regard to a funding source for operational costs.

9.4. Update on Proposal for Microchip Scanner Discussion from Previous Board Meeting
The Board considered the following recommendation as presented by Fire Chief James Banta, MCFR:

Description/Background: During the previous board meeting, the president of the Society for the Prevention of Cruelty to Animals (SPCA) of Ocala, Lilly Baron, presented the board with an opportunity for a grant that would supply pet microchip scanners to be placed at Fire Stations throughout the County. Creating a network of pet microchip scanners throughout the County is certainly another great initiative that would help our community with Pet Reunification Efforts. The Fire Chief provided a Strengths, Weaknesses, Opportunities and Threats (SWOT) which identified some weaknesses and threats associated to available resources currently at the fire stations as well as additional demand on current resources.

As part of the Pet Reunification efforts, the Animal Service Director supports the creation of a network of microchip scanners for public use but suggested that we first evaluate the opportunity to utilize the existing network of animal related businesses in the community that would volunteer to become part of that network, in addition she offered that other communities have also implemented unmanned scanners at strategic locations.

Budget/Impact: None.

Recommended Action: Allow Marion County Animal Services to work with the community to create a network of microchip scanners for public use.

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Chief Banta commented on a proposal brought forward by Lilly Baron of the SPCA to place pet microchip scanners at fire stations throughout the County. He advised that after further examination, he recommended against implementing the proposal due to several logistical challenges. One significant concern was the potential issue of people arriving at unmanned stations and possibly leaving their animals behind, which could result in abandoned pets. Furthermore, microchip scanners only provide a unique number and the manufacturer's details, necessitating further follow-up to identify the pet owner. Chief Banta commented on complications that could arise if a pet owner could not be reached or if proper reunification was not feasible. He advised that he had communicated these concerns with Lily Baron, who understood and supported the reasoning.

It was the general consensus of the Board to direct the County Administrator to explore alternative strategies alongside Ms. Baron and Animal Services to effectively deploy scanners in strategic, easily accessible locations across the County.

Commissioner Zalak commented on the possibility of installation of standalone scanners in public areas, such as community centers or parks, making them available to provide better reunification.

10. COMMITTEE ITEMS:

10.1. Rainbow Lakes Estates Municipal Services District Advisory Committee – Request Appointment of One Member for a Full-Term Ending March 2029, or an Unexpired Term Ending December 2028

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

Description/Background: There are two (2) seats available on the Rainbow Lakes Estates Municipal Services District (MSD) Advisory Committee: one (1) full member seat for a new full term ending in March 2029, for which the incumbent will not seek reappointment, and one (1) full member seat for an unexpired term ending in December 2028.

One (1) application was received for the Board's consideration:

- John Conner

Budget/Impact: None.

Recommended Action: Motion to appoint the applicant to serve as a full member for a new term ending in March 2029, or to serve as a full member for an unexpired term ending in December 2028.

Clerk Harrell advised that Mr. Conner received the appropriate votes for a new full term ending in March 2029.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to appoint John Conner to serve as a full member on the Rainbow Lakes Estates Municipal Services District (RLE MSD) Advisory Committee for a new full term ending in March 2029. The motion was unanimously approved by the Board (5-0).

11. NOTATION FOR ACTION: NONE

Commissioner Zalak out at 11:08 a.m.

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

Chairman Bryant opened the floor for public comment.

Louine Ek, SW 59th Street, presented a 1 page handout entitled, “God’s Words of Wisdom Proverbs 3 – The Passion Translation”, and stated she felt very privileged to live in Marion County. She shared her words of encouragement and expressed her appreciation to the Board for all the services provided to citizens of the community.

Chairman Bryant thanked Ms. Ek for her continuing prayers and advised that she keeps a copy of the Ms. Ek’s previous messages at her desk, finding comfort and inspiration in them during challenging times.

Commissioner Zalak returned at 11:11 a.m.

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

Commissioner Bryant out at 11:12 a.m.

Joseph Walker, SE 54th Place, Ocklawaha, referred to several pictures (as shown on the overhead screen) and expressed concerns about the maintenance of fire hydrants and surrounding areas near commercial properties. He advised that fire hydrants have not been properly maintained since around 2023, with weeds growing around them in areas by major commercial properties such as the Walmart Superstore and the newly developed 7-Eleven Store in the vicinity. Mr. Walker expressed his frustration over the lack of upkeep by property owners, pointing out that many nearby lots belong to LLCs that do not maintain them, effectively leading to neglected properties.

Commissioner Bryant returned at 11:15 a.m.

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

In response to Commissioner Zalak, Mr. Minter advised that during the foreclosure crisis, banks were indeed made to comply with specific maintenance standards, yielding positive outcomes. He clarified that this issue should still fall under a Code Enforcement category, noting he could perform additional research on how other Counties handle this situation. Ms. Straub acknowledged Mr. Walker's points and added that the County has reached out to developers who have been transferring property maintenance responsibilities to other partners. While previous developers had been proactive, more recent transitions have led to delays and inconsistencies. Despite this, the developers have reportedly been reactive once notified, and the County intends to prompt them to act more swiftly in maintaining the hydrants and surrounding areas.

(Ed. Note: The Deputy Clerk did not receive a copy of the pictures from Mr. Walker.)

Chairman Bryant advised that public comment is now closed.

13. COMMISSIONER ITEMS:

13.1. Commission Comments

Commissioner Curry addressed House Bill (HB) 105, which concerns the decoupling of horse racing and gambling activities. He commented on the potential impact this Bill could have on Marion County, especially given the County's significant thoroughbred industry. Commissioner Curry questioned whether the Board should contemplate taking action to support Legislative efforts aimed at protecting this vital industry for the County.

Commissioner Stone agreed with the importance of safeguarding the industry and suggested that the Board could issue a supportive letter to bolster the lobbying efforts of the Florida Thoroughbred Breeders' and Owners' Association (FTBOA) against the decoupling efforts.

Commissioner Stone reminded everyone that the “Run for the Springs” event is happening this Saturday, February 22, 2025 at Carney Island.

February 18, 2025

Commissioner McClain expressed appreciation for the productive meeting and work accomplished. He noted the agenda for the day was full, with many important items being addressed and significant progress made on critical topics. Commissioner McClain commended County staff for their diligent work in providing detailed presentations and reports that facilitated informed decision making.

Commissioner Zalak expressed strong support for efforts to protect the thoroughbred industry. He emphasized the importance of going beyond a simple Letter of Support and suggested that the Commission actively involve itself in lobbying on behalf of the industry to make this issue a State priority.

Chairman Bryant expressed her gratitude to the commission for engaging in a thoughtful debate regarding the impact fees. She emphasized the importance of having meaningful discussions to arrive at the best outcomes, appreciating the diverse perspectives shared during the meeting. Chairman Bryant expressed her appreciation to County staff for their diligent work and preparation, which greatly contributed to the effectiveness and efficiency of the meeting.

13.2. Commission Calendar

13.2.1. Present Commission Calendar

The Chairman acknowledged receipt of the Commission calendar covering the period of February 18, 2025, to March 6, 2025.

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

14.1.1. Present Monthly Building Safety Productivity Report for the Month of January 2025

14.1.2. Present Letter from Florida Department of Commerce, Bureau of Community Planning and Growth Acknowledging the Marion County Comprehensive Plan Evaluation and Appraisal Notification

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

14.2.1. Walk-On Item - Request Approval Of Two STIPULATED ORDERS OF TAKING AND FINAL JUDGMENTS Related To Two Properties To Be Acquired For The 49th Avenue South Phase Road Improvement Project We Have Reached A Settlement With Attorney Joseph M. Hanratty As To Parcel Nos. 10 AR - Dorothy Anthony, And 42 AL - ACTDT BROWN, LLC Our Road Contractor Is Commencing Work On This Project And These Acquisitions Will Expedite That Work We Are Requesting Board Approval Of These Settlements

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 Administrative Budget Transfer Report

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

14.4.3. Present Regular Report of Utilization for Reserve for Contingencies

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

14.5.1. Board of Adjustments - November 4, 2024

14.5.2. Development Review Committee - January 13 and 27, 2025

14.5.3. Planning and Zoning Commission - December 30, 2024

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

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

14.5.6. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <https://ocalamariontpo.org>

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

There was a recess at 11:24 a.m.

The meeting reconvened at 2:00 p.m. with all members present.

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

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

15. PLANNING & ZONING AND DRC WAIVER REQUESTS - REQUEST PROOF OF PUBLICATION (AT 2:00PM):

County Attorney Matthew G. Minter provided a brief overview of the process for today's DRC waiver requests.

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

15.1. DRC Waiver Requests and Public Hearings:

15.1.1. Request for Waiver from Land Development Code Section 6.8.6.K(2)-(3) - Buffers for a Minor Site Plan for Iglesia Cristiana Fe Y Esperanza, Inc., aka: Faith and Hope Church, Parcel Number 8002-0000-04, Application Number 31560 (Budget Impact - None)

Building Safety Director Michael Savage presented the following recommendation on behalf of the Development Review Committee (DRC):

Description/Background: The Applicant, Local Engineering, requested a waiver to Land Development Code (LDC) Section 6.8.6.K.(2), which states, "B Type buffer shall consist of a 20-foot-wide landscape strip with a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer." The Applicant requested for the east, west and south buffers to 1) allow natural vegetation for all tree and shrub plantings and 2) to waive the wall requirements because of natural vegetation.

The Applicant also requested a waiver to LDC Section 6.8.6.K.(3), which states,

"C Type buffer shall consist of a 15-foot-wide landscape strip without a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer and form a layered landscape screen with a minimum height of three feet achieved within one year." The Applicant requested for the north buffer to allow natural vegetation.

The subject property is located in the southwest portion of the County on approximately 5.57 acres. The land use is medium residential (MR) and the zoning is single-family residential (R-1) for the surrounding area.

This waiver request was denied by the Development Review Committee (DRC) on December 9, 2024.

Budget/Impact: None.

Recommended Action: Motion to uphold DRC's action for the waiver request.

Growth Services Director Chuck Varadin commented on the waiver request, noting the parcel is 5.5 acres with Medium Residential land use and R-1 zoning. He advised that this is a church and from a buffer standpoint the County looks at them as Commercial. Mr. Varadin stated the map seen on the overhead screens shows the subject parcel is surrounded by Single Family Residential (SFR) properties and is heavily treed. He advised that the waiver request relates to the east side, noting the applicant would normally need a Type B buffer on the east, south and the western portion and a Type C along the right-of-way (ROW). He stated the applicant is requesting to utilize the existing vegetation for the buffer. Mr. Varadin provided a brief overview of the submitted Site Plan and Landscape Plan. He advised that staff recommended denying the request but allowing the applicant to use the existing trees to satisfy the requirement for ornamental and shade trees and simply fill in the gaps with shrubs. Mr. Varadin commented on the portion requiring the Type C buffer, noting staff supports allowing the applicant to fill in gaps with understory and shrubs.

In response to Chairman Bryant, Mr. Varadin stated parking will be along the eastern property boundary.

Commissioner Zalak questioned the Land Development Code (LDC) requirements relating to the buffers. Mr. Varadin advised that the Type C buffer on the north is 15 feet wide without a wall and the Type B buffer is 20 feet wide, requiring a wall along the east, south and western property boundaries.

In response to Commissioner Stone, Mr. Varadin stated the Landscape Plan indicates a construction access near the western boundary. He clarified that the applicant has proposed to take down trees in that area to construct the drainage retention area (DRA). Mr. Varadin advised that they are proposing to leave a strip of trees along the western boundary, which could be utilized for shade and ornamental tree requirements with shrubs being used to fill in the gaps. He opined that staff would recommend the applicant put the wall or an opaque fence on the western side of the DRA and the shrubs would be on the public side of the wall/fence.

Andy Kesselring, EDK Environmental Design, P.O. Box 5121, presented a 7 page handout containing the Landscape Plan and photographs of the subject parcel. He advised that the construction access that Commissioner Stone spoke of is only to get equipment to where the DRA is being constructed, which is basically a small swale. Mr. Kesselring stated staff requested the access be shown from the main part of the parcel down to the DRA area, noting it will not extend down to the residential areas. He clarified

that the access would not be paved, and it was placed in an area where there were no large trees surveyed. Mr. Kesselring advised that the photographs he passed out reflect what is actually on the site. He stated when he was onsite with staff it was his understanding that the existing vegetation would likely meet the LDC requirement for trees, ornamentals, shrubs, etc. Mr. Kesselring advised that there is one stretch along what will be the new entrance, and the applicant will plant that just like the Type C buffer. He stated the request is for a waiver to be able to use existing vegetation for all the requirements where it is available and where it is not they will plant a Type C buffer. Mr. Kesselring addressed the east, south and west side buffers, noting there is a lot of existing vegetation, and he believes there is no need for additional plantings. He stated the applicant agreed with staff that if there were any gaps after construction they would fill those in with shrubs. Mr. Kesselring commented on the wall requirement, noting nearly all of the residential lots have an existing wood fence or polyvinyl chloride (PVC) fence at the rear of their property. He opined that it would be counterproductive to put another wall or fence adjacent to that due to the applicant keeping the existing vegetation in that area. In response to Chairman Bryant, Mr. Kesselring advised that there will be no under brushing, and it will be left to provide privacy for the church as, well as the existing homeowners.

Mr. Kesselring stated all of the parking on the Site Plan extends to the south and there will be grass parking, noting there is some existing asphalt where the front 20 to 30 spaces are located that will be repaved and restriped. He clarified that from that point south there will be grass parking.

Pastor Harry Quinones, Faith and Hope Church, no address given, advised that the church is expanding to accommodate approximately 219 individuals. He stated Bible School is 11:30 a.m. to 12:30 p.m. and from 12:30 p.m. on is the regular worship service. Pastor Quinones advised that there will be prayer service on Fridays.

Commissioner Curry questioned the impact to existing vegetation if the applicant had to construct the wall. Mr. Kesselring stated it is likely more vegetation would be removed than what could be saved in that scenario.

In response to Commissioner Curry, Mr. Kesselring advised that there is a little playground to the southwest of the church that will be in use when services are being conducted. He stated there are currently no other planned activities for outdoors.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to disagree with the DRC and approve the waiver request with the Condition that if there are any gaps after construction, they will be infilled with the appropriate foliage. The motion was unanimously approved by the Board (5-0).

15.1.2. Request for Waiver from Land Development Code Section 6.8.6.K(2) - Buffers for a Minor Site Plan for Kendrick Baptist Church, Parcel Number 13457-000-00, Application Number 31965 (Budget Impact - None)

Building Safety Director Savage presented the following recommendation on behalf of the DRC:

Description/Background: The Applicant, Radcliffe Engineering, requested a waiver to Land Development Code (LDC) Section 6.8.6.K.(2), which states, "B-Type buffer shall consist of a 20-foot wide landscape strip with a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer." The Applicant requests

waiver to modify the Type "B" buffer along the north, west, and part of the southern property lines to use existing vegetation and eliminate the wall/fence requirement. The subject property is located in the northwest portion of the County on approximately 5.00 acres. The future land use for this property and the surrounding property is employment center (EC).

This waiver request was denied by the Development Review Committee (DRC) on December 30, 2024.

Budget/Impact: None.

Recommended Action: Motion to uphold DRC's action for the waiver request.

Growth Services Director Varadin, provided an overview of the request for a waiver for buffers for a minor Site Plan for Kendrick Baptist Church. He stated this is one of two requests for the applicant, noting the Office of the County Engineer (OCE) will present the request relating to sidewalks. Mr. Varadin referred to the aerial photograph as seen on the overhead screens, which shows an abandoned lime rock mine to the north and railroad tracks to the west. He commented on the R-4 (Mixed Residential) zoning of the subject parcel, noting the applicant would technically need a Type B buffer on the north, west and southern piece of the property. Mr. Varadin stated the applicant is requesting to use the existing vegetation in lieu of a wall. He advised that D&D Kendrick to the north has provided a letter supporting the request. Mr. Varadin advised that staff's recommendation is to support the waiver request, noting there are roads to the east, west and south providing separation. He clarified that staff denied the request at DRC to bring it back before the Board.

Mike Radcliffe, Radcliffe Engineering, SE Lake Weir Avenue, commented on the request for a waiver, noting the applicant is requesting not to construct a wall or provide additional buffering along the north, west and southwesterly side. He stated the church property does not go to the railroad so there is an additional easement approximately 30 feet there containing vegetation. Mr. Radcliffe advised that the church is providing a modified Type C buffer along the road, noting additional vegetation will be added anywhere there are gaps along with a hedge. He commented on the Type B buffer requirement for a wall or fence and provided cost estimates for both (\$150,000.00 for a wall and \$30,000.00 for a fence).

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to disagree with the DRC and approve the waiver request allowing the applicant to provide a Type B, 20 foot buffer without a wall or fence. The motion was unanimously approved by the Board (5-0).

Mr. Radcliffe clarified that any gaps in the buffer along the road would be filled in.

15.1.3. Request for Waiver from Land Development Code Section 6.12.12.A.-D. - Sidewalks for a Minor Site Plan for Kendrick Baptist Church, Parcel Number 13457-000-00, Application Number 31965 (Budget Impact - None)

Building Safety Director Savage presented the following recommendation on behalf of the DRC:

Description/Background: The Applicant, Radcliffe Engineering, requested a waiver to Land Development Code (LDC) Section 6.12.12. D. which states:

D. At the discretion of the Development Review Committee, in lieu of construction along external streets, the developer may pay a sidewalk fee to the County in an amount necessary to complete construction. This amount shall be determined by the project engineer and approved by the

County with payment required prior to final plan approval. The County may use these funds toward the construction of sidewalks throughout the County based on priorities established by the Board.

The Applicant requested to waive required sidewalks along the property frontage, which the Development Review Committee was also in agreement with. However, the applicant did not want to contribute to the sidewalk fund which the Development Review Committee was not in favor of.

The subject property is located in the northwest portion of the County on approximately 5.00 acres.

This waiver request was denied by the Development Review Committee (DRC) on December 30, 2024, on the basis of the applicant not willing to contribute to the sidewalk fund in lieu of construction.

Budget/Impact: None.

Recommended Action: Motion to uphold DRC's action for the waiver request.

County Engineer Steven Cohoon, OCE, provided an overview of the waiver request relating to sidewalks. He stated along the frontage of the property the Code requires for this type of roadway that sidewalks be placed. Mr. Cohoon advised that the DRC agreed with the applicant that sidewalks are not needed in this area; however, the Code requires a fee to be paid in lieu of for these scenarios. He stated the applicant is requesting a waiver from paying the fee. Mr. Cohoon provided an estimate of \$15,300.00 for 612 linear feet of sidewalk relating to this request.

Mike Radcliffe, Radcliffe Engineering, SE Lake Weir Avenue, advised that the church is not a high pedestrian traffic generator, noting due to the rural nature of the area individuals typically drive to church. He stated there are no sidewalks within 1.5 miles to the north and 2.5 miles to the south. Mr. Radcliffe advised that \$15,300.00 is a substantial cost for the church to absorb in a location where there is no need for sidewalks.

Commissioner McClain questioned if there are any upcoming projects in that area. Mr. Cohoon stated there is nothing that comes to mind. He advised that the Department of Transportation (DOT) is making improvements at West Highway 326, but that would not be an appropriate location for the use of the fee in lieu of funds.

Commissioner Zalak stated he has not waived the in lieu of fee for sidewalks, noting the Board has removed the wall and infill requirements. He advised that the fee in lieu of is really about helping to put sidewalks in various locations Countywide.

Commissioner Curry opined that he is in favor of waiving the fee.

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to disagree with the DRC and approve the waiver request relating to providing sidewalks or a fee in lieu of the sidewalks. The motion was unanimously approved by the Board (5-0).

15.2. Adoption of Ordinance: NONE

Mr. Bouyounes presented a handout relating to waiving Impact Fees for affordable housing.

(Ed. Note: The Deputy Clerk did not receive a copy of Mr. Bouyounes' handout for the record.)

February 18, 2025

There being no further business to come before the Board, the meeting thereupon adjourned at 2:30 p.m.

Kathy Bryant, Chairman

Attest:

Gregory C. Harrell, Clerk

DRAFT