

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

March 18, 2025

**CALL TO ORDER:**

The Marion County Board of County Commissioners met in regular session in Commission Chambers at 9:00 a.m. on Tuesday, March 18, 2025, at the Marion County Governmental Complex located in Ocala, Florida.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**9:00 AM ROLL CALL:**

Upon roll call the following members were present: Chairman Kathy Bryant, District 2; Vice-Chairman Carl Zalak, III, District 4; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5. Also present were 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 McClain. Clerk Gregory C. Harrell was absent due to a prior commitment.

**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 McClain, the Board of County Commissioners (BCC) approved and/or ratified the following:

**1.1. PRESENTATION - SMA Healthcare Update – Amanda Tart, Assistant County Administrator (Presentation Only)**

Vice President of Community Engagement Salvatore Gintoli, SMA, SW 60<sup>th</sup> Avenue, presented an update regarding SMA Healthcare. He provided a brief history of the organization and advised that SMA is a private nonprofit 501c3 organization that provides comprehensive behavioral health services. Mr. Gintoli stated SMA has a Board of Directors that consists of 25 members, although there are currently 6 vacant seats. He advised that the SMA Board has representatives who have expertise from a cross section of the communities it serves, noting 21 percent (%) of the Board members are from Marion County. Mr. Gintoli stated the average term for the SMA Board is just about 7 years, with representatives from across many sections of the communities that we serve, including finance, private business, government, legal, and health care. He advised that SMA is the product of a merger back in 2008 with the ACT Corporation and Stuart Marchman Centers to become the Stuart Marchman Act Behavior Healthcare (SMA). In 2012 the organization acquired Windward Behavior Health, in 2016 it acquired Putnam - St. Johns Behavior Health, and in 2021 the organization acquired The Centers. Mr. Gintoli advised that SMA is a safety net provider that offers care to those in need regardless of their ability to pay, noting it is part of their mission. He stated "The SMA Way" is to hire ideal team players

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whose values guide the way by Accountability, Transparency, Leadership, Accessibility, and Service (ATLAS). Mr. Gintoli introduced several organization team members present today including SMA Marion County Vice President Robin Lanier; Senior Director of Marion Residential Services Megan Huff; and Director of Marion Women's Residential Program Latrice Williams.

Mr. Gintoli advised that SMA goals for Marion County is to be the "go to" premier behavioral health provider, as well as leaders in subject matter experts for any subject matter involving behavioral health. SMA intends to operate as a no wrong door provider, ensuring that Marion County citizens are provided with service and guidance regardless of their ability to pay. He noted SMA intends on expanding its service delivery in every area of its continuum of care in Marion County including prevention, outpatient, residential and crisis services. Mr. Gintoli advised that SMA was awarded a Criminal Justice Planning Grant back on February 1, 2025, and this is to do a sequential intercept model with University of South Florida (USF) that helps to assess the gaps in behavioral health in the criminal justice system and then plan future projects and programs accordingly. He stated the organization has begun renovation of the Acute Care Services building over on the SW 60<sup>th</sup> Avenue campus to help modernize the environment of care. Mr. Gintoli noted SMA is partnering with the Estella Byrd Whitman Community Health Center to provide primary care services at the SW 60<sup>th</sup> Avenue campus. He advised that the organization is also expanding its residential substance use treatment in Marion County by purchasing the Marion Oaks Assisted Living Facility (ALF) building on SW 137<sup>th</sup> Loop. The Marion Women's Residential Program will move to this facility and will be offering 45 beds for women and infants and kids up to age 1. This allowed SMA to expand beds for men over at the SW 60<sup>th</sup> Avenue campus.

Mr. Gintoli advised that SMA is launching a Psychiatry Graduate Medical Educational Program that will be reviewed by the Accreditation Council on April 25, 2025, and SMA anticipate starting that program on July 1, 2025. The program will offer a 4 year postgraduate residency program for psychiatrists. He advised that data has shown that with residency programs like this, typically, a little over 50% of the participants end up staying in the County where they did their residencies.

Chairman Bryant advised that the community is blessed to have SMA in Marion County, and its presence has made a tremendous difference in health care outcomes when it comes to substance abuse and treatment. She opined that the program that SMA is developing in Marion Oaks for women and infants is phenomenal.

Commissioner Curry expressed his appreciation for SMA for stepping up to fill this important healthcare gap that was missing in Marion County.

**1.2. PRESENTATION - "Litter Hero Award" Special Recognition of Florida Fish and Wildlife Conservation Officer - Lacey Larramore, Solid Waste Resource Liaison (Presentation Only)**

Solid Waste Resource Liaison Lacey Larramore presented the following recommendation:

Description/Background: Marion County's Board of County Commissioners have been focused on eliminating litter from our community. This effort could not be possible without the contributions of special people and organizations willing to stand up and take action. The "Litter Hero Award" has been developed to recognize those outstanding individuals and organizations making a significant difference when it comes to impacting litter in our community.

Budget/Impact: None.

Recommended Action: Presentation only.

Solid Waste Resource Liaison Lacey Larramore advised that when the Litter Task Force was formed in 2021, County staff and the BCC recognized the importance of honoring those in our community who have made an impact in the fight against litter. Since then, every quarter, the Board has been recognizing those in our community who have been making a difference to create a cleaner, healthier Marion County for everyone to enjoy. She presented the first quarter Litter Hero Award to Florida Fish and Wildlife Conservation Commission (FWC) Officer Wade Constance. The presentation recognized Officer Constance's dedicated efforts in a complex illegal dumping investigation on State Road 19. Ms. Larramore detailed how Officer Constance diligently sifted through evidence, linking the debris pile back to an address in Clay County. The thorough investigative process involved the examination of the Zillow profile of the pertinent address, which uncovered additional connections to the dump site. Officer Constance's determination led him to Clay County, where he interviewed the property owner and discovered that a company had been contracted to renovate a home on the site. Further delving into the case, Officer Constance located the company involved and confirmed the debris was still in their possession, stored in the back of a dump truck that had been sold only days before. The buyer had paid \$100.00 to have the debris disposed of legally. Utilizing a license plate reader, Officer Constance identified the vehicle's movement through a nearby intersection, aligning with the violation timeframe. Traveling to Orange County, he interviewed the buyer, who confessed to the illegal dumping post-Miranda. The individual was subsequently arrested and detained at the Marion County jail.

Ms. Larramore praised Officer Constance's unwavering commitment and the lasting positive impact his actions have on the community, noting that he truly embodies the spirit of being a "Litter Hero".

Chairman Bryant expressed her profound appreciation for Officer Constance's commitment to keeping Marion County clean and safe, acknowledging his role in setting a standard for community involvement in waste management. She presented Officer Constance with a Certificate of Appreciation and a Marion County Challenge Coin.

Members from Officer Constance's team were also invited to join him for a group photograph, celebrating the collaborative effort.

### **1.3. PROCLAMATION - PROCLAMATION - Eagle Scout Court of Honor - Jonah Paul Boyer (Approval Only)**

The Board approved the Proclamation congratulating Jonah Paul Boyer as a member of the Eagle Scout Court of Honor.

Description/Background: Jonah Paul Boyer's service project was to design and construct an outdoor stage on the campus of Good Shepherd Presbyterian Church, enhancing their ministry outreach. He successfully completed the project in time for its first use during the church's Easter Sunday sunrise service on March 31, 2024. This outdoor stage will serve as a meaningful gathering space for the church community, hosting important events such as graduation ceremonies and other special occasions where an outdoor setting is fitting.

Budget/Impact: None.

Recommended Action: Motion to approve.

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**NEW BUSINESS:** Chairman Bryant advised that the Community Foundation's Third Annual Inspire Gala took place on March 8, 2025 celebrating individuals who make a meaningful impact in our community. Among the honorees was Marion County's very own Commissioner Michelle Stone who received the prestigious Unsung Hero of the Year Award. This award honors individuals whose dedication, bravery, and selflessness often go unnoticed. These heroes do not seek recognition, yet their contributions profoundly shape the lives of those they serve. She stated Commissioner Stone exemplifies these qualities through her unwavering commitment to Marion County. Chairman Bryant advised that Commissioner Stone often works behind the scenes to support organizations tackling critical issues such as education, homelessness, health care, housing, and social services. She advised that she and her fellow Commissioners are incredibly proud to have Commissioner Stone on the County Commission and are deeply grateful to serve alongside her.

Commissioner Stone advised that it is a humbling honor and she is grateful to have the ability to work with so many fine individuals here in the County. She expressed her appreciation to Chairman Bryant for the leadership that she provides, as well the leadership from County staff. Commissioner Stone stated the organizations that she works with represent so many in our community that are underprivileged and in need of a voice to speak up for them.

**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](http://www.marionfl.org).

Chairman Bryant opened the floor for public comment.

Joseph Walker, SE 54<sup>th</sup> Place, addressed the Board regarding Agenda Item 5.1.9 relating to the library in Silver Spring Shores. He expressed concerns about maintenance and cleanliness of the property, citing issues with dumping and homeless camps near another library out in the forest. Mr. Walker requested clarification on who would be responsible for maintaining the new facility.

Chairman Bryant assured Mr. Walker they would get him an answer and clarified that this was an existing facility being expanded, not a new building. She directed staff to provide Mr. Walker with a full plan and address his concerns.

Jimmy Gooding, SE 36<sup>th</sup> Avenue, addressed the Board in regard to Agenda Item 1.1., SMA Update. He advised that someone he knew was involved with the SMA process, noting their staff was incredible. Mr. Gooding commended the Board for getting SMA to Marion County.

Chairman Bryant advised that public comment is now closed.

### **3. ADOPT THE FOLLOWING MINUTES: (3 sets)**

**3.1.** December 3, 2024 A

**3.2.** December 3, 2024 B

**3.3.** December 9, 2024

A motion was made by Commissioner Curry, seconded by Commissioner Stone, to adopt the meeting minutes of December 3 (2 sets) and 9, 2025. The motion was unanimously approved by the Board (5-0).

**4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:  
NONE**

**5. CLERK OF THE CIRCUIT COURT:**

**5.1. Budget Amendments**

Upon motion of Commissioner Stone, seconded by Commissioner Curry, the Board adopted the following Budget Amendment Resolutions 5.1.1. through 5.1.12. transferring funds as presented by Deputy Clerk Windberg on behalf of Clerk Harrell:

**5.1.1.** 25-R-88 - County Transportation Maintenance Fund - Road and Street Facilities - \$2,195,281

**5.1.2.** 25-R-86A - General Fund - Animal Services - \$100,000

**5.1.3.** 25-R-87A - General Fund - Marion County Public Library System - \$55,000

**5.1.4.** 25-R-88A - General Fund - Planning and Zoning - \$150,000

**5.1.5.** 25-R-89 - Marion County Health Unit Trust Fund - Marion County Health Unit - \$100,000

**5.1.6.** 25-R-90 - Marion County Utility Fund - Utilities Wastewater System - \$50,000

**5.1.7.** 25-R-91 - Medical Examiner Fund - Medical Examiner - \$2,964

**5.1.8.** 25-R-92 - Medical Examiner Fund - Medical Examiner - \$45,980

**5.1.9a.** 25-R-93 - Multiple Funds - Silver Springs Shores Library Project - \$400,000

**5.1.9b.** 25-R-94 - Multiple Funds - Silver Springs Shores Library Project - \$176,970

**5.1.10.** 25-R-95 - MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$47,654

**5.1.11.** 25-R-96 - Parks & Recreation Fees Fund - Parks and Recreation Fees - \$82,005

**5.1.12.** 25-R-97 - Stormwater Program Fund - Stormwater Program - \$40,000

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

**5.2. Project Adjustment**

**5.2.1.** Transfer Project Funds and Amend the Capital Improvement Program - Stormwater Program - \$99,725

The Board considered the following recommendation as presented by County Engineer Steven Cohoon:

Description/Background: SMC0004FL - SW 52<sup>nd</sup> St Flood Relief requires an increase in design services to facilitate a Phase I Cultural and Resource Assessment Survey (CRAS). During the Florida Division of Emergency Management (FDEM) and Federal Emergency Management Agency's (FEMA) review of the Phase I Design submittals, FEMA received correspondence from the Seminole Tribe of Florida requesting that a CRAS be conducted at the project site. To comply, the County's consultant will need to perform a CRAS prior to Phase I grant approval. \$99,725 will be transferred from SMC999999 – Stormwater Projects Unassigned to facilitate the increase.

Budget/Impact: Neutral.

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

Deputy Clerk Windberg advised that this Item coincides with Consent Agenda Item 7.6.3. relating to the Southwest 52<sup>nd</sup> Street flood mitigation relief.

A motion was made by Commissioner Stone, seconded by Commissioner Zalak, to approve the Transfer of Project Funds and Amending the Capital Improvement Program (CIP); and to approve Consent Agenda Item 7.6.3. approving Change Order (CO) 8 to

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Purchase Order (PO) 2100801 as it relates to the SW 52<sup>nd</sup> Street Flood Mitigation Program, not to exceed \$99,724.50. The motion was unanimously approved by the Board (5-0).

**5.2.2. Transfer Project Funds and Amend the Capital Improvement Program - Stormwater Program - \$625,496**

The Board considered the following recommendation as presented by County Engineer Cohoon:

Description/Background: Funding for SMC0003FL - SW 27<sup>th</sup> Ave Flood Relief is being transferred to other projects as the project needs to be timed to occur at the same time as the Transportation Improvement Program (TIP) project for the roadway happens. The project will be refunded at such time is appropriate. SMC0005FL - NW 115<sup>th</sup> Court Flood Relief is being closed. No cost-effective project could be developed to mitigate the flooding concerns at this location. Existing funding in the amount of \$315,463 will be transferred to SMC0001MA - SE Timucuan Rd Culvert Replacement, as that project requires further funding in order to go to construction. The remaining \$310,033 will be transferred to SMC999999 - Stormwater Projects Unassigned for use in other projects.

Budget/Impact: Neutral.

Recommended Action: Motion to approve the transfer of project funds and amend the Capital Improvement Program.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to Transfer Project Funds and Amend the CIP. The motion was unanimously approved by the Board (5-0).

**5.3. Clerk of the Court Items**

**5.3.1. Marion County Board of County Commissioners Annual Investment Report for Fiscal Year Ended September 30, 2024**

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to accept the Annual Investment Report for Fiscal Year (FY) Ended September 30, 2024. The motion was unanimously approved by the Board (5-0).

**5.3.2. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 032480, 039145 and attached list from Solid Waste Department.**

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to approve the Acquisition or Disposition of Property Forms for 032480, 039145 and attached list from Solid Waste Department. 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.

Commissioner McClain commented on Consent Agenda Items 7.7.1. and 7.7.2. (Interlocal Agreements (ILAs)) and expressed his appreciation to County staff for working with the City of Belleview to get those roads fixed and turned over to the City of Belleview for future maintenance. He opined that it is a “win-win” situation.

Commissioner Zalak questioned the timeline for Consent Agenda Item 7.6.5. (Marion Oaks Manor Extension). County Engineer Steven Cohoon, Office of the County Engineer

(OCE) advised that the Consultant has been working directly with the Department of Transportation (DOT) to keep the project on schedule, noting completion of the Project Development and Environment (PD&E) study is expected around the June 2026 time frame. He opined that by January 2026, staff will be able to bring this matter back to the Board to discuss bonding the project. Commissioner Zalak opined that this is an important project for the County as it relates to congestion management.

Chairman Bryant commented on Consent Agenda Items 7.8.1. through 7.8.9. as it relates to the Water Main Extension program, noting it is a very instrumental program in getting utilities services out in an area that has seen a lot of growth. She stated she is looking forward to having an update so that staff can provide more information on how that program has actually helped.

Upon motion of Commissioner Zalak, seconded by Commissioner McClain, the Board acted on the Consent Agenda as follows:

**7.1. Administration:**

**7.1.1.** Request Approval of Extension to the Interlocal Agreement Amending the Citrus, Levy, Marion Workforce Consortium to June 30, 2030 (Budget Impact - None)

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

Description/Background: The current Interlocal Agreement Amending the Citrus, Levy, Marion Workforce Innovation and Opportunity Act, Public Law No. 113-128 will expire on June 30, 2025. This item requests approval of an extension of the Interlocal Agreement to June 30, 2030.

Budget/Impact: None.

Recommended Action: Motion to approve the Interlocal Agreement Amending the Citrus, Levy, Marion Workforce Innovation and Opportunity Act, Public Law No. 113-128 to extend the agreement until June 30, 2030.

**7.2. Development Review Committee:**

**7.2.1.** Request Approval of a Final Plat for Pioneer Ranch Phase 2, Parcel Numbers 35635-000-00 and 35635-000-01, Application Number 31006 (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 Pioneer Ranch Phase 2, a Planned Unit Development. This subdivision is located in the southwest portion of the County containing 189 lots, five tracts and 1.31 miles of road on approximately 57.42 acres. This Final Plat was approved by the Development Review Committee on February 24, 2025.

Budget/Impact: None.

Recommended Action: Motion to approve the Final Plat for Pioneer Ranch Phase 2 and authorize the Chairman and Clerk to execute the same.

**7.2.2.** Request Approval of a Final Plat for Bennett 6, Parcel Number 13338-000-03, Application Number 30747 (Budget Impact - None)

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

Description/Background: This is a request to approve the Final Plat for Bennett 6.

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This plat is located in the northwest portion of the County containing one (1) lot and zero (0) miles of road on approximately 6.16 acres.

This Final Plat was approved by the Development Review Committee on February 17, 2025.

Budget/Impact: None.

Recommended Action: Motion to approve the Final Plat for Bennett 6 and authorize the Chairman and Clerk to execute the same.

**7.2.3. Request Approval of a Final Plat for Aurora Oaks Phase 1, Parcel Number 35460-020-00 Application Number 31216 (Budget Impact - None)**

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

Description/Background: This is a request to approve the Final Plat for Aurora Oaks Phase 1.

This plat is located in the southwest portion of the County containing 277 lots, 6 tracts, and 1.21 miles of road on approximately 40.14 acres.

This Final Plat was approved by the Development Review Committee on February 24, 2025.

Budget/Impact: None.

Recommended Action: Motion to approve the Final Plat for Aurora Oaks Phase 1 and authorize the Chairman and Clerk to execute the same.

**7.2.4. Request Approval of a Final Plat for McGinley Landing Phase 1, Parcel Number 41200-056-13, Application Number 32205 (Budget Impact - None)**

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

Description/Background: This is a request to approve the Final Plat for McGinley Landing Phase 1.

This subdivision is located in the northwest portion of the County containing 142 lots and 1.14 miles of road on approximately 53.28 acres.

This Final Plat was approved by the Development Review Committee on February 24, 2025.

Budget/Impact: None.

Recommended Action: Motion to approve the Final Plat for McGinley Landing Phase 1 and authorize the Chairman and Clerk to execute the same.

**7.2.5. Request Approval of a Final Plat for Marion Ranch Phases 3 and 4, Parcel Number 35623-000-00, Application Number 31528 (Budget Impact - None)**

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

Description/Background: This is a request to approve the Final Plat for Marion Ranch Phases 3 and 4.

This subdivision is located in the southwest portion of the County containing 287 lots and 2.09 miles of road on approximately 94.81 acres.

This Final Plat was approved by the Development Review Committee on February 24, 2025.

Budget/Impact: None.



Recommended Action: Motion to approve the Final Plat for Marion Ranch Phases 3 and 4 and authorize the Chairman and Clerk to execute the same.

**7.2.6. Request Approval of a Final Plat for Calesa Township – Perlino Grove, Parcel Number 3546-600-000, Application Number 31832 (Budget Impact - None)**

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

Description/Background: This is a request to approve the Final Plat for Calesa Township - Perlino Grove.

This plat is located in the southwest portion of the County containing 218 lots, 14 tracts, and 2.38 miles of road on approximately 67.69 acres.

This Final Plat was approved by the Development Review Committee on February 24, 2025.

Budget/Impact: None.

Recommended Action: Motion to approve the Final Plat for Calesa Township - Perlino Grove and authorize the Chairman and Clerk to execute the same.

**7.3. Fire Rescue:**

**7.3.1. Request Approval of the Agreement for the Provision of Advanced Life Support Ambulance Standby Services for Music Concert Event between Rock the Country 2025 and Marion County, Florida (Budget Impact - Neutral)**

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

Description/Background: Marion County Fire Rescue (MCFR) intends to enter into an agreement with Rock the Country 2025 (RTC) for services during their concert which will be held May 9, 2025, and May 10, 2025. MCFR will maintain Advanced Life Support (ALS) and fire suppression services for the entirety of the event lasting approximately 15 hours. There will be 44 personnel assigned to various duties for the duration of the concert both days with a smaller element providing 24-hour ALS coverage on May 8, 2025, through May 11, 2025.

Budget/Impact: Neutral.

Recommended Action: Motion to approve the Agreement for the Provision of Advanced Life Support Ambulance Standby Services for Music Concert Event between Rock the Country 2025 and Marion County, Florida.

**7.4. Human Resources:**

**7.4.1. Request Approval for Creation and Advertisement of 12 Positions in Anticipation of Freedom Public Library Expansion Completion Within the Budget of the Public Library System AA375571**

The Board accepted the following recommendation to adopt Resolution 25-R-98 as presented by Human Resources (HR) Director Sara Caron:

Description/Background: The Freedom Public Library is currently under construction for the square footage expansion from 8,100 square feet to over 32,000 square feet. This is a greatly anticipated expansion, and the public is expected to demonstrate an enthusiastic response to the additional dedicated space, resources, programs and services. Additional staff have been requested to address this response.

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The Board approved set-aside funds in the amount of \$140,000 within the FY 2024-25 library budget to advertise, hire and train additional staff for the Freedom Public Library expansion, so that staff will be ready to serve the public when the expansion opens in the Fall. The Board also approved the use of unexpended salary dollars due to vacancies.

Because library professional positions are so difficult to fill, the Library Director is requesting to advertise four (4) positions immediately and fund for four months, with an authorized hire date of June 1, 2025. The positions include two (2) Public Services Librarian III positions and two (2) Public Services Librarian II positions.

Additionally, this request is to advertise eight (8) positions immediately and be funded for two months, with an authorized hire date of August 1, 2025. These include five (5) Public Services Librarian I positions, one (1) Circulation Specialist position, and two (2) Circulation Assistant positions.

Budget/Impact: FY 2024-25 Neutral; expenditure of approved appropriations. Recommended Action: Motion to approve creation and advertisement of 12 positions; budget AA375571.

Resolution 25-R-98 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE CREATION OF TWO (2) PUBLIC SERVICES LIBRARIAN III POSITIONS, PAY GRADE 111; TWO (2) PUBLIC SERVICES LIBRARIAN II POSITIONS, PAY GRADE 110; FIVE (5) PUBLIC SERVICES LIBRARIAN I POSITIONS, PAY GRADE 109; ONE (1) CIRCULATION SPECIALIST POSITION, PAY GRADE 107; AND TWO (2) CIRCULATION ASSISTANT POSITIONS, PAY GRADE 103, WITHIN THE LIBRARY BUDGET OF AA375571; ALONG WITH THE CORRESPONDING JOB DESCRIPTIONS AND PAY GRADES AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

**7.4.2.** Request Approval of the Creation of the Following Positions, One (1) Permit Manager, Pay Grade 114, One (1) Permit Technician, Pay Grade 108, One (1) Survey Manager, Pay Grade 114, and One (1) Property Agent, Pay Grade 108-111 Also, the Reclassification of the Following Position, One (1) Staff Assistant IV, Pay Grade 106 to One (1) Title Research Agent, Pay Grade 111, within the Budget of The Office of the County Engineer Transportation BL400541 (Budget Impact - Expenditure of \$334,384) The Board accepted the following recommendation to adopt Resolution 25-R-99 as presented by HR Director Caron:

Description/Background: Staffing levels in the Property Management Division, Survey Division, and Engineering Services Division have remained relatively unchanged since pre-sales tax era, while project load has increased.

Within the Property Management Division and Survey Division, lease agreements increased from 85 in 2019 to 169 in 2024, road closing requests increased from 4 in 2019 to 28 pending in 2025, plat vacate requests increased from 9 in 2019 to 44 pending in 2025. The Current FY 2024-25 has over \$135M assigned to projects in sales tax funds, with a large percentage of funds associated with right-of-way (ROW) acquisition efforts and survey efforts (for resurfacing projects).

Within Engineering Services, 4,078 row permit reviews occurred in 2017, and 15,746 row permit reviews occurred in 2024. Similarly, 3,863 row inspections occurred in 2017 and 20,219 row inspections in 2024.

The County Engineer has identified these positions as essential to keeping sales tax projects on schedule while also providing exceptional level of service for all other day to day activities.

Budget/Impact: Expenditure of \$334,384.

Recommended Action: Motion to execute the resolution and approve the creation of one (1) Permit Manager position, pay grade 114, one (1) Permit Technician position, pay grade 108, one (1) Survey Manager position, pay grade 114, one (1) Property Agent, pay grade 108-111 also, the reclassification of one (1) Staff Assistant IV, pay grade 106 to one (1) Title Research Agent, pay grade 111, within the budget of The Office of the County Engineer Transportation BL4000541.

Resolution 25-R-99 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE CREATION OF THE FOLLOWING POSITIONS, ONE (1) PERMIT MANAGER, PAY GRADE 114; ONE (1) PERMIT TECHNICIAN, PAY GRADE 108; ONE (1) SURVEY MANAGER, PAY GRADE 114; ONE (1) PROPERTY AGENT, PAY GRADE 108-111, AND THE RECLASSIFICATION OF THE FOLLOWING POSITION, ONE (1) STAFF ASSISTANT IV, PAY GRADE 106 TO ONE (1) TITLE RESEARCH AGENT PAY GRADE 111, WITHIN THE BUDGET OF THE OFFICE OF THE COUNTY ENGINEER TRANSPORTATION BL400541; ALONG WITH THE CORRESPONDING JOB DESCRIPTIONS AND PAY GRADES AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

## **7.5. Library Services:**

**7.5.1.** Request Approval of the Extension of the Existing Long-Range Plan (Budget Impact - Neutral)

The Board accepted the following recommendation as presented by Library Director Julia Sieg:

Description/Background: Annually, as a State Aid grant receiving public library, we are required to submit documents. One of the required documents to be eligible for the State Aid to Libraries grant is a library long-range plan, approved by the Governing Board. Currently the Library long-range plan is for the period 2020-2024 and is considered out of date. The Library is requesting that the Board approve extension of the existing plan until June 30, 2025. This slight extension will allow time to complete the long-range planning process, already in progress. At the regular June 17<sup>th</sup> Board meeting, the Library will seek Board approval of an updated library long-range plan, 2025-2030.

Budget/Impact: Neutral; the revenue from the State Aid to Libraries grant for Marion County for FY 2025-26 is estimated to be approximately \$100,000.

Recommended Action: Motion to approve the extension of the existing library long-range plan to June 30, 2025.

## **7.6. Procurement Services:**

**7.6.1. Request Approval of Bid Award: 25B-060 Farm Fence - NW/SW 80<sup>th</sup> Avenue & W HWY 40 Intersection - R&C Construction & Sitework, LLC, Salt Springs, FL (Budget Impact - Neutral; expenditure of \$80,424)**

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

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid seeking qualified and experienced contractors for a fencing project. The project involves removing the existing fence and installing a new one along SW 80<sup>th</sup> Avenue and SR 40, marking the property boundary between Dizney Double Diamond LLC (DDD) and Marion County. This relocation is part of the SECO relocation agreement between the County and DDD. Before any work begins, the county will conduct a survey and mark all relevant areas. Six (6) submittals were received; the tabulation is listed below:

Vendor-Location	BID
R&C Construction & Sitework, LLC - <i>Salt Springs, FL</i>	\$80,423.50
Lux Fence - <i>Panama City, FL</i>	\$84,812.50
C. Richie Fencing - <i>Hernando, FL</i>	\$93,500.00
Peter Built Fence - <i>Summerfield, FL</i>	\$99,800.00
Armstrong Fence Company - <i>Jacksonville, FL</i>	\$114,402.50
PSG Concrete & Excavation - <i>DeLand, FL</i>	\$146,765.00

Steven Cohoon, P.E., County Engineer, recommends that R&C Construction & Sitework, LLC receive the award as the lowest, most responsive, and most responsible bidder.

Attached for review is a contract draft. Pending approval at today's meeting, the contract will be sent to R&C Construction & Sitework for signatures. Upon return, it will be routed for the County Attorney, Clerk, and Chairman's signatures.

Budget/Impact: Neutral; expenditure of \$80,423.50. Up to a 10% contingency may be added to the purchase order in accordance with the Procurement Manual. Funding comes from line VJ738541-563220 (STC073868) - Infrastructure Surtax Capital Project Fund.

Recommended Action: Motion to approve the recommendation and allow staff to issue the contract and upon approval by Legal, authorize the Chairman and Clerk to execute the contract under 25B-060.

**7.6.2. Request Approval of Change Order 5 to Purchase Order 2400375: Short Water Main Extension Design - Kimley-Horn and Associates, Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$75,000)**

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

Description/Background: On July 21, 2020, the Board approved contracts with five (5) firms to provide various Utilities Engineering Design Services for Marion County. Marion County Utilities (MCU) has selected Kimley-Horn and Associates, Inc. (KHA) to extend water service to residents within 400 linear feet of existing water services. Applicants can apply for this service extension and if qualified, Marion County will design and permit short water main extension to serve the parcel included in this application.

On October 11, 2023, due to vacancies in the Utilities Engineer Section and the lack of qualified applicants applying for the open position in the Section, MCU was unable to perform in-house designs to the short water main extensions. A Purchase Order was entered in the amount of \$28,000 for design services on the Short Water Main Extension Design program. On December 7, 2023, Change Order 1 added an additional \$7,000 to the purchase order to provide for an additional 10 design plans. At that time, the total amount of the funds encumbered did not exceed the threshold requiring Board approval. On February 20, 2024, the Board approved Change Order 2 to add \$80,000 to ensure momentum was maintained while working on the plans for the Short Water Main Extension Design project, bringing the total Purchase Order amount to \$115,000. On August 6, 2024, the Board approved Change Order 3 to add an additional \$21,000 to ensure workload was maintained while serving the Short Water Line Program, bringing the total Purchase Order to \$136,000. On December 4, 2024, the Board approved Change Order 4 to add an additional \$60,000 for a continuation of engineering services for the Water Main Extension Program, bringing the Purchase Order amount to \$196,000.

At this time, Change Order 5 is being presented to add an additional \$75,000 for KHA to develop plans for the Short Water Line work by the MCU Line Crew in Marion Oaks, as work is being done to complete the water lines in this subdivision so the work can be capitalized appropriately. This Change Order will bring the total Purchase Order amount to \$271,000.

Upon approval today, the Change Order will be presented to the Clerk and Chairman for signatures.

Budget/Impact: Neutral; additional expenditure of \$75,000, bringing the total purchase order amount to \$271,000. Funding is from line ZF448536-563102 (Marion County Utility Fund) Project UTC000099.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute Change Order 5 to Purchase Order 2400375 for Kimley Horn and Associates, Inc. under 20Q-074-TO-23.

**7.6.3. Request Approval of Change Order 8 to Purchase Order 2100801: 20Q-190 SW 52<sup>nd</sup> Street Flood Mitigation Program - Kimley-Horn and Associates, Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure not to exceed \$99,725)**

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

Description/Background: On March 16, 2021, the Board approved a contract with Kimley-Horn and Associates, Inc. to provide professional engineering services that include the permitting and design of new drainage retention areas (DRAs) and stormwater conveyance infrastructure for flood mitigation along a portion of SW 52<sup>nd</sup> Street. During Florida Division of Emergency Management's review of Phase I - Design submittals, the Federal Emergency Management Agency received correspondence from the Seminole Tribe of Florida requesting that a Phase I Cultural Resource Assessment Survey be performed at the project site. The consultant will need to perform this survey along with the additional field work to accurately represent the increased surface water elevation and area for permitting purposes. The resulting Change Order (CO), being presented today, requests to

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add \$99,724.50 to the Purchase order and extends the design contract to September 30, 2025.

Attached for review is a copy of the CO, the proposal, and fee schedule. Pending approval at today's meeting, the CO will be presented to the Clerk and Chair for signatures.

Budget/Impact: Neutral; additional expenditure not to exceed \$99,724.50. Funding comes from EK430538-563102 - Stormwater Program.

Recommended Action: Motion to approve the CO, allow staff to process, and authorize the Chairman and Clerk to execute CO 8 to PO 2100801.

(ED. Note: This Item was approved with Agenda Item 5.2.1.)

**7.6.4. Request Approval of Contract Renewals: 21B-089-CA-02 Structural Welding and Repair Services for Solid Waste – Alien Engineered Products, LLC, Ocala, FL, and D & S Steel, Inc., Dunnellon, FL (Budget Impact - Neutral; estimated annual expenditure of \$100,000)**

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

Description/Background: On March 16, 2021, the Board approved a three (3) year contract with Alien Engineered Products, LLC, and D & S Steel, Inc., which included two (2) annual renewal options, to provide structural welding and repair services needed at the Baseline Transfer Station and other Solid Waste facilities. Both suppliers have complied with the original agreement's terms and conditions, and Solid Waste Director, Mark Johnson, recommends renewing the contracts to use the final annual renewal options.

Attached for review are copies of the draft contract amendments. Upon approval at today's meeting, the contract amendments will be sent to the firms for signatures. Once returned, they will be forwarded to Legal, the Clerk, and Chairman for signature.

Budget/Impact: Neutral; estimated annual expenditure of \$100,000. This may vary based on actual need for repairs. Annual expenditures shall not exceed the approved FY budgeted amount without being brought back to the Board for approval.

Recommended Action: Motion to approve the contract renewals, allow staff to issue, and upon approval by Legal authorize the Chairman and Clerk to execute the contract amendments under 21B-089.

**7.6.5. Request Approval of First Contract Amendment: 16Q-052 Marion Oaks Manor Extension (SW 49<sup>th</sup> Avenue to CR 475) - Tillman and Associates Engineering, LLC, Ocala, FL (Budget Impact - Neutral; additional expenditure of \$627,029)**

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

Description/Background: On May 21, 2024, the Board awarded a contract to Tillman and Associates Engineering, LLC to develop a Preliminary Engineering Report (PER) to support the development and design of the Marion Oaks Manor Extension project from SW 49<sup>th</sup> Avenue to CR 475.

The initiative has transitioned from a Preliminary Engineering Report (PER) to a more comprehensive Florida Department of Transportation (FDOT) Project Development and Environment (PD&E) study. This expanded scope entails a more

rigorous and detailed analysis, which will ensure the crossing over Interstate 75 (I-75) complies with state and federal regulations, as well as opening up potential opportunities for reimbursement under federal guidelines.

The PD&E study will determine if the project qualifies for a Type 2 Categorical Exclusion. A Type 2 Categorical Exclusion indicates that there are no significant environmental impacts, including no adverse effects on Section 4(f) lands-areas designated for public parks, recreation, wildlife, or historical preservation. The PD&E is expected to confirm that the project qualifies for the Type 2 Categorical Exclusion.

Attached for review is a draft of the contract. Pending approval at today's meeting, it will be sent to Tillman and Associates Engineering, LLC for signatures. Upon return, it will be forwarded for the County Attorney, Clerk, and Chairman's signatures.

Budget/Impact: Neutral; additional expenditure of \$627,029 bringing the purchase order amount to \$1,100,159. Funding comes from GA771541 - 563511 (\$1,899.43) Impact Fee - East District, GB772541-563612 (\$8,097.57) Impact Fee - West District, and VJ738541-563220 (\$617,032.00) Infrastructure Surtax Capital Project Fund.

Recommended Action: Motion to approve the recommendation and allow staff to issue the contract, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Tillman and Associates Engineering, LLC under 16Q-052-CA-01.

**7.6.6. Request Approval of Selection Committee Recommendation: 24Q-268 Hydrogeological Services - RESPEC Company LLC, Sarasota, FL, Jones Edmunds & Associates, Inc., Alachua, FL, and Geosyntec Consultants, Inc., Gainesville, FL (Budget Impact - None)**

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

Description/Background: On behalf of Marion County Utilities (MCU), Procurement advertised a Request for Qualifications (RFQ) seeking to contract with multiple firms to provide hydrogeological services. Services provided encompass but are not limited to, hydrologic and water quality data collection, ecological services, freshwater system analysis, hydrogeologic and groundwater modeling, surface and groundwater monitoring and reporting, water supply planning, economic analyses, and comprehensive hydrologic services, including well design, permitting, construction, and certification.

A total of six (6) submittals were received and thoroughly evaluated by the Selection Committee members Mark Thomas, Christine Vrabric, and Lee Schwartz. Following the evaluation, three firms were shortlisted: RESPEC Company, LLC, Jones Edmunds and Associates, Inc. (JEA), and Geosyntec Consultants, Inc. (GC), all of which were recommended for consideration. Negotiations were successful with all three firms.

Utilities Director, Tony Cunningham, is in agreeance with the selection committee's recommendation and endorses awarding the contract with RESPEC Company LLC, JEA, and GC.

Attached for review is one draft contract (all contracts are identical). Upon approval at today's meeting, the contracts will be sent to the firms for signature. Once

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returned, they will be routed to Legal, the Clerk, and Chairman for signatures. Budget/Impact: None; projects which exceed \$50,000 will be brought back before the Board as a separate task order project with a detailed scope and fee schedule for review and approval.

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 RESPEC Company LLC, JEA, and GC. under 24Q-268.

**7.6.7. Request Approval of Third Contract Amendment: 23B-009-CA-03 Guardrail Installation, Maintenance, and Repair – Turtle Infrastructure Partners, LLC, Largo, FL (Budget Impact - None)**

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

Description/Background: On December 6, 2022, the Board approved a contract with Turtle Infrastructure Partners, LLC for the installation, maintenance, and repair of guardrails. Due to updates in safety compliance under the U.S. Department of Transportation - Federal Highway Administration's Manual for Assessing Safety Hardware, the Office of the County Engineer is requesting a contract amendment to delete two items and replace them with two that meet the revised standards. Item 536-85-4 MSKT-350 and Item 538-85-4 MSKT-350 will be added to the contract and will resolve guardrail post rotting issues previously encountered, pending approval at today's meeting.

Attached for review is a draft of the contract. If approved, it will be routed to Turtle Infrastructure Partners, LLC for signatures. Once returned, it will then be sent to the Clerk for execution.

Budget/Impact: None. The addition of a line item carries no budget impact.

Recommended Action: Motion to approve the contract amendment, allow staff to issue a contract, and upon approval by Legal, authorize the Clerk and Chairman to execute the amendment under 23B-009-CA-03.

**7.6.8. Request Ratification of the Emergency Repair Expenditure as Related to Solid Waste Transfer Station Loader L-18 – Beard Equipment Company, Mobile, AL (Budget Impact - Neutral; expenditure of \$72,561)**

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

Description/Background: On February 13, 2025, Solid Waste Director Mark Johnson notified Angel Roussel, Assistant County Administrator, and Procurement Services of an emergency repair needed to replace a broken rear axle on one of the Solid Waste transfer station loaders (Asset L-18). Fleet Management was given authorization to have the emergency repairs completed. Beard Equipment Company, which is the authorized original equipment manufacturer (OEM) repair center for this piece of machinery, completed all the necessary repairs to the rear axle and seals, with costs totaling \$72,560.77.

Budget/Impact: Neutral; expenditure of \$72,560.77.

Recommended Action: Motion for ratification of the emergency repairs.



**7.7. Transportation - County Engineer:**

**7.7.1.** Request Approval of the City of Belleview and Marion County Interlocal Agreement, for Milling/Resurfacing and Sidewalk Installations along SE 55<sup>th</sup> Ave Road (Budget Impact - Neutral; expenditure of \$672,000 in Fiscal Year 2026)

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

Description/Background: Attached is the City of Belleview and Marion County interlocal agreement. Marion County and the City of Belleview have joint maintenance and ownership of various segments of SE 55<sup>th</sup> Avenue Road from US 441 to County Road 484.

Through the interlocal agreement, the roadway will be milled/resurfaced and sidewalks will be added to one side of the roadway to enhanced pedestrian mobility. The County will provide design and construction services and fund 100% of resurfacing on County-maintained segments of roadway. County will fund 20% of resurfacing on disputed jurisdiction sections of the roadway. City will fund 100% of resurfacing on City owned sections of roadway and 80% of resurfacing on disputed jurisdiction sections of roadway. City will fund 100% of sidewalk construction costs.

Through this agreement, Marion County will manage all project phases (design and construction), and will fully fund and seek reimbursement from City within 90 days of City acceptance of project.

Marion County will seek grants for the project where applicable.

Upon completion of the construction project, SE 55<sup>th</sup> Avenue Road will be transferred to the City.

Budget/Impact: Neutral; expenditure \$672,000 in future fiscal year (FY). Programmed into the FY 2025-26 - FY 2029-30 Transportation Improvement Program using Transportation Maintenance funds and gas taxes.

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

**7.7.2.** Request Approval of the City of Belleview and Marion County Interlocal Agreement, for Establishment of Marion County as the Sponsor Agency for FM 453543-1 Belleview to Greenway Trail Project, a Resurfacing Project, and a Jurisdictional Transfer, for a portion of SE 102<sup>nd</sup> Place and SE 52<sup>nd</sup> Court (Budget Impact - Neutral; expenditure of \$1,533,700 in future fiscal years)

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

Description/Background: The City of Belleview has been tentatively awarded design funding of \$265,000 and construction funding of \$868,700 by the Florida Department of Transportation (FDOT) for the "Belleview to Greenway Trail" project (FM 453543-1). As this project involves County roadways as well as City roadways, the City of Belleview and Marion County Interlocal Agreement is attached for the Board's consideration. Also, as the County is a Local Agency Partner (LAP) certified with FDOT, FDOT requires that the City seek the County to be the sponsor agency and oversee the design and construction of SE 102<sup>nd</sup> Place (from US 441 to SE 52<sup>nd</sup> Court) and SE 52<sup>nd</sup> Court (from SE 105<sup>th</sup> Place to SE 102<sup>nd</sup> Place).

Through this agreement, Marion County will manage all project phases (design and construction), and will fully fund and seek reimbursement from FDOT for eligible items. Expenditures are anticipated to be fully reimbursable with the exception of the estimated \$400,000 for resurfacing of the County's maintained roads.

Both the City and County benefit by the resurfacing of roads within each jurisdiction, the City will also be able to add a trail corridor that reaches northwest from downtown Belleview to the Greenway.

After project completion, the County's portions of the resurfaced roads will be transferred to the City.

Budget/Impact: Neutral expenditure of \$1,533,700 in future fiscal years (FY). Programmed into the FY 2025-26 – FY 2029-30 Transportation Improvement Program (TIP) using Transportation Maintenance funds and gas taxes (TIP Project # M1).

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

**7.7.3. Request Approval of a Resolution and Perpetual Storm Sewer Easement and Non-Exclusive Access Easement Between Marion County and Florida Department of Transportation for Parcels 800.01A, 800.01B, and 800.01C Associated with Interstate 75 Improvements between State Road 200 and State Road 326 (Budget Impact - Neutral)**  
The Board accepted the following recommendation to adopt Resolution 25-R-100 as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve and execute the attached Resolution and related Perpetual Storm Sewer Easement and Non-Exclusive Access Easement for the benefit of the Florida Department of Transportation (FDOT) and their work associated with Interstate 75 (I-75). The easement will allow future clearing, excavating, construction, operating, and maintenance of a stormwater pipeline below ground level in association with Parcels 800.01A, 800.01B, and 800.01C. These parcels are within the existing SW 38<sup>th</sup> Avenue right-of-way adjacent to I-75, in an area between State Road 200 and State Road 326.  
Budget/Impact: None.

Recommended Action: Motion to approve the attached Resolution and Perpetual Storm Sewer Easement and Non-Exclusive Access Easement, and authorize Chairman and Clerk to execute the same.

**7.7.4. Request Approval of the 2025-26 to 2029-30 Marion County Transportation Improvement Program and Associated Resolution (Budget Impact - None)**

The Board accepted the following recommendation to adopt Resolution 25-R-101 as presented by County Engineer Cohoon, OCE:

Description/Background: The Marion County Transportation Improvement Program (TIP) lists the anticipated projects throughout Marion County for the next five (5) years. Types of projects are capacity, rehabilitation, intersections, and other miscellaneous maintenance such as guardrail, sidewalks, striping, etc. Activities undertaken on these projects may include survey, design, right-of-way acquisition, and construction.

The TIP is revised annually prior to the budget. Each year the project cost and timing are updated as appropriate. The five (5) year timeframe is also revised to

reflect the addition of the new fiscal year and the new projects for that year. Budget/Impact: None on current Fiscal Year 2025-26 budget; projects and activities listed on the attached Transportation Improvement Program are for future years.

Recommended Action: Motion to approve the proposed 2025-26 to 2029-30 Marion County Transportation Improvement Program and Associated Resolution.

Resolution 25-R-101 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING THE FY 2025/2026 TO 2029/2030 MARION COUNTY TRANSPORTATION IMPROVEMENT PROGRAM.

**7.7.5.** Request Approval of Marion County Subdivision Improvement Agreement With Letter of Credit for Aurora Oaks Ocala Inc, Associated With Aurora Oaks Phase 1, Application Number 31216 (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 Aurora Oaks Phase 1. 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, bond, or other form approved by the County Attorney, shall be provided in the amount of 120 percent of the estimated cost of remaining improvements. The attached agreement outlines proposed improvement timing and surety for improvement completion.

This subdivision is located in the southwest portion of the County containing 277 lots, 6 tracts, and 1.21 miles of road on approximately 40.14 acres.

The County Attorney's office has reviewed and approved the Subdivision Improvement Agreement with Letter of Credit in the amount of \$144,962.14.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Marion County Subdivision Improvement Agreement with Letter of Credit and to authorize the Chairman and Clerk to execute the same.

## **7.8. Utilities:**

**7.8.1.** Request Approval of Water Main Extension Connection Agreement WME-110-O Between Holiday Builders, Inc, and Marion County Utilities (Budget Impact - Neutral; expenditure of \$14,613)

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), which will result in installing 75 feet of water main across the parcel's frontage to the end of the property. The water main extension project will create a benefit for one (1) parcel along the route.

The total project cost is derived from the construction (\$13,912.50) and design (\$700) costs. The total cost share is \$14,612.50, which is divided by two (2) parcels totaling \$7,306.25 per parcel.

Budget/Impact: Neutral; project cost is \$14,612.50 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 subject Water Main Extension Connection Agreement and authorize staff to issue the purchase order for T&C Underground under 22P-146.

**7.8.2. Request Approval of Water Main Extension Connection Agreement WME-112-S Between Double Doors Realty, Inc, and Marion County Utilities (Budget Impact - Neutral; expenditure of \$32,757)**

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 to extend the water main an additional 114 feet beyond the owner's 160-foot obligation so the main is extended through the end of the cul-de-sac.

Resolution No. 21-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 its share of the project based upon MCU low bid contractor's price for the work. The total project cost is \$32,757, which includes construction (\$32,057) and design (\$700) costs. The project cost will be divided by six (6) parcels totaling \$5,459.50 per parcel.

Budget/Impact: Neutral; project cost is \$32,757 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.

**7.8.3. Request Approval of Water Main Extension Connection Agreement WME-087-O Between AT20 Assets, LLC, and Marion County Utilities (Budget Impact - Neutral; expenditure of \$20,776)**

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 is required to install 203 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 create a benefit for five (5) additional parcels along the route. Total project cost is derived from the construction cost (\$20,075.50) plus design fee (\$700).

Budget/Impact: Neutral; project cost is \$20,775.50 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 subject Water Main Extension Connection Agreement and authorize staff to issue the purchase order for T&C Underground under 22P-146.

**7.8.4. Request Approval of Water Main Extension Connection Agreement WME-088-O Between AT20 Assets, LLC, and Marion County Utilities (Budget Impact - Neutral; expenditure of \$32,318)**

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 is required to install 316 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 create a benefit for five (5) additional parcels along the route. Total project cost includes a fire hydrant stub-out assembly, which is not part of the collective owners' shares and is MCU's sole expense. A breakdown of the project total is shown below:

Total Project Cost	\$ 32,318	\$ 31,618 Construction + \$ 700 Design
MCU Cost Only	-- \$3,000	Fire Hydrant Stub-out Assembly
Collection Owner's Obligation	\$ 29,318	
Per Parcel Share	\$ 4,886.33	

Budget/Impact: Neutral; project cost is \$32,318 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 Chair 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.

**7.8.5. Request Approval of Water Main Extension Connection Agreement WME-090-O Between AT20 Assets, LLC, and Marion County Utilities (Budget Impact - Neutral; expenditure of \$12,769)**

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 is required to install 67 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 create a benefit for one (1) additional parcel along the route. Total project cost is derived from the construction cost (\$12,068.50) plus design fee (\$700).

Budget/Impact: Neutral; project cost is \$12,768.50 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 subject Water Main Extension Connection Agreement and authorize staff to issue the purchase order for T&C Underground under 22P-146.

**7.8.6. Request Approval of Water Main Extension Connection Agreement WME-094-O Between AT20 Assets, LLC, and Marion County Utilities (Budget Impact - Neutral; expenditure of \$39,815)**

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 is required to install 410 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 create a benefit for six (6) additional parcels along the route. Total project cost includes a fire hydrant stub-out assembly, which is not part of the collective owners' shares and is MCU's sole expense. A breakdown of the project total is shown below:

Total Project Cost	\$ 39,815	\$ 39,115 Construction + \$ 700 Design
MCU Cost Only	-- \$3,000	Fire Hydrant Stub-out Assembly
Collection Owner's Obligation	\$ 36,815	
Per Parcel Share	\$ 5,259.29	

Budget/Impact: Neutral; project cost is \$39,815 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.

**7.8.7. Request Approval of Water Main Extension Connection Agreement WME-096-O Between AT20 Assets, LLC, and Marion County Utilities (Budget Impact - Neutral; expenditure of \$13,240)**

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 is required to install 29 feet of water main across the parcel's frontage to the end of the property. The water main extension serves only the property owner's parcel. Total project cost is derived from the construction cost (\$12,539.50) plus design fee (\$700).

Budget/Impact: Neutral; project cost is \$13,239.50 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 subject Water Main Extension Connection Agreement and authorize staff to issue the purchase order for T&C Underground under 22P-146.

**7.8.8. Request Approval of Water Main Extension Connection Agreement WME-097-O Between Hand to Hand Solutions Inc and Marion County Utilities (Budget Impact - Neutral; expenditure of \$25,120)**

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 is required to install 225 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 create a benefit for five (5) additional parcels along the route. Total project cost is derived from the construction cost (\$23,770) design fee (\$700), and DEP permitting fee (\$650).

Budget/Impact: Neutral; project cost is \$25,120 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.

**7.8.9. Request Approval of Service Line and Connection Agreement 2024090772-098-S Between Worldwide Alliance LLC and Marion County Utilities (Budget Impact - Neutral; \$13,300)**

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 applicant requested a due diligence report from Marion County Utilities (MCU) and was advised water was immediately available across SE Maricamp Rd. Between the time of the due diligence report and the owner permitted the parcel, MCU's standard changed on tapping parcels on back lot lines. When MCU advised Owner of the connection requirement by water main extension, they approved a Share agreement whereby MCU would extend the main and serve additional parcels, but after review of the initial design and survey requirements, the resulting delay and materials cost outweighed the benefit of the water main installation. MCU determined in this unique case, installing a standard water service through a 4" casing to serve across SE Maricamp Rd was the best option. The service would benefit only the subject and neighboring parcel (which is in the same connection distance condition).

In accordance with Resolution No. 21-R-381 approved by the Board on August 17, 2021, for a Share Agreement, the developer/property owner only pays the pro-rata share of the project based upon MCU's low bid contractor's price for the work.

Budget/Impact: Neutral; project cost is \$13,300 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 Service Line and Connection Agreement and authorize staff to issue the purchase order for T&C Underground under 22P-146.

**7.8.10. Request Approval of State of Florida Department of Environmental Protection Standard Grant Agreement L0070 Between Florida Department of Environmental Protection and Marion County Utilities (Budget Impact - Neutral)**

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

Description/Background: The Lowell area, located in northern Marion County, includes multiple state-run facilities, such as the Florida State Fire College and other water users. The area does not have municipal water services at this time. Instead, residents rely on wells to provide them with drinking water. This area has been identified as having soil contamination above the Florida Department of Environmental Protection (FDEP) provisional cleanup target levels. Marion County has developed a concept plan to extend a centralized potable water system into the Lowell area that would provide clean drinking water within the proposed service area, including the State Fire College and other state-run facilities and makes water available for other users in the vicinity. Design and construction will be done in phases as funding becomes available.

For the entire project, Marion County will install approximately 36,100 linear feet of new water main; fire hydrants, valves, fittings, and required appurtenances of the centralized potable water system extension for the Lowell area. This grant will fund the first 20,000 - 24,000 linear feet of the project. Marion County continues to pursue additional grant funding to complete the entire project.

Budget/Impact: Neutral.

Recommended Action: Motion to approve and authorize the Chairman to execute the FDEP Standard Grant Agreement L0070.



**7.8.11. Request Approval of Repeal of Resolution 23-R-188 and Approval of its Replacement Resolution to Support Short Water Line Extension Program SWL-032 (Applicant Florida Land, LLC) (Budget Impact - None)**

The Board accepted the following recommendation to adopt Resolution 25-R-102, repealing and replacing Resolution 23-R-188 as presented by Utilities Director Cunningham:

Description/Background: On August 17, 2021, the Board approved \$5 million for the development and execution of a Short Water Line Extension Program (Program) providing subsidies for qualified applicants. On October 18, 2022, the Board approved Ordinance 22-43, which established the basic requirements for the Program. Property owners must apply and be qualified for the Program which will include support of a future water main construction project when the owner's property is within 50 to 500 feet of a water main.

Marion County Utilities (MCU) verified parcel number 8010-0931-02 for participation in the Program, shown on the original Exhibit A, however, the work was not completed across parcel 8010-0931-01 as shown on the original Exhibit B.

The project now improves a total of eight parcels as shown on the corrected Exhibit B, at the same total project cost shown on the corrected Exhibit C. Despite the removal of one Benefitting Lot, when the pro rata share cost is derived for each parcel located within the discrete geographical area, each owner will still only pay the pro rata share of \$5,000 per lot that the Board recommended as the maximum pro rata share per parcel.

Budget/Impact: None.

Recommended Action: Motion to approve recommendation.

Resolution 25-R-102 is entitled:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SUPPORT THE SHORT WATER LINE EXTENSION PROGRAM; PROVIDING CERTAIN FINDINGS AND AUTHORITY; ESTABLISHING THE SHORT WATER LINE EXTENSION PROGRAM SERVICE AREA; ESTABLISHING ONE-TIME CAPITAL CONNECTION FEE FOR THE SERVICE AREA; REPEALING RESOLUTION NO. 23-R-188 AND PROVIDING AN EFFECTIVE DATE.

**7.8.12. Request Approval of Repeal of Resolution 23-R-404 and Approval of its Replacement Resolution to Support Short Water Line Extension Program SWL-061 (Applicant Baxton Homes, LLC) (Budget Impact - None)**

The Board accepted the following recommendation to adopt Resolution 25-R-103, repealing and replacing Resolution 23-R-404 as presented by Utilities Director Cunningham:

Description/Background: On August 17, 2021, the Board approved \$5 million for the development and execution of a Short Water Line Extension Program (Program) providing subsidies for qualified applicants. On October 18, 2022, the Board approved Ordinance 22-43, which established the basic requirements for the Program. Property owners must apply and be qualified for the Program which will include support of a future water main construction project when the owner's property is within 50 to 500 feet of a water main.

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After recording the subject Resolution, one of the benefitting lots split, resulting in an additional parcel subject to being assessed its share. This resulted in the total number of lots served increasing from 20 to 21, and the cost per parcel being reduced from \$4,898.70 to \$4,663.43. Both items are corrected through this new Resolution.

Budget/Impact: None.

Recommended Action: Motion to approve recommendation.

Resolution 25-R-103 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SUPPORT THE SHORT WATER LINE EXTENSION PROGRAM; PROVIDING CERTAIN FINDINGS AND AUTHORITY; ESTABLISHING THE SHORT WATER LINE EXTENSION PROGRAM SERVICE AREA; ESTABLISHING ONE-TIME CAPITAL CONNECTION FEE FOR THE SERVICE AREA; REPEALING RESOLUTION NO. 23-R-404 AND PROVIDING AN EFFECTIVE DATE.

**7.8.13.** Request Approval of Repeal of Resolution 23-R-562 and Approval of its Replacement Resolution to Support Short Water Line Extension Program SWL-088 (Applicant Pac 3 Properties, LLC) (Budget Impact - None)

The Board accepted the following recommendation to adopt Resolution 25-R-104, repealing and replacing Resolution 23-R-562 as presented by Utilities Director Cunningham:

Description/Background: On August 17, 2021, the Board approved \$5 million for the development and execution of a Short Water Line Extension Program (Program) providing subsidies for qualified applicants. October 18, 2022, the Board approved Ordinance 22-43, which established the basic requirements for the Program. Property owners must apply and be qualified for the Program which will include support of a future water main construction project when the owner's property is within 50 to 500 feet of a water main.

Marion County Utilities (MCU) verified parcel number 8004-0444-02 for participation in the Program, shown on the original Resolution's Exhibit A, however one of the improved parcels was omitted from the original Exhibit B. This Resolution corrects that omission. The original Exhibit C allocating costs is unaffected; the pro rata share cost derived for each parcel located within the discrete geographical area will remain \$5,000 per lot that the Board recommended as the maximum pro rata share per parcel.

Budget/Impact: None.

Recommended Action: Motion to approve recommendation.

Resolution 25-R-104 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SUPPORT THE SHORT WATER LINE EXTENSION PROGRAM; PROVIDING CERTAIN FINDINGS AND AUTHORITY; ESTABLISHING THE SHORT WATER LINE EXTENSION PROGRAM SERVICE AREA; ESTABLISHING ONE-TIME CAPITAL CONNECTION FEE FOR THE SERVICE AREA; REPEALING RESOLUTION NO. 23-R-562 AND PROVIDING AN EFFECTIVE DATE.

**7.8.14.** Request Approval of Repeal of Resolution 24-R-136 and Approval of its Replacement Resolution to Support Short Water Line Extension Program SWL-105 (Applicant Décor Enterprise Corp) (Budget Impact - None)

The Board accepted the following recommendation to adopt Resolution 25-R-105, repealing and replacing Resolution 24-R-136 as presented by Utilities Director Cunningham:

Description/Background: On August 17, 2021, the Board approved \$5 million for the development and execution of a Short Water Line Extension Program (Program) providing subsidies for qualified applicants. October 18, 2022, the Board approved Ordinance 22-43, which established the basic requirements for the Program. Property owners must apply and be qualified for the Program which will include support of a future water main construction project when the owner's property is within 50 to 500 feet of a water main.

After recording the subject Resolution, one of the benefitting lots split, resulting in an additional parcel subject to being assessed its share. This resulted in the total number of lots served increasing from ten to eleven and the cost per parcel being reduced from \$4,334 to \$3,940. Both items are corrected through this new Resolution.

Budget/Impact: None.

Recommended Action: Motion to approve recommendation.

Resolution 25-R-105 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SUPPORT THE SHORT WATER LINE EXTENSION PROGRAM; PROVIDING CERTAIN FINDINGS AND AUTHORITY; ESTABLISHING THE SHORT WATER LINE EXTENSION PROGRAM SERVICE AREA; ESTABLISHING ONE-TIME CAPITAL CONNECTION FEE FOR THE SERVICE AREA; REPEALING RESOLUTION NO. 24-R-136 AND PROVIDING AN EFFECTIVE DATE.

**8. COUNTY ATTORNEY:**

County Attorney Matthew G. Minter advised of 2 Walk-On Items for Board consideration. A motion was made by Commissioner McClain, seconded by Commissioner Stone, to consider both of the Walk-On Items. The motion was unanimously approved by the Board (5-0).

**8.1. WALK-ON:** Request Approval of the Fourth Lease Renewal Agreement Between Ellison Property Management, Agent for the Landlord, Ocala Springs Plaza, LC, and Marion County for the Tax Collector Office Space in the Ocala Springs Shopping Plaza  
The Board considered the following recommendation as presented by County Attorney Matthew G. Minter:

Description/Background: The Marion County Tax Collector, George Albright, requests that Marion County enter into a fourth lease renewal agreement with Ocala Springs Shopping Center, LC, for a term of five (5) years commencing January 15, 2025. 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 common area maintenance (CAM) and tenant's share of operating expenses, shall remain the same through year one (1). The rental rate in years two

(2) through five (5) will increase to \$3,440.00 per month including CAM and tenant's share of operating expenses.

Year one (1) annual rent will continue at its current rate of \$36,120.00, including CAM and tenant's share of operating expenses. Accordingly, there will be no additional budget impact for the remainder of FY 2024-25. In years two (2) through (5) annual rent would be \$41,280.00, which results in an annual increase of \$5,160.00 for years two (2) through (5).

The requested and negotiated rental increase by the landlord results from two components – Base Rent and CAM. Inflation from January 2020 to December 2024 is 21.48%. The CAM portion of the rent has risen from \$3.30/sf in 2020 to \$4.42/sf currently, which is an increase of \$1.12/sf. The landlord is not asking for an increase commensurate with overall inflation. The landlord is seeking a 10% increase over the current base rent and a \$1.12/sf increase in the CAM starting in year two (2) and remaining the same through year five (5). The landlord is seeking an increase to the gross rent of \$2.00/sf to a gross rent of \$16.00/sf (\$3,440.00 per month) including CAM and tenant's share of operating expenses. This equates to an overall thirteen and one-half percent (13.5%) increase to the gross rent beginning in year two.

Budget/Impact: May result in increase of the Tax Collector's budget in coming fiscal years.

Recommended Action: Motion to approve the fourth lease renewal Agreement between Ellison Property Management, agent for the Landlord, Ocala Springs Plaza, LC, and Marion County for the Tax Collector office space in the Ocala Springs Shopping Plaza.

Mr. Minter stated the request is for a lease extension between Marion County and Ellison Property Management, Inc. for a Tax Collector satellite office.

Attorney Vanessa Thomas, NE 14<sup>th</sup> Street, legal counsel for the Tax Collector's Office, advised that the request is for renewal of a lease for a Tax Collector's satellite office that serves the northeast and northwest portions of the County. She advised that there has been a lease between the parties since 1999, noting the last agreement was entered into in 2020. Ms. Thomas stated the landlord has requested an increase in rent, noting the current rental rate is a little over \$3,000.00 per month, which includes the common area maintenance (CAM) for all the things the shopping center would have to fix (i.e., the parking lot, replace things on the building, signage, landscaping, etc.). Currently, the base rent is \$10.70 per square foot (sq ft) with CAM at \$3.30 cents per sq ft, which is basically \$14.00 per sq ft gross rent. She advised that the landlord is looking for a 10% increase over the current base rate, noting for this year (Year 1) the annual rental rate will remain the same (\$36,120.00), and then there will be an increase beginning in Year 2 (FY 2025-26). Ms. Thomas stated the increase in the base rate would be \$11.58 per sf and the CAM at \$4.42 per sf for an overall gross rent per sf of \$16.00 per sq ft. for a monthly rental rate of \$3,440.00 or \$41,280.00 annually.

Chairman Bryant opined that this location is always busy and serves the community well. Commissioner Stone commented on the partnership between the Tax Collector's Office and the County as it also serves as a place where citizens can pay their Marion County Utility (MCU) bill, as well as purchase County park passes.

Chairman Bryant opened the floor for public comment.

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

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to approve the fourth lease renewal Agreement between Ellison Property Management, agent for the Landlord, Ocala Springs Plaza, LC, and Marion County for the Tax Collector office space in the Ocala Springs Shopping Plaza. The motion was unanimously approved by the Board (5-0).

**8.2. WALK-ON:** Request Approval of a Resolution Authorizing Acquisition of Real Property Interests by Gift, Purchase, or Eminent Domain for the NW /SW 80<sup>th</sup> Ave & Hwy 40 Intersection from 1300' South of West Hwy 40 to 1600' North of West Hwy 40 Road and Drainage Improvement Project in Marion County, Florida

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

Description/Background: One resolution is 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 parcel to construct road improvements related to the NW/SW 80<sup>th</sup> Ave & Hwy 40 Intersection from 1300' South of West Hwy 40 to 1600' North of West Hwy 40 Road and Drainage Improvement Project, which will widen the north and southbound lanes of NW/SW 80<sup>th</sup> Avenue, relieving traffic flow on both Hwy 40 and NW/SW 80<sup>th</sup> Avenue, and surrounding collector roads. The resolution provides for acquisition either by negotiation, based on a binding offer from the County for up to 120% of the full compensation value determined by our appraiser, or eminent domain. If negotiations are unsuccessful, then the Resolution authorizes proceeding with acquisition by eminent domain. Florida Statutes require the adoption of a resolution authorizing 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 appraisal. The amount for the acquisition parcel included in this resolution is \$618,422.00. 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 Resolution and authorize the Chairman and the Clerk of Court to execute same.

County Attorney Minter stated the request is for adoption of a Resolution authorizing the exercise of the power of eminent domain in furtherance of the County's ongoing road programs. This particular acquisition is close to the intersection of State Road (SR) 40 and NW/SW 80<sup>th</sup> Avenue. The acquisition will involve an approximately 8 acre parcel plus a temporary construction easement for a drainage pond for the widening of NW/SW 80<sup>th</sup> Avenue at that location.

Chairman Bryant opened the floor for public comment.

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

A motion was made by Commissioner Curry, seconded by Commissioner Stone, to adopt Resolution 25-R-106 providing for acquisition either by negotiation or eminent domain relating to parcels Nos. 23304-000-00 and 23304-000-01, Michel P. Vecchio, owner.

Resolution 25-R-106 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 THE NW/SW 80<sup>th</sup> AVE & HWY 40 INTERSECTION FROM 1300' SOUTH OF WEST HWY 40 TO 1600' NORTH OF WEST HWY 40 ROAD AND DRAINAGE IMPROVEMENT PROJECT IN MARION COUNTY, FLORIDA; MAKING FINDINGS OF FACT FOR PUBLIC PURPOSE AND NECESSITY; AND PROVIDING AN EFFECTIVE DATE.

## **9. COUNTY ADMINISTRATOR:**

### **9.1. Request Approval of the Preliminary Engineering Report for SW 38<sup>th</sup>/40<sup>th</sup> Street, from SW 80<sup>th</sup> Avenue to SW 43<sup>rd</sup> Court (Budget Impact - None)**

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

Description/Background: This is a request to approve the Preliminary Engineering Report for SW 38<sup>th</sup>/40<sup>th</sup> Street, from SW 80<sup>th</sup> Avenue to SW 43<sup>rd</sup> Court. The Preliminary Engineering Report (PER) was presented to the Board of County Commissioners (BCC) at a workshop on January 16, 2024. On January 30, 2024 a Community Meeting presentation was given at West Port High School for the public to attend. A subsequent presentation was given to the Board of County Commissioners at a workshop on December 12, 2024.

Three segments were developed with multiple alternative typical sections being evaluated. Segment 1 (from SW 80<sup>th</sup> Ave to SW 60<sup>th</sup> Avenue) preferred Typical Section 1A, was the only alternative evaluated due to existing right of way agreements. Segment 2 (from SW 60<sup>th</sup> Avenue to SW 46<sup>th</sup> Avenue) alternatives 2A and 2B, were evaluated with the preferred option being Typical Section 2A. Segment 3 (from SW 46<sup>th</sup> Avenue to SW 43<sup>rd</sup> Court) alternatives 3A, 3B and 3C, were evaluated with the preferred option being Typical Section 3C. The Preliminary Engineering Report considers factors such as safety, number of residences affected, feasibility of design, permitting, costs, environmental, cultural and archaeological factors, traffic, geotechnical and flexibility to meet future needs. Funding for the design phase is in the 2024-25 budget and is anticipated to begin after BCC adoption of the PER.

Budget/Impact: None.

Recommended Action: Motion to approve the Preliminary Engineering Report for SW 38<sup>th</sup>/40<sup>th</sup> Street; Segment 1 (from SW 80<sup>th</sup> Ave to SW 60<sup>th</sup> Avenue) preferred Typical Section 1A, Segment 2 (from SW 60<sup>th</sup> Avenue to SW 46<sup>th</sup> Avenue) preferred Typical Section 2A, and Segment 3 (from SW 46<sup>th</sup> Avenue to SW 43<sup>rd</sup> Court) preferred Typical Section 3C.

County Administrator Mounir Bouyounes stated the request relates to the Preliminary Engineering Report (PER) for the SW 38<sup>th</sup>/40<sup>th</sup> Street road project. This is the first step in getting this project moving forward with the design and right-of-way (ROW) acquisition and soon thereafter, to begin construction.

County Engineer Cohoon stated the project location is just to the south of Westport High School on SW 80<sup>th</sup> Avenue. Staff have held several workshops and public meetings on this, as well as made numerous contacts with various individuals throughout the community that may be affected.

Amber Gartner, Kimley-Horn and Associates (KHA), SE 17<sup>th</sup> Street, advised that she is the engineer of record for this preliminary engineering report that is for the Board's consideration today, noting the study evaluates and documents the need for widening of this corridor from 2 lanes to 4 lanes as the County looks at growth in the community. She stated KHA looked at multiple alternatives and presented their recommended alternative at the BCC workshop in December 2024, noting the recommendation took into consideration environmental impacts, ROW impacts, and costs. Ms. Gartner provided a brief overview of the proposed alternative project, which begins at the easternmost part of that intersection and noted the BCC recently decided to move forward with the roundabout alternative at this part of the intersection. The project continues east approximately 3.7 miles to SW 43<sup>rd</sup> Court. For the purpose of the recommended Alternative, there are 3 different distinct roadway sections based on the uses that are adjacent to those segments, as well as the existing ROW. Section 1 (SW 80<sup>th</sup> Avenue to SW 60<sup>th</sup> Avenue) fronts the Calesa development; Section 2 (SW 60<sup>th</sup> Avenue to SW 46<sup>th</sup> Avenue) fronting the Fore Ranch and Timberwood developments; and Section 3 (SW 46<sup>th</sup> Avenue to SW 43<sup>rd</sup> Court) near the Saddlewood Elementary School.

Ms. Gartner advised that Section 1 matches the County's Land Development Code (LDC) requirement of 120 feet of ROW for a collector roadway, noting this is an urban collector roadway. The features include 2 travel lanes in each direction, a paved shoulder, a raised median, a sidewalk on 1 side of the roadway, and a shared use path on the other side of the roadway. She clarified that the shared use path is intended for bidirectional bicycle travel, as well as pedestrians to be accommodated within that space. It is not at this time intended for use by golf carts and is only for bicycles and pedestrians.

Commissioner Zalak questioned whether the shared use path (multi-model) will be on the same side of the road as the On Top of the World (OTOW) subdivision. Ms. Gartner advised that the sidewalk is on the south side of the road to provide connectivity between the school and the park and other uses along the roadway. Commissioner Zalak opined that it should be changed.

Mr. Minter commented on factors the BCC should take into consideration such as long range planning, alternate routes, environmental impacts, cost, etc., and questioned how safety was factored into consideration for this recommendation.

Chairman Bryant noted it is the ten o'clock hour. She advised that the Board would continue with Agenda Item 9.1. 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, Article II, Subsection 5.5-33 Application for Permits and Subsection 5.5-39 Wind Loads Relating to the Marion County Building Code

Deputy Clerk Windberg presented Proof of Publication No. 11097711 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on March 7, 2025. The Notice states that the Board will consider adoption of an Ordinance pertaining to the Marion County Building Code.

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

Description/Background: This is a Public Hearing to consider a draft ordinance to amend Chapter 5.5 of the Marion County Building Code. The proposed changes

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clarify permit requirements and exemptions for gas, electrical, plumbing, mechanical, and structural trades. Notably, prefabricated temporary structures up to 168 square feet, such as gazebos, would be exempt from permitting. Additionally, redundant floodplain requirements have been removed, as they are already covered in the Florida Building Code Residential (FBCR), Section R322 and the wind load requirements were increased to 130 mph.

Budget/Impact: None.

Recommended Action: Motion to approve the Ordinance.

Chief Assistant County Attorney Dana Olesky advised that today's public hearing is to consider adoption of an Ordinance to amend Chapter 5.5, Article II, Subsection 5.5-33 "Application for Permits"; and Subsection 5.5-39 "Wind Loads" relating to the Marion County Building Code. She advised that in 2020 the BCC adopted several exemptions from permitting requirements, noting this is a revisit to those specific exemptions, as well as expanding exemptions from permitting, including prefabricated temporary structures up to 168 square feet (sf). This change specifically addresses requests related to gazebos and other structures (i.e., prefabricated sheds). Another point of interest for the County is based on previous community feedback removing redundant floodplain language already covered within the Florida Building Code for residential, aiming to streamline and reduce unnecessary regulation; as well as increasing wind load requirements to 130 miles per hour (mph) to ensure safety and resilience against severe weather conditions.

Ms. Olesky advised that there is no specific language in this section regarding waiver of any building permit fees or building inspection fees. She clarified that if the Board chooses to continue to allow inspection fees or permit fees to be exempt for water heaters, there will need to be a specific sentence in this section that would allow the BCC, through a Resolution, to reduce those fees or have a waiver of those fees.

Building Director Michael Savage advised that the proposed Ordinance is the cumulative of about 4 years' worth of work. Staff took the last Ordinance and reviewed it, worked with citizens, etc., noting the proposed recommendations came from that review. For example, Florida gets a lot of storms, and this allows up to 100 sf of a roof repair (i.e., replace some shingles) without requiring the homeowner to come in and get a permit for that. Staff worked hard to try to stop as much government intrusion into citizens' lives as possible. For example, if it is a like for like water heater change out the homeowner would not need to come in for a permit. He stated the proposed Ordinance also allows exemptions for prefabricated built sheds, gazebos, and DCA modulars. Mr. Savage noted the difference between a DCA modular, and a prefabricated built shed, is that a DCA modular comes with an engineering certification on it, how it can be put in place, etc., and is actually rated for a 160 mile an hour wind zone. He read into the record the definition of "like to like" as defined in the proposed Ordinance as follows "Like for like, replacement of an existing improvement or component part with a component part of the same type and in the same location. Example, replace an electric water heater with another electric water heater in the same location". Mr. Savage opined that these changes create a number of building permit exemptions for citizens and helps the Department reduce the number of inspections.

Chairman Bryant opened the floor to public comment.

Denise Alexander, SE 41<sup>st</sup> Place, advised that she is the Executive Officer for the Marion County Building Industry Association (MCBIA), noting she is present to request the BCC postpone the vote on this particular Ordinance and give the MCBIA an opportunity to come back and meet with the Building Department one more time. She stated Mr. Savage



has already scheduled an appointment with 2 of the members of the Association; however, there are some other people who would like to be present at that meeting.

David Tillman, President of MCBIA, SE 41<sup>st</sup> Place, advised that Mr. Savage has been working very well with MCBIA, noting there is one small issue that MCBIA wants to meet with him about, and MCBIA is currently getting legal opinions on whether or not the language could be adopted.

Commissioner Curry commented on litter and trash being left at construction sites throughout the County.

Chairman Bryant stated there are rules and regulations in place and opined that what is occurring is private dumping within the dumpsters that the builders are providing for its specific building site.

General discussion ensued.

Commissioner Zalak advised that the County mandates that the construction/building site must have a portable toilet on-site to start a job; however, it does not mandate that you have to have some type of garbage containment. He requested Ms. Olesky review the matter.

Mr. Savage clarified that the Florida Building Code does not address containing the trash on a construction site; however, the County can put that language in the proposed Ordinance, which will make it enforceable for staff.

Henry Munoz, Marion Oaks Boulevard, opined that the Board should postpone the public hearing to allow time for staff to meet with the MCBIA. He agreed that the BCC needed to add language relating to trash dumpsters on construction sites.

General discussion ensued.

Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to continue the public hearing to a date and time certain of Tuesday, April 15, 2025 at 10:00 a.m. The motion was unanimously approved by the Board (5-0).

Commissioner Curry out at 10:20 a.m.

#### **9.1 CONTINUED:**

Ms. Gartner advised that in regard to Mr. Minter's earlier question as to how KHA addressed safety issues in the preliminary engineering report, it was done by looking at the needs of the corridor and providing the additional traffic capacity which reduces conflicts. She commented on the various modes of transportation for all users, including bicycles and pedestrians, which addresses some of that safety component as well. Ms. Gartner noted when designing the intersections, KHA is looking to ensure that those are done in a safe and efficient way.

ACA Tracy Straub commented on the recommendation as to which side of the project to construct the multi-use component on, noting staff took into consideration the OTOW extensive golfcart path and their controlled access points. She opined that by putting the multi-use trail on the north side there would be controlled access points as it relates to points of designated road crossings.

General discussion ensued.

Commissioner Curry returned at 10:24 a.m.

Ms. Straub commented on the amount of large undeveloped commercial parcels on the north side of the proposed project.

General discussion resumed.

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In response to Chairman Bryant, Ms. Gartner stated there will be controlled crossings at the Calesa intersections once those are constructed.

Commissioner Curry out at 10:28 a.m.

Ms. Gartner commented on the existing agreements the County has with OTOW and Colen Built Development as it relates to ROWs.

Commissioner Curry returned at 10:28 a.m.

Ms. Gartner commented on the existing 90 ft ROW, noting KHA is proposing a 120 ft ROW to be consistent with the LDC for an urban collector roadway, which means that 30 ft of ROW would need to be acquired to achieve that 120 ft ROW section. The recommended alternative includes 20 ft of acquisition on the south side of the roadway, which is predominantly fronting the Fore Ranch subdivision, and that is a landscape tract owned by the Fore Ranch HOA, LLC. There is a significant landscape buffer within that property, so it was discussed that the landscape buffer would be maintained as much as possible within that 20 ft of acquisition. She noted the sidewalk on the south side of the road will be designed to be meandering where possible to avoid impacts to that existing landscape buffer. This option also requires 10 ft of acquisition from the north side of the roadway where the Timberwood subdivision is located in order to achieve the full 120 ft of ROW.

Commissioner Zalak questioned if the plan is to leave the landscape buffer in place and why is it being recommended that the County purchase this strip for ROW. Ms. Gartner clarified that the landscape buffer does not take up the entire 20 ft and within that easement the County can still have their utilities, as well as accommodate the pedestrian features for the sidewalk. She advised that there are existing utilities, gas lines and fiber located on both sides of the roadway, noting the City of Ocala also has water and sewer located on the south side of this project area.

Ms. Gartner commented on Section 3 of the proposed project as it approaches SW 43<sup>rd</sup> Court near Saddlewood Elementary School, noting there is only 50 ft of ROW within that roadway section. So, to achieve 120 ft to be consistent with the LDC, it would require a 70 ft ROW acquisition. She advised that the recommended alternative includes impacts to 7 properties, 1 of those being Marion County School Board (MCSB), some of them are vacant parcels and some of them are larger residential properties where the house sits pretty far back off the roadway frontage. Ms. Gartner stated there has been discussions with the MCSB about impacts on their site and how that would be accommodated throughout the road construction, which will be reviewed during design.

General discussion ensued relating to the stormwater pond located on the MCSB property.

Ms. Gartner commented on 2 new proposed roundabouts, noting they have certain design criteria to plan the road to approach the roundabout at a certain angle in order to promote those lower travel speeds. KHA is looking at ways to possibly shift the center of the roundabout to a different location (particularly for the location at Westport High School) to reduce or minimize the amount of ROW needed or look at other ways to utilize that space .

In response to Commissioner Stone, Ms. Gartner advised that there is currently a 20 mph school zone that occurs in the morning and in the afternoon; however, those would go away once the roadway project is complete. She clarified it would be the normal posted speed limit of 45 mph along the roadways in front of the high school. Ms. Gartner stated school zones are not required for high school facilities.

Commissioner Stone expressed concern that automobiles are stacking up along the sides of this roadway (SW 80<sup>th</sup> Avenue) during pick-up and drop-off times.

Ms. Gartner stated one of the things that will occur with both of these roadway designs is it will now be a curbed roadway section, whereas today, there's no curb making it easier for parents to pull off and park on the side of the road. There will also be grass ROWs that now will be consumed by other infrastructure when these two roadway projects are completed so there is not as much physical space for vehicles to do that, as they would have to hop a curb.

General discussion ensued in regard to having a bypass lane in front of the high school. Commissioner Stone requested legal clarification as to whether the Sheriff's Office can enforce traffic rules at a roundabout.

General discussion resumed.

In response to Commissioner Zalak, Mr. Cohoon clarified that it all comes down to engineering, education and enforcement, noting this will be new for many people and public outreach will be needed.

Commissioner Stone reiterated that she would like to have the Sheriff on the record stating there will be enforcement at these locations.

General discussion resumed.

In response to Commissioner Stone, Ms. Gartner clarified that the roadway itself would be 45 mph, and then you slow the traffic down upon entering the roundabout, noting typically you want the circulating speed to be around 20 mph, and then depending on the length of the section of roadway between the roundabouts, it might increase slightly.

General discussion resumed.

In response to Commissioner Stone, Ms. Gartner assured the BCC that the roadway will be designed for all the vehicles that utilize this corridor (i.e., horse trailer).

Ms. Gartner advised that based on the County's TIP, there is funding this FY for design that would start following the adoption by the Board of this PER with completion estimated next FY. ROW acquisition can also begin this current FY following the adoption of the PER. Construction is expected to begin very quickly after design is finalized and completed by FY 2026/2027. She stated the funding sources are from the Impact Fee West and the Sales Tax.

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to approve the PER as presented by KHA. The motion was unanimously approved by the Board (5-0).

## **10. COMMITTEE ITEMS:**

### **10.1. Board of Adjustment - Request Appointment of One (1) Alternate Member for an Unexpired Term Ending January 2026**

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

Description/Background: The Board of Adjustment has a vacant seat for an alternate member for an unexpired term ending January 2026. One (1) application was received during the advertisement period:

- Zilca Ivonne Diaz (New) - Realtor and loan officer

Budget/Impact: None.

Recommended Action: Motion to appoint Zilca Ivonne Diaz as alternate member of the Board of Adjustment for an unexpired term ending January 2026.

Deputy Clerk Windberg advised that Zilca Ivonne Diaz received the appropriate votes.

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A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to appoint Zilca Ivonne Diaz as an Alternate Member to the Board of Adjustment for an Unexpired Term Ending January 2026. The motion was unanimously approved by the Board (5-0).

**10.2. Marion Oaks Municipal Services for Recreation and Facilities – Request Appointment of One (1) Full Member for a Full Term Ending March 2029**

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

Description/Background: The Marion Oaks Municipal Services for Recreation and Facilities has one position with a term that expired in February 2025. The incumbent expressed interest in reappointment and applied during the most recent advertisement period:

- Joanne Coast (Incumbent)

Budget/Impact: None.

Recommended Action: Motion to reappoint Ms. Joanne Coast as full member of the Marion Oaks Municipal Services for Recreation and Facilities advisory board, for a full term ending March 2029.

Deputy Clerk Windberg advised that Joanne Coast received the appropriate votes,

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to appoint Joanne Coast as a Full Member to the Marion Oaks Municipal Services for Recreation and Facilities for a Full Term Ending March 2029. The motion was unanimously approved by the Board (5-0).

**11.1. NOTATION FOR ACTION: Request Approval to Schedule a Workshop to Discuss Buffers and Tree Mitigation on Thursday, April 17, 2025, at 2:30 p.m. in the McPherson Governmental Campus Auditorium**

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

Description/Background: During the May 15, 2024, Land Development Code Buffer Requirements and Designs Workshop, the Board of County Commissioners expressed the need to schedule a workshop to discuss buffers and tree mitigation requirements.

Budget/Impact: None.

Recommended Action: Motion to approve a workshop date for Thursday, April 17, 2025, at 2:30 p.m. in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to schedule a workshop on Thursday, April 17, 2025, at 2:30 p.m. to discuss buffers and tree mitigation requirements. The motion was unanimously approved by the Board (5-0).

**11.2. WALK-ON** County Administrator Bouyounes advised of a Walk-On Item.

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

The Board considered the following recommendation as presented by ACA Straub:

Description/Background: This is a request to schedule one of two workshops regarding the adoption of Transportation Impact Fees. This workshop is per Florida Statue 163.31801 , to allow the Board to consider "extraordinary circumstances."

"Extraordinary circumstances" are necessary should the Board increase the fee by

more than 50% of the current rate or increase the fee by annual increments greater than 12.5%.

The workshop is requested in the McPherson Campus Auditorium on:

- Tuesday, April 8, 2025, at 10:00 a.m.

Following two workshops, a Public Hearing will be required to adopt an Ordinance that re-establishes or increases Transportation Impact Fees.

Budget/Impact: None.

Recommended Action: Motion to approve the Workshop to discuss the Transportation Impact Fees on Tuesday, April 8, 2025, at 10:00 a.m. and in the McPherson Governmental Campus Auditorium

Mr. Bouyounes stated the request is to schedule a workshop on April 8, 2025 at 10:00 a.m. related to Transportation Impact Fees for the consideration of extraordinary circumstances.

Commissioner Zalak advised that the BCC has a public hearing scheduled at 6:00 p.m. on that day, noting his preference would be to schedule this workshop later in the afternoon on that date prior to the public hearing.

Chairman Bryant opened the floor for public comment.

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

Mr. Bouyounes clarified that this request is for one of two public workshops that need to be held for the sole purpose of consideration of extraordinary circumstances.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to schedule a workshop on Tuesday, April 8, 2025 at 4:00 p.m. for the consideration of extraordinary circumstances related to Transportation Impact Fees. The motion was unanimously approved by the Board (5-0).

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

Chairman Bryant opened the floor for public comment.

Henry Munoz, Marion Oaks Boulevard, expressed his concern about the construction of roundabouts as discussed with Agenda Item 9.1. He opined that it is dangerous to expect traffic that is steadily going 45 mph to slow down to 25 mph to go around in a circle.

Joseph Walker, SE 54<sup>th</sup> Place, Ocklawaha, addressed the Board regarding a new Tractor Supply store being constructed by the Winn Dixie grocery store in the Ocala National Forest. He expressed concern that the owner paid a fee in-lieu of putting a sidewalk along the roadway in front of their store.

Chairman Bryant requested Mr. Wlaker meet with County Engineer Cohoon and ACA Straub to discuss his concerns.

Chairman Bryant advised that public comment is now closed.

## **13. COMMISSIONER ITEMS:**

### **13.1. Commission Comments**

Commissioner Curry advised that he had nothing further to add.

Commissioner Stone advised that she had nothing further to add.

Commissioner McClain advised that he had nothing further to add.

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Commissioner Zalak advised that he had nothing further to add.

Chairman Bryant expressed her appreciation to Commissioner Curry for bringing attention to the dumpster situation at construction sites in Marion Oaks.

### **13.2. Commission Calendar**

#### **13.2.1. Present Commission Calendar**

The Chairman acknowledged receipt of the Commission calendar covering the period of March 18, 2025 to April 1, 2025.

### **14. NOTATION FOR RECORD:**

#### **14.1. County Administrator Informational Items:**

**14.1.1.** Present Marion County Department of Health DE385L Contract Management Variance Report and DE580L1 Analysis of Fund Equities Report for FY 2024-25

**14.1.2.** Present Notification of the Performance Evaluation and Merit Increase for the County Administrator

**14.1.3.** Present Monthly Building Safety Productivity Report for the Month of February 2025

**14.1.4.** Public Safety Coordinating Council - Presenting Letter of Member Designation - Major Charles McIntosh, Ed.D., M.S., Marion County Sheriff's Office

**14.1.5.** Present Chamber and Economic Partnership January 2025 Activity

**14.1.6.** Present Budget Resolutions 2025-100 and 2025-132 Approved on February 18, 2025, by the City of Ocala's Community Redevelopment Agency Board and City Council

**14.1.7.** Present East Central Florida Regional Planning Council FY 2025 Annual Assessment

**14.1.8.** Present Community Skills Development Opportunities Contract – Wear Gloves, Inc., Ocala, FL 14.1.2.

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

**14.2.1.** WALK ON: Request Approval of Property Acquisition Agreement, in lieu of Condemnation, Associated with the NW 49th St Phase 3A Road Project, Parcel ID #13550-000-00 (Budget Impact - Neutral)

#### **14.3. General Informational Items:**

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

#### **14.4. Clerk of the Court:**

**14.4.1.** Present Monthly Report for the Building Department Budget and Actual

**14.4.2.** Present Administrative Budget Transfer Report for FY 2024-25

**14.4.3.** Present Memorandum From Gregory C. Harrell, Clerk Of The Circuit Court And Comptroller, Regarding The Filing Of Ordinances 24-23 (Corrected), 24-29 (Corrected), 25-04, and 25-05 With The Secretary Of State's Office

**14.4.4.** Present Letter Dated February 26, 2025 From The City Of Belleview, Development Services Department, Regarding Scheduled Meetings For The Annexation Application Relating To Parcel Numbers 36862-000-00, 36872-001-01, and 36872-001-03

**14.4.5.** Present Report Number PC2025-02: Municipal Services Department - Huntington, Huntington 1st Addition and Huntington Revised Portion Road Improvements Petition Count

**14.4.6.** 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.** Development Review Committee - February 17 and 24, 2025

**14.5.2.** Land Development Regulation Committee - February 19, 2025

**14.5.3.** Planning and Zoning Commission - January 27, 2025

**14.5.4.** Rainbow Lakes Estates Advisory Committee - February 20, 2025

**14.5.5.** Tourist Development Council - November 21, 2024

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

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

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

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

There was a recess at 11:05 a.m.

The meeting reconvened at 2:02 p.m. with all members present except Commissioner Stone.

Also present were: Growth Services Director Chuck Varadin, Deputy Director Ken Weyrauch, Transportation Planner Ken Odom, Administrative Manager 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):**

Deputy Clerk Mills-McAllister presented Proof of Publication of Legal ad No. 11072640 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on March 3, 2025. The Notice stated the Board will consider adopting an Ordinance approving Comprehensive Plan Amendment, zoning changes and Special Use Permits (SUP).

County Attorney Matthew G. Minter stated it is his understanding that Agenda Items 15.2.2 and 15.2.3 have been withdrawn by the applicant. Chairman Bryant concurred.

Mr. Minter provided a brief overview of the process for today's DRC Waiver requests, Reasonable Accommodations, zoning and Special Use Permit hearings. Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

**15.1. DRC Waiver Requests and Public Hearings:**

**15.1.1.** Request for Waiver from Land Development Code Section 6.14.2.C(1) - Water Connection Requirements for Redeemer Christian School Expansion, Parcel Number 36762-001-00, Application Number 32521 (Budget Impact - None)

The Board considered the following recommendation from Building Safety Director Michael Savage, on behalf of the Development Review Committee (DRC):

Description/Background: The Land Development Code requires the following for new development in Urban Areas: (1) Water system. All new development shall connect to an existing central water system if a system with available capacity has distribution lines within a connection distance equal to or less than 400 feet times the total number of projects ERCs within the project at build out from the project's closest parcel corner. Otherwise, the project shall comply as follows: (a) New residential development with 31 lots or more, all multi-family and commercial projects, shall design and construct a decentralized water system in compliance with the requirements of Division 6.14, and construct an on-site Water Treatment Plant (WTP) sufficient in size to serve the development in compliance with FDEP requirements and other applicable requirements of this Code. (b) New residential developments with less than 31 lots and more than one mile from the nearest existing central water system may use individual on-site wells in compliance with State requirements.

The Applicant, Infinite Engineering, on behalf of the Owner requested a waiver due to the design and permitting alone has been determined to cost \$100,000 with projected construction cost of the water main extension to be valued at approx. \$1,200,000. The cost to provide infrastructure (both water and sewer) to the site to comply with MC requirements are expected to exceed \$3,000,000 for a building that is expected to cost \$3.4 million.

The subject property is located in the southern portion of the County on approximately 51.58 acres.

This waiver request was denied by the Development Review Committee (DRC) on March 3, 2025.

Budget/Impact: None.

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

Utilities Director Tony Cunningham advised that the applicant has an expansion increasing Equivalent Residential Connections (ERCs) located within the Marion County Utility (MCU) service area. He stated the applicant is within the connection distance to MCU water and sewer, noting it is a long extension. He stated the applicant is requesting a waiver from connecting to the MCU. Mr. Cunningham advised that the applicant is located outside of the Urban Growth Boundary (UGB), noting the applicant has stated the cost of the connection almost eclipses the cost of the actual expansion of the building.

In response to Chairman Bryant, Mr. Cunningham stated water is located approximately 3 miles from the subject and sewer is nearly 3 miles away as well.

Commissioner Curry questioned if the applicant would be required to install an enhanced septic system if the request were granted. Mr. Cunningham advised that it would be the decision of the Board; however, the applicant is located within the Basin Management Action Plan (BMAP) where the enhanced system is typically required. He stated from a water standpoint there would be a well.

Matt Fabian, SE 20<sup>th</sup> Street, on behalf of the applicant, stated the applicant is planning to add an elementary wing on the campus, noting the request was denied at the DRC based



on the Land Development Code (LDC). He advised that they are outside of the UGB, noting the cost of the building is in the \$3,000,000.00 to \$5,000,000.00 range and the 2 proposals he has are \$3,340,000.00 and \$3,560,000.00 for the offsite work. Mr. Fabian stated that is the best case scenario, noting the cost could be greater. He requested the waiver request be approved.

Chairman Bryant questioned the current source of water and what is being done relating to wastewater. Mr. Fabian advised that currently there is a well onsite and he has been advised that the well can service the expansion. He stated there is an onsite treatment facility; however, after speaking with Mr. Cunningham it would have to be upgraded to the enhanced nitrogen system.

In response to Chairman Bryant, Mr. Fabian advised that Redeemer Christian School currently has 527 students, and the expansion would add roughly 200 more students.

Commissioner Curry commented on the distance from the school to MCU.

Mr. Cunningham stated ERCs are equivalent to 1 residential home, noting there is a way to convert the number of ERCs for a use such as this. He advised that the conversion is based on the number of students, the number of workers and if there is cafeteria service that can also increase the amount. Mr. Cunningham stated a flow is calculated based on all those criteria, and then it is converted to a number of ERCs. He noted the number of ERCs is multiplied by 400 feet (ft.), so it is 400 ft. per ERC. Mr. Cunningham advised that 41 ERCs multiplied by 400 ft., is 16,000 ft., or approximately 3 miles. He stated per the LDC, anything within that connection distance would be required to connect to the water or sewer.

In response to Commissioner Curry, Mr. Cunningham opined that the LDC makes sense, noting it is used to calculate how much flow there will be and how many ERCs are developing. He advised that an individual building such as a single home would have to be within 400 ft. He stated this is like the equivalent of 40 homes, which makes the distance further.

Mr. Cunningham referred to a map as seen on the overhead screens, noting there is a Policy (3.2.2) in the Comprehensive Plan that talks specifically about trying to limit the extension of utilities that are not within the UGB. He referred to a blue line on the map depicting where the water is available and identified the closest sewer connection to the subject parcel. Mr. Cunningham stated 3 miles is a long way.

Chairman Bryant commented on the aerial map of the area, noting the chances of that utility expansion connecting to anything else is slim to none. She stated the property along Highway 312 has homes on all of that and there are already 2 developments. Chairman Bryant advised that the corridor is already fairly developed, and she does not see that changing soon. She stated this expansion would only serve this facility and the cost is a lot to spend for the addition of the elementary wing.

In response to Commissioner Curry, Mr. Cunningham advised that this does not work the same as water main extensions.

Chairman Bryant opened the floor to public comment.

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

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to disagree with the DRC and approve the waiver request. The motion was unanimously approved by the Board (4-0).

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**15.1.2. Request for Waiver from Land Development Code Section 6.14.2.C(2) - Waste Water Connection Requirements for Redeemer Christian School Expansion, Parcel Number 36762-001-00, Application Number 32470 (Budget Impact - None)**

The Board considered the following recommendation from Building Safety Director Savage, on behalf of the DRC:

Description/Background: The Land Development Code states all new development shall connect to an existing central sewer system if a system with available capacity has a treatment plant or sewer line within a connection distance of 400 feet times the total number of ERCs within the project at build out. Otherwise, the project shall comply with the following as applicable. The Applicant, Infinite Engineering, on behalf of the Owner requests a waiver as design and permitting alone has been determined to cost \$100,000.00 with projected construction cost of the master lift station and force main at \$1,700,000.00. The total design and construction cost for only the wastewater element is near \$2 million while the cost for the proposed building is estimated at \$3 million. The subject property is located in the southern portion of the County on approximately 51.58 acres.

This waiver request was denied by the Development Review Committee (DRC) on February 24, 2024.

Budget/Impact: None.

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

This matter was discussed with Agenda Item 15.1.1.

Chairman Bryant opened the floor to public comment.

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

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to disagree with the DRC and approve the waiver request with a requirement for an enhanced septic system to be in place. The motion was unanimously approved by the Board (4-0).

**15.1.3. Request for Waiver to Major Site Plan from Land Development Code Section 6.8.6.K(2) - Buffers for Football Factory, Parcel Number 3137-002-019, Application Number 31248**

The Board considered the following recommendation from Building Safety Director Savage, on behalf of the DRC:

Description/Background: The Land Development Code 6.8.6.K(2) states that a "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 a waiver to install a fence in lieu of a wall along SE 57<sup>th</sup> Court due to site grading (fill being placed), since it's across the roadway from a residential use, and landscaping buffer plantings are being provided.

This waiver request was denied by the Development Review Committee (DRC) on February 17, 2024.

Budget/Impact: None.

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

Growth Services Director Chuck Varadin provided an overview of the request for a waiver relating to buffers for Football Factory. He clarified that the applicant is requesting to install

an opaque fence in lieu of a wall along SE 57<sup>th</sup> Court due to site grading (fill being placed), due to it being located across the roadway from a residential use, and landscaping buffer plantings are being provided. Mr. Varadin advised that this property came before the Board back in August as a Special Use Permit (SUP) for beer and wine sales, noting a Condition at that time was to do a modified Type B (from 15 ft. to 20 ft. along SE 57<sup>th</sup> Court). He stated the remaining buffers are Type C, which do not require a wall. Mr. Varadin advised that the Conditions did not prevent the applicant from requesting a waiver. He provided an overview of the Landscape Plan, noting the existing trees will assist with screening from the lights and noise along SE 57<sup>th</sup> Court. Mr. Varadin stated there was no opposition when this Item first came before the Board as a SUP. He advised that staff does support the fence in lieu of a wall due to the retention of the existing trees. In response to Chairman Bryant, staff provided an aerial view of the project from the Property Appraiser's Office (PAO) website as seen on the overhead screens. Mr. Varadin provided a list of Conditions associated with the approved SUP.

Chap Dinkins, SE 5<sup>th</sup> Street, on behalf of the applicant, opined that the homes are far enough away from the right-of-way (ROW), noting the applicant is installing a buffer and has a drainage retention area (DRA) to aid in the buffering. He states the applicant has done everything they can to be compliant and believes the fence will improve the aesthetics of the development.

Commissioner Zalak advised that he drove past the area recently and expressed concern relating to noise associated with this project. He opined that a concrete wall would be better than the fence the applicant is requesting.

Mr. Dinkins stated the facility contains 4 small soccer fields that are less in size than a true half-size soccer field. He advised that the idea behind the premise of it is called "small ball", noting the owner/developer Mr. Fratello is a local soccer coach who recognizes the need for school aged children to get higher level coaching. Mr. Dinkins stated the fields are predominantly used after school activities specifically for coaching clinics. He advised that the games that will be played are 4v4 or a maximum 5v5, and there is not a congregate crowd hanging out cheering and creating the type of noise Commissioner Zalak is concerned about.

In response to Commissioner Zalak, Mr. Dinkins stated the request for beer and wine sales is for parents while their children are at their 1-hour coaching session or during a tournament potentially on the weekends. He advised that the applicant does expect to have some small ball tournaments possibly on a Saturday.

Commissioner Zalak questioned if the SUP included a time when the operation has to shut down. Mr. Varadin stated it does not.

In response to Chairman Bryant, Mr. Dinkins advised that there will also be adults utilizing the fields. He stated the applicant is providing site lighting that meets the photometric requirements and has recently met with Parks and Recreation staff, noting Director Jim Couillard has recommended a light that the County is using at its specific facilities to cut down on glare. Mr. Dinkins advised that the applicant has already contracted Musco Lighting to specifically design those light fixtures; however, he does not have the lighting design approved yet. He stated he has had conversations with Mr. Couillard in regard to the approval being conditional upon the applicant running through the lighting design with him as the project advances.

Commissioner Zalak reiterated his concern relating to the impact of the noise on surrounding neighbors.

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Mr. Varadin opined that the existing trees being more mature would shield some more of the light.

Commissioner Zalak commented on the possibility of the vinyl fencing with significantly more plantings to fill in the gaps along the property line.

Chairman Bryant referred to the Site Plan and requested clarification relating to the location of the DRA. Mr. Varadin identified the location on the overhead screens.

Chairman Bryant questioned how the trees are being saved if the DRA is being placed next to the road and why would constructing a wall be a problem if the applicant is putting the DRA in that location.

Mr. Dinkins referred to the Landscape Plan, noting the landscape design is embellished and there are a lot of plantings along the ROW, specifically there is a 15 foot buffer. He advised that there is a hedge across the entire property boundary, next to the fence. Mr. Dinkins stated it is already an upgraded and embellished buffer specifically to accommodate some of these concerns.

Commissioner Zalak out at 2:32 p.m.

In response to Chairman Bryant, Mr. Dinkins advised that the mature trees that are being saved are on the opposite/ROW side of the DRA. He clarified that some trees are being removed; however, there are some big ones that will remain.

Commissioner Zalak returned at 2:33 p.m.

Daniel Young, P.E., NV5, Research Drive, Alachua, stated there are 2 rather large existing trees right on the ROW line that are being preserved, in addition the applicant is adding plantings throughout the entire buffer. He advised that the fence will be higher than 6 feet due to the grade, noting the houses are a little bit lower.

In response to Chairman Bryant, Mr. Young stated the applicant is putting in a stormwater facility to the south of the fence.

Chairman Bryant advised that the waiver is being requested on the basis of saving the existing trees; however, only 2 trees are being saved. She commented on the request for a fence instead of a wall, noting one of the reasons the Board asked for the wall was for sound abatement because of the impact on the existing residents. Chairman Bryant stated if the waiver is granted, the applicant has to understand that because this is a SUP and due to the activity being proposed on the property, if it becomes a problem, it can be revoked.

Mr. Dinkins concurred, noting it is part of the public record, and he is sure his client will understand.

Commissioner Zalak opined that the wall is a better choice; however, he is willing to negotiate. He advised that the vinyl fence is fine, but the applicant needs to provide significant plantings. Commissioner Zalak stated what the Board has seen over time is that vertical layering of landscape helps mitigate the noise. He commented on working with Mr. Couillard to identify plantings that will make a difference over the next year or two. He noted the site is small for what the applicant is requesting.

Chairman Bryant opened the floor to public comment.

Diana Verna, SW 80<sup>th</sup> Place Road, commented on a book by Rachel Carter entitled, Silent Spring, the desecration of trees, and the impacts to wildlife.

Chairman Bryant clarified that Ms. Verna's comments relate to Agenda Item 15.2.1.

Ms. Verna expressed concern relating to housing development projects within the County.

Chairman Bryant advised that public comment is now closed.

Parks and Recreation Director Jim Couillard advised that the Department reads photometric plans for every project that comes through. He stated he provided the

applicant suggestions for lights with a more direct cut-off value (no to little light glare or trespass). He opined that landscaping on the outside of the fencing is good for the public view of it, and mitigating sound on the inside with sound bouncing off the wall is a good thing. Mr. Couillard commented on the noise associated with Baseline Road, noting there are things working towards dampening the sound that children will create when having a good time. He advised that working with Mr. Dinkins and his consulting team to upgrade that buffer is something they can achieve.

In response to Chairman Bryant, Mr. Couillard stated the Department provides review comments, noting as long as the applicant meets the footcandle (fc), glare and trespass requirements they are fine. He advised that staff have light meters and can perform an assessment after construction and report back to the Board. Mr. Couillard stated it could also be worked out prior to installation. He advised that Mr. Dinkins has been obtaining quotes from Musco Lighting, noting their representative reached out to him relating to the product and this project. Mr. Couillard stated heavy shrubs, and more trees put together would be appropriate plantings, noting he recommends they be planted on the outside of the fence that is closest to the ROW. He clarified that all buffers have to be maintained in perpetuity per the Code.

Commissioner Zalak advised that the Board has 2 options: 1,) continue this Item and bring back a landscape plan; or 2.) allow the applicant to work with Mr. Couillard to work out the landscape logistics to Mr. Couillard's approval.

It was the general consensus of the Board to allow Mr. Couillard to work with Mr. Dinkins. Mr. Dinkins stated he is willing to work with Mr. Couillard to accommodate the Board's concerns and requested the Board approve the waiver request. He advised that he is awaiting the release of his permitting by DRC, noting the permitting is the hinge point for all of the advancement of financing.

Commissioner Zalak questioned if there is some mechanism in place to keep players, balls, etc., in the facility and off Baseline Road. Mr. Dinkins stated there will be safety nets.

Chairman Bryant questioned if Mr. Dinkins anticipated the DRA being a dry area so it can be used as part of the space. Mr. Dinkins advised that it is not usable due to the way it is designed and planted.

Mr. Young stated it is fenced off.

Mr. Dinkins advised that the fencing circumnavigates each of the fields.

Commissioner Curry questioned if the applicant has considered a berm. Mr. Dinkins stated over the past 2 years he has tried to consider everything; however, the site is small and the location in the proximity to the surrounding schools is perfect. He commented on the financial investment relating to the engineering to get to this point, noting there is not enough room on the ROW line for a berm.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to disagree with the DRC and approve the waiver request with the Conditions that the applicant works out the Landscape Plan, allowing for a vinyl fence and additional landscape buffer for long-term noise and lighting reduction. The motion was unanimously approved by the Board (4-0).

Chairman Bryant advised that Agenda Item 1.2.4. was continued from the March 17, 2025, zoning meeting, which will be addressed at this time.

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**UPDATE:** 250303ZC - Gateway Properties, LLC, et al, Zoning Change from Light Industrial (M-1) to Heavy Industrial (M-2), 35.64 Acre Tract, Parcel Account Numbers 13708-000-06 and 13708-001-00, No Address Assigned

The Board considered a petition by Gateway Properties, LP, Bruce and Lynn Denson, Bradley Denson, Donna Heilman, Paul E Fornof and Joan I Fornof Joint Revocable Living Trust, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from Light Industrial (M-1) to Heavy Industrial (M-2), for all permitted uses, on an approximate 35.64 Acre Tract, on Parcel Account Numbers 13708-000-06 and 13708-001-00, Site Addresses 3945 and 4031 NW 35th Street, Ocala, FL 34482.

P&Z PUBLIC HEARING ON FEBRUARY 24, 2025

250303ZC Planning and Zoning Commission Recommendation

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

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

The Motion passed unanimously 7-0.

Transportation Planner Kenneth Odom, Growth Services, provided a brief overview of the rezoning request from M-1 to M-2. He advised that there was discussion yesterday relating to the M-2 zoning, noting staff worked with the applicants immediately following that meeting to prepare for today. Mr. Odom stated the applicants have been in touch with their home office and will be able to elaborate further. He advised that there were 3 items of discussion that were specifically targeted, and they have been submitted by the applicant. Mr. Odom presented a handout entitled, "Gateway" and commented on the proposed Developer Agreement terms, noting the applicant wished to have further discussion relating to the buffers specifically on the east side of the project. It was noted that Growth Services Department staff, and the P&Z Commission recommend approval of the zoning change.

Wesley Hayes, CR 22, Troy, Alabama, on behalf of the applicant, stated the Board has a Developer's Agreement before them that Gateway Properties, LLC, has proposed, noting they will voluntarily enter into restrictions regarding the transfer of property. He clarified that if the property transfers in the future, other than the existing/exact same use, Gateway Properties, LLC, will offer to have the property rezoned back to M-1. Mr. Hayes advised that the applicant is happy to enter into the agreement that they will store everything inside. He commented on the buffer along Interstate 75 (I-75), noting several hundred feet of trees are being left in place. Mr. Hayes stated there will be a security fence all the way around and the applicant is seeking a waiver relating to the wall.

Mr. Minter commented on Item 2a. of the Applicant's proposed Developer Agreement relating to the word owner. He opined that it should be replaced with Gateway Properties. Mr. Hayes stated the applicant is happy to work with the County.

Commissioner McClain questioned if there should be additional language included in the event that the entity changes over the course of years or decades. Mr. Minter advised that there could be language in the final document stating Gateway Properties or its successor in interest. He clarified that it is his understanding that it was requested yesterday that the applicant bring forth the Conditions they wanted; however, the County will develop the actual agreement with their attorney, and he does not anticipate the matter will have to come back before the Board.

Mr. Hayes expressed appreciation toward the Board, noting the applicant looks forward to being in the area and creating a lot of jobs.

In response to Chairman Bryant, Mr. Hayes advised that he employs 100 individuals in Dothan, Alabama alone. He stated each warehouse employs approximately 100 to 110 individuals including truck drivers. Mr. Hayes advised that the typical starting hourly wage ranges from roughly \$15.00 to \$19.00 per hour for a general warehouse worker. He stated individuals with a Commercial Driver's License (CDL) start at \$19.00 or \$20.00 per hour; however, it can become a salary position if they are running a regular route on a semi-truck. Mr. Hayes advised that truck drivers typically earn \$17.00 to \$19.00 an hour. He stated for an operation of this size, there could be between 20 and 30 trucks, noting it is likely there will be overlapping routes requiring a second driver. Mr. Hayes advised that there will be 26 foot box trucks and most of the smaller trucks will be like the Ram 5500 box trucks that the organization will be trying in the Orlando and Tampa markets for easier movement.

Mr. Minter clarified that the agreement will not come back before the Board, but the Chairman will sign the document.

Chairman Bryant opened the floor to public comment.

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

A motion was made by Commissioner Zalak, seconded by Commissioner Curry to approve the zoning change from M-1 to M-2 including the Developer Agreement to be drafted by the County Attorney and signed by the BCC Chairman. The motion was unanimously approved by the Board (4-0).

Chairman Bryant advised that Agenda Items 15.2.2 and 15.2.3 have been withdrawn by the applicant, noting if these Items come back before the Board they will have to be readvertised.

**15.2. Planning and Zoning Items for Individual Consideration:**

**15.2.1. 250304ZP - On Top Of the World Bay Laurel Planned Unit Development 'Melody Preserve', Zoning Rezoning from General Agriculture (A-1) to Planned Unit Development for 233-unit (161 Units in Rezoning Parcel) Age-Restricted, Single-Family Detached Development with Amenities, Zoning Change Also Amends the Existing Bay Laurel PUD That Was Approved in 2005, This Amendment Brings the ±44 Acres into the Bay Laurel PUD, Allows for Outdoor Activities in the Public and Commercial Areas, Moves a Commercial Node From Parcel 35300-000-15 to the Intersection of SW 63<sup>rd</sup> Street Road, and Realignment SW 90<sup>th</sup> Terrace Road; Rezoning ±44 Acres of a Total 67.65 Acre Melody Preserve Area, Parcel Account Number 35474-000-00, Site Addresses 7875 and 7895 SW 80<sup>th</sup> Street, Ocala, FL 34481**

The Board considered a petition by On Top of the World Communities, LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Planned Unit Development (PUD) for a proposed 161 single-family detached development with amenities, on an approximate ±40.0 acre portion of a ±65.74 Acre Tract, on Parcel Account Numbers 35474-000-00 and 35300-000-15, Site Addresses 7875 and 7895 SW 80<sup>th</sup> Street, Ocala, FL 34476

P&Z PUBLIC HEARING ON February 24, 2025

250304ZP Planning and Zoning Commission Recommendation

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

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

The Motion passed unanimously 7-0.

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

Commissioner Bryant out at 3:06 p.m.

Senior Planner Chris Rison, Growth Services, provided a brief overview of the rezoning request from A-1 to PUD and the modification of an existing PUD to add acreage.

Commissioner Bryant returned at 3:08 p.m.

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

In response to Chairman Bryant, Mr. Rison stated the existing Bay Laurel PUD is approved for 2,951 dwelling units and the 233 requested units for Melody Preserve will be taken from that figure, lowering the number of units in that PUD and distributing them over a larger space.

Mr. Rison resumed his overview, addressing the proposed Conditions, fire services, law enforcement, and utility impacts. He commented on adjusted Conditions 10 and 14.

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

1. The Melody Preserve development within the Bay Laurel PUD is restricted to a total of maximum 233 dwellings units (1-story detached single family houses) and amenities consistent with the Marion County Land Development Code, the Bay Laurel PUD Development Standard (Attachment F), and Melody Preserve Conceptual Plan (Attachment B).
2. The applicant shall provide detailed information and calculation regarding the residential dwelling units from the DRI for this development.
3. Outdoor activities shall be subject to the Marion County Noise Ordinance.
4. As the PUD proposes to incorporate additional lands into the Bay Laurel PUD, all previously granted PUD-specific design waivers and "blanket" OTOW waivers shall be re-requested through the Land Development Code (LDC) Waiver application process to apply to the revised, updated, and expanded PUD.
5. The potential units from the subject Added/Rezoning Parcel's Medium Residential future land use designation shall be foregone in favor of the OTOW DRI units that are eligible for development under the OTOW DRI.
6. Buffers for Melody Preserve development shall be provided as below and shown in the Melody Preserve Conceptual Plan (Attachment B):
  - a. Buffer along the northern boundary between Melody Preserve area and adjacent residential Liberty Village Phase 1 shall be modified 20'-wide Type E buffer.
  - b. Buffer along the northern boundary between Melody Preserve area and commercial/industrial use shall be modified 20'-wide Type A buffer.
  - c. Buffer along the eastern boundary (SW 77<sup>th</sup> Court) shall be 15'-wide Type C buffer per LDC.
  - d. Buffer along the southern boundary (SW 80<sup>th</sup> St) on the north side of the 50'-wide ROW shall be a modified 15'-wide Type E buffer.
  - e. Buffer along the southern boundary (SW 80<sup>th</sup> St) adjacent to existing DRA area shall be Type per LDC.



- f. Buffer along western boundary (SW 80<sup>th</sup> Ave) shall be a modified 15'-wide Type E buffer (in addition to the 20'-wide utility easement along SW 80<sup>th</sup> Ave).
7. The project Operational Traffic Study shall be completed to the satisfaction of the County Engineer and Growth Services Director, and adequate provision shall be made for the coordination of improvements with the PUD.
8. All access point locations will be worked out to the satisfaction of the Development Review Committee during the time of Development Review.
9. Access to SW 80<sup>th</sup> Ave shall be subject to approval by the Office of the County Engineer.
10. A 50'-wide right-of-way dedication shall be provided along SW 80<sup>th</sup> St.
11. SW 80<sup>th</sup> St shall be realigned at SW 77<sup>th</sup> Court to match the existing roadway alignment east of SW 77<sup>th</sup> Court.
12. Sidewalk shall be provided along SW 80<sup>th</sup> St (from SW 80<sup>th</sup> Ave to SW 77<sup>th</sup> Court).
13. Sidewalk along at least one side of all internal roads shall be provided within the Melody Reserve PUD, or a sidewalk waiver shall be approved with fee in lieu of construction.
14. A multi-use path shall be provided along SW 80<sup>th</sup> St, connecting to the existing path east of the development site and extending to SW 77<sup>th</sup> Court (from SW 80<sup>th</sup> Ave to SW 77<sup>th</sup> Court). Multi-use path shall be provided in the public ROW or with an access to the public through easement.
15. The Melody Preserve development shall connect to Marion County Utilities.
16. Provide 20'-wide utility easement along SW 20<sup>th</sup> Ave in addition to 15'-wide buffer along SW 20<sup>th</sup> Ave.
17. Stormwater review during the Development Review phase will evaluate and determine whether the DRA on the subject property can meet the size and depth requirement to serve the development.
18. 75.6-ac of park/open space shall be provided for the area west of SW 80<sup>th</sup> Ave for the Bay Laurel PUD. An additional 13.9 acres (20%) of open space shall be provided for the Melody Preserve project area.

Jessica Icerman, Stearns Weaver Miller, North Jackson Street, Tampa, attorney on behalf of the applicant, referred to a slide as seen on the overhead screens, depicting a "teardrop" parcel that is part of the Bay Laurel PUD and is located on the east side of SW 80<sup>th</sup> Avenue. She stated the applicant is proposing to amend the Bay Laurel PUD to annex in the additional approximate 44 acres, combining the teardrop parcel and the 44 acre parcel to create one development known as Melody Preserve. Ms. Icerman advised that there is no added density or intensity, noting the proposed development pulls down from the 2,552 units in the Bay Laurel PUD approved in 2005. She stated the additional land being added to the PUD is not increasing the entitlements to this PUD. Ms. Icerman advised that the Bay Laurel PUD consists of the Weybourne Landing community, Circle Square Commons, Shalom Park and other amenities.

Ms. Icerman stated in addition to the annexation of the 44.25 acres the request includes: realignment of SW 90<sup>th</sup> Terrace Road, relocation of the Commercial node and modernization of development standards. She clarified that the realignment is designed to avoid an eagle's nest and will create a parallel route to SW 80<sup>th</sup> Avenue. Ms. Icerman advised that there is an accelerated construction timeline with work scheduled to begin this year. She noted this is a publicly accessible road that the applicant believes will be

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very beneficial when the County begins work on SW 80<sup>th</sup> Avenue. The Commercial node that was located within the teardrop parcel will be moved north to the intersection of SW 63<sup>rd</sup> Street Road and SW 80<sup>th</sup> Avenue. Ms. Icerman stated the size of the proposed Commercial acreages are not changing. She commented on the benefits to On Top of the World (OTOW) residents by moving the Commercial area to the west side, noting they will not have to cross SW 80<sup>th</sup> Avenue and can access the Commercial areas via roads that are internal to the Development of Regional Impact (DRI).

Ms. Icerman advised that the final component of this amendment is a modernization of development standards. She stated the applicant is proposing to provide more certainty by distinguishing housing types (single-family or multi-family instead of high, medium and low density). The applicant proposes to add standards for Melody Preserve, clarify Commercial uses (indoor and outdoor entertainment), and modernize internal ROW and easement standards, lot layouts and setbacks, parking standards, and specifically adding a minimum golf cart parking size standard. Ms. Icerman advised that Melody Preserve is a rezoning from A-1 to PUD, noting that the project is 69.7 acres with roughly 25.5 acres already within the DRI. She stated this is a single family detached community and is age restricted. The applicant is proposing 161 dwelling units within rezoned parcel and 72 units within the existing PUD for a total of 233 units. Ms. Icerman provided an overview of the proposed amenities.

Director of Planning Ken Metcalf, Stearns Weaver Miller, East College Avenue, Tallahassee, commented on the 3 criteria for review within the LDC: 1) Consistency with the Comprehensive Plan; 2) compatibility with surrounding uses; and 3) proposed changes will not adversely affect the public interest. He addressed the current future land use (FLU) and zoning, noting the project is located within the Urban Growth Boundary (UGB) and is infill. Mr. Metcalf provided an overview of the applicant's proposed buffers. He stated transportation has already been mitigated and there is a traffic operational analysis underway, which is expected to be completed in time for the major site plan review. Mr. Metcalf advised that the methodology has already been approved, and the applicant is providing 50 feet of ROW along SW 80<sup>th</sup> Street. He stated the applicant has been working with staff, noting they have easements in the location that can be utilized to provide additional area. Mr. Metcalf referred to a slide seen on the overhead screens showing the proposed realignment at the intersection of SW 80<sup>th</sup> Street and SW 77<sup>th</sup> Court.

In response to Chairman Bryant, Mr. Metcalf stated the adjustment will not impact the existing residence to the northeast.

Mr. Metcalf advised that the project would connect to Marion County Utilities (MCU) noting there is sufficient capacity relating to Solid Waste. He stated the project is within the service area for Fire Rescue/Emergency Medical Services (EMS) and Law Enforcement. Mr. Metcalf advised that there will be additional long-term needs relating to both; however, at this point those are not concurrency standards, but are appropriate to plan for in the future. There is no impact relating to public schools.

Ms. Icerman clarified that the applicant initially proposed a 50 foot ROW reservation area; after speaking with staff, the applicant is agreeable to increase that to 70 feet. She stated the applicant does intend to seek Impact Fee credits and will come back before the Board for an Impact Fee Credit Agreement for the improvements and ROW dedication.

Chairman Bryant questioned the approximate square footage (sf) of each of the proposed units.

Robert “Bo” Stepp, OTOW, SW 80<sup>th</sup> Street, advised that this is a continuation of OTOW’s Indigo East and Weybourne Landing products, noting the square footage sizes align with those product offerings. He clarified that the square footage is approximately 1,650 to the low 2,000s. She stated the product has been renamed, but is basically the same product from Indigo East and Weybourne Landing.

In response to Commissioner Zalak, Mr. Stepp advised that the units are 60 foot lots on average.

Commissioner Zalak commented on the amenities and questioned how individuals will move from the proposed PUD area to where the amenities are located. Mr. Stepp stated there is an existing multi-use trail/golf cart path from the Town Center (inside the Bay Laurel PUD), which currently extends to the Indigo East entrance today. Mr. Stepp advised that the applicant proposes extending that path to the entrance to this subdivision, noting they are working with staff relating to the exact limits of where to stop the path.

In response to Commissioner Zalak, Mr. Stepp stated as SW 80<sup>th</sup> Avenue gets busier and expands, the Traffic Study will show how to handle the volume at that crossing. He advised that it is part of the County’s design considerations for the intersection. Mr. Stepp commented on the many amenity options OTOW offers its residents, noting this product is intended to be an entry into OTOW. He clarified that it does not have as many amenities as some of OTOW’s other offerings, which is a cost decision for some individuals. Mr. Stepp stated there is an option for residents to buy into the entire OTOW suite of amenities. He advised that there are a small number of amenities directly in this area. Mr. Stepp stated this PUD is part of all of the Bay Laurel PUD, noting there is a hierarchy of amenities, and this neighborhood will be at the lower end similar to Indigo East. He advised that the last time he saw the count just under 50% of the Indigo East residents had elected to pay for that larger suite of amenities. Mr. Stepp stated the Pitch and Putt golf course will be a series of par 3 golf holes, but is smaller than an executive golf course. Ms. Icerman advised that the applicant is agreeable to moving the path to the entrance of the community; however, they do not believe it should extend all the way to SW 77<sup>th</sup> Court.

Commissioner Zalak stated he wants to ensure the County Engineer signs off on the access and crossing.

Ms. Icerman advised that staff currently has the Condition written where the multi-use path is required to go all the way to SW 77<sup>th</sup> Court.

County Engineer Steven Cohoon stated he does not necessarily oppose what the applicant is proposing as an amendment to the middle connection. He advised that relating to the future condition as the County goes into the 2045 scenario and looking at areas that need to be expanded, there would potentially be an extension of a shared use path at that point. Mr. Cohoon opined that might be the appropriate time to put in such a facility.

In response to Commissioner Zalak, Mr. Cohoon stated staff want to see the Operational Analysis that is underway relating to the path being located at the entrance to the community. She stated it benefits the community to have 2 access points, but on the face of it he is not terribly concerned with what is being proposed.

Chairman Bryant opened the floor to public comment.

James Stormer, SW 80<sup>th</sup> Place Road, commented on one of the proposed entrances, vehicle headlights, golf cart safety and fencing.

Chairman Bryant advised that public comment is now closed.

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Mr. Stepp stated OTOW intends to continue to maintain and enhance the buffer as needed, noting it will remain in its current condition. He advised that there are no plans to remove the existing landscape buffer and fencing and replace them with a solid wall. Mr. Stepp stated he is not sure between the ROW of SW 80<sup>th</sup> Street and the boundary of the existing the Indigo East community, which is now under full control of the Homeowner's Association (HOA) and Community Development District (CDD), that there would be enough room within the easement area to accommodate a wall.

Mr. Rison referred to a slide on the overhead screens showing the rear of Mr. Stormer's property as it relates to a proposed entrance to Melody Preserve.

In response to Chairman Bryant, Mr. Rison advised that the buffer is approximately 10 feet wide with a fence and viburnum hedge.

Mr. Stepp stated the viburnum hedge is presently being maintained at the height of the fence, so it is 6-plus feet tall.

In response to Commissioner Zalak, Mr. Stepp stated the applicant intends to leave as much vegetative buffer as possible relating to SW 77<sup>th</sup> Court, noting they will leave as many of the mature trees providing that they are healthy and thriving.

Chairman Bryant opined that the measures in place would seem to be sufficient to prevent headlights from coming through as much as possible.

Mr. Rison commented on the golf cart path being proposed to move to the main entrance and not extend all the way to SW 77<sup>th</sup> Court, noting staff would be looking for a fee in lieu option with the funds being conveyed over to the County for future projects. He advised that a concern for staff is that there is a Condition on the Villa Verde PUD, which is located on the other side of Hibiscus Park. Mr. Rison stated that PUD is required to provide for a multi-use trail on their side of SW 80<sup>th</sup> Street with the concept being a contiguous path along the north side of the roadway to serve the surrounding area. He clarified that Villa Verde is located on the east side of Hibiscus Park.

In response to Chairman Bryant, Mr. Rison advised that the length of Hibiscus Park is roughly a quarter of a mile. He stated there is not adequate ROW for a multi-modal path in front of the other homes, noting that will be a future project of OCE.

Commissioner Bryant commented on the golf cart path being moved to the main entrance and questioned if the secondary golf cart entrance on SW 80<sup>th</sup> Street will remain.

Mr. Stepp advised that there is not a need to recreate it prior to that; however, the applicant will work with staff.

Chairman Bryant commented on a second access and requested the applicant consider a golf cart entrance without vehicular traffic as well.

Mr. Stepp stated it would get used if they built it, noting he believes both entrances would get equal use.

Mr. Rison advised that staff were concerned with residents in the eastern area exiting the main entrance in golf carts and travelling down SW 80<sup>th</sup> Street.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to adopt Resolution 25-R-107 with Conditions 1 through 17, as amended below, approving the Special Use Permit request, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest.

In response to Commissioner Zalak, Mr. Cohoon stated the intersection improvements and golf cart crossings will be part of the Operational Study if it is not already.

Commissioner Zalak requested that going forward, OCE include that information in its review of projects.

Chairman Bryant questioned if there is any way to add units back to Bay Laurel. Mr. Rison stated if the applicant wanted to add units, they would be required to come back through this process to increase that number. He clarified that they do have their larger entitlement of the overall OTOW project, so they would be picking and choosing where to adjust that from in that overall amount. Mr. Rison advised that from a concurrency standpoint the applicant is cleared for their first 2 phases generally, which is the 23,400 units.

Mr. Stepp stated about 3.5 units per acre is the standard development practice for this product type, which is planned for this entire PUD. He advised that there is a multi-family component to this that would typically be located closer to the Town Center and central to the community; however, it would be outside of a product type they typically develop now if they were to come back and ask for additional density.

Commissioner Curry commented on the testimony provided by Mr. Stormer and questioned if there is any kind of mitigation that can be done. Mr. Stepp stated he does not know, noting the buffering and common areas are now owned by the Indigo East HOA or CDD. Mr. Stepp advised that he can continue to work with Mr. Stormer on the issue, but he is unsure what he can commit to today.

Commissioner Curry stated he would like to see an extraordinary effort by the applicant to mitigate the problem being caused by the applicant.

Mr. Rison clarified that staff will be adjusting Condition 10 relating to the 120 foot ROW dedication with approval by the County Engineer regarding its conveyance form and whether it might be all ROW or ROW and easement.

The motion was unanimously approved by the Board (4-0).

Resolution 25-R-107 contained the following Conditions:

1. The Bay Laurel PUD is amended to include the Melody Preserve development within the Bay Laurel PUD that is restricted to a total of a maximum of 233 dwellings units (age-restricted 1-story detached single-family houses) and amenities, and amend the Bay Laurel PUD Master Plan to reflect road network changes and revisions of the development standards, consistent with the Marion County Land Development Code, the Bay Laurel PUD Master Plan and Development Standards (Attachment F), Bay Laurel PUD Master Plan (Attachment E), and Melody Preserve Conceptual Plan (Attachment B).
2. The applicant shall provide detailed information and calculations regarding the residential dwelling units from the DRI for this development.
3. Outdoor activities shall be subject to the Marion County Noise Ordinance.
4. As the PUD proposes to incorporate additional lands into the Bay Laurel PUD, all previously granted POD-specific design waivers and "blanket" OTOW waivers shall be re-requested through the Land Development Code (LDC) Waiver application process to apply to the revised, updated, and expanded PUD.
5. The potential units from the subject  $\pm 44$  acres Added/Rezoning Parcel's Medium Residential future land use designation shall be surrendered in favor of the OTOW DRI units that are eligible for development under the OTOW DRI, such that there are no additional units in the OTOW DRI.
6. Buffers for Melody Preserve development shall be provided as below and shown in the Melody Preserve Conceptual Plan (Attachment B):

- a) Buffer along the northern boundary between the Melody Preserve area and the adjacent residential Liberty Village Phase 1 shall be modified to a 20' -wide Type E buffer.
  - b) Buffer along the northern boundary between the Melody Preserve area and the commercial/industrial use shall be modified to a 20' -wide Type A buffer.
  - c) Buffer along the eastern boundary (SW 77<sup>th</sup> Court) shall be a 15' -wide Type C buffer per LDC.
  - d) Buffer along the southern boundary (SW 80<sup>th</sup> St) on the north side of the ROW reservation area shall be a modified 15' -wide Type E buffer.
  - e) Buffer along the southern boundary (SW 80<sup>th</sup> St) adjacent to the existing DRA area shall be Type per LDC.
  - f) Buffer along the western boundary (SW 80<sup>th</sup> Ave) shall be a modified 15' -wide Type E buffer (in addition to the 20'-wide utility easement along SW 80<sup>th</sup> Ave).
7. The project Operational Traffic Study shall be completed to the satisfaction of the County Engineer and Growth Services Director prior to obtaining Improvement Plans approval for the Melody Preserve phase, and adequate provision shall be made for the coordination of improvements with the PUD; the Operational Traffic Study shall also include analysis for the design and operation of golf cart use and crossings for SW 80<sup>th</sup> Ave, SW 80<sup>th</sup> St, and the SW 80<sup>th</sup> Ave/SW 80<sup>th</sup> St intersection.
8. All access point locations will be worked out to the satisfaction of the Development Review Committee during the time of the Development Review.
9. Access to SW 80<sup>th</sup> Ave shall be subject to approval by the Office of the County Engineer.
10. Additional ROW along the north side of SW 80<sup>th</sup> St shall be reserved to achieve a minimum total ROW width of 120' for SW 80<sup>th</sup> St. Upon written request by Marion County, conveyance of the reserved area may be via fee simple in a form acceptable to the County Engineer; some portions of the conveyance may be provided as an easement subject to approval by the County Engineer.
11. SW 80<sup>th</sup> St shall be realigned at SW 77<sup>th</sup> Court to match the existing SW 80<sup>th</sup> St roadway alignment east of SW 77<sup>th</sup> Court.
12. Sidewalks shall be provided along at least one side of all internal roads within the Melody Preserve PUD, or a sidewalk waiver may be requested for consideration consistent with the LDC Waiver process.
13. Multi-use Path:
  - a) The multi-use path shall be provided along the north side of SW 80<sup>th</sup> St, extending east from SW 80<sup>th</sup> Ave to the Melody Preserve entry roadway into the community; an additional multi-use path exit/entry connection may also be provided into the Melody Preserve community as shown on the Melody Preserve Conceptual Plan.
  - b) A multi-use path or sidewalk shall be provided along the north side of SW 80<sup>th</sup> St extending east from the Melody Preserve entry roadway to SW 77<sup>th</sup> Ct; however, in lieu of construction the developer

may provide for a fee-in-lieu of construction consistent with the LDC subject to approval by the County Engineer.

- c) The multi-use path(s) shall be provided in the public ROW or with access to the public through an easement.
- 14. The Melody Preserve development shall connect to Marion County Utilities.
- 15. The developer shall provide a 20'-wide utility easement along SW 80<sup>th</sup> Ave in addition to 15'-wide buffer along SW 80<sup>th</sup> Ave.
- 16. Stormwater review during the Development Review phase will evaluate and determine whether the DRA on the subject property can meet the size and depth requirement to serve the development.
- 17. 75.6 acres of park/open space shall be provided for the area west of SW 80<sup>th</sup> Ave for the Bay Laurel PUD. An additional 13 .9 acres (20%) of open space shall be provided for the Melody Preserve project area.

**15.2.2.** 25-S05 - Jax Road, LLC., Small-Scale Land Use Change from Public (P) to High Residential (HR), 29.51 Acres, Parcel Account Number 14976-004-00, No Address Assigned, North Side of the 1600-1700 Block of NE 49<sup>th</sup> Street, Adjoining the Fore Acres, First Addition, Subdivision

The petition by JAX Road, LLC, for a Land Use Change, Articles 2 and 3, of the Marion County Land Development Code, from Public (P) to High Residential (HR), on an approximate 29.51 Acre Parcel, on Parcel Account Number 14976-004-00, No Address Assigned was withdrawn.

P&Z PUBLIC HEARING ON February 24, 2025

25-S05 Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Gaekwad, to agree with staff's findings and recommendation, and recommend approval of the Small Scale Land Use Amendment based on the following findings of fact:

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

The Motion passed 4-3 with Messer's Behar, Bonner and Heller dissenting.

It was noted for the record that this Item was withdrawn by the applicant.

**15.2.3.** 20250305ZP - Jax Road, LLC., Zoning Change from General Agriculture (A-1) to Planned Unit Development, 29.51 Acres, Parcel Account Number 14976-004-00, No Address Assigned, North Side of the 1600-1700 Block of NE 49<sup>th</sup> Street, Adjoining the Fore Acres, First Addition, Subdivision

The petition by JAX Road, LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Planned Unit Development (PUD) to allow for a proposed maximum of 170 single-family residential units, on an approximate 29.51 Acre Parcel, on Parcel Account Number 14976-004-00, No Address Assigned was withdrawn.

P&Z PUBLIC HEARING ON February 24, 2025

20250305ZP Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Fisher, to agree with staff's findings and recommendation, and recommend approval of the Zoning Change with Conditions based on the following findings of fact:

- 1. Will not adversely affect the public interest

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2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 4-3 with Messer's Behar, Bonner and Heller dissenting. It was noted for the record that this Item was withdrawn by the applicant.

### **15.3. Adoption of Ordinance**

#### **15.3.1. Zoning**

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

A motion was made by Commissioner McClain, seconded by Commissioner Zalak, to adopt Ordinance 25-09 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (5-0).

Ordinance 25-09 is entitled:

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

There being no further business to come before the Board, the meeting thereupon adjourned at 4:00 p.m.

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Kathy Bryant, Chairman

Attest:

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Gregory C. Harrell, Clerk