

**RESOLUTION NO. 23-R- 11**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SUPPORT THE MANDATORY CONNECTION TO MARION COUNTY UTILITIES SEWER SYSTEMS FACILITIES AND VOLUNTARY CONNECTION TO MARION COUNTY UTILITIES WATER SYSTEM; PROVIDING CERTAIN FINDINGS; PROVIDING CERTAIN DEFINITIONS; ESTABLISHING THE DESIGNATION OF PROGRAM AREA; PROVIDING GRANT FUNDING FOR DEVELOPED PROPERTIES WITHIN THE PROGRAM AREA; ESTABLISHING A WATER AND WASTEWATER SURCHARGE FOR UNDEVELOPED PROPERTIES WITHIN THE DESIGNATED PROGRAM AREA; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Marion County, Florida (the “Board”) recognizes that the elimination of septic tank use through a septic to sewer conversion program within the County is the best ecological practice for the environment; and

**WHEREAS**, the Board desires to address this important environmental concern while mitigating costs to Marion County citizens; and

**WHEREAS**, to address these issues, on April 19, 2022, the Board approved Mandatory Connection to the Marion County Utilities (“MCU”) System facilities as enacted as Section 19-144 of the Marion County Code of Ordinances (the “Marion County Code”), which among other things, established the basic requirements for the mandatory sewer connection program; and

**WHEREAS**, to further address the ecological and economic concerns, on October 18, 2022, the Board approved the Short Water Line Extension Program enacted as Sections 19-215 through 19-218 of the Marion County Code, which among other things, encourages the voluntary water connection program; and

**WHEREAS**, the Board requires mandatory connection to MCU’s sewer System in discrete geographical areas of unincorporated Marion County designated by Board resolution as “Program Areas,” where grant funding is available to cover the cost to the property owner of such connection to Developed Properties and where a surcharge is imposed for undeveloped properties; and

**WHEREAS**, along with this action the Board also encourages voluntary connection to MCU’s water System within the same Program Areas, where grant funding is available to cover the cost to the property owners of such connection to Developed Properties within the Program Area and a surcharge is imposed for undeveloped properties.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. RECITALS.** The above recitals are true and correct and are hereby incorporated herein by reference.

**SECTION 2. DEFINITIONS.** For purposes of this Section, the following definitions shall apply:

- (A) ***Developed Property/Properties*** shall mean a parcel of land located within Marion County, that has on-site wells and/or septic tanks and that as of the date of the sewer construction permit issuance by the Florida Department of Environmental Protection has received from Marion County Building Safety a permit with: (1) a final inspection status; (2) certificate of occupancy (“CO”); or (3) are presently allowed to be occupied, having on-site wells and/or septic tanks.
- (B) ***Developed Property Owner*** shall mean the Owner of a Developed Property/Properties.
- (C) ***MCU*** shall mean the Marion County Utilities Department.
- (D) ***Program Area*** shall mean the specific subdivision of other geographic area defined herein wherein owners of Developed Properties and Undeveloped Properties are subject to mandatory connection to the MCU sewer System and voluntary connection to the MCU water System.
- (E) ***System*** shall mean MCU’s central utility system and may refer to either water or sewer, as applicable.
- (F) ***Undeveloped Property/Properties*** shall mean any parcel of land located within Marion County which does not meet the definition of Developer Property/Properties above.
- (G) ***Undeveloped Property Owner*** shall mean the Owner of an Undeveloped Property/Properties.

**SECTION 3. AUTHORITY.** This Resolution is adopted pursuant to the provisions of Chapter 19 – Water and Sewers, Article III. – Water and Wastewater Facilities, Division 2. – Service Availability and Extension; and more specifically Section 144 – Mandatory Connection to Marion County Utility System Facilities, of the Marion County Code and Chapter 19 - Water and Sewers, Article III - Water and Wastewater Facilities, Division 5 - Short Water Line Extension Program of the Marion County Code.

**SECTION 4. PROGRAM AREA.** Pursuant to Section 19-144 of the Marion County Code, the Board hereby designates the following subdivision or other geographic area wherein owners of Developed Properties will be subject to the mandatory sewer connection provisions of

the Code, and where grant funding is provided to property owners to cover the cost of such connection:

- (A) **Silver Springs Shores – Unit 16**, as described and shown in **Exhibit A**; and
- (B) FDEP Notification of Acceptance of Use of General Permit 0188240-003 (Sewer), Issued March 17, 2021 as **Exhibit B**; and
- (C) Parcel Account Number listing as **Exhibit C** identifying development status (Developed Properties vs. not developed properties) as of the date of the DEP issued sewer permit.

#### **SECTION 5. GRANT FUNDING FOR DEVELOPED PROPERTIES.**

(A) Sewer Grant Funding for Developed Properties. For Developed Properties within the Program Area that sign a service agreement to connect to the sewer System within 365-days of the date the Developed Property Owner receives notification from MCU that the sewer System is available for connection, all costs for connection and abandonment of existing On-Site Sewage Treatment and Disposal System (OSTDS) will be funded by grant funds. Any Developed Property Owner failing to sign a service agreement within the 365-day time period will no longer automatically be eligible for grant funding but rather such assistance will be dependent upon the availability of funds. Less any available grant funding, a connection to the sewer System by the Developed Property Owner made outside of the 365-day time period will be subject to all then applicable fees at time of connection to the System but in no event will said Developed Property Owner pay more than Twelve Thousand Five Hundred Dollars (\$12,500) per parcel as established by the Board in the exercise of its discretion and in accordance with Section 19-144 (d) of the Marion County Code during review of this Resolution. Payment of this capped amount does not include:

- 1. The cost of all On-site facilities as defined in Section 19-122 of the Marion County Code.
- 2. All applicable costs and fees for the requested service which may include, without limitation, tap fees and system development fees as required by MCU.
- 3. All applicable federal, state, and local permits and requirements and any required encroachments.

(B) Water Grant Funding for Developed Properties. Developed Properties within the Program Area are herewith provided a unique opportunity to voluntarily connect to the MCU water System at no cost. To receive this benefit, the Developed Property Owner must enter into a service agreement with MCU within 365-days of the date the Developed Property Owner receives notification from MCU that the water System is available for connection. Any Developed Property Owner failing to sign a service agreement within the 365-day time period will no longer automatically be eligible for grant funding but rather such assistance will be dependent upon the availability of funds. Less any available grant funding, a connection to the water System by the Developed Property Owner made outside the 365-day time period will be subject to all then applicable fees at time of connection to the System but in no event will said Developed Property Owner pay more than Five Thousand Dollars (\$5,000) per parcel as established by the Board in

the exercise of its discretion and in accordance with Section 19-144 (d) of the Marion County Code during review of this Resolution. Payment of this capped amount does not include:

1. The cost of all On-site facilities as defined in Section 19-122 of the Marion County Code.
2. All applicable costs and fees for the requested service which may include, without limitation, tap fees and system development fees as required by MCU.
3. All applicable federal, state, and local permits and requirements and any required encroachments.

#### **SECTION 6. SURCHARGE FOR UNDEVELOPED PROPERTIES.**

(A) Sewer. Pursuant to Section 19-144 (h) of the Marion County Code, for Undeveloped Properties located within the Program Area there shall be a surcharge per Equivalent Residential Connection (“ERC”) due and payable at the time of signing a service agreement and before connection is made to the sewer System. The dollar amount and basis for the surcharge is established below:

1. The Program Area’s total wastewater infrastructure construction cost is \$3,179,681 (established by bid) and improves 120 parcels for a per parcel cost equaling \$26,497 per parcel/ERC. Wastewater surcharge/pro rata share shall be County’s actual cost on a per parcel basis, but the Undeveloped Property Owner shall not pay more than Twelve Thousand Five Hundred Dollars (\$12,500) per parcel as established by the Board in the exercise of its discretion and in accordance with Section 19-144 (d) of the Marion County Code during review of this Resolution. Payment of this capped surcharge does not include:
  - a. The cost of all On-site facilities as defined in Section 19-122 of the Marion County Code.
  - b. All applicable costs and fees for the requested service which may include, without limitation, tap fees and system development fees as required by MCU.
  - c. All applicable federal, state, and local permits and requirements and any required encroachments.

(B) Water. Pursuant to Section 19-217 of the Marion County Code, for Undeveloped Properties located within the Program Area there shall be a surcharge per ERC due and payable before connection is made to the water System, the amount and basis for the surcharge is established below:

1. The Program Area’s total water infrastructure construction cost is \$1,425,825 (established by bid) and improves 120 parcels for a per parcel cost equaling \$11,882. Water surcharge/pro rata share shall be County’s actual cost on a per parcel basis, but Owner shall not pay more than Five Thousand Dollars (\$5,000) per parcel as established by the Board in the exercise of its discretion and in accordance with Section 19-217 (b) of the Marion County Code during review of this Resolution. Payment of this capped surcharge does not include:
  - a. The cost of all On-site facilities as defined in Section 19-122 of the Marion County Code.

- b. All applicable costs and fees for the requested service which may include, without limitation, tap fees and system development fees as required by MCU.
- c. All applicable federal, state, and local permits and requirements and any required encroachments.

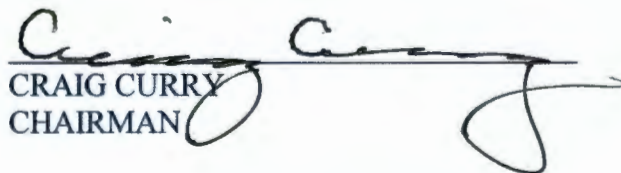
**SECTION 7. REPEAL OF ANY PORTIONS OF RESOLUTIONS IN CONFLICT.** Any portions of past resolutions of the Board of County Commissioners in conflict with this resolution are hereby repealed.

**SECTION 8. SEVERABILITY.** If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this resolution.

**SECTION 9. EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

**DULY ADOPTED** in regular session this 17<sup>th</sup> day of January, 2023.

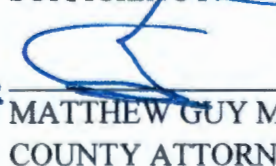
**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA**

  
CRAIG CURRY  
CHAIRMAN

**ATTEST:**

  
GREGORY C. HARREL  
CLERK

FOR THE USE AND RELIANCE OF  
MARION COUNTY ONLY,  
APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY.

*Fol:*   
MATTHEW GUY MINTER  
COUNTY ATTORNEY

# Exhibit A





Silver Springs Shores Unit 16

# FLORIDA DEPARTMENT OF Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Exhibit B  
Ron DeSantis  
Governor  
  
Jeanette Nuñez  
Lt. Governor  
  
Noah Valenstein  
Secretary

## NOTIFICATION OF ACCEPTANCE OF USE OF A GENERAL PERMIT

<b>PERMITTEE:</b>	<b>PERMIT NUMBER:</b>	0188240-003-DWC/CG
Marion County Utilities	<b>ISSUE DATE:</b>	March 17, 2021
11800 SE US Highway 441	<b>EXPIRATION DATE:</b>	March 16, 2026
Bellevue, FL 34420-4558	<b>COUNTY:</b>	Marion
Bob Titterington, Utilities Engineering Manager	<b>PROJECT NAME:</b>	Silver Springs Shores Unit 16
	<b>CONNECTED TO:</b>	MCUD Silver Springs Shores WRF
Email: <a href="mailto:bob.titterington@marioncountyfl.org">bob.titterington@marioncountyfl.org</a>	<b>FACILITY ID:</b>	FLA296651

Dear Mr. Titterington:

This letter acknowledges receipt of your Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System for the subject project. Our office received the Notice on March 10, 2021. This project includes the construction of 6428 LF of 8-inch gravity sewer with laterals and 32 manholes, one lift station and 690 LF of 3-inch force main.

*This is to advise you that the Department does not object to your use of such General Permit.*

Please note the attached requirements apply to your use of this General Permit for constructing the proposed domestic wastewater collection/transmission system.

You are further advised that the construction activity must conform to the description contained in your Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System and that any deviation will subject the permittee to enforcement action and possible penalties.

Sincerely,

Osama Mahmoud  
Engineer  
Permitting and Waste Cleanup Program

cc: Davis Dinkins, PE, Davis Dinkins Engineering, [davis@dinkinsengineering.com](mailto:davis@dinkinsengineering.com)  
Charles LeGros, DEP, [Charles.LeGros@dep.state.fl.us](mailto:Charles.LeGros@dep.state.fl.us)  
Osama Mahmoud, DEP, [osama.mahmoud@dep.state.fl.us](mailto:osama.mahmoud@dep.state.fl.us)  
Reggie Phillips, DEP, [reggie.phillips@floridadep.gov](mailto:reggie.phillips@floridadep.gov)

Silver Springs Shores Unit 16  
Program Area Parcels

9016-0206-17	Not Developed	THAKOORPERSAD SURENDRA	
9016-0206-18	Developed	BROWN WILLIAM F	6 SPRING LOOP DR
9016-0206-19	Not Developed	WORLD O WORLD CORP	
9016-0206-20	Developed	WRIGHT DEVEN	73 SPRING LOOP
9016-0206-21	Not Developed	SOUTHERN IMPRESSION HOMES LLC	
9016-0206-22	Developed	RANKIN FAMILY TRUST	69 SPRING LOOP
9016-0206-23	Developed	GELBER HELEN	65 SPRING LOOP
9016-0206-24	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0206-25	Developed	BLM ENTERPRISES LLC	61 SPRING LOOP
9016-0206-26	Not Developed	AGUDELO OSCAR	
9016-0206-27	Developed	FILIPOWICZ RALPH A	57 SPRING LOOP
9016-0206-28	Not Developed	DWYER BRUCE J	
9016-0206-29	Not Developed	ZODA ANNE	
9016-0206-30	Not Developed	VIRNAN CHRIS	
9016-0206-31	Developed	BROWN WILLIAM F	12 SPRING LOOP CT
9016-0206-32	Developed	GARDNER STEVE	14 SPRING LOOP CT
9016-0206-33	Not Developed	SOUTHERN IMPRESSION HOMES LLC	16 SPRING LOOP CT
9016-0206-34	Not Developed	HUNTER GERALD	
9016-0206-35	Not Developed	PORTUESI GIACOMO	
9016-0206-36	Not Developed	JOHNSON LENNOX O	
9016-0206-37	Not Developed	BYERS KATHRYN S	
9016-0206-38	Developed	DACOSTA KERRY L	11 SPRING LOOP CT
9016-0206-39	Not Developed	DACOSTA KERRY L	
9016-0206-40	Not Developed	BRUCE IVOR	
9016-0207-01	Developed	MCKINLEY SHAWN A	9501 BAHIA RD
9016-0207-02	Not Developed	HYLTON BASIL	
9016-0207-03	Not Developed	PIERRE JEAN PATRICK LOUIS	
9016-0207-04	Developed	JOSEPH IRONIQUE P	8 BAHIA COURT TRCE
9016-0207-05	Developed	ARNOLD JACK R	10 BAHIA COURT TRCE
9016-0207-06	Not Developed	MARZOUCA M ENOLA	
9016-0207-07	Developed	CRAIG CHESTER	16 BAHIA COURT TRCE
9016-0207-09	Developed	BASS DEBORAH	20 BAHIA COURT TRCE
9016-0207-10	Not Developed	C & D EXPRESS DEVELOPMENT INC	
9016-0207-11	Not Developed	C & D EXPRESS DEVELOPMENT INC	
9016-0207-13	Developed	HUNT SHANIQUA NICOLE	19 BAHIA COURT TRCE
9016-0207-14	Not Developed	LUPO GASPER REV LVNG TRUST	
9016-0207-15	Not Developed	CLAIRVIL FRITZ M	
9016-0207-16	Developed	LUMPKIN GLENDA M	13 BAHIA COURT TRCE
9016-0207-17	Developed	RUANO ARIEL	11 BAHIA COURT TRCE
9016-0207-18	Developed	DUNCAN PATRICK	9 BAHIA COURT TRCE
9016-0207-19	Developed	HUDSON DELORES	7 BAHIA COURT TRCE
9016-0207-20	Developed	REID MARVALYN	5 BAHIA COURT TRCE
9016-0207-21	Developed	DIAZ MARIA	3 BAHIA COURT TRCE
9016-0207-22	Not Developed	CHAMBERS FERDINAND	
9016-0208-01	Developed	FERNANDEZ MERLIN C	2 BAHIA COURT PL
9016-0208-02	Developed	GANT JACQUELINE	4 BAHIA COURT PL
9016-0208-03	Developed	FISH BRITTNEY A	6 BAHIA COURT PL
9016-0208-04	Not Developed	FIDELUS SONIA	
9016-0208-05	Developed	THE THOMAS H CHADDUCK REV TRUST	10 BAHIA COURT PL
9016-0208-06	Not Developed	ADELMAN JOCELYN T	
9016-0208-07	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0208-08	Developed	COONEY GARY S	5 BAHIA COURT PL
9016-0208-09	Developed	MANNING CELENA M	5 BAHIA COURT WAY
9016-0208-10	Developed	ATENCIO ZOILO J	7 BAHIA COURT WAY
9016-0209-02	Developed	ALIAGA JORGE	6 BAHIA COURT WAY
9016-0209-03	Not Developed	PISACRETA JOSEPH	
9016-0210-06	Developed	GEORGE SHATERRICA	9498 BAHIA RD
9016-0210-07	Not Developed	THE GIGLIO FAMILY TRUST	
9016-0210-08	Not Developed	MELARAM BISENDRA	

Silver Springs Shores Unit 16  
Program Area Parcels

PARCEL	STATUS	NAME	SITUS_1
9016-0205-01	Developed	BRUNACHE NESLIE	42 SPRING LOOP
9016-0205-02	Not Developed	NORZEA CLAUDE	
9016-0205-03	Developed	BELL YVONNE V	1 SPRING LOOP CT
9016-0205-05	Not Developed	ELLIOTT SIMEON	
9016-0205-06	Not Developed	LUCIEN SERGE	
9016-0205-08	Developed	CARROLL CARMEL JR	50 SPRING LOOP
9016-0205-09	Developed	ROUSE RANDY	52 SPRING LOOP
9016-0205-11	Not Developed	ROUSE RANDY	
9016-0205-12	Not Developed	FALIERO RONALD J TR	
9016-0205-13	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0205-14	Developed	IRONS ARTHUR W	62 SPRING LOOP
9016-0205-15	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0205-16	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0205-17	Not Developed	MARION COUNTY	68 SPRING LOOP
9016-0205-18	Developed	FOOTE EXFORD A TRUST	70 SPRING LOOP
9016-0205-19	Developed	PFLIEGER JOHN RICHARD	72 SPRING LOOP
9016-0205-20	Not Developed	LEON SAMUEL	
9016-0205-21	Not Developed	GHUNNEY ALBERT	
9016-0205-22	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0205-23	Not Developed	MENADIER BRIAN K	
9016-0205-24	Developed	MENADIER BRIAN K	82 SPRING LOOP
9016-0205-25	Developed	WALLACE DANIEL J	84 SPRING LOOP
9016-0205-26	Developed	SUBHAN AFZAL	86 SPRING LOOP
9016-0205-27	Developed	NUNES ANGELA	88 SPRING LOOP
9016-0205-28	Not Developed	GAGNE MARIA	
9016-0205-29	Not Developed	LUPO GASPER REVOCABLE LIVING TRUST	
9016-0205-30	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0205-31	Developed	SUTTON SIDNEY J	96 SPRING LOOP
9016-0205-32	Developed	CHARVONIEL SAMUEL R	98 SPRING LOOP
9016-0205-33	Developed	MOHABIR RAJENDRA	100 SPRING LOOP
9016-0205-34	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0205-35	Developed	LUCIANO LUZ M EST	104 SPRING LOOP
9016-0205-36	Developed	ESCUTIA MARILYN	103 SPRING LOOP
9016-0205-37	Developed	SCHNEIDER VICTOR	101 SPRING LOOP
9016-0205-38	Developed	KOLIAGA GREG	99 SPRING LOOP
9016-0205-39	Developed	COLON OSCAR	97 SPRING LOOP
9016-0205-40	Developed	HOWARD DEION BRUCE	95 SPRING LOOP
9016-0205-41	Developed	SANTIAGO LUIS M	91 SPRING LOOP
9016-0205-42	Developed	MENADIER BRADLEY D	14 SPRING CRSE
9016-0205-43	Developed	TORRES BORINQUEN M	12 SPRING CRSE
9016-0205-44	Developed	FIELDS DWAYNE A	10 SPRING CRSE
9016-0205-45	Developed	JACKSON LAKEVIA JANE E	8 SPRING CRSE
9016-0205-46	Developed	KNIGHT ANGELA	6 SPRING CRSE
9016-0205-47	Not Developed	BROWN MICHAEL LEE	
9016-0205-48	Developed	BROWN MICHAEL LEE	2 SPRING CRSE
9016-0206-01	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0206-02	Not Developed	THAKOORPERSAD SURENDRA	
9016-0206-03	Developed	COMRIE CHRISTOPHER	5 SPRING CRSE
9016-0206-04	Developed	KENNELLY MARY	7 SPRING CRSE
9016-0206-05	Not Developed	KEEM FAMILY TRUST	
9016-0206-06	Not Developed	KUSCHMIDER RONALD	
9016-0206-07	Not Developed	MALEADY EDWARD EST	
9016-0206-08	Developed	CLARKSON KEITH	75 SPRING LOOP
9016-0206-09	Developed	COX RODGER	3 SPRING LOOP DR
9016-0206-10	Not Developed	BCC PRODUCTIONS CORPORATION	
9016-0206-11	Not Developed	SCARLETT WILBERT G EST	
9016-0206-12	Developed	ARRAND BASIL JR	9 SPRING LOOP DR
9016-0206-13	Developed	CHINAPEN JOSEPH	11 SPRING LOOP DR
9016-0206-14	Not Developed	VALENZUELA RENE	
9016-0206-15	Not Developed	BASILE CONCETTA	
9016-0206-16	Not Developed	WILLIAMS LORNA	