

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

March 16, 2021

CALL TO ORDER

The Marion County Board of County Commissioners met in regular session in Commission Chambers at 9:06 a.m. on Tuesday, March 16, 2021 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with invocation by Commissioner Curry 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 Jeff Gold, District 3; Vice-Chairman Carl Zalak, District 4; Commissioner Craig Curry, District 1; Commissioner Kathy Bryant, District 2; and Commissioner Michelle Stone, District 5. Also present were Clerk Gregory C. Harrell, County Attorney Matthew G. Minter and County Administrator Mounir Bouyounes.

Seated behind the County Attorney and County Administrator were: Fiscal Manager Mike McCain; Assistant County Administrator (ACA) Jeannie Rickman; and ACA Angel Roussel.

ANNOUNCEMENTS

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

1. PROCLAMATIONS AND PRESENTATIONS:

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

1.1. PRESENTATION - Update on COVID-19 - Preston Bowlin, Director, Emergency Management (EM) (Presentation Only)

Emergency Management Director Preston Bowlin, Marion County Sheriff's Office (MCSO), advised that he was present to provide an update on health statistics related to the COVID-19 pandemic. He stated there were 6,655 testing samples run last week, resulting in 302 positive cases. Mr. Bowlin advised that this is the 9th week in a row for a decrease in positive cases, noting there were 437 positive results during the previous week. The positivity rate as of March 16, 2021 is 4.54 percent (%) down from 5.73% last week. Testing continues at the Southeastern Livestock Pavilion (SELP) Mondays and Wednesdays from 8:00 a.m. until 2:00 p.m. and school testing at the SELP occurs Mondays, Wednesdays, and Friday mornings.

Mr. Bowlin stated hospital data shows both regular bed and Intensive Care Unit (ICU) census are down as of March 14, 2021.

Mr. Bowlin advised that there has been an increase in vaccinations, noting 72,635 people have been vaccinated in Marion County, 42,611 have total completion of both shots, with

March 16, 2021

30,024 having received their first doses. He stated the Johnson & Johnson single dose vaccine was received last week and 1,047 individuals have received that vaccine.

Mr. Bowlin stated the County was below the 50% mark for vaccination of individuals 65 years of age and up, but now that number is now over 57%, noting of all Florida Counties, Marion County is the 17th highest relating to vaccinated population 65 and up. He advised that vaccination efforts continue at the Department of Health (DOH), the Paddock Mall, in addition to hospitals, Federally Qualified Health Centers (FQHC), CVS, Walgreens, Publix, Walmart/Sam's Club, and Winn Dixie. Mr. Bowlin stated under the current executive order the County is still vaccinating long term care facility (LTCF) staff and residents 60 years of age and older, health care providers, Kindergarten through 12th grade school employees 50 years of age and older, law enforcement 50 years and older, as well as persons determined to be extremely vulnerable by a physician.

Mr. Bowlin advised that after a call yesterday with the State Department of Emergency Management (DEM) it is possible that the age for vaccination will likely be lowered to 55 and over soon. He stated the On Top of the World (OTOW) mission conducted March 5th through the 7th resulted in 2,727 residents being vaccinated. The Florida Horse Park mission took place March 8th and 9th and 1,879 individuals received vaccinations. He thanked Commissioner Curry and Councilman Malever for cooking for those working the event. The MCSO Citizens Emergency Response Team (CERT) volunteers were instrumental in getting individuals in 13 gated communities vaccinated.

Mr. Bowlin advised that registration and vaccinations continue at the Paddock Mall. There have been roughly 1,000 teachers vaccinated. The next County outreach mission will be March 18, 2021 at Reddick-Collier Elementary School. Emergency Management and DOH planners are coordinating efforts for single-shot vaccination sites, with a goal of delivering 3,000 vaccinations daily if needed.

Mr. Bowlin advised that there are currently 35 State contractors assisting Marion County at the vaccination sites including Registered Nurses (RNs), Certified Nursing Assistants (CNAs), Licensed Practical Nurses (LPNs) and clerical workers. Marion County Fire Rescue (MCFR) has been on-site daily at the Paddock Mall vaccination site. Ocala Regional Medical Center (ORMC) and Emergency Management are reaching out for a second round of health care professionals that need to be vaccinated, noting a clinic will be held at ORMC for these individuals.

Mr. Bowlin stated homebound residents and veterans are vetted through DOH to be provided vaccinations at their residences and are scheduled through Emergency Management. He advised that once those individuals are scheduled, Emergency Management contractors will go out on Saturday and Sunday to administer these vaccinations.

Mr. Bowlin stated community outreach within the City of Ocala has been taking place at the first responder building located at 505 NW Martin Luther King Jr. Avenue, noting he and DOH Director Mark Lander have been there twice to assist residents that need help registering. He advised that Farm Share will be present Friday March 19th at North Marion Middle School from 9:00 a.m. until they run out of food. Florida Representative Yvonne Hayes Hinson organized this initiative and working with Emergency Management, they expect to serve food for approximately 500-600 families in the north end of the County.

Mr. Bowlin stated that preparations have already begun relating to the upcoming hurricane season, noting the use of WebEOC, the statewide Emergency Management platform. He advised that Department of Transportation (DOT) is working with Emergency Management and shelter meetings are being conducted with the School Board.

In response to Chairman Gold, Mr. Bowlin stated the Johnson & Johnson vaccine is a single shot. He advised that it is possible any necessary "booster" shots may be included in the annual flu shot.

Commissioner Curry expressed appreciation for the hard work Mr. Bowlin has put into the efforts to test and vaccinate Marion County residents relating to COVID-19.

Commissioner Zalak commented on the great turnout at OTOW for the mission that took place there, noting how smoothly the operation ran.

1.2. PROCLAMATION - Eagle Scout Caleb Emerson (Approval Only)

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

2. AGENDA ITEM PUBLIC COMMENT: 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.marioncountyfl.org.

Chairman Gold advised that there are several citizens that have signed up to speak on specific Agenda Items, noting those Items will be pulled off the Consent Agenda and public comment will be taken as each Item is addressed.

Chairman Gold opened the floor for public comment.

Mr. James Otto did not appear when called upon.

Chairman Gold stated Mr. Christopher Kinem would address the Board when the Item he is present for is called addressed later in the meeting.

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

3. ADOPT THE FOLLOWING MINUTES: (3 sets)

3.1. February 2, 2021

3.2. February 10, 2021 A

3.3. February 10, 2021 B

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to adopt the meeting minutes of February 2 and 10 (2 Sets), 2021. The motion was unanimously approved by the Board (5-0).

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:

4.1. Billy Woods, Sheriff - Request Approval of 2019-2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Countywide

The Board considered the following letter dated February 26, 2021 from Caitlin Rath, Grants Coordinator, Marion County Sheriff's Office (MCSO):

The Board of County Commissioners provided approval to the Marion County Sheriff's Office apply for funding under The Edward Byrne Memorial Justice Assistance Grant (JAG) Program through the Florida Department of Law Enforcement. Funding will be used to purchase a stationary license plate reader. The Chairman's signature is required on one page where marked.

Budget Impact: Grant revenue of \$37,000. (No local match required)

Recommended Action:

1) Motion to authorize the Board Chair to sign the agreement where marked.

March 16, 2021

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to authorize the Board Chair to sign the agreement. The motion was unanimously approved by the Board (5-0).

4.2. Billy Woods, Sheriff - Request Approval of 2019-2023 Edward Byrne Memorial Justice Grant (JAG) Program - \$59,263

The Board considered the following letter dated February 25, 2021 from Caitlin Rath, Grants Coordinator, MCSO:

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to states and units of local government. The US Department of Justice has made \$59,263 available to Marion County that may be used for law enforcement programs, prosecution and court programs, technology improvements, and more. In years past, the Board has delegated application authority to the Sheriff's Office to prepare and submit the JAG grant application. The funds for the 2019-2023 grant period are requested to support the following programs:

Marion County Sheriff's Office -Detective Bureau Operations- \$47,766

The Marion County Sheriff's Office will utilize grant funds for overtime in the Detective Bureau. Detectives from Major Crimes, Property Crimes, and the Intelligence Unit will work operations to combat violent crimes and conduct surveillance on prolific offenders to prevent crime.

Marion County 5th Judicial Court - Drug Court Program - \$11,497

The Marion County Drug Court Program will utilize grant funds for drug screens, which are required of participants enrolled in the program.

Budget Imp Act: Grant revenue of \$59,263. (No local match required)

Recommended Action: Motion to authorize the Board Chair to sign the award acceptance document and initial each page of the special conditions.

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to authorize the Board Chair to sign the award acceptance document and initial each page of the special conditions. The motion was unanimously approved by the Board (5-0).

4.3. Jon Lin, Trial Court Administrator - Request Approval to Sign the Acceptance of Federal Funding Assistance for the Florida Department of Law Enforcement (FDLE) Award to the Marion County Board of County Commissioners Sub-grant 2020-JAGC-MARI-9-5R-142 for the Project Titled Marion County Pre-Plea Diversion Drug Courts

The Board considered the following letter dated February 24, 2021 from Trial Court Administrator Jon Lin, Court Administration:

Description/Background: The enclosed Certificate of Acceptance of Federal Funding Assistance for the Marion County Pre-Plea Diversion Drug Courts programs is required to be completed for the FY20 Edward Byrne Memorial Justice Assistance Grant (JAG) Program application.

Budget Imp Act: Grant revenue in the amount of \$ 15,003 .00. Matching funds are not required.

Recommended Action: Signatures on the Certificate of Acceptance of Funding Assistance for the Marion County Pre-Plea Diversion Drug Court, Florida Department of Law Enforcement Justice Assistance Grant.

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to execute the Certificate of Acceptance of Funding Assistance for the Marion County Pre-

Plea Diversion Drug Court, Florida Department of Law Enforcement Justice Assistance Grant. The motion was unanimously approved by the Board (5-0).

4.4. Jon Lin, Trial Court Administrator - Request Approval to Sign the Research Agreement for the Marion County Pre-Plea Diversion Drug Court, Florida Department of Law Enforcement (FDLE) Justice Assistance Grant (JAG)

The Board considered the following letter dated March 3, 2021 from Trial Court Administrator Jon Lin, Court Administration:

Description/Background: The enclosed Agreement for the Marion County Pre-Plea Diversion Drug Courts programs between Marion County Board of County Commissioners, Court Administration, and the University of Florida Evaluators and is required to be completed for The Bureau of Justice Assistance, Drug Court Discretionary Grant Program, Bureau of Justice Assistance Award Number 2020-DC-BX-0148

Budget Impact: Grant award for court program \$500,000 for three-year grant and \$50,000 will be used for University of Florida to evaluate the project for The Bureau of Justice Assistance Grant.

Recommended Action: Signatures on the Research Agreement for the Marion County Pre-Plea Diversion Drug Court, Florida Department of Law Enforcement Justice Assistance Grant.

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to execute the Research Agreement for the Marion County Pre-Plea Diversion Drug Court, Florida Department of Law Enforcement Justice Assistance Grant. The motion was unanimously approved by the Board (5-0).

5. CLERK OF THE CIRCUIT COURT:

5.1. Request Adoption of the Following Budget Amendment Resolutions:

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

5.1.1. Building Safety Fund - Building - \$124,971 was pulled for discussion with Consent Agenda Item 7.6.2

5.1.2. 21-R-132 – General Fund - CoC ES Program FL - \$51,465

5.1.3. 21-R-133 – General Fund - CoC HUD Planning - \$16,331

5.1.4. 21-R-134 – General Fund - Community Development Block Grant - \$22,020

5.1.5. 21-R-135 – General Fund - Marion County Public Library System - \$13,370

5.1.6. 21-R-136 – Marion County Utility Fund - Utilities Capital Construction - \$437,986

5.1.7. 21-R-137 – Medical Examiner Fund - Medical Examiner - \$2,966

5.1.8. 21-R-138 – Stormwater Program - Stormwater Program - \$1,545,166

(Ed. Note: CoC is the acronym for Continuum of Care; ES is the acronym for Emergency Solutions; and HUD is the acronym for Housing and Urban Development.)

5.2. Clerk of the Court Items

5.2.1. Request Approval to Transfer Project Funds and Amend the Capital Improvement Plan (CIP)

Clerk Harrell presented the following recommendation from Environmental Services Director Jody Kirkman:

Description/Background: Environmental Services, Utilities Division, was awarded a grant from Florida Department of Environmental Protection (FDEP) for \$419,229 to partially fund Septic to Sewer (Castro Plaza) with owner participation. The total project is \$910,915.

Requesting to transfer \$491,686 from UTC000059 Lift Stations and Sewer Mains to UTC000168 to US 27/NW 70th Avenue to fund the Department's funding match. Requesting to transfer \$225,000 from UTC000135 Reclaim Water Stations and Reclaim Mains to UTC000138 Wastewater Treatment Plant Improvements for Rehabilitation Improvements at the Stonecrest WWTP.

Budget/Impact: Neutral.

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

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

6. PUBLIC HEARINGS (Request Proof of Publication) at 10:00 am: NONE

7. CONSENT: A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion unless desired by a Commissioner.

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

7.1. Administration:

7.1.1. Request Approval of Letter of Support for SMA Healthcare, Inc.
(Budget Impact - None)

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

Description/Background: SMA Healthcare, Inc. (SMA) has supported the expansion and improvement of behavioral healthcare services to Marion County residents over the past two (2) years. SMA has provided excellent management consultation services to The Centers, Marion County's primary local safety net behavioral health organization. SMA and The Centers are in discussion regarding consolidation of their organizations.

The attached letter is to show support for SMA to be considered by LSF Health Systems to be selected to provide behavioral health services in Marion County.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize Chair to execute letter of support for SMA Healthcare, Inc.

7.2. Animal Services:

7.2.1. Request Acceptance of the Bequest to Marion County Animal Services from the Suzanne K. Longfellow Trust (Budget Impact - Revenue of \$50,000)

The Board accepted the following recommendation as presented by Animal Services Director James Sweet:

Description/Background: Marion County Animal Services was named in the Suzanne K. Longfellow Trust, receiving a donation in the amount of \$50,000.

This generous donation will benefit the citizens of Marion County by helping the department provide care for animals in our community.

Budget/Impact: Revenue of \$50,000; donation to Marion County Animal Services.

Recommended Action: Motion to accept donation and authorize Director of Animal Services to execute the Non-Judicial Waiver and Release.

7.3. Attorney:

7.3.1. Request Approval of the Mediated Settlement Agreement for the Southeast 92nd Loop Road Improvement Project Parcels 130 and 131 (Budget Impact - Neutral; expenditure of \$138,105 as approved in the FY 20/21 budget)

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

Description/Background: Marion County is currently involved in an eminent domain case, Marion County v. Vicki J. Tozier, and others, Case Number 2014-CA-672. This matter involves the County's condemnation of two (2) Fee Simple Right-of-Way Taking property interests on Project Parcels 130 and 131, which were required for the Southeast 92nd Loop Road Improvement Project in Marion County, Florida.

County Attorney, Matthew Minter and Right of Way Manager, Shawn Hubbuck have reached a Mediated Settlement Agreement with Defendant Seven Oaks Mobile Home Park, Inc., a Florida Corporation and their attorneys, the Law Offices of Joseph M. Hanratty, PLLC, pending Board approval. A copy of the Mediated Settlement Agreement is attached hereto.

As outlined in the Agreement, Marion County shall pay said Defendants the total sum of the One Hundred Eighty Thousand, and 00/100 Dollars (\$180,000.00) as full compensation for the property taken. [The County shall receive a credit for Seventy Six Thousand, Eight Hundred Thirty-Five and 00/100 Dollars (\$76,835.00) previously deposited pursuant to the Stipulated Order of Taking dated July 11, 2014, for a net deposit in the sum One Hundred Three Thousand, One Hundred Sixty-Five and 00/100 Dollars (\$103,165.00).]

Additionally, the County shall pay attorney fees to the Defendant's attorneys, in the amount of Thirty-Four Thousand, Nine Hundred Forty and 00/100 Dollars (\$34,940.00).

Budget/Impact: Transportation Capital Projects Fund - Project Number TIP077586 and Budget account BO762542- 561301 - \$138,105.

Recommended Action: Motion to approve the Mediated Settlement Agreement for the Southeast 92nd Loop Road Improvement Project Parcels Project Parcels 130 and 131, which authorizes entry of a Stipulated Final Judgment to the Court.

7.4. Fire-Rescue:

7.4.1. Request Adoption of the Districts 5 and 24 Medical Examiner Committee By-Laws (Budget Impact - None)

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

Description/Background: The Districts 5 and 24 Medical Examiner Committee was created by the 2018 Interlocal Agreement between Citrus County, Hernando

County, Lake County, Marion County, Seminole County, and Sumter County for cost share of medical examiner services and related matters.

Marion County Fire Rescue and the Marion County Attorney's office worked to create by-laws in order to provide guidelines related to the committee's members, quorum determination, and meeting schedule, as well as the chair and vice-chair annual vote, in order to provide a seamless operation moving forward.

At the February 26, 2021 meeting, the Districts 5 and 24 Medical Examiner Committee approved to recommend the by-laws to the Marion County Board of County Commissioners, as presented, for adoption.

Budget/Impact: None.

Recommended Action: Motion to adopt the Districts 5 and 24 Medical Examiner Committee By-Laws.

7.4.2. Request Approval and Execution of Certification Statement for the Use of Certified Public Funds (Budget Impact - Expenditure of \$51,707)

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

Description/Background: On January 21, 2020, the Board of County Commissioners approved an agreement between Marion County and Advanced Data Processing, Inc. to provide submission of an application to the Public Emergency Medical Transport Program (PEMT) to the Agency for Healthcare Administration (AHCA). PEMT is a supplemental reimbursement program (only available to government based transport agencies) whereby an annual cost report is submitted that captures total cost for providing transport services. This cost report calculates the total Medicaid allowable costs that have not been reimbursed via Medicaid billing. The Centers for Medicare and Medicaid Services (CMS) disburses the federal share of the amount to AHCA, who allocates supplemental payments to providers.

Budget/Impact: Expenditure of \$51,707 to obtain \$110,689 in revenues.

Recommended Action: Motion to approve and authorize Chair to execute Certification Statement for the Use of Certified Public Funds.

7.5. Growth Services:

7.5.1. Request Approval of Either a Letter of Credit or Bond in Lieu of Approval of Pending PUD Modification for Golden Ocala Mobile Home Park Phase 1 (Budget Impact - None)

The Board considered the following recommendation as presented by Growth Services Director Mary Elizabeth Burgess:

Description/Background: The Golden Ocala Mobile Home Park Phase 1 is seeking to post either a Letter of Credit, drawn from a local bank, or bond in lieu of approval of a pending PUD modification. The applicant has installed a chain link fence instead of the approved six foot (6') Vinyl Opaque Fence along the perimeter of the Mobile Home Park located at 200 NW 73rd Avenue. An application to modify the approval to allow the chain link fence to remain is scheduled for the Planning and Zoning Commission on March 29, 2021 and the Board of County Commissioners on April 20, 2021. However, in an effort to obtain Certificates of Occupancy for the finished mobile homes, the applicant is proposing to post either a Letter of Credit from a local bank or a bond in the amount of \$94,788 to include

the expense of installing 2,633 linear feet (LF) of the approved fence at \$30/LF plus 20% Contingency.

Budget/Impact: None.

Recommended Action: Motion to authorize staff to pursue and execute a letter of credit or bond in lieu of approval of pending PUD modification for Golden Ocala Mobile Home Park Phase 1.

Chairman Gold opened the floor for public comment.

Lisa Schermerhorn, NW 71st Avenue, expressed concern related to a lack of fencing at the newly added Golden Ocala Mobile Home Park Phase 1. She stated there are issues with privacy and crime, noting someone tried stealing horses from her pasture on February 4, 2021. Ms. Schermerhorn opined that a fence comparable to those found on the owner's other properties is necessary.

Christopher Kinem, NW 73rd Terrace, advised that his property is on the north border of the Golden Ocala property, and the limited information provided to him stated there would be an opaque fence that would provide some level of privacy. He opined that the chain link fence that was installed instead provides no privacy, noting there are vehicle lights all night long and no barrier from the noise. Mr. Kinem advised that he has been a good neighbor for more than a year while construction has been ongoing and reached out to those at Golden Ocala regarding issues unrelated to fencing without any positive results. He noted the plan has changed and now they are stuck with lights, noise, and a lack of privacy.

Commissioner Curry opined that the chain link was an error. He stated the vegetative buffer will grow and block the fence from view and questioned the elevation of the housing. Mr. Kinem advised that some of those dwellings appear to be elevated at least six feet high. Commissioner Curry advised that they are higher than the chain link fence and the fence will provide no protection from the elevated mobile homes. Mr. Kinem stated that was true relating to a person looking out of a window from inside one of those dwellings.

Commissioner Curry opined that the chain link fence does not look bad and questioned what the opaque fence would accomplish. Mr. Kinem stated the majority of what he will be dealing with is individuals on the ground, not those peering from a window inside one of these mobile homes. He advised that it would take years for the vegetation to grow and fill in the chain link fence, noting he is 60 years of age.

Eddie Kinem, NW 73rd Terrace, advised that the mobile home park at Golden Ocala is a transient community. She stated she can see all activity on that property and can even identify specific television (T.V.) programming from her kitchen. Ms. Kinem advised that she has lost all privacy and now keeps all the blinds in her home drawn. She stated the jasmine that was planted will grow out not up, noting she has the same plants on her property already and that plant will never cover the chain link fence. Ms. Kinem opined that she is no longer able to do anything in her home or on the property without having people watching her. She stated she has put up with disrespectful contractors during the past year including men exposing themselves in front of her, threatening her husband and doing bodily harm to her. Ms. Kinem advised that she has picked up at least 15 bags of garbage dumped on her property and the fence does not help as the garbage continues to land on her property.

In response to Commissioner Zalak, Ms. Kinem stated she was never notified of this project.

March 16, 2021

David Tillman, Tillman & Associates Engineering, LLC., SE 16th Ave, advised that he was present to request an extension allowing the developer to come back before the Board and have their arguments heard regarding the type of fence that should be installed. He stated the chain link fence was built in error, and replacing it with the opaque fencing approved by the Board will be very costly. Mr. Tillman stated he was requesting a bond be put in place for the period between now and when the Planned Unit Development (PUD) modification is heard by the Board, noting the bond gives the County the right to come build the fence as a vinyl, opaque fence if the Board should refuse to allow the chain link. Mr. Tillman stated such an agreement for the bond will allow the developer to take occupancy of the last few mobile homes left with no Certificate of Occupancy (CO) until this issue is resolved.

In response to Chairman Gold, Mr. Tillman advised the bond is enough to cover the replacement of the fence if the Board ruled against the chain link, and it would not cost the taxpayers anything.

Commissioner Stone questioned whether the opaque fence would be constructed immediately if the Board denies the request. Mr. Tillman stated if not approved today, either the opaque fence would be constructed or some of the mobile homes would be left without a CO and the developer would come back before the Board with the PUD amendment.

In response to Commissioner Stone, Mr. Tillman advised that slats could be added, or shade cloth and additional plantings could be utilized.

Commissioner Stone opined that she would like to allow the developer an opportunity to remedy their mistake.

Commissioner Bryant stated she appreciates all the developer has done but understands the privacy issue related to the mistake with the chain link fence.

Chairman Gold opined that bringing the matter back before the Board is his preference.

Mr. Minter advised that the Developer's issue is they are unable to get their COs, because they did not build the opaque fence.

Commissioner Bryant stated if the Board gave consensus today that they are not interested in modifying the PUD, it would save time.

Commissioner Zalak advised that he is in favor of a public hearing, noting there may be a better solution than a 6-foot vinyl fence. He stated it may be better to consider modifications that could be made such as a slotting and a 2 foot or 4 foot increase to the chain link fence height.

Chairman Gold advised that public comment is now closed.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to approve scheduling a public hearing in May. The motion was unanimously approved by the Board (5-0).

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

Commissioner Gold was excused at 9:55 a.m.

7.6. Human Resources:

7.6.1. Request Approval of Resolution for the Addition of One (1) Facilities Management Operations Manager, Pay Grade 27; Reclassification of One (1) Facilities Project Manager, Pay Grade 25 to One (1) Facilities Management Construction Manager, Pay Grade 27; Reclassification of One (1) Project Coordinator II, Pay Grade 20 to One (1) Facilities Management Project Manager, Pay Grade 24; Reclassification of One (1) Facilities Trades Technician, Pay Grade 17 to One (1) Facilities Management Project

Manager, Pay Grade 24; Reclassification of One (1) Staff Assistant III, Pay Grade 13 to One (1) Administrative Staff Assistant, Pay Grade 16; Reclassification of One (1) Facilities Operations Manager, Pay Grade 25 to One (1) Facilities Management Assistant Director, Pay Grade 29; Deletion of Two (2) Facilities Trades Technician Positions, Pay Grade 11-20; within the Facilities Management Department Budget AA180519 (Budget Impact - Expenditure of \$8,307)

The Board accepted the following recommendation to adopt Resolution 21-R-139 as presented by Human Resources (HR) Director Amanda Tart:

Description/Background: The Facilities Management department is requesting a small reorganization to better manage projects and provide superior customer service to both internal and external customers.

Currently the department has an Operations Manager, a Project Manager, Administrative Manager, and a Fiscal Manager that each report to the Director. With the increasing number of Capital Improvement Projects over the next four (4) years for the Marion County Sheriff's Office (MCSO) and Marion County Fire Rescue (MCFR), projected at \$84 Million, and with additional projected vertical construction projects over the next five (5) years, projected at \$26 Million, the department is proposing several changes to increase capacity and provide additional oversight and leadership.

Today the Project Team consists of two (2) people, a Project Manager and a Project Coordinator II. This plan reclassifies the Project Manager position to a Construction Manager. The Construction Manager position is more in line with the functions performed, such as the oversight of all projects and working with departments and contractors from the planning phase through final inspections. This plan proposes two (2) employees working directly under the Construction Manager. Both positions will be filled with current employees. The current Project Coordinator II and a Facilities Trades Technician will be reclassified into Project Managers. These two (2) Project Managers will focus primarily on projects for MCSO and MCFR.

The increase for projects has added to the administrative duties including the upkeep of records, increased invoicing, and maintenance of contracts. The department is recommending reclassifying a current Staff Assistant III to an Administrative Staff Assistant due to the increased level of responsibilities.

This plan reclassifies the current Operations Manager to an Assistant Director to oversee Operations and Project Management, and adds an additional Operations Manager position to replace the current position; the new position will be filled through advertisement. This proposed change adds the oversight and leadership needed within the department. It also supports succession planning long term. The current Operations Manager has been with the County for over thirty (30) years and has a wealth of knowledge. This plan allows him to pass that knowledge along to other members of the team to have the department better prepared when he retires.

In order to fund these changes, the department will delete two (2) vacant Facilities Trades Technician positions. The positions have proven difficult to fill and there is a greater need on the Project Management team now. The department also has a retirement in July that will provide additional money. Due to vacancies throughout the year, there is no budget amendment needed to fund these changes.

Budget/Impact: Expenditure of \$8,307.

March 16, 2021

Recommended Action: Motion to approve the attached resolution for the addition of One (1) Facilities Management Operations Manager, Pay Grade 27; reclassification of One (1) Facilities Project Manager, Pay Grade 25 to One (1) Facilities Management Construction Manager, Pay Grade 27; reclassification of One (1) Project Coordinator II, Pay Grade 20 to One (1) Facilities Management Project Manager, Pay Grade 24; reclassification of One (1) Facilities Trades Technician, Pay Grade 17 to One (1) Facilities Management Project Manager, Pay Grade 24; reclassification of One (1) Staff Assistant III, Pay Grade 13 to One (1) Administrative Staff Assistant, Pay Grade 16; reclassification of One (1) Facilities Operations Manager, Pay Grade 25 to One (1) Facilities Management Assistant Director, Pay Grade 29; Deletion of Two (2) Facilities Trades Technician Positions, Pay Grade 11-20; within the Facilities Management Department Budget AA180519.

Resolution 21-R-139 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE ADDITION OF ONE (1) FACILITIES MANAGEMENT OPERATIONS MANAGER POSITION, PAY GRADE 27; THE RECLASSIFICATION OF ONE (1) FACILITIES PROJECT MANAGER, PAY GRADE 25 TO ONE (1) FACILITIES MANAGEMENT CONSTRUCTION MANAGER, PAY GRADE 27; RECLASSIFICATION OF ONE (1) PROJECT COORDINATOR II, PAY GRADE 20 TO ONE (1) FACILITIES MANAGEMENT PROJECT MANAGER, PAY GRADE 24; RECLASSIFICATION OF ONE (1) FACILITIES TRADES TECHNICIAN, PAY GRADE 17 TO ONE (1) FACILITIES MANAGEMENT PROJECT MANAGER, PAY GRADE 24; RECLASSIFICATION OF ONE (1) STAFF ASSISTANT III, PAY GRADE 13, TO ONE (1) ADMINISTRATIVE STAFF ASSISTANT, PAY GRADE 16; RECLASSIFICATION OF ONE (1) FACILITIES OPERATIONS MANAGER, PAY GRADE 25, TO ONE (1) FACILITIES MANAGEMENT ASSISTANT DIRECTOR, PAY GRADE 29; DELETION OF TWO (2) FACILITIES TRADES TECHNICIAN POSITIONS PAY GRADE 11-20; WITHIN THE FACILITIES DEPARTMENT BUDGET AA180519; ALONG WITH THE CORRESPONDING JOB DESCRIPTIONS AND PAY GRADES AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

7.6.2. Request Approval of Resolution for the Addition of Three (3) Inspector Plans Examiner Positions, Pay Grade 17-26, Within the Building Safety Department Budget EP318524 (Budget Impact - None)

The Board accepted the following recommendation to adopt Resolution 21-R-140 as presented by HR Director Tart:

Description/Background: The Building Safety department received approval to hire three (3) temporary Inspector Plans Examiner positions through reSOURCE Government Services at the Board meeting held September 15, 2020. The expenditure of \$297,180 for temporary staffing was approved in the FY 20/21 budget for funds in the Contract Services line item.

After working with reSOURCE for nearly four (4) months trying to fill the temporary positions, they have exhausted all attempts to locate fully licensed inspectors

through multiple recruiting venues (LinkedIN, Indeed, etc.) and have been unsuccessful in locating applicants that currently have multiple licenses and/or their structural license.

Building Safety is requesting to convert these three (3) reSOURCE positions into three (3) full time Inspector Plans Examiner positions. They have a current need to fill those positions with qualified personnel and are willing to train and support those positions in order for them to achieve licensure. Based on the forecasted growth within the state and Marion County, these full time positions are needed to alleviate the wait for inspections and to provide better coverage and service to our customers.

A Budget Amendment Request is on this agenda, requesting to move \$124,971 from the Contract Services line item to the related personnel line items.

Budget/Impact: None.

Recommended Action: Motion to adopt the attached resolution for the addition of three (3) Inspector Plans Examiner positions within the Building Safety Department budget EP318524.

Resolution 21-R-140 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE ADDITION OF THREE (3) INSPECTOR PLANS EXAMINERS, PAY GRADE 17-26; WITHIN THE BUILDING SAFETY DEPARTMENT EP318524; ALONG WITH THE CORRESPONDING JOB DESCRIPTIONS AND PAY GRADES AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

5.1.1. Building Safety Fund - Building - \$124,971

The Board adopted Budget Amendment Resolution 21-R-141 transferring \$124,971.00 within the Building Safety Fund.

7.6.3. Request Approval of the First Amendment to the Interlocal Agreement Between the School Board of Marion County and the Marion County Board of County Commissioners to Support the Commercial Driver's License (CDL) Training Program (Budget Impact - None)

The Board accepted the following recommendation as presented by HR Director Tart:

Description/Background: The attached interlocal agreement is a mutually beneficial arrangement between Marion County Board of County Commissioners and the Marion County School Board. Marion County will continue to provide Fleet services to the Marion County School Board and the School Board will provide CDL testing services to the County at the negotiated rates within the agreement.

This amendment is the first of three (3) one (1) year extensions of the original agreement that went into effect on January 22, 2019.

Budget/Impact: None.

Recommended Action: Motion to approve the first amendment to the interlocal agreement Between Marion County Board of County Commissioners and the Marion County School Board.

7.6.4. Request Approval of the Risk Benefits Insurance Agreements with Constitutional Officers (Budget Impact - None)

March 16, 2021

The Board accepted the following recommendation as presented by HR Director Tart:

Description/Background: The County has established Risk and Benefit Services within the Human Resources department to manage and implement insurance programs for the Board of County Commissioners and Constitutional Officers. The insurance programs are managed through the County and budgeted through the Insurance Fund with costs allocated out to County departments and Constitutional Officers.

During the County's transition to Health partial self-insurance, the need to have all participants' commitment was discussed as being vital to the long term success of the self-insurance program. It was also identified that the current long-standing Risk insurance agreements with each of the Constitutional Officers should be updated.

Risk and Benefits worked with the Constitutional Officers to revise and update the agreements. The insurance agreements have been agreed to and signed by each Constitutional Officer.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize Chair to execute each risk benefits insurance agreement with the Constitutional Officers.

7.6.5. Request Approval of the Resolution for the Reclassification of One (1) Veterans Services Specialist Position, Pay Grade 9, to One (1) Veterans Services Officer Position, Pay Grade 10, Within the Veterans Services Department AA378553 (Budget Impact - Savings of \$1,759)

The Board accepted the following recommendation to adopt Resolution 21-R-142 as presented by HR Director Tart:

Description/Background: The Veteran Services department would like to reclassify one (1) vacant Veterans Services Specialist position to a Veterans Services Officer position. The position of Veterans Services Officer will allow the department to offer a higher level of services to our veterans. The department anticipates an increase in veterans needing assistance with the roll out of the COVID-19 vaccines and other personal needs they may be facing during the pandemic. Candidates interested in the position must be a veteran and in return will be able to file claims on behalf of our veterans needing assistance as well as better relate to their needs.

Budget/Impact: Savings of \$1,759.

Recommended Action: Motion to adopt the attached resolution for the reclassification of one (1) Veterans Services Specialist position, pay grade 9 to One (1) Veterans Services Officer position, pay grade 10, within Veterans Services Budget AA378553.

Resolution 21-R-142 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE RECLASSIFICATION OF ONE (1) VETERANS SERVICES SPECIALIST, PAY GRADE 9; TO ONE (1) VETERANS SERVICES OFFICER, PAY GRADE 10; WITHIN THE VETERANS SERVICES DEPARTMENT AA378553; ALONG WITH THE CORRESPONDING JOB DESCRIPTION AND PAY GRADE AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

7.7. Procurement Services:

7.7.1. Request Approval of Selection Committee Recommendation: 20Q-190, SW 52nd Street Flood Mitigation Program - Kimley-Horn & Associates, Inc. Ocala, FL (Budget Impact - Neutral; expenditure of \$199,993 as approved in FY 20/21 budget)

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

Description/Background: On behalf of the Marion County Office of the County Engineer (OCE), Procurement advertised a Request for Qualifications (RFQ) to select a professional engineering consultant to model, design, and permit new drainage retention areas (DRAs) and stormwater conveyance infrastructure for flood mitigation along a portion of SW 52nd Street. This project will provide flood relief to not only the road, but also the surrounding residences. The design may also include elevating the roadway.

Three (3) submittals were received, evaluated, and scored by the Selection Committee: Rob Balmes, James Couillard, Elton Holland, Cheryl Martin, and Christine Vrabic. All three (3) firms were shortlisted. However, Tillman & Associates, Inc. withdrew from the selection process prior to scheduling interviews with the remaining two (2) firms, Kimley-Horn & associates, Inc. and Jones Edmunds & Associates, Inc.

The Selection Committee recommended Kimley-Horn & Associates, Inc. as the highest scoring qualified firm as shown below.

FIRM - City, State	SCORE	RANK
Kimley-Horn & Associates - <i>Ocala, FL</i>	300	1
Jones Edmunds - <i>Gainesville, FL</i>	277	2

OCE then negotiated the final scope of work, time allocation, and rates.

Attached for review is a contract draft and pending approval at today's meeting, it will be sent to the consultant for execution as written and upon return and approval by the County Attorney, will be routed for the Clerk and Chairman signatures.

Budget/Impact: Neutral; contract value \$199,993.

Recommended Action: Motion to approve recommendation and allow staff to issue contract. Upon approval by Legal, authorize the Chairman to execute the contract with Kimley-Horn & Associates, Inc. under RFQ 20Q190.

7.7.2. Request Approval of Task Order for Engineering and Design of Various Roads: 06Q-098-TO-02, NW 49th/35th Street - Phase 3A and 3B (from CR 225A to NW 44th Avenue) - Guerra Development Corp, Ocala, FL (Budget Impact - Neutral; expenditure of \$583,386 as approved in FY 20/21)

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

Description/Background: On April 17, 2007, the Board awarded a contract to Guerra Development Corp for engineering and design services for various roads. As the engineer of record through the completion of the 49th/35th Street Corridor, this new Task Order provides for professional services and assistance with the construction plans of Phase 3A and 3B of the NW 49th/35th Street corridor project which will connect just west of the new I-75 interchange. The work will include field and aerial survey, update to the Preliminary Engineering Report (PER), roadway plans, drainage design, signalization plans, sign and pavement markings, maintenance of traffic plans, quantity estimation, probable cost estimate, special

March 16, 2021

provisions, permitting, geotechnical engineering, and work associated with bid document preparations.

A copy of Guerra's complete Scope of Services is attached for review and will become part of the project file and backup to the Purchase Order.

Budget/Impact: Neutral; expenditure shall not exceed \$583,386.

Recommended Action: Motion to approve recommendation and authorize staff to release the Purchase Order for 06Q-098- TO-02 for NW 49th/35th Street - Phase 3A and 3B (from CR 225A to NW 44th Avenue).

7.7.3. Request Approval of Bid Award: 21B-063, Waste Tire Transport and Disposal - Friends Recycling, Ocala, FL (Budget Impact - Neutral; estimated expenditure of \$32,500 as approved in FY 20/21 budget)

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

Description/Background: On behalf of the Solid Waste Department, Procurement advertised a bid for collection and transport of whole waste tires with an alternate in lieu for Solid Waste to transport the tires from Newton, Martel, and Dunnellon recycling sites directly to an outside contractor's processing site for proper disposal. This would alleviate some of the overflow at the Baseline Landfill as Solid Waste is currently hauling waste tires internally from these three (3) sites to Baseline where they are picked up by the current transportation contractor and transported for disposal to an outside facility. The alternate in lieu was accepted with Friends Recycling, L.L.C. being the lowest, responsive bidder. The Newton, Martel, and Dunnellon sites are in close proximity to the Friends Recycling processing site and will result in an estimated savings of \$3,000 annually. The renewal agreements for collection and transport of whole waste tires from Baseline was previously presented to and approved by the Board on March 2, 2021.

Attached for review is a draft contract. Pending approval at today's meeting, it will be sent to Friends Recycling, L.L.C. for signature and upon return, will be forwarded for the County Attorney's, Clerk's, and Chairman's signatures.

Budget/Impact: Neutral; estimated expenditure of \$32,500. Actual cost will be based on material collected during the Fiscal Year and is subject to change. Expenditure shall not exceed this figure without additional Board action.

Recommended Action: Motion to approve recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute contract with Friends Recycling under 21B-063.

Chairman Zalak opened the floor for public comment.

Jerry Lourenco, NW 27th Avenue, stated he met with Environmental Services Director Jody Kirkman prior to the meeting and has agreed to let the contract get approved today and then begin to work on an amendment, noting differences related to the transportation aspect of this agreement.

In response to Chairman Zalak, Mr. Lourenco advised that when he entered it, his bid was \$98.00 per ton. He stated at that time the current contractor did not have a bid entered. During the process of the County negotiating with that contractor, he received a phone call asking if he would lower his price by \$9.00 per ton. Mr. Lourenco stated it did not make sense for him to lower his price unless Global Tire Recycling is going to lower their price. The transportation costs are the County's responsibility regardless of where

the tires are taken. Mr. Lourenco opined that the costs were apparent all along and he is unsure why he is being asked to lower his price.

In response to Chairman Zalak, Environmental Services Director Jody Kirkman advised that because this was an open bid and Procurement Services negotiated the price, noting the County's average hauling cost was approximately \$8.61 per ton which accounts for the difference. There are additional savings between the average cost to haul to Friends Recycling, LLC, versus Baseline Recycling Center.

In response to Chairman Zalak, Mr. Kirkman advised that there are 6 sites that take tires, and the County is hauling all of that now, noting it is cheaper for 3 of the sites to go to Friends Recycling, LLC., rather than the Baseline Recycling Center.

Chairman Zalak questioned why there is not an option in the contract to allow hauling from any of the sites. Mr. Kirkman stated he believes the option still exists more so from the 3 sites and the Baseline site, and that contributes to some of that hauling cost.

ACA Angel Roussel advised that transport is included in the \$97.00 and roughly 80% of the volume is brought directly to the Baseline Recycling Center.

Chairman Zalak opined that the County should have the option to haul where they want, and this should be added to the contract. He stated pricing can be negotiated and an amendment brought back to address that portion of the contract.

In response to Commissioner Curry, Mr. Kirkman advised that there will be no delay or lapse in operations, noting this contract provides the County with an additional option.

Chairman Zalak advised that public comment is now closed.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to execute the contract with Friends Recycling, LLC., with amended language to allow the County the ability to haul from anywhere. The motion was unanimously approved by the Board (4-0).

7.7.4. Request Approval of First Contract Amendment: 19B-109, Utilities Maintenance Mowing - Extreme Enterprises of Marion County, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of 143,589 as approved in FY 20/21 budget)

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

Description/Background: On May 7, 2019, the Board approved a contract with Extreme Enterprises of Marion County (Extreme) for mowing at 191 sites throughout the county, including lift stations, water and wastewater plants, and other maintained facilities, including its Belleview headquarters. Extreme has performed the work in accordance with the agreement and Marion County Utilities is proposing to renew the contract for the first two (2) of the four (4) available annual renewal options.

Attached for review is a draft contract amendment, which includes a copy of the original scope of work and fee schedule, for reference. Pending approval at today's meeting, a copy will be sent to Extreme for signature and upon return, will be routed for signatures by the County Attorney, Clerk, and Chairman.

Budget/Impact: Neutral; estimated annual expenditure of \$143,589.

Recommended Action: Motion to approve request and allow staff to issue Contract, and upon approval from Legal, authorize the Chairman to execute the First Contract Amendment with Extreme Enterprises of Marion County, Inc. under 19B-109.

7.7.5. Request Approval of Contract for Bid: 21B-089, Structural Welding and Repair Services for Solid Waste - D & S Steel, Inc., Dunnellon, FL and Alien Engineered Products, Ocala, FL (Budget Impact - Neutral; estimated annual expenditure of \$50,000 as approved in FY 20/21 budget)

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

Description/Background: On behalf of the Solid Waste Department, Procurement advertised a bid to contract with a qualified contractor to provide structural welding and repair services needed at the Baseline Transfer Station and other Solid Waste Facilities. Two (2) submittals were received and evaluated. Environmental Services Director, Jody Kirkman, recommends both contractors for contract. This will allow the Solid Waste Department to avoid scheduling issues, delays, and finish repairs in a timely manner.

Attached for review is a draft of one (1) contract. Both contracts are identical with the exception of the fee schedules. The first schedule fee is part of the drafted contract with the second schedule fee attached separately. Upon approval at today's meeting, two (2) vendor signed originals will be presented for the Clerk's and Chairman's signatures.

Budget/Impact: Neutral; annual expenditure is estimated at \$50,000 annually; however, this estimate may vary based on actual need for repairs. Annual expenditures shall not exceed approved Fiscal Year budget amounts and shall be based on contracted hourly fees and materials needed.

Recommended Action: Motion to approve recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute contracts with D & S Steel, Inc. and Alien Engineered Products under 21B-089.

7.7.6. Request Approval of Task Order for Pre-Qualified Contractors for Miscellaneous Maintenance for Roads, Right-of-Ways, and Stormwater Management Facilities: 17Q-087-TO-39, SE 36th Avenue/SE 38th Street Pavement Repair (SE 31st Street to SE 33rd Court) - Art Walker Construction, Inc. - Ocala, FL (Budget Impact - Neutral; expenditure of \$129,400 as approved in the FY 20/21 budget)

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

Description/Background: On behalf of the Office of the County Engineer (OCE), a Request for Qualifications (RFQ) was advertised for firms to provide repair and maintenance services for roads, right-of-ways, and stormwater facilities. On August 1, 2017, the Board contracted with five (5) firms to be Pre-Qualified contractors for various projects under this Agreement. A Task Order request was issued in February for milling the selected area up to a depth of 1.5". The work includes placing HMA friction course on the selected area at a rate of 165 lbs. per square yard, replacing any traffic markings affected by construction, removing and/or replacing stabilized shoulder material and sod. Tracy Straub, County Engineer, is recommending approval of the Task Order to Art Walker Construction, Inc., the lowest Pre-Qualified Bidder, as shown in the tabulation below:

CONTRACTOR NAME - <i>City</i>	BID
Art Walker Construction, Inc. - <i>Ocala</i>	\$129,400.00
C.W. Roberts Contracting - <i>Ocala</i>	\$143,730.67

D.A.B. Construction - <i>Ocala</i>	\$158,888.88
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Attached for review is the Task Order Amendment draft; pending approval at today's meeting, it will be sent for the contractor's signatures and upon return, will be routed for same by the County Attorney, Clerk, and Chairman.

Budget/Impact: Neutral; expenditure of \$129,400. Up to ten percent (10%) contingency can be added to the Purchase Order per the Procurement Manual.

Recommended Action: Motion to approve recommendation and allow staff to issue the Task Order Amendment and upon approval by Legal, authorize the Chairman to execute same with Art Walker Construction, Inc. under 17Q-087-TO-39.

7.7.7. Request Approval of Bid Award: 21B-077, SW 60th Avenue at SW 85th Street Signal Improvement - Traffic Control Devices, Inc., Altamonte Springs, FL (Budget Impact - Neutral; expenditure of \$197,950 as approved in the FY 20/21 budget)

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

Description/Background: On behalf of the Office of the County Engineer (OCE), Procurement Services advertised a bid to install a permanent traffic signal at the intersection of SW 60th Avenue and SW 85th Street. The work includes installing a strain pole, guide signs, and overhead sign and signals. Two (2) contractors responded to the bid. County Engineer, Tracy Straub, requests to contract with Traffic Control Devices, Inc., the lowest responsive bidder based on the tabulation below:

CONTRACTOR NAME - City	BID
Traffic Control Devices, Inc. - <i>Altamonte Springs, FL</i>	\$197,950.00
Traffic Engineering and Management - <i>Winter Park, FL</i>	\$259,875.00

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

Budget/Impact: Neutral; project cost is \$197,950. Up to ten percent (10%) contingency may be added to the purchase order in accordance with the Procurement Manual.

Recommended Action: Motion to approve recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute contract with Traffic Control Devices, Inc., the lowest responsible bidder for 21B-077.

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

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

Description/Background: The item below has been received by Procurement Services and is approved for conformance with the Procurement Code/Manual, pending approval at today's meeting:

Pending Requisition/Beard Equipment Company, Inc. - Marion County Office of the County Engineer requests approval to purchase one (1) John Deere 644L Wheel Loader with JD powertech engine, standard wheel loader, 140 AMP alternator, seven inch (7") display monitor, two (2) function hydraulics, 15 AMP converter, 23.5R25 L3 NBP Radial 3pc, Halogen work and drive lights, rear hitch and counterweight, rear camera, 4.25 cubic yard bucket, fire extinguisher, and

March 16, 2021

transmission and bottom guards. (\$237,860.43) Total expenditure of \$237,860.43; funds are available in line BL400541-564101. *This purchase meets the requirements of competitive bidding through Sourcewell Contract 032119-JDC.*
Recommended Action: Motion to approve requested purchases.

7.8. Tourist Development:

7.8.1. Request Approval of Tourist Development Council (TDC) Funding Requests (Budget Impact - Neutral; expenditure of \$52,500 as approved in the FY 20/21 budget)
The Board accepted the following recommendation as presented by Tourist Development Director Loretta Shaffer:

Description/Background: The Tourist Development Council (TDC) is seeking approval of the following funding requests for organizations that have festivals, events, or programs which support the TDC's mission to lead, market, and grow the county's travel and tourism industry to generate economic development opportunities and prosperity for the entire community:

Cal Ripken 10B 12B State Tournament (June 2021)	\$ 7,500.00
Cal Ripken Rookie Qualifier (June 2021)	\$12,500.00
Cal Ripken Rookie World Series (July 2021)	\$15,000.00
Cal Ripken T-Ball State Tournament (June 2021)	\$12,500.00
DOC4LIFE Softball Showdown (March 2021)	\$ 5,000.00

Budget/Impact: Neutral; Expenditure Of \$52,500 As Approved In The FY 20/21 Budget.

Recommended Action: Motion to approve the Tourist Development Council funding requests and authorize the Chairman to execute attached funding agreements.

7.9. Transportation - County Engineer:

7.9.1. Request Approval of the Release of a Subdivision Improvement Agreement with Irrevocable Letter of Credit Associated with Brookhaven Phase 2 by Marion 60, LLC (Budget Impact - None)

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

Description/Background: This is a request to approve the Release of a Subdivision Improvement Agreement with Letter of Credit associated with Brookhaven Phase 2 by Marion 60, LLC. The improvements were inspected on February 11, 2021 and a Certification of Satisfactory Completion letter was sent to the Developer. The release will be recorded in the Public Record for proper satisfaction of the letter of credit/surety bond.

Budget/Impact: None.

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

7.9.2. Request Approval of a Resolution to Vacate Block A Lot 1, Block B Lot 1 and a Portion of Lot F from Coronado, as Recorded in Plat Book C, Page 82 (Budget Impact - Revenue of \$350)

The Board accepted the following recommendation to adopt Resolution 21-R-143 as presented by County Engineer Straub, OCE:

Description/Background: This is a request for approval of a Resolution by Petitioners Kenneth Kloza and Sandra Kloza to vacate Block A Lot 1, Block B Lot 1 and a portion of Lot F, also known as parcel number 3977-001- 001, from Coronado as recorded in Plat Book C, Page 82. The Petitioners' request is to remedy a premature parcel split, bringing them into adherence with zoning requirements for future development and a family division. This request was recommended for approval by the Development Review Committee on January 25, 2021.

Budget/Impact: Revenue of \$350 - Plat Vacate - BL400341 - 341903

Recommended Action: Motion to adopt a Resolution to vacate Block A Lot 1, Block B Lot 1 and a portion of Lot F from Coronado, as recorded in Plat Book C, Page 82, and to authorize the Chair and Clerk to execute the same.

Resolution 21-R-143 is entitled:

RESOLUTION TO VACATE A PORTION OF PLAT OF CORONADO AS
RECORDED IN PLAT BOOK C PAGE 82 PUBLIC RECORDS OF MARION
COUNTY, FLORIDA

(Ed. Note: The Deputy Clerk received Proof of Publication A000976928 entitled, "Notice of Intention to Vacate Plat or Portion of the Plat of Coronado" published in the Star Banner newspaper on February 3, 2021 and February 9, 2021.)

7.9.3. Request Approval of a Purchase Agreement with Addendum Associated with the SW 49th Avenue South, Segment A Road Improvement Project (STC073810) (Budget Impact - Neutral; expenditure of \$281,139 as approved in the FY 20/21 budget)

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

Description/Background: This is a request to approve a Purchase Agreement with Addendum for Project Parcel 13 (tax parcel 8007-1019-05) associated with the SW 49th Avenue South, Segment A Road Improvement Project in the amount of \$281,139 plus closing costs. This is a whole take acquisition of a residential parcel consisting of 0.23 acres (10,000 square feet (SF)) of land with a 1,666 square foot three (3) bedroom, two (2) bath single family residence built in 2006. Other improvements include an attached two (2) car garage, front porch, screened porch, concrete driveway, extensive ornamentals, fencing, shed, and septic system. Additionally, the Addendum grants the Seller extended occupancy for up to three (3) months from the date of closing. The negotiated purchase price is higher than our initial offer; however, it includes \$25,814.25 in attorney fees and a \$2,100 appraisal fee, as well as compensation for commercial move costs and a variety of fruit trees not included in the appraisal that will need to be reestablished at their replacement property. There is cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$281,139 plus closing costs (Sales Tax Fund - VJ738541-561301)

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

7.9.4. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue South, Segment A Road Improvement Project (STC073810) (Budget Impact - Neutral; expenditure of \$60,000 as approved in the FY 20/21 budget)

March 16, 2021

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

Description/Background: This is a request to approve a purchase agreement for Project Parcels 10 and 11 (tax parcels 8007- 1019-08 and 8007-1019-07) associated with the SW 49th Avenue South, Segment A Road Project in the amount of \$60,000 plus closing costs. This is a whole take acquisition of two (2) vacant residential parcels consisting of 0.46 acres (20,000 square feet). The negotiated purchase price is higher than our initial offer; however, it is in line with other vacant parcels acquired on this project. There is cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$60,000 plus closing costs (Sales Tax Fund - VJ738541-561301).

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

7.9.5. Request Approval of a Purchase Agreement with Addendum Associated with the SW 49th Avenue South, Segment A Road Improvement Project (STC073810) (Budget Impact - Neutral; expenditure of \$295,673 as approved in the FY 20/21 budget)

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

Description/Background: This is a request to approve a Purchase Agreement with Addendum for Project Parcel 9 (tax parcel 8007-1019-09) associated with the SW 49th Avenue South, Segment A Road Improvement Project in the amount of \$295,673 plus closing costs. This is a whole take acquisition of a residential parcel consisting of 0.23 acres (10,000 square feet (SF)) of land with a 1,783 SF four (4) bedroom, two (2) bath single family residence built in 2006. Other improvements include an attached two (2) car garage, front porch, rear screened porch, concrete driveway, landscaping, chain link fence, and septic system. Additionally, the Addendum grants the Seller extended occupancy for up to three (3) months from the date of closing. The negotiated purchase price is higher than our initial offer; however, it includes \$28,710 in attorney fees and a \$1,962.50 appraisal fee. There is cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$295,673 plus closing costs (Sales Tax Fund - VJ738541-561301)

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

7.9.6. Request Approval of a Purchase Agreement with Addendum Associated with the SW 49th Avenue South, Segment A Road Improvement Project (STC073810) (Budget Impact - Neutral; expenditure of \$279,540 as approved in the FY 20/21 budget)

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

Description/Background: This is a request to approve a Purchase Agreement with Addendum for Project Parcel 12 (tax parcel 8007-1019-06) associated with the SW 49th Avenue South, Segment A Road Improvement Project in the amount of \$279,540 plus closing costs. This is a whole take acquisition of a residential parcel

consisting of 0.23 acres of land (10,000 square feet (SF)) with a 1,642 SF three (3) bedroom, two (2) bath single family residence built in 2005. Other improvements include an attached two (2) car garage, front porch, rear screened porch, concrete driveway, ornamental landscaping, vinyl fencing, shed, and septic system. Additionally, the Addendum grants the Seller extended occupancy for up to three (3) months from the date of closing. The negotiated purchase price is higher than our initial offer; however, it includes \$27,141.84 in attorney fees and a \$2,150 appraisal fee as well as compensation for commercial move costs and a variety of fruit trees not included in the appraisal that will need to be reestablished at their replacement property. There is cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings. Budget/Impact: Neutral; expenditure of \$279,540 plus closing costs (Sales Tax Fund - VJ738541-561301)

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

7.9.7. Request Approval of a Purchase Agreement with Addendum Associated with the SW 49th Avenue South, Segment A Road Improvement Project (STC073810) (Budget Impact - Neutral; expenditure of \$262,490 as approved in the FY 20/21 budget)

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

Description/Background: This is a request to approve a Purchase Agreement with Addendum for Project Parcel 16 (tax parcel 8007-1019-02) associated with the SW 49th Avenue South, Segment A Road Improvement Project. This is a whole take of a residential parcel consisting of 0.23 acres (10,000 square feet (SF)) of land with a three (3) bedroom, two (2) bath 1,667 SF single family residence built in 2004. Other improvements include an attached two (2) car garage, porches, concrete driveway, landscaping, and septic system. Additionally, the Addendum grants the Seller extended occupancy for three (3) months from the date of Closing. The negotiated purchase price is higher than our initial offer; however, it includes \$22,440 in attorney fees and a \$2,050 appraisal fee. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$262,490 plus closing costs (Sales Tax Fund - VJ738541-561301)

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

7.9.8. Request Approval of a Purchase Agreement with Addendum Associated with the SW 49th Avenue South, Segment A Road Improvement Project (STC073810) (Budget Impact - Neutral; expenditure of \$305,475 as approved in the FY 20/21 budget)

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

Description/Background: This is a request to approve a Purchase Agreement with Addendum for Project Parcel 14 (tax parcel 8007-1019-04) associated with the SW 49th Avenue South, Segment A Road Improvement Project. This is a whole take of a residential parcel consisting of 0.23 acres (10,000 square feet (SF)) of land with a 1,811 SF four (4) bedroom, two (2) bath single family residence built in 2005.

Other improvements include an attached two (2) car garage, porches, concrete driveway, extensive landscaping, covered deck, fencing, sheds and septic system. Additionally, the Addendum grants the Seller extended occupancy for three (3) months from the date of Closing. The negotiated purchase price is higher than our initial offer; however, it includes \$28,050 in attorney fees and a \$2,425 appraisal fee as well as compensation for commercial move costs and extensive mature fruit trees not included in the appraisal that will need to be reestablished at their replacement property. There is cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$305,475 plus closing costs (Sales Tax Fund - VJ738541-561301)

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

7.9.9. Request Approval of a Memorandum of Agreement (MOA) Between the Federal Aviation Administration (FAA) and Marion County and Corresponding Public Authorization Certificate and Notary Acknowledgement (Budget Impact - None)

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

Description/Background: This is a request to approve a MOA between the FAA and Marion County renewing Lease Number DTFA06-02-L-02059 for property located at the Marion County/Dunnellon Airport. Also requested is execution of the corresponding Public Authorization Certificate and Notary Acknowledgement required by the FAA. The purpose of the MOA is to extend the Lease Term for an additional twenty (20) years for the operation and maintenance of FAA owned navigation, communication and weather aids that support Air Traffic Operations.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize Chair to execute the MOA and the corresponding Public Authorization Certificate and Notary Acknowledgement required by the FAA.

7.9.10. Request Approval of a First Amendment to a Lease Between the City of Ocala and Marion County (Budget Impact - Expenditure of \$580/Month)

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

Description/Background: This is a request for approval of a First Amendment to a Lease between the City of Ocala and Marion County regarding Fire Station Number 6 located at 5220 SW 50th Court. The First Amendment provides for an increase in the rental fee from \$600/month to \$1,180/ month and updates Section 18.8 Notice of the current Lease. The leased premises serves as a satellite office for Marion County Fire Services with non-exclusive use in common with the City of Ocala to provide County emergency medical related services. The Board approved a Budget Amendment Request (BAR) on March 2, 2021 transferring funds to cover this increase through the fiscal year.

Budget/Impact: Expenditure of additional \$580/month (EMS Fund - Rentals and Leases - Buildings - AA305526-544401).

Recommended Action: Motion to approve the First Amendment and authorize the Chair and Clerk to execute the same.

In response to Commissioner Bryant, Fire Chief James Banta, MCFR, advised that the initial request from the City of Ocala was to triple the lease to approximately \$1,800.00, citing reasons such as the power bill. He stated a letter was sent to the City Fire Chief after the proposed increase was received, requesting some improvements to the facility, including removing some of the restricted access in place. The City of Ocala's Fire Marshall had shut down a cooking area that MCFR was using, which needed to be rectified as well as the requirement that the County's trucks remain outside. Chief Banta advised that a long period of time passed after that request was made, noting the County had a month-to-month lease at that time. He stated the City of Ocala Manager sent over an amended lease for \$1,180.00 around the end of 2020. Chief Banta advised that he replied to the City of Ocala agreeing to that amount but asked that it be effective October 1, 2021. He stated the City of Ocala's Manager replied to his letter stating the effective date must be March, 2021 or the County has 30 days to vacate the facility.

Commissioner Stone stated her surprise at the response from the City of Ocala. She advised that she spoke to County Administrator Mounir Bouyounes regarding the matter and believed this was the best option currently, however, after hearing the details today, she has concerns.

Mr. Bouyounes stated he has had discussions with the City of Ocala Manager, this is the best dollar value they are willing to accept, noting the County has the option to vacate. He advised that the original lease provided the County with a very good price, and it was likely done that way because MCFR is providing a service in the City of Ocala and the County looked at this arrangement as a partnership. Mr. Bouyounes stated things are different today and the City of Ocala is looking at the market value of the property.

Commissioner Bryant opined that it is still a partnership because MCFR is providing a service within the City of Ocala.

Mr. Bouyounes stated the partnership remains, but it is not the responsibility of the City of Ocala, noting Emergency Medical Services (EMS) is the County's responsibility and is provided countywide. In the past the City of Ocala was willing to view it as a partnership, but today they are looking at the value related to the property.

Mr. Bouyounes advised the County is looking for a site because there is money in the budget to build a new fire station on the west side of the City of Ocala. He stated he hopes within 1 to 2 years the County will have its own location in that area.

Commissioner Curry stated EMS is at this location because they needed a place to sleep and locating another site may not be easy. He questioned the time frame to complete a new facility. Chief Banta advised there were funds in the current sales tax budget available to purchase property this year, and the building of the facility would occur next year, noting MCFR is still looking for the right location for a long-term response.

In response to Commissioner Curry, Mr. Bouyounes advised that the County's fire stations are located further away from this area, and one is needed near the I-75/State Road (S.R.) 200 corridor.

Chairman Zalak commented on the option of renting rooms where personnel can sleep. Chief Banta advised that there are requirements related to facilities where response personnel can sleep, including sprinklers. He noted the current facility is an ideal location. Chairman Zalak questioned the change from 12 hour to 24 hour shifts. Chief Banta advised that 12 hour shifts create another set of challenges.

Mr. Bouyounes advised that in the future 12 hour shifts could be acceptable on certain trucks.

March 16, 2021

In response to Commissioner Stone, Chief Banta stated the cooking area downstairs had some issue related to the Fire Code, and that issue has since been addressed, but issues like limited access to certain areas in the station and the ability to park inside were not included in the amended agreement.

Commissioner Bryant questioned how much square footage (SF) the County occupies in this building. Chief Banta advised that it is roughly one quarter of the entire facility.

Commissioner Bryant questioned the size of the 3 offices in that facility.

Commissioner Stone stated the County provides locations for many partners at County sites and only charges \$1.00 per year.

Commissioner Bryant advised that the original lease states MCFR is supposed to have access to common areas including the downstairs breakroom, downstairs restroom, showers, downstairs workout room, the upstairs dayroom and kitchen, and the upstairs laundry room. She questioned whether MCFR has access to these spaces. Chief Banta stated they do have access, but it requires communication with the staff from the City of Ocala that is working there. He advised that the situation is not the great working environment that was originally envisioned.

Commissioner Bryant stated everyone should be able to get along for the greater good regardless of which uniform they wear.

In response to Commissioner Stone, Chief Banta advised that there are possibly cultural differences, noting the living environment is not perfect and the mid-term plan to vacate and build the County's own facility is a better option.

Commissioner Stone questioned whether it is feasible to enter a month-to-month lease and find another location to improve the environment sooner. Chief Banta stated he is unsure if the City of Ocala is willing to engage in a month-to-month lease at this time, but there are options to vacate. He advised that there are emergency actions the County can take such as adding sprinklers to mobile homes and locating them on a piece of County owned property, noting this option is costly. Chief Banta stated the current facility is a good location regardless of the working environment.

Commissioner Stone advised that she wants the working environment to be remedied and does not understand why that cannot happen.

Chief Banta stated he believes the City of Ocala Fire Chief would want the same and he can have that discussion with him.

Chairman Zalak opined that the cultural issues can be worked on, but the current location is great, and the focus is on serving the public not whether individuals always feel comfortable.

Commissioner Bryant advised that the fact remains the County is unaware how much SF it has, and that this lease is going from \$600.00 to \$1,080.00 per month for a partnership.

Chairman Zalak stated the current location is a good value.

Commissioner Bryant advised that this is a partnership and should be viewed that way as there is a service being provided to the community.

Chairman Zalak stated the BCC could talk to the City of Ocala Mayor and Council members to see if they view this as a partnership or a lease.

Commissioner Bryant questioned the length of the term relating to the new lease. Chief Banta stated he believes it is a 3 year term with a 90 day termination notice.

Commissioner Bryant opined that another conversation should take place with the City of Ocala. Chairman Zalak concurred.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to table this item until the next BCC meeting, on Tuesday, April 6, 2021. The motion was unanimously approved by the Board (4-0).

7.9.11. Request Approval of Indemnification Agreement for Calesa Township Roan Hills Phase 1 Subdivision, Application Number 25438 (Budget Impact - None)

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

Description/Background: With an Indemnification Agreement approved by the Board, Land Development Code Section 2.18.4.E allows for up to ten percent (10%) of the total lots to be constructed in a subdivision prior to recording the Final Plat. The County Attorney has reviewed and approved the Indemnification Agreement request for 25 individual building permits. This subdivision is located in the southwest portion of the County and contains 251 lots and 24 tracts on 107.10 acres with 3.20 miles of private road.

Budget/Impact: None.

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

7.9.12. Request Approval of a Purchase Agreement Between K3CM Properties-Downtown 2, LLC and Marion County for the Purchase of the Old Post Office Tire Store (AA700519-561101) (Budget Impact - Expenditure of \$952,000)

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

Description/Background: This is a request for approval of a purchase agreement in the amount of \$952,000 (plus closing cost) to acquire parcels 2854-024-002 and 2854-024-001 (old Post Office Tire Store and adjacent vacant lot) from K3CM Properties-Downtown 2, LLC located adjacent to the Judicial Center-Court House. The purchase agreement is supported by the approved appraisal and includes a period of thirty (30) days from the effective date for a due diligence period and an additional forty-five (45) days for a real estate closing. Please note, in this case the owner has already provided necessary due diligence documents as requested and these are on file with the Office of the County Engineer.

The building was constructed in 1962 and encloses a total of 11,943 square feet (SF). Additional area under roof consisting of attached and detached canopy areas of approximately 3,181 SF. Construction includes concrete slab, masonry exterior walls with 14' eave height, and tar/gravel roof. The layout of the building includes an open showroom area, service counter, private offices, break room, restrooms, storage, and service garage. The showroom and offices include central heating and cooling, the service areas are not climate-controlled and the main garage area consists of six (6) service bays with overhead door access.

Budget/Impact: Expenditure of \$952,000 plus closing costs (General Government Capital Land - AA700519-561101).

Recommended Action: Motion to approve the Purchase Agreement with K3CM Properties-Downtown 2, LLC and authorize the Chair and Clerk to execute the same.

7.9.13. Request Approval of a Purchase Agreement Between 18 Ocala, LLC and Marion County for the Purchase of the Bullard Law Office Building (AA700519-561101) (Budget Impact - Expenditure of \$409,000)

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

Description/Background: This is a request for approval of a purchase agreement in the amount of \$409,000 (plus closing cost) to acquire parcel 2854-017-001 (Bullard Law Office Building) from 18 Ocala, LLC located adjacent to the Judicial Center-Court House. The purchase agreement includes law office furniture, conference tables and chairs, miscellaneous filing cabinets, and is supported by the approved appraisal. In addition, the agreement includes a period of thirty (30) days from the effective date for a due diligence period and an additional forty-five (45) days for a real estate closing.

The building was constructed in 1970 and encloses a total of 2,789 square feet (SF) plus an additional 80 SF front entrance canopy. Construction includes concrete slab, masonry panel exterior walls with an 11' eave height, and flat roof. The layout of the building includes lobby/reception area, four (4) private offices with accompanying secretary office, law library/conference room, file room, break room, two (2) bathrooms and storage room (with rear entrance). The building and offices include typical built-in cabinetry found in law offices, and central heating and cooling.

Budget/Impact: Expenditure of \$409,000 plus closing costs (General Government Capital Land - AA700519-561101).

Recommended Action: Motion to approve the Purchase Agreement with 18 Ocala, LLC and authorize the Chair and Clerk to execute the same.

7.10. Utilities:

7.10.1. Request Approval for Water Service Line Agreement 19-SA-03 Between Premier Home Investments, LLC and Marion County Utilities (Budget Impact - None)

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

Description/Background: The Water Service Application, Permit, Customer Service Agreement, and the Addendum were required of the Owner to perform necessary improvements to obtain water service to their lot. The water line extension constructed to serve the parcel created a benefit for three (3) additional parcels.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Service Agreement 19-SA-03 and Addendum.

7.10.2. Request Approval for Water Service Line Agreement 19-SA-04 Between Premier Home Investment, LLC and Marion County Utilities (Budget Impact - None)

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

Description/Background: The Water Service Application, Permit, Customer Service Agreement, and Addendum were required of the Owner to perform necessary improvements to obtain water service to their lot. The water line

extension constructed to serve the parcel created a benefit for five (5) additional parcels.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Service Agreement 19-SA-04 and Addendum.

7.10.3. Request Approval for Water Service Agreement 19-SA-06 Between Premier Home Investments, LLC and Marion County Utilities (Budget Impact - None)

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

Description/Background: The Water Service Application, Permit, Customer Service Agreement and Addendum were required of the Owner to perform necessary improvements to obtain water service to their lot. The water line extension constructed to serve the parcel created a benefit for three (3) additional parcels.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Service Agreement 19-SA-06 and Addendum.

7.10.4. Request Approval for Water Service Agreement 19-SA-07 Between Premier Home Investments, LLC and Marion County Utilities (Budget Impact - None)

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

Description/Background: The Water Service Application, Permit, Customer Service Agreement, and Addendum were required of the Owner to perform necessary improvements to obtain water service to their lot. The extension constructed to serve the parcel created a benefit for three (3) additional parcels.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Service Agreement 19-SA-07 and Addendum.

8. COUNTY ATTORNEY: NONE

9. COUNTY ADMINISTRATOR:

9.1. Legislative Updates - Jeannie Rickman, Public Services Assistant County Administrator

ACA Jeannie Rickman, presented a 26 page handout entitled, "Legislative Reports 2021 – BCC – March 15, 2021" to follow along with the PowerPoint presentation and provided a brief overview of the 2021 Legislative Reports that impact Marion County.

Commissioner Bryant opined that Senate Bill (SB) 0446 and House Bill (HB) 1147 warrant discussion. She stated SB 0446, Citizen Review Boards, would require the County Commission or other governing body of each County to establish a Citizen Review Board with the authority and ability to independently investigate law enforcement agencies within that County. Commissioner Bryant advised that her preference is to send a letter or determine another way to testify relating to this item. She requested Ms. Rickman do more investigation on HB 1147.

Ms. Rickman stated HB 1147 has not moved since being assigned to the Committees.

March 16, 2021

Commissioner Bryant opined it is necessary to monitor HB 439 and SB 810 and complete an inventory audit.

Ms. Rickman advised of SB 100 related to highway projects, noting it has moved through the Transportation Committee and is in Appropriations now.

Commissioner Bryant stated she had a conversation with the Transportation Committee Chairman, Senator Keith Perry last week, and expects him to follow up with her.

9.2. Health Insurance Update - Amanda Tart, Human Resources Director

HR Director Tart presented the following recommendation:

Description/Background: Marion County offers group health insurance to all full time employees of the Board of County Commissioners, Clerk of Court, Sheriff, Property Appraiser, Tax Collector, and Supervisor of Elections. The County transitioned to partial self-insurance effective October 1, 2020 with a commitment to fund approximately \$5.9 million in Reserves over a three (3) year period.

In an effort to assist in reducing overall healthcare costs, the County partnered with the Heart of Florida to provide an Employee Medical Center. Due to the unanticipated COVID-19 pandemic, there has been some challenges with implementation and usage.

This update will provide additional information.

Budget/Impact: Total health insurance cost will be presented to the Board in May.

Recommended Action: Consider funding options for Fiscal Year 2021-2022.

HR Director Tart provided an update on health insurance, including current enrollment, last year's claims, an update on Heart of Florida (HOF), the effect of COVID-19 on County claims as well as a look into next year and some funding options for the Board's consideration. She introduced William Taylor with Combined Insurance Services, who was seated in the auditorium.

Ms. Tart stated the County provides health insurance to the Board and all Constitutional Officers, employees, employee dependents and retirees, totaling 5,662 enrollees. She noted the October 2020 decision to switch to partial self-insurance. To help the transition to self-insurance and to mitigate long-term health care costs, the County partnered with Heart of Florida to provide an employee medical center which included basic primary care services and reduced cost prescriptions to employees at no charge to them or their family members. These initiatives resulted in a savings of \$101,878.00.

Ms. Tart advised that there have been challenges noting, the biggest is related to the COVID-19 pandemic. Heart of Florida has agreed to continue the current year cost of \$510,000.00 for fiscal year (FY) 2022, a savings of \$138,000.00. There is a 3 year agreement including increases in the amount paid to Heart of Florida each year, but due to the challenges experienced this year, Heart of Florida has agreed to remain at the year 1 rate.

Ms. Tart stated the current claims experience was down slightly even with COVID-19 claims, noting the true impact is still unknown because individuals avoided regular, necessary medical treatment due to COVID-19. She stated Florida Blue is tracking the County's COVID-19 claims and the associated impact and will provide updates. Ms. Tart advised that as of January, 2021 there was approximately \$2,700,000.00 in COVID-19 claims. Actuaries look at the claims experience of the previous year to determine the rates for the upcoming year, noting the Actuary has provided a "first look" with claims through January and a "second look" will be provided in March. Based on claims experience, the Actuary is recommending a 9.3% increase. This includes the State required 60 day

Reserve funding that the County committed to fund over a 3 year period. The County is required to fund \$5,900,000.00 and currently there is \$1,000,000.00 from a prior year pro-share agreement.

Ms. Tart stated the possibility of utilizing CARES Act funds to fund the Reserves either in the amount of \$2,700,000.00 spent on COVID-19 claims, or in full. If the \$2,700,000.00 were funded, the County's increase would drop from 9.3% to 6.6%. If the total Reserves were funded, there would be a 3.7% increase.

Ms. Tart advised that currently in the budget there is a projected 15% increase. She has been in discussions with Budget Director Audrey Fowler and was provided updated figures. She stated at the current 15% across all funds, the cost would be roughly \$3,000,000.00, at 9.9% the number drops to \$1,900,000.00, noting these figures do not include any CARES Act funding. If the \$2,700,000.00 in COVID-19 claims were funded at 6.6% the cost would be roughly \$1,300,000.00, and if all the money needed in the Reserves were funded at the 3.7% increase, the cost would be close to \$1,000,000.00.

Ms. Tart advised that these numbers are fluid and can change depending on what happened in February, and in April the events of March would impact these statistics. She stated updates will be provided going forward.

In response to Chairman Zalak, Ms. Tart advised that she was speaking of the \$20,000,000.00 the County currently has in CARES Act funds.

Chairman Zalak stated the \$20,000,000.00 is in Reserves. Ms. Tart concurred.

Mr. Bouyounes advised that the Commissioners authorized expenditures for COVID-19 testing and vaccinations.

Chairman Zalak questioned whether funding the Reserve will decrease the Reserve. Ms. Tart stated due to being partially self-insured, the State requires that the County have a 60 day Claims and Reserves funding, or \$5,900,000.00, noting the County has 3 years to build that up, and currently there is \$1,000,000.00 in that fund.

In response to Commissioner Stone, Chairman Zalak requested Clerk Harrell review funding of the Claims and Reserves and provide feedback to the Commissioners including a financial analysis on the best way to move forward.

Commissioner Curry questioned whether all partners are on board. Ms. Tart advised that Agenda Item 7.6.4 under Consent approved the agreements with all those partners.

In response to Chairman Zalak William Taylor, Combined Insurance Services, East Silver Springs Boulevard, advised that this is a great opportunity for the County to fully fund its Reserve. He stated if the County removed Reserve funding from the equation, it would be easier to determine how the County is doing. Mr. Taylor advised that the County will just be moving money from one fund to another where it will sit, grow, be available, and meet requirements of the State.

In response to Chairman Zalak, Clerk Harrell stated he agrees with Mr. Taylor.

Commissioner Stone expressed support for funding the Reserve.

Chairman Zalak advised that his preference is to set those funds aside, perform analysis, and ensure this option remains available.

Commissioner Stone stated there was a \$ 1,900,000,000,000.00 stimulus Bill passed at the Federal level and there are additional funds coming to Marion County as a result.

In response to Commissioner Stone, Ms. Tart advised that she took the Commissioners' comments as direction to work with the Clerk's Office and have Clerk Harrell bring back additional financial information. It was the general consensus of the Board to agree.

9.3. Ideal Team Player Director Award

March 16, 2021

Chairman Zalak stated each year as part of the annual employee appreciation celebration, the County awards a handful of employees and 1 Director the prestigious Ideal Team Player Award. The Ideal Team Player Director Award is given to a person that encompasses the virtues of humbleness, hungry and smart in the workplace. This is someone that goes beyond the call of duty, puts the team's interest before their own, and is willing to hold themselves and others accountable for the results and improvements within their organization. The Director being awarded today began working in Marion County as an intern in the early 1990's and was later hired as a permanent employee. They worked their way through the ranks of this Department and were eventually promoted to the current position of Director. In addition to their duties with the County, this Director also serves as an officer on the Board of County Directors for the statewide association. They enjoy travel and caring for 2 small dogs. This Director always makes time for their teammates and goes above and beyond the call of duty. This year's Ideal Team Player Director is Tracy Straub.

County Engineer` Tracy Straub, OCE thanked the Commissioners and recognized the other County Directors and her staff for all they do and accomplish.

Mr. Bouyounes advised that it has been a pleasure to watch Tracy grow and become the professional she is today, noting the great job she has done at the Office of the County Engineer.

UPDATE: Mr. Bouyounes stated that he received communication from Chairman Gold, and he is in favor of having Commissioner Bryant represent the County and have a discussion with the City of Ocala relating to the First Amendment to a lease between the City of Ocala and Marion County associated with Fire Station Number 6 located at 5220 SW 50th Court (Agenda Item 7.9.10).

10. COMMITTEE ITEMS:

10.1. Marion Oaks MSTU for Recreation and Facilities Advisory Council – Request Approval to Advertise for One (1) Full Member for a Full Term

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

Description/Background: There is one term on the Marion Oaks MSTU for Recreation and Facilities Advisory Council that is set to expire in April 2021. The current incumbent is eligible for reappointment should they apply.

Budget/Impact: None.

Recommended Action: Motion to approve advertisement of a vacancy for one (1) full member for a full term to the Marion Oaks MSTU for Recreation and Facilities Advisory Council.

Clerk Harrell advised that this item is a request for approval to advertise for One (1) Full Member for a Full Term.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to advertise a vacancy for one (1) full member for a full term to the Marion Oaks Municipal Service Taxing Units (MSTU) for Recreation and Facilities Advisory Council. The motion was unanimously approved by the Board (4-0).

11. NOTATION FOR ACTION:

11.2. Request Approval to Schedule a Workshop for the Marion County Master Wastewater Feasibility Analysis and Utilities Capital Improvement Program (CIP)

Presentation on Wednesday, April 14, 2021 at 1:30 p.m. in the McPherson Governmental Campus Auditorium

Environmental Services Director Kirkman presented the following recommendation:

Description/Background: The following date is being requested for a Workshop to present the Master Wastewater Feasibility Analysis (septic-to-sewer) and Utilities FY 21/22 CIP update.

Budget/Impact: None.

Recommended Action: Motion to schedule a Workshop for the Master Wastewater Feasibility Analysis and CIP Presentation on Wednesday, April 14, 2021 at 1:30 p.m. in the McPherson Governmental Campus Auditorium.

Commissioner Bryant advised that a change of time was necessary due to an event she and Commissioner Stone will be attending. She stated her preference was for a 2:30 p.m. start time.

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to schedule a Workshop for the Master Wastewater Feasibility Analysis and CIP Presentation on Wednesday, April 14, 2021 at 2:30 p.m. The motion was unanimously approved by the Board (4-0).

11.1. Request Approval to Schedule a CNG Update Workshop on Tuesday, April 6, 2021 at 1:00 p.m. in the McPherson Governmental Campus Auditorium

Fleet Director Mark Williams presented the following recommendation:

Description/Background: Provide an update on the County's compressed natural gas (CNG) program.

Budget/Impact: None.

Recommended Action: Motion to schedule a CNG Workshop update on Tuesday, April 6, 2021 at 1:00 p.m. in the McPherson Governmental Campus Auditorium.

Commissioner Bryant expressed concern with the proposed date and time of this workshop. It was the consensus of the Board to have staff come back with new dates at the afternoon session.

11.3. Request Approval to Schedule a Workshop to Discuss the Southeast Regional Water Plant Feasibility Study on Tuesday, April 20, 2021 at 1:00 p.m. in the McPherson Governmental Campus Auditorium

Environmental Services Director Kirkman presented the following recommendation:

Description/Background: The following date, Tuesday, April 20, 2021 at 1:00 p.m., is being requested for a workshop to discuss the Southeast Regional Water Plant Feasibility Study.

Budget/Impact: None.

Recommended Action: Motion to approve scheduling a Workshop to discuss the Southwest Regional Water Plant Feasibility Study on Tuesday, April 20, 2021 at 1:00 p.m. in the McPherson Governmental Campus Auditorium.

Commissioner Bryant expressed concern with the proposed date and time of this workshop. It was the consensus of the Board to have staff come back with new dates at the afternoon session.

11.4. Request to Ratify Letter Dated March 2, 2021 to Senator Jennifer Bradley Regarding Senate Bill 62 - Regional Planning Councils

March 16, 2021

County Administrator Bouyounes, Administration, presented the following recommendation:

Description/Background: During the February 16, 2021 Board meeting, consensus was given to the Chair to write a letter in support of Senate Bill 62 regarding the elimination of mandatory regional planning councils, including their local government participation and funding requirements. The executed letter is attached.

Budget/Impact: None.

Recommended Action: Motion to ratify letter dated March 2, 2021 to Senator Jennifer Bradley regarding Senate Bill 62 - Regional Planning Councils.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to ratify a letter dated March 2, 2021 to Senator Jennifer Bradley regarding Senate Bill 62 - Regional Planning Councils. The motion was unanimously approved by the Board (4-0).

11.5. Request Approval to Schedule the Strategic Planning Workshop for Wednesday, July 7, 2021 at 2:00 p.m. in the McPherson Governmental Campus Auditorium
County Administrator Bouyounes, Administration presented the following recommendation:

Description/Background: The annual Strategic Planning Workshop is an opportunity for the Board to establish the County's future goals, initiatives, and appropriate budget planning. Staff is requesting this workshop to bring information back to the Board per direction given during the first Strategic Planning Workshop on January 26, 2021.

Budget/Impact: None.

Recommended Action: Motion to schedule the Strategic Planning Workshop for Wednesday, July 7, 2021 at 2:00 p.m. in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to schedule the Strategic Planning Workshop for Wednesday, July 7, 2021 at 2:00 p.m. The motion was unanimously approved by the Board (4-0).

12. COMMISSIONER ITEMS:

12.1. Commission Comments

12.1.1. Commissioner Craig Curry - Carl Mikyska, Florida Metropolitan Planning Organization Advisory Council

Commissioner Curry advised that Carl Mikyska, Executive Director Florida Metropolitan Planning Organization Advisory Council (MPOAC) has resigned to accept a position with Pasco County. He stated Mr. Jeff Kramer, Center for Urban Transportation Research at USF will be taking the helm as the Interim Executive Director.

Commissioner Bryant wished her husband a happy 2nd wedding anniversary.

Commissioner Stone congratulated EMS for their work saving a life yesterday. She commented on the Transportation and Planning Organization (TPO) orientation class, noting she completed the live version but had time to take it online and found it refreshing. Commissioner Stone stated her appreciation for County employees and all they do including the Department Directors.

Commissioner Zalak congratulated all the of the Ideal Team Players for their continued commitment to learning and improving themselves. He advised that the new County website has gone live and can be accessed at www.marionfl.org.

12.2. Commission Calendar

12.2.1. Present Commission Calendar

The Chairman acknowledged receipt of the Commission calendar covering the period of March 16, 2021 through April 6, 2021.

13. GENERAL PUBLIC COMMENT:

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.marioncountyfl.org.

James Otto, Highway 21, Middleburg, commented on a specific time for public comment, public comment limited to Agenda items, telephonic comment, access to meetings after hours (doors locked), doctors in K-12 schools, the dogs being adopted out by Animal Services, CARES Act funds, the manner in which firefighters are spoken to, virtual meetings, Senator Bradley's position on gun control, workshops, the Chairman's absence, Ms. Straub being a good choice for the Ideal Team Player Director Award, PPE, the new County website, St. John's River Management, Transportation Planning, Capital Improvement, and tire issues.

Roger Knechtel, SE 97th Terrace Road, Summerfield, referred to a map he provided, shown on the overhead screens, noting it depicts a portion of his subdivision. He stated this subdivision was completed August 17, 2005 and included its own sewer and water treatment systems. The residents of that subdivision were happy until roughly 5 years ago. Mr. Knechtel referred to a slide showing a water line that runs east along County Road (C.R.) 25A, then south sending water to the Davis Recycling Center. He opined that water is being sent there due to pollution created by the product at the landfill leaching through into the ground and questioned when there will be a County system near that area.

Chairman Zalak advised that the system in Mr. Knechtel's neighborhood is a regional system and not intended to supply water to his subdivision exclusively.

Mr. Knechtel commented on sink holes and the necessity of another system supporting the southern portion of the County.

Mr. Knechtel expressed concern related to a 3-story structure overlooking the Stonecrest community, noting the water pressure needed to get to the top of the building will result in high water pressure for all those in the community.

Henry Munoz, Marion Oaks Boulevard, advised that his MSTU must have a new line installed for internet use due to a County policy requiring employees to clock in and take classes online. He questioned whether the funds for that project are coming from the 8% collected by the County or if the funds will come from any surplus that the MSTU has. MSTU Director Alan Jones stated the additional line is to provide wireless internet to another building for the employees there.

In response to Chairman Zalak, Mr. Jones advised that the funds would come out of the MSTU's budget.

Budget Director Audrey Fowler stated each MSTU raises their own funding to pay for the cost of doing and operating their services, noting if they have employees, they are

March 16, 2021

responsible for supporting those employee costs and operational needs. In this instance, it would either be a direct charge, or it would be recovered by cost allocation. The recommendation is when there is a direct charge and it is easy to attribute that charge to a single entity, that will be the preferred avenue to make the expenditure.

Mr. Bouyounes advised this is a direct cost to this MSTU.

Ms. Fowler stated her recommendation to Mr. Jones is to add the cost to the budget, she will balance the budget and will assess it during budget workshops.

Mr. Munoz also thanked Ms. Straub for her assistance answering questions relating to the Marion Oaks MSTU.

(Ed. Note: The Deputy Clerk did not receive a copy of the slides shown on the overhead screens from Mr. Knechtel.)

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

14.1.1. Present CEP February 2021 Activity Report and Performance Matrix

14.1.2. Present Notification of Extension of State of Local Emergency Related to COVID-19 Pandemic Dated March 1, 2021

14.1.3. Present Notification of Extension of State of Local Emergency Related to COVID-19 Pandemic Dated March 8, 2021

14.1.4. Present DRC Waiver Request for LDC 2.16.1.B(10) - Family Division for the Terry and Lisa Haber Property, Parcel Number 47687-000-00, Application Number 26244

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

14.3. General Informational Items:

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

14.4. Clerk of the Court:

14.4.1. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 035069, 037391, 037783, 039142, 042042, 043238, 043241, 043243, 044674, 046337, 047070, 048641, Q33570, Q40266, 044950, 044950, 052669, 53506, 53511 and Supervisor of Elections List Attached

14.4.2. Present Marion County Board of County Commissioners Annual Investment Report for Fiscal Year Ended September 30, 2020

14.4.3. Present Administrative Budget Transfer Report

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

14.4.5. Present Memorandum from Gregory C. Harrell, Clerk of the Circuit Court and Comptroller, Regarding the Filing of Ordinances 21-04 and 21-05 with the Secretary of State's Office

14.4.6. Present Letter Dated February 17, 2021 from the City of Belleview, Development Services Department, Regarding Annexation Ordinance 2020-22 for Parcel Numbers 39191-003-00 and 39228-008-01

14.4.7. Present Letter Dated March 2, 2021 from the City of Belleview, Development Services Department, Regarding Scheduled Meetings for the Annexation Application Relating to Parcel Number 37231-001-00

14.4.8. Present Regular Report of Utilization of Reserve for Contingencies

14.4.9. Present CARES Act Administrative Budget Transfer Report

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

14.5.1. Board of Adjustment - January 4 and February 1, 2021

14.5.2. Marion County Hospital District (MCHD) - January 25, 2021

14.5.3. Parks and Recreation Advisory Council (PRAC) - January 20, 2021

14.5.4. Planning and Zoning Commission - January 25, 2021

14.5.5. Tourist Development Council - January 28, 2021

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 <http://www.ocalafl.org/tpo>

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 11:27 a.m.

The meeting reconvened at 2:04 p.m. with all members present, except Commissioner Gold who arrived shortly after the meeting commenced.

Also present were: Growth Services Director Mary Elizabeth Burgess, Senior Planners Chris Rison, Ken Weyrauch and Kimberleigh (Kim) Dinkins, Transportation Planner Ken Odom, Planner II Dan Zhu, Administrative Staff Assistant Stephanie Soucey, Staff Assistant IV Darlene Pocock, County Attorney Matthew G. Minter, ACA Angel Roussel, and County Engineer Tracy Straub.

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

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

Deputy Clerk Lewter presented Proof of Publication No. A000977699 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on March 1, 2021. The Notice states the Board will consider approval of Comprehensive Plan Amendments, rezoning and/or Special Use permit applications, as well as considering adoption of an Ordinance.

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

Chairman Zalak advised that testimony should include relevant information that will assist the Board in making a decision.

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

Chairman Zalak stated when it is time for public comment anyone wishing to speak should move to the first 2 rows of seats.

15.1. Planning and Zoning Consent Items:

March 16, 2021

Growth Services Director Mary Elizabeth Burgess stated Agenda Items 15.3.3 and 15.3.4 have been withdrawn by the applicant.

Chairman Zalak noted for the record no one was present today to speak on Items 15.3.3 and 15.3.4.

Ms. Burgess advised that the five (5) petitions listed on the consent agenda are recommended for approval by both the Planning Division and the P&Z Commission. She stated the consent agenda items will be acted on in one motion, as follows:

	ITEM	OWNER	FROM-TO	ACREAGE
1	210303Z	Golden Ocala Equestrian Land LLC.	P-MH to PUD	4.3
2	210304Z	SPRH Holdings LLC.	A-1 to B-5	4.09
3	210305Z	Catalina and Raul Zuniga	B-4 to RR-1	2.4
4	210306Z	Bradford Executive Holdings LLC.	existing PUD to PUD	285.78
5	210312SU	AERO Property Partners of Florida LLC.	Special Use Permit in M-2	25.99

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Kroitor and seconded by Mr. Behar to agree with staff's findings and recommendation, and recommend approval of the following Consent Agenda items (210303Z, 210304Z, 210305Z, 210306Z and 210312SU) based on the following findings of fact:

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

The motion passed 5 to 0.

Ms. Burgess advised that Agenda items 15.1.2, 15.1.5 and 15.1.6 have been pulled from the consent Agenda.

Chairman Zalak opened the floor to public comment.

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

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to approve consent agenda items 15.1.1, 15.1.3, and 15.1.4, agreeing with Growth Services Department staff and the P&Z Commission recommendations, based on findings that the proposed uses are compatible with the surrounding land uses, are consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (4-0).

The motion approved the consent agenda items as follows:

15.1. Planning and Zoning Consent Items:

15.1.1. 21-S01 - CCO Hospitality, LLC., Diane Barrineau; Rural Land to Medium Residential, 4.03 Acres

The Board granted a petition by CCO Hospitality, LLC, c/o M.G. Orender, 7845 Baymeadows Way, Jacksonville, FL, for a Land Use Change, Articles 1, 2 and 3 of the Marion County Land Development Code, from RL (Rural Land) to MR (Medium Residential), on approximately 4.03 Acres, on Parcel Account No. 3634-000-002.

15.1.3. 210304Z - SPRH Holdings, LLC, Lauren E. Merriam III, A-1 to B-5, 4.09 Acres

The Board granted a petition by SPRH Holdings, LLC, c/o Samuel B. Howard, PO Box 298, Sparr, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land

Development Code, from A-1 (General Agriculture) to B-5 (Heavy Business), for all uses permitted, on approximately 4.09 Acres, on Parcel Account No. 07847-000-00.

15.1.4. 210305Z - Catalina and Raul Zuniga, B-4 to RR-1, 2.4 Acres

The Board granted a petition by Catalina and Raul Zuniga, 7603 SW 70th Avenue, Ocala, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from B-4 (Regional Business) to RR-1 (Rural Residential), for all uses permitted, on approximately 2.40 Acres, on Parcel Account No. 2003-101-012.

15.1.2. 210303Z - Golden Ocala Equestrian Land, LLC, David Tillman, P-MH to PUD, 4.3 Acres

The Board considered a petition by Golden Ocala Equestrian Land, LLC, c/o R. L. Roberts, Sr., 600 Gilliam Road, Wilmington, OH, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from P-MH (Mobile Home Park) to PUD (Planned Unit Development), for the intended use of establishing a Mobile Home Park with 27 proposed units, and all uses permitted, on approximately 4.30 Acres, on Parcel Account No. 23204-023-00.

Growth Services Director Burgess commented on the request for a zoning change.

Commissioner Curry out at 2:26 p.m.

David Tillman, Tillman & Associates Engineering, LLC, SE 16th Avenue, advised that this PUD will be similar to the one developed to the north of this site.

Chairman Zalak advised that the elevation of the units will need to be addressed in relation to the buffering.

Mr. Tillman stated the units are manufactured homes and have to be elevated, noting they will not be elevated abnormally high for this type of home.

In response to Chairman Zalak, Mr. Tillman advised that the flood plain compensation area will be developed to the north of the property.

Commissioner Curry returned at 2:27 p.m.

Commissioner Bryant out at 2:27 p.m.

Chairman Zalak opened the floor to public comment.

James Otto, Blanding Boulevard, Middleburg, commented on impact fees relating to schools.

Chairman Zalak advised that schools in Marion County have capacity; therefore, an impact fee cannot be charged per State Statute.

Mr. Otto addressed excessive development and water quality.

Commissioner Bryant returned at 2:28 p.m.

Chairman Zalak advised that public comment is now closed.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to approve the Zoning Change from P-MH to PUD, agreeing with Growth Services staff and the P&Z Commission, based on findings and recommendations that the proposed use will not adversely affect the public interest, is consistent with the Comprehensive Plan and is compatible with the surrounding land uses.

Chairman Zalak addressed the proposed fencing.

Commissioner Bryant advised that the subject property is adjacent to an existing park already in place and the applicant owns the property on the northeast corner. Senior Planner Chris Rison concurred.

In response to Chairman Zalak, Mr. Tillman advised that there are not any residential structures directly affected by this development.

March 16, 2021

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

15.1.5. 210306Z - Bradford Executive Holdings, LLC, Paolo Mastroserio, modify existing PUD; approx. 285.78 acres

The Board considered a petition by Bradford Executive Holdings, LLC, c/o Steven Fischer, 2500 Westin Road, Suite 311, Weston, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from existing PUD (Planned Unit Development) to PUD (Planned Unit Development) to revise Ocala Crossings South PUD (#20140102Z) reducing the PUD's minimum lot size from 50' wide x 100' deep (5,000 SF) to 40' wide x 110' deep (4,400 SF) for that portion of the PUD lying east of SW 49th Avenue. No change to the PUD's current maximum number of potential residential dwelling units (1,143) is proposed, on approximately 285.78 Acres, on Parcel Account Nos. 35623-001-01, 35623-005-00, 35623-001-03. (Note: the revision does not apply to "The Oaks" phases 1 & 2 developments.)

Senior Planner Chris Rison commented on the request for a zoning change. Growth Services Department staff and the P&Z Commission recommends approval of the Zoning Change with the following Development Conditions:

1. The PUD shall consist of a maximum total 1,145 single-family detached dwellings units and accompanying accessory amenities (e.g., park site(s), amenity site(s), etc.) consistent with the PUD Application and PUD Master Plan (Received 1/14/2021; attached).
2. The PUD's minimum lot development standard of 5,000 gross square feet (GSF), measuring 50' x 100', is modified to a reduced minimum lot development standard of 4,400 GSF, measuring 40' x 110'. This reduced standard shall not apply to any portion of the PUD lying west of SW 49th Avenue, wherein the 5,000 GSF will remain the minimum lot development standard. No other changes to the PUD and the PUD's other development standard and design requirements are authorized.
3. All other existing standards and conditions from the project's previously approved and/or amended PUD Application (20140102Z) and/or Developer's Agreement, as amended, shall remain in place and effect except where modified by this PUD Application.

Paolo Mastroserio, Mastroserio Engineering, SE 32nd Place, on behalf of the owner, advised that the applicant is looking to reduce the minimum lot width from 50 feet to 40 feet on the east side of 49th Street. He stated The Oaks at Ocala Crossings (on the west side of 49th Street) has begun phase 2 of its development, noting he has been in contact with Bradford Farms representatives to address concerns.

Chairman Zalak opened the floor to public comment.

James Otto, Blanding Boulevard, Middleburg, requested more information be provided relating to the request. He advised that he was offended by the response received after making comments at a previous meeting.

Ole Meland, SW 54th Terrace, Bradford Farms Homeowner Association (HOA) Board member, advised that Bradford Farm residents had 4 requests when originally discussing this development; 1) a berm be provided to protect Bradford Farms from water run off; 2) a fast growing viburnum hedge, which matches the viburnum hedge planted by Freedom Crossings on the west side of Bradford Farms; 3) irrigation installed to support the viburnum hedge; and 4) no two story houses against the boarder of Bradford Farms.

In response to Chairman Zalak, Mr. Meland stated plants were planted, but they were extremely small and some have died. He stated the irrigation was also installed, but it is unclear if it is effective.

Mr. Meland advised that a meeting took place with Freedom Crossing and the Armstrong Brothers, noting after that 30 to 36 inch high viburnum was planted, but it is a tremendous contrast to what is along the Ocala Crossing's side.

Donna Bell, SW 52nd Terrace, presented a 2 page handout containing an electronic mail (email) sent to staff with the detailed requests from Bradford Farms residents. She commented on the many meetings between the developer and Bradford Farms residents and thanked Mr. Mastroserio for working with residents to create a "win-win" situation.

Chairman Zalak advised that public comment is now closed.

Mr. Mastroserio advised that he has met with Bradford Farms residents and attempted to address all their concerns. He stated the type of viburnum installed is considered a Florida Friendly and Marion Friendly plant, which is required by Code, noting the Board would have to revise the requirement for the 50 percent (%) native plants if they wish to change the type of viburnum.

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to approve the Zoning Change from existing PUD to PUD with Development Conditions 1 through 4, as amended below, based on Growth Services Department staff and the P&Z Commission findings and recommendations that the proposed use was compatible with the surrounding land uses, was consistent with the Comprehensive Plan and would not adversely affect the public interest. The motion was unanimously approved by the Board (4-0).

The motion included the following Development Conditions:

1. The PUD shall consist of a maximum total 1,145 single-family detached dwellings units and accompanying accessory amenities (e.g., park site(s), amenity site(s), etc.) consistent with the PUD Application and PUD Master Plan (Received 1/14/2021; attached).
2. The PUD's minimum lot development standard of 5,000 gross square feet (GSF), measuring 50' x 100', is modified to a reduced minimum lot development standard of 4,400 GSF, measuring 40' x 110'. This reduced standard shall not apply to any portion of the PUD lying west of SW 49th Avenue, wherein the 5,000 GSF will remain the minimum lot development standard. No other changes to the PUD and the PUD's other development standard and design requirements are authorized, except as provided for in these conditions.
3. All other existing standards and conditions from the project's previously approved and/or amended PUD Application (20140102Z) and/or Developer's Agreement, as amended, shall remain in place and effect except where modified by this PUD Application, except as provided for in these conditions.
4. For the portion of the Ocala Crossings South PUD lying west of SW 49th Avenue and south of SW 90th Street, along the PUD's shared boundaries with the adjoining Bradford Farms Hamlet Subdivision (Marion County Official Records Plat Book 7, Pages 193-194), the following shall apply:
 - a. The Walter's Viburnum (*Viburnum obovatum*) shown on the project's landscape/buffer plans be substituted with Sweet Viburnum (*Viburnum odoratissimum*),

- b. The Walter's Viburnum planted to date shall be removed and replaced with Sweet Viburnum with the replacement plantings, and all future plantings, shall be irrigated consistent with applicable Land Development Code requirements, and
- c. The developer and PUD is granted a waiver to continue to receive credit for use of the Sweet Viburnum, in lieu of the Walter's Viburnum, to maintain the original landscape buffer plan's compliance with Marion Friendly Landscape Area (MFLA) and Florida native landscape requirements. No recalculation or further revision is required in regards to the exchanged viburnum plantings within the buffer; however the as-built drawings depicting the buffer improvements shall note the change in the viburnum type, *including citing the Zoning Case Number 20210306Z for this PUD Modification.*

15.1.6. 210312SU - AERO Property Partners of Florida, LLC, Thomas McGrath, Special Use Permit in M-2, 25.99 Acres

The Board considered a petition by AERO Property Partners of Florida, LLC, c/o Thomas L. McGrath, 1500 Chester Pike, Eddystone, PA, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for construction of ancillary structures (a building addition and a silo) with heights not to exceed 75' and 65' respectively, in an M-2 (Heavy Industrial) zone, on approximately 25.99 Acres, on Parcel Account No. 34801-001-00.

Senior Planner Ken Weyrauch, Growth Services, provided a brief overview of the Special Use Permit request.

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

1. The maximum building height shall be 75 feet (expansion building) and 65 feet (silo), as provided on the proposed conceptual plan and this application. Any other buildings on site will be required to meet the height requirements and limitations of the Marion County Land Development Code.
2. Prior to any site plan permits being obtained, the applicant must provide any required FAA/FDOT letters of approval/authorization to Growth Services.
3. All structures must meet the development requirements of the Marion County Land Development Code.

Fred Roberts, SE 11th Avenue, on behalf of the applicant, provided a brief history of the subject property and the Special Use Permit request. He thanked staff for all their hard work.

In response to Chairman Zalak, Mr. Roberts advised that a rendering of the project is not available at this time, noting it will be almost identical to the industrial nature of the building now, but 25 feet higher. He stated the building will not become more visible from the road. Chairman Zalak opened the floor to public comment.

James Otto, Blanding Boulevard, Middleburg, urged the Board to consider making online commenting available.

Chairman Zalak advised that public comment is now closed.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to adopt Resolution 21-R-144 granting the Special Use Permit with Conditions 1 through 3, agreeing with Growth Services staff and the P&Z Commission recommendation, based

on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (4-0).

(Ed. Note: FAA is the acronym for Federal Aviation Administration and FDOT is the acronym for Florida Department of Transportation.)

15.2. Public Hearing

15.2.1. PUBLIC HEARING - To Consider Adoption of a Resolution to Close and Abandon Certain Portions of SE 143rd Place and Lake Weir Boulevard Located in Woodmar, Plat Book A, Page 132

Deputy Clerk Lewter presented Proof of Publication No. A000977570 entitled, "Notice of Public Hearing to Close and Abandon Road(s)" published in the Star Banner newspaper on February 19, 2021. The Notice states the Board will consider adoption of a Resolution as petitioned by Robert Beck and Rolf Bruan.

The Board considered the following recommendation from County Engineer Tracy Straub, Office of the County Engineer (OCE):

Description/Background: This is a request to consider approval of a Resolution by Petitioners Robert Beck and Rolf Braun to close and abandon certain portions of SE 143rd Place and Lake Weir Boulevard located in Woodmar, Plat Book A, Page 132. The Petitioners request to abrogate these certain portion(s) that have never been constructed to consolidate their properties. Lake Weir Boulevard (beach side of Lake Weir) was thought to be part of an abrogation from May 15, 1973 and this portion will clear any title clouds that exist. The Development Review Committee considered this request on January 25, 2021 and it was the committee's recommendation that the petition be granted.

Budget/Impact: Revenue of \$500 - Road Closing - BL400341 - 341902

Recommended Action: Motion to adopt the Resolution closing and abandoning certain portions of SE 143rd Place and Lake Weir Boulevard located in Woodmar, Plat Book A, Page 132 and authorize the Chair and Clerk to execute the same.

Right of Way Manager Shawn Hubbuck, OCE, provided a brief overview of the request to close and abandon a certain portion of SE 143rd Place and Lake Weir Boulevard located in Woodmar.

In response to Commissioner Bryant, Raul Carreras, Law Firm of Kubicki Draper, SW 3rd Street, representing the applicant, advised that this property cannot provide access to the lake because there is a portion at the end that is privately owned.

Chairman Zalak opened the floor to public comment.

James Otto, Blanding Boulevard, Middleburg, questioned what lake the road is nearby. Chairman Zalak stated the road is by Lake Weir.

Chairman Zalak advised that public comment is now closed.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to adopt the Resolution 21-R-145 closing and abandoning certain portions of SE 143rd Place and Lake Weir Boulevard located in Woodmar, Plat Book A, Page 132 and authorize the Chair and Clerk to execute the same. The motion was unanimously approved by the Board (4-0).

Resolution 21-R-145 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA; INCORPORATING RECITALS;
PROVIDING A FINDING THAT CHAPTER 336, FLORIDA STATUTES,

AUTHORIZES AND EMPOWERS THE BOARD TO ACT ON THE PETITION TO VACATE, ABANDON, DISCONTINUE AND CLOSE A CERTAIN ROAD AND TO RENOUNCE AND DISCLAIM ANY RIGHTS AND OBLIGATIONS OF MARION COUNTY AND THE PUBLIC IN AND TO ANY LAND IN CONNECTION WITH SAID CERTAIN ROAD; PROVIDING A FINDING THAT SAID CERTAIN ROAD IS NOT A PORTION OF FEDERAL OR STATE HIGHWAY SYSTEM; PROVIDING A FINDING THAT THE ROAD IS NOT BEING USED BY THE GENERAL PUBLIC AS A ROAD; PROVIDING A FINDING THAT IT IS NOT THE INTENT OF THE BOARD TO VACATE ANY EASEMENTS FOR PUBLIC UTILITIES THAT MAY EXIST WITHIN SAID CERTAIN ROAD; PROVIDING A FINDING THAT VACATING, ABANDONING, DISCONTINUING, AND CLOSING SAID CERTAIN ROAD AND DISCLAIMING ANY RIGHTS AND OBLIGATIONS OF MARION COUNTY AND THE PUBLIC IN AND TO ANY LAND IN CONNECTION WITH SAID CERTAIN ROAD WOULD BENEFIT THE GENERAL PUBLIC WELFARE AND WOULD BE IN THE BEST INTEREST OF THE PUBLIC; VACATING, ABANDONING, DISCONTINUING, AND CLOSING SAID CERTAIN ROAD; RENOUNCING AND DISCLAIMING ANY RIGHTS AND OBLIGATIONS OF MARION COUNTY AND THE PUBLIC IN AND TO ANY LAND IN CONNECTION WITH SAID CERTAIN ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

15.3. Planning and Zoning Items for Individual Consideration:

15.3.1. 210307Z - Craig Berry, Berry Trucking, dba Berry Tree Removal, A-1 and B-2 to M-2, 40.78 Acres

The Board considered a petition by Craig T. Berry, c/o Berry Trucking, dba Berry Tree Removal, 5431 West Highway 329, Reddick, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from A-1 (General Agriculture) and B-2 (Community Business) to M-2 (Heavy Industrial), for wood recycling and all uses permitted, on approximately 40.78 Acres, on Parcel Account Nos. 12875-000-00, 12886-000-00 and 12897-000-00.

WRITTEN OPPOSITION WITHIN 300 FEET 6 of 27= 22%

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Behar, seconded by Mr. Bonner, to agree with staff's findings and recommendation, and recommend approval of the requested zoning change based on the following findings of fact:

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

The Motion passed 5 to 0

Planner II Dan Zhu, Growth Services, commented on the request for a zoning change and advised that Growth Services staff and P&Z Commission both recommend approval. In response to Chairman Zalak, Ms. Zhu advised that the applicant is requesting the entire property be rezoned to M-2.

Craig Berry, West Highway 329, Reddick, advised that he performs residential land clearing and has to haul the wood off the lots for it to be recycled. The wood is sold to the power plant in Gainesville. He stated M-2 zoning is required for a recycling yard.

In response to Chairman Zalak, Mr. Rison advised that M-2 is the zoning where the proposed activity would be permitted. He stated this area is a Commerce District focused around Highway 326; therefore M-2 zoning would potentially be a zoning that could be in place here.

Chairman Zalak stated the property is roughly 70 acres. Mr. Rison concurred, noting the applicant is going to use the northern portion of the property for his use and potentially sell the southern portion that fronts Highway 326.

Mr. Berry clarified the property is approximately 40 acres, noting the surrounding property is also zoned M-2.

In response to Chairman Zalak, Mr. Berry advised that approximately 10 acres is needed to process the wood. He stated he could use his property across the street that is already zoned M-2, but the Zip Line Canyon neighboring business has expressed interest in purchasing that property.

General discussion ensued.

Chairman Zalak opened the floor to public comment.

Linda Link, West Highway 326, referred to the petition of opposition included in the Agenda packet. She expressed concern that the proposed activity will create a fire hazard, mold, odor and attract rodents, mosquitos, snakes, as well as impact the surrounding property values. Ms. Link commented on existing zoning in the area and opined that uses in M-2 are not consistent with the surrounding area.

Tracy Walker, NW 100th Street, advised that she is in contract negotiations with the applicant regarding the purchase of the property directly in front of the Zip Line Canyons. She commented on the impact the proposed activity will have on her existing business and expressed concern with the M-2 zoning.

James Otto, Blanding Boulevard, commented on existing trees and commercial burning, as well as the impact the rezoning will have on surrounding roads and the attraction of vermin to the subject property by the proposed activities.

Van Akin, E Silver Springs Boulevard, addressed the surrounding zoning and location of the subject property, noting M-2 zoning is crucial for attracting industrial businesses.

Chairman Zalak advised that public comment is now closed.

Mr. Berry advised that he only has 2 trucks and all activities are licensed through the Department of Environmental Protection (DEP). He stated he currently has a wood yard, but it is on leased property.

Chairman Zalak questioned how long is it from the time the wood arrives on the property to when it is chipped. Mr. Berry stated the quicker the wood is chipped the more the chips are worth. Previously the chipping was being outsourced, but now he has acquired a chipper and is performing the work in house.

General discussion ensued.

In response to Chairman Zalak, Mr. Rison advised that the amount of time the trees can be on the property and the height of the piles would be dependent upon DEP and the Division of Forestry's regulations.

Mr. Berry advised that his equipment is only capable of stacking the wood to a certain point, noting he is unsure of the exact limit from the other agencies.

Chairman Zalak stated his concern is with the potential uses in the future if the zoning is changed, noting he is more in favor of establishing a Special Use Permit.

March 16, 2021

General discussion resumed.

Commissioner Gold arrived at 3:26 p.m. It was noted for the record that Chairman Zalak did not pass the gavel to Commissioner Gold and Chairman Zalak remained the Chair.

Mr. Minter commented on current litigation involving the County regarding zoning and advertisements. This request was advertised as rezoning not a Special Use Permit. He stated if an individual thought there was going to be a possibility that they might go with either a Special Use Permit or a rezoning it would need to be included in the advertisement, which would allow anyone in the public who might have concerns to make comments.

Chairman Zalak advised that the Board would have to give the applicant credit towards the Special Use Permit request and readvertise.

General discussion resumed.

In response to Commissioner Bryant, Mr. Rison advised that a type "D" buffer, which requires a wall, is necessary along Gainesville Road if there is residential across the street. Ms. Burgess concurred.

Commissioner Bryant questioned if any protection can be given to the business across the street. Mr. Rison stated Zipline Canyon is currently designated B-5 (Heavy Business). Chairman Zalak stated if the applicant comes back before the Board with a Special Use Permit request the Board would be able to establish Conditions to protect the surrounding properties.

In response to Commissioner Curry, Chairman Zalak advised that the Board would have to deny the rezoning request today and give the applicant credit towards the Special Use Permit application. He stated the Board also has the option to grant M-2 on a portion of the property.

General discussion resumed.

In response to Chairman Zalak, Mr. Rison advised that if the request is denied today the applicant cannot make the same request for a year. If the applicant makes a different request they can come back sooner. He stated the request today is M-2 on the entire property, noting the applicant could come back with any other zoning except for M-2.

Commissioner Bryant opined that the Board is not willing to give the applicant credit if his plan is to come back with a different zoning request. Chairman Zalak concurred, noting if the applicant does not come back with a Special Use Permit request a credit will not be provided.

Mr. Berry advised that DEP requires M-2 zoning for the proposed activity.

Chairman Zalak stated DEP requires local community support or an avenue where the business can operate under local government in that space, but it does not require M-2.

Commissioner Bryant recommended this matter be continued to the next zoning hearing on Tuesday, April 20, 2021, which will give the applicant time to decide how he would like to move forward.

General discussion resumed.

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to continue this item to Tuesday, April 20, 2021 at 2:00 p.m. The motion was unanimously approved by the Board (5-0).

15.3.2. 210311SU - Guillermo Gomez, Blueberry Downs, LLC, Special Use Permit in A-1, 17.5 Acres

The Board considered a petition by Guillermo Gomez, c/o Blueberry Downs, LLC., 2459 NE 98th Street, Anthony, FL, for a Special Use Permit, Articles 2 and 4, of the Marion

County Land Development Code, for a proposed campground for four (4) tent sites, in an A-1 (General Agriculture) zone, on approximately 17.50 Acres, on Parcel Account No. 14112-000-00.

WRITTEN OPPOSITION WITHIN 300 FEET 5 of 25= 20%

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Behar, seconded by Mr. Lourenco, to agree with staff's findings and recommendation, and recommend approval of the requested Special Use Permit 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 5 to 0 with the added recommended condition that the tents be moved to the south side of the applicant's driveway, closer to the bathroom and away from the property line

Planner II Zhu, Growth Services, provided a brief overview of the Special Use Permit request.

Commissioner Bryan out at 3:39 p.m.

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

1. The site shall be operated consistent with the application, the submitted conceptual plan and conditions as provided with this approval.
2. This Special Use Permit shall run with the Gomez family and not the property.
3. The maximum number of tents shall be 4. The size of each tent shall be no more than 16' by 16'.
4. All sites shall be registered with Marion County Tourism Development to ensure proper bed taxes are paid on lodging.
5. Opaque screening, a minimum of 6-foot in height, shall be provided and maintained on the north property line, wherein the screening may be either vegetative, privacy fencing, wall, and/or a combination thereof.
6. All tents shall be setback at least 150 feet from the property boundary.
7. The driveway connection to NE 23rd Court will need to be paved to county commercial driveway standards.
8. Tent(s) shall be moved south of the driveway (access from the NE 23rd Court) closer to the bathroom and away from the northern property boundary.
9. The tent structures shall comply with the minimum requirements of the Florida Fire Prevention Code and Florida Building Code.
10. The applicant shall obtain the appropriate building permit and work with the Marion County Building Safety Department to meet all requirements necessary to be in compliance upon approval of this special use permit.
11. Any division of property shall conform to the Marion County Land Development Code.
12. The Special Use Permit shall expire on February 22, 2024. The applicant may submit a new Special Use Permit application for consideration to renew and extend this permit in the future.

Rita Gomez Evans, NE 98th Street, Anthony, applicant, played an audio clip from her phone, which provided a brief description of the proposed business.

March 16, 2021

Chairman Zalak opened the floor to public comment.

Jimmy Carter, NE 97th Street Road, advised that he is present today on behalf of Anthony Baptist Church, which borders the subject property. He expressed safety concerns.

Mr. Carter stated the restrooms were installed without permits and questioned if the sewer system is adequate for the proposed project.

James Otto, Blanding Boulevard, Middleburg, expressed support for the proposed business.

Chairman Zalak advised that public comment is now closed.

In response to Commissioner Stone, Ms. Evans advised that she has reviewed staff's proposed Conditions. She stated she hired a professional to install the line to the home septic tank, noting a permit was not acquired. Mr. Evans advised that the bath house consisted of a shower, toilet and sink.

Commissioner Stone questioned if there was a screening process for guest prior to their stay. Ms. Evans stated Airbnb and Vrbo screen guests prior to booking, noting as she reviews the guests' user profiles prior to approving them to stay on site. She advised that she is onsite to greet everyone and show them to where they will be staying. Lights are provided from the tent site to the restrooms, which can be accessed either by car or on foot.

Commissioner Stone questioned what type of special cleaning is being done to address the COVID-19 pandemic. Ms. Evans advised that Airbnb requires all hosts to take a COVID-19 cleaning class to ensure precautions are in place. She stated all guests utilize one bath house, there are no towels, instead paper towels are provided, and the garbage is removed every day.

Commissioner Stone addressed concern with the lack of clothing being worn by guest. Ms. Evans advised that prior to the P&Z Commission meeting she had not been informed of that issue.

Commissioner Bryant questioned if alcohol is permitted on the property. Ms. Evans stated she does not promote alcohol on site, but it is allowed.

Commissioner Bryant advised that the septic and sewer is an issues that will have to be addressed, noting the system was installed in 1952 and was not intended for a commercial operation.

Chairman Zalak stated Condition 10 requires the applicant obtain all appropriate building permits and work with Marion County Building Safety staff to meet all necessary requirements.

Ms. Zhu clarified that according to the Property Record Card and the Building Department the bathroom was not permitted; therefore, staff implemented Condition 10.

Chairman Zalak stated the opaque screening will need to be addressed if the Board moves forward with the Special Use Permit.

Commissioner Bryant advised that if approved the site becomes a Commercial operation and there are provisions in the County Ordinances pertaining to alcohol near a church.

Ms. Burgess clarified that selling, and selling for onsite consumption, is not permitted in the County Ordinance, noting if the applicant is not providing the alcohol it is allowed.

Commissioner Curry expressed concern with privacy for the surrounding neighbors, noting the existing fencing is inadequate. He questioned if the tents will be moved closer to the restroom facility. Ms. Evans advised that all 4 tents will be moved to the middle pasture.

In response to Commissioner Curry, Ms. Burgess advised that the bathroom will have to be brought up to Code, which includes the septic system.

Commissioner Curry questioned if there are grills on site for the guests to cook and if generators are permitted. Ms. Evans stated there is only a small campfire on site. She advised that private generators and dirt bikes are not allowed.

In response to Commissioner Bryant, Ms. Evans advised that the tent has been taken down and the option to rent has been removed as soon as they were notified by staff of an issue. She stated if approved the plan is to rent all 4 tents every weekend.

Commissioner Stone questioned how electric is provided to the site. Ms. Evans stated a generator and cords run the outdoor lights and air conditioning. She advised that a utility pole was installed by the power company connecting the 23rd Street utility poles to the subject property.

In response to Chairman Zalak, Ms. Burgess advised that Condition 8 addresses the location of the tents and provided a brief overview of where they will be located.

General discussion ensued.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to deny the Special Use Permit request, disagreeing with Growth Services staff and the P&Z Commission, based on findings and recommendations that the proposed use will adversely affect the public interest, is not consistent with the Comprehensive Plan and is not compatible with the surrounding land uses. The motion passed by a vote of 3-2, with Chairman Zalak and Commissioner Gold voting nay.

15.3.3. 20-S04 - J.K. and A. Suleiman, C. Brown, and J.R. Homes LLC, Medium Residential to High Residential, 2.02 Acres (WITHDRAWN)

The petition by Jesse K. & Aries Suleiman, 1800 Settle Street, Clermont, FL, Jordan River Homes, LLC, 1720 SE 16th Avenue, Bldg. 200, Ocala, FL and Carol M. & Raymond S. Brown, 12215 SE Highway 42, Weirsdale, FL, for a Land Use Change, Articles 1, 2 and 3 of the Marion County Land Development Code, from MR (Medium Residential) to HR (High Residential), on approximately 2.02 Acres, on Parcel Account Nos. 4702-019-001, 4702-019-013, 4702-019-053, 4702-019-056 and 4702-019-063 (w/201102Z) was withdrawn by the applicant.

15.3.4. 201102Z - J.K. and A. Suleiman, C. Brown, and J.R. Homes, LLC, R-1 to PUD, 2.02 Acres (WITHDRAWN)

The petition by Jesse K. & Aries Suleiman, 1800 Settle Street, Clermont, FL, Jordan River Homes, LLC, 1720 SE 16th Avenue, Bldg. 200, Ocala, FL and Carol M. & Raymond S. Brown, 12215 SE Highway 42, Weirsdale, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from R-1 (Single Family Dwelling), to PUD (Planned Unit Development) for the intended use of 15 Townhouses contained within 4 buildings, on approximately 2.02 Acres, on Parcel Account Nos. 4702-019-001, 4702-019-013, 4702-019-053, 4702-019-056 and 4702-019-063 (w/20-S04) was withdrawn by the applicant.

15.3.5. 210301Z - A-Plus Homes, Inc., Chris Armstrong, PUD to PUD, 92.18 Acres

The Board considered a petition by A-Plus Homes, Inc., c/o Chris Armstrong, 1415 SW 17th Street, Ocala, FL, for a Modification and Renewal of a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from expired PUD (Planned Unit Development) to PUD (Planned Unit Development), for the intended use of a proposed single family residential development with 320 units (Millwood Estates), on approximately 92.18 Acres, on Parcel Account Nos. 15841-002-00 and 15841-002-04.

WRITTEN OPPOSITION WITHIN 300 FEET 30 of 126= 24%

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Kroitor, seconded by Mr. Behar, to agree with staff's findings and recommendation, and recommend approval with development conditions of the requested zoning change based on the following findings of fact:

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

The Motion passed 5 to 0 supporting the applicant's requested entrance and egress locations

Commissioner Curry out at 4:10 p.m.

Senior Planner Ken Weyrauch, Growth Services, provided a brief overview of the request for modification and renewal of a zoning change.

In response to Chairman Zalak, Mr. Weyrauch advised that with the current zoning the applicant can have approximately 360 units.

Commissioner Curry returned at 4:14 p.m.

It was noted that the Growth Services Department staff and the P&Z Commission recommended approval with the following Master Plan Conditions:

1. The project shall be developed consistent with the application and LDC unless otherwise modified by these conditions of approval.
2. The project shall be limited to a maximum total of 320 single-family dwelling units.
3. Prior to completion and approval of the project's final PUD Master Plan and/or any Preliminary Plat, the Developer shall complete the application and review consideration process to revise/amend/terminate the existing Developer's Agreement to resolve any conflict between this PUD's conceptual and subsequent design and the Agreement (e.g., density, buffers, etc.)
4. The Approval of this PUD does not provide for the approval of any waivers associated with the expired PUD.
5. A minimum of 20% of the project shall be workforce housing, registered and managed by Marion County Community Services or the Housing Finance Authority.
6. Workforce housing and market-rate housing shall be constructed in the same phases of the development.
7. Building heights shall be limited to 40'.
8. The project shall work through the development review process to provide for internal connections to adjacent subdivisions, as approved by the County Engineer.
9. Prior to completion and approval of the final PUD Master Plan, the project Traffic Study shall be completed to the satisfaction of the County Engineer and adequate provision shall be made for the coordination of the improvements with the PUD.
10. The PUD project's amenities shall be provided as follows, consistent with the PUD Concept Plan:
 - a. The design and construction of the amenities shall be included with the PUD's Improvement Plans.

- b. The amenities shall be constructed and completed as part of any initial residential development phase, and their Corresponding As-built/Certificate of Occupancy/Final Inspection (or equivalent) shall be obtained prior to obtaining any residential structure Certificate of Occupancy/Final Inspection within the PUD project.
 - c. The intent of these provisions and the overall project is to ensure that the amenity facilities are in place, operational, and maintained in perpetuity, for use by all residential units, and their occupants, prior to allowing any residential occupancy within the project.
- 11. The project shall be serviced by Marion County Utilities, for both water and sewer.
- 12. Buffers, along the Right of Ways, the northern, and western boundaries, shall be as required in the Land Development Code. There shall be no waivers to the C-Type Buffers along the Right of Ways. Buffers along the southern and eastern boundaries, adjacent to existing agricultural properties, shall be a modified E-Type Buffer. The modified E-Type Buffer shall consist of a 5' wide strip with two (2) shade trees for every 100 linear foot, a 6' high opaque fence, and shrubs as required in the LDC.
- 13. All project-wide walls, fences, and buffers, including all vegetative plantings, shall be installed and maintained in perpetuity consistent with professionally accepted landscape practices, unless & until modified through the appropriate LDC PUD Amendment Process.
- 14. The PUD project shall comply with the LDC's minimum 20% open space requirement, along with the provision allowing only a maximum of 25% of the DRA acreage to be counted towards the open space. The project can use TDCs for a maximum of 25% of the required open space as per the Marion County Comprehensive Plan, Policy 9.1.8.
- 15. All construction and/or day-to-day development access for the project shall be provided via the project's main ingress/egress.
- 16. The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant's expense.

David Tillman, Tillman & Associates Engineering, LLC, SE 16th Avenue, advised that upon discussion with staff it was agreed that Conditions 5 and 6 would be removed. The developer is not entering into an agreement with the County to offer affordable housing; therefore, this site is no longer referenced as affordable housing. He stated a reason for the request for a reduction in open space is to be able to produce an affordable product within the community.

Mr. Tillman addressed Condition 8, which states the project shall work through the development review process to provide for internal connections to adjacent subdivision, as approved by the County Engineer. He advised that most of the opposition received at the P&Z Commission meeting was that surrounding property owners did not want internal connects, noting staff has agreed to not move forward with this condition.

Mr. Tillman requested the Board modify Condition 10b to allow DRC staff the right to make the determination, noting this project will most likely be built in phases.

March 16, 2021

Mr. Tillman commented on the requested buffering in Condition 12 and urged the Board to allow the applicant to move forward with a type "E" buffer as required in the Land Development Code (LDC).

Mr. Tillman addressed the open space requirements in Condition 14. The Developer is currently providing 11% (10.22 acres). He requested the open space requirement be lowered to 15% and the DRA to be included as open space.

Mr. Tillman referred to a 1 page handout provided to the Board showing a cross section and layout plan of the DRA and provided a brief overview of the recreational DRA area. In response to Chairman Zalak, Mr. Tillman provided a brief overview of the location and amenities that will be included in the open space areas.

Commissioner Zalak questioned if the amenity details will come back before the Board with the Master Plan. Mr. Tillman advised that he was going to request the Master Plan not have to come back before the Board, but instead go before the DRC for review.

Commissioner Gold opined that if a bunch of amenities are created in this development it will attract people from the surrounding area.

Mr. Tillman advised that the developer's goal is to keep cost down and provide a reasonably priced development.

General discussion ensued.

In response to Commissioner Curry, Mr. Tillman addressed the required buffer, the buffer requested by staff and the minimum setbacks. He advised that there is not a requirement for a buffer between residential properties.

Commissioner Curry questioned the required setbacks. Mr. Tillman stated the rear setback is between 20 and 25 feet and there is a 15 foot drainage easement, which will not allow anything within the easement.

In response to Commissioner Curry, Mr. Tillman clarified that a setback is not the same as a buffer.

General discussion resumed.

Chairman Zalak opened the floor to public comment.

Victoria Mulford, NE 36th Place, expressed concern with the amount of open space proposed in the development, school capacity in the area, protected species living in the area, increased traffic, pedestrian safety, and sink hole activity. She questioned if the 15 foot drainage easement on the west side is in addition to the existing electric easement, which is approximately 20 feet.

Chairman Zalak advised that the County Engineer will address road capacity, but the BCC does not handle school capacity.

Mr. Weyrauch clarified that all of the buildable area is outside of the 15 foot drainage easement.

Maria Cardillo, NE 36th Place, commented on the impact this development will have on the surrounding community and expressed opposition to the number of homes being proposed.

Chairman Zalak advised that this is already entitled land, noting every property owner who purchases a piece of property is entitled by State Statute to the highest and best use of their property. He stated by the developer requesting a PUD instead of straight zoning they are able to put together a better product over the course of the development, noting the applicant will be required to perform an environmental impact study and follow all State regulations on endangered species.

Ms. Cardillo opined that 320 units is too many for 92 acres and urged the Board to reduce the number of units allowed.

In response to Ms. Cardillo, Chairman Zalak advised that there is available capacity within the Marion County School system.

Matthew Connelly, NE 35th Street, expressed concern for his animals and requested a larger buffer. He opined that the proposed amenities are not adequate for the number of proposed units. Mr. Connelly questioned who will be responsible for ensuring the maintenance of the buffer and if there will be any deed restrictions for the subdivision.

Vickie Ramsey, NE 40th Street, expressed concern with the lot sizes and the potential number of people moving to the area. She commented on the positive impact the existing trees have to the surrounding community.

Commissioner Gold out at 4:47 p.m.

James Otto, Blanding Boulevard, Middleburg, commented on the expired PUD, the number of proposed units, new growth paying for new schools and the compatibility of the proposed development to the surrounding area, as well as the potential traffic impact on the existing road.

Beverly Daigle, NE 41st Place, advised that her property abuts the drainage easement and expressed concern with the limited setback. She requested that some of the existing trees be left on the subject property.

In response to Ms. Daigle, Chairman Zalak advised that a buffer is not required between residential properties.

Ms. Daigle questioned if the developer would be willing to sell a portion of the property to existing homeowners, which would provide a larger space between units.

Commissioner Gold returned at 4:52 p.m.

In response to Chairman Zalak, Ms. Daigle stated a stake was placed 15 inches from her fence line, which is roughly 20 feet from her home.

Ms. Daigle urged the Board to save the trees on the subject property.

Commissioner Bryant was excused at 4:53 p.m.

Sandra Fernandez, NE 42nd Place, commented on the meadow owned by Countryside Estates between her property and subject property and expressed concern with the residents of the new development coming onto that property and the potential liability. She requested a buffer between the properties.

In response to Commissioner Gold, Ms. Fernandez advised that there are no amenities on the meadow property.

Chairman Zalak advised that public comment is now closed.

Mr. Tillman advised that the reason the applicant is before the Board today is because the original PUD expired, noting the reason for additional units is due to the increased development cost and the intention of keeping the cost per house down. He stated an environmental assessment is required and all mitigation recommendations will be addressed at that time. A traffic study will also be completed to identify any changes that need to be made as a result of the development impact.

Mr. Tillman addressed the requested fencing by the neighboring property owners and stated the applicant has owned the property and a PUD was in place prior to Mr. Connelly purchasing his property. He advised that the existing Medium Density Residential allows for 360 units, noting instead of asking for smaller lots down to 40 foot wide to meet that density the applicant attempting to keep a little larger lot to remain compatible with the region.

Mr. Tillman addressed the proposed setbacks for accessory structures, noting an accessory structure cannot be placed in the drainage easement.

March 16, 2021

In response to Chairman Zalak, Mr. Tillman advised that a portion of the drainage easement is along a portion of the neighboring property line, which will provide a method for collecting stormwater runoff. He stated the lots are not as small as other projects that have recently been brought before the Board.

Mr. Tillman stated he would approach the developer regarding selling a portion of the property to adjacent landowners, but cannot promise it is something that can be done.

In response to Chairman Zalak, Mr. Tillman commented on the difficulty saving the trees and the impact they have on buildable areas. He addressed the lack of buffering provided by the developer who created the subdivision abutting the subject parcel and requested the Board move forward with the plan as proposed by the Developer.

In response to Commissioner Gold, Mr. Tillman advised that a geotechnical evaluation of the site is performed during the development process to address any sink hole issues.

Commissioner Stone questioned if there will be an HOA. Mr. Tillman stated there will be an HOA and deed restrictions within the community.

In response to Commissioner Stone, Mr. Tillman advised that the Developer is working with the Utilities Department to have the utilities in place by May of 2021 and the first few homes completed in March of 2022.

Environmental Services Director Jody Kirkman advised that the Utilities Department has begun the design and anticipates it taking approximately 7 months in the design/permitting phase and then construction will begin. He stated this is a grant related project and those funds have to be spent down by May/June of 2022.

Mr. Tillman reiterated the Developers request to remove the language in the Conditions relating to workforce housing and removing the requirement for internal connections to the adjacent exterior subdivisions.

Ms. Straub advised that the subdivisions surrounding the subject property have numerous stub outs that were laid out from the original subdivision designs. Historically, the County would look for lot and block grid type connections, but today's neighborhoods do not typically design that way. She stated it is up to the Board to require the connection, noting the proposed PUD has laid out the proper number of entrances and connections for normal development standards.

In response to Chairman Zalak, Ms. Straub stated the current road is struggling with capacity, noting DOT is in the process of widening 36th Avenue. He advised that NE 35th Street has been identified as a road that needs to be 4 laned, but it is an unfunded sales tax project.

Ms. Straub advised that a traffic study is required and improvements will be mandatory based on the results of that study.

Commissioner Gold addressed public safety concerns relating to the lack of connectivity between subdivisions.

Mr. Tillman stated there was a large amount of public outcry at the P&Z Commission meeting regarding the connection between the existing and proposed subdivisions. He advised that the County Engineer agreed with not requiring those connections.

Commissioner Gold expressed opposition to requiring an opaque fence.

Ms. Straub advised that this will develop as a private subdivision. The Developer will have to file the property HOA documents and maintain them through the State of Florida. She stated the County has a newer policy requiring a Municipal Service Benefit Units (MSBU). Commissioner Zalak stated if the Developer does not produce an HOA then the development will have to fall into an MSBU.

Ms. Straub clarified that the current Code states regardless of an HOA an MSBU must be created, noting there have been request for waivers in the past.

Mr. Tillman advised that the Developer is possibly interested in moving forward with an MSBU. He requested the Board allow DRC to regulate whether or not the Developer is moving forward with the appropriate number of amenities for the property rather than coming back before the Board.

In response to Chairman Zalak, Mr. Tillman advised that the Developer still has to come back before the Board for the Master Plan approval. He stated the applicant is requesting staff be able to make the determination on whether or not the appropriate number of amenities have been built for the phase of the project that is being constructed. Mr. Tillman advised that the way the current conditions are written all the amenities must be constructed prior to receiving a Certificate of Occupancy.

General discussion ensued.

Mr. Tillman commented on the proposed buffers and reduction in open space.

Commissioner Stone questioned if the 6 foot opaque fence is only bordering Mr. Connelly's property. Mr. Tillman advised that there is another adjacent property owner to the east.

In response to Commissioner Gold, Chairman Zalak stated a buffer is not provided between residential properties, but it is between farmland and residential.

General discussion resumed.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to approve the Zoning Change from expired PUD to PUD with Development Conditions 1 through 13, as amended below, based on Growth Services Department staff and the P&Z Commission findings and recommendations that the proposed use was compatible with the surrounding land uses, was consistent with the Comprehensive Plan and would not adversely affect the public interest. The motion was unanimously approved by the Board (4-0).

The motion included the following Development Conditions:

1. The project shall be developed consistent with the application and LDC unless otherwise modified by these conditions of approval.
2. The project shall be limited to a maximum total of 320 single-family dwelling units.
3. Prior to completion and approval of the project's final PUD Master Plan and/or any Preliminary Plat, the Developer shall complete the application and review consideration process to revise/amend/terminate the existing Developer's Agreement to resolve any conflict between this PUD's conceptual and subsequent design and the Agreement (e.g., density buffers, etc.)
4. The Approval of this PUD does not provide for the approval of any waivers associated with the expired PUD.
5. Building heights shall be limited to 40'.
6. Prior to completion and approval of the final PUD Master Plan, the project Traffic Study shall be completed to the satisfaction of the County Engineer and adequate provision shall be made for the coordination of the improvements with the PUD.
7. The PUD project's amenities shall be provided as follows, consistent with the PUD Concept Plan:

- a. The design and construction of the amenities shall be included with the PUD's Improvement Plans.
 - b. The amenities shall be constructed and completed as part of any initial residential development phase, and their Corresponding As-built/Certificate of Occupancy/Final Inspection (or equivalent) shall be obtained prior to obtaining any residential structure Certificate of Occupancy/Final Inspection within the PUD project.
 - c. The intent of these provisions and the overall project is to ensure that the amenity facilities are in place, operational, and maintained in perpetuity, for use by all residential units, and their occupants, prior to allowing any residential occupancy within the project.
8. The project shall be serviced by Marion County Utilities, for both water and sewer.
9. Buffers, along with Right of Ways, the northern, and western boundaries, shall be as required in the Land Development Code. There shall be no waivers to the C-Type Buffers along the Right of Ways.
10. All project-wide walls fences, and buffers, including all vegetative plantings, shall be installed and maintained in perpetuity consistent with professionally accepted landscape practices, unless & until modified through the appropriate LDC PUD Amendment Process.
11. The PUD project shall comply with the LDC's minimum 15% open space requirement. The DRAs may provide 7.11 acres towards the 15% open space requirement if the DRAs are designed to act as both drainage and recreational areas. The project can use TDCs for a maximum of 25% of the required open space as per the Marion County Comprehensive Plan, Policy 9.1.8.
12. All construction and/or day-to-day development access for the project shall be provided via the project's main ingress/egress.
13. The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant's expense.

There was a recess at 5:31 p.m.

The meeting reconvened at 5:40 p.m. with all members present, except Commissioner Bryant.

11.1. CONTINUED - Request Approval to Schedule a CNG Update Workshop on Tuesday, April 6, 2021 at 1:00 p.m. in the McPherson Governmental Campus Auditorium. Chairman Zalak advised that staff has brought back alternative date of Tuesday, April 6, 2021 at 2:00 p.m. or as soon thereafter as possible for Board consideration.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to schedule a workshop on Tuesday, April 6, 2021 at 2:00 p.m. or as soon thereafter as possible regarding CNG. The motion was unanimously approved by the Board (4-0).

11.3. CONTINUED - Request Approval to Schedule a Workshop to Discuss the Southeast Regional Water Plant Feasibility Study on Tuesday, April 20, 2021 at 1:00 p.m. in the McPherson Governmental Campus Auditorium

Chairman Zalak advised that staff has brought back alternative date of Tuesday, May 4, 2021 at 2:00 p.m. for Board consideration.

A motion was made by Commissioner Gold, seconded by Commissioner Curry, to schedule a workshop on Tuesday, May 4, 2021 at 2:00 p.m. regarding the Southeast Regional Water Plant Feasibility Study. The motion was unanimously approved by the Board (4-0).

15.3.6. 210308SU - Benjamin Ocampo Rev. Trust, Ximena Martin, Brick City Farms LLC; Special Use Permit in A-1, 6.34 Acres

The Board considered a petition by Benjamin Ocampo Revocable Trust, c/o Benjamin Ocampo, TR, 61 Jewell Street, Apt. 1, Garfield, NJ, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for poultry processing, in an A-1 (General Agriculture) zone, on approximately 6.34 Acres, on Parcel Account No. 41804-000-07.

WRITTEN OPPOSITION WITHIN 300 FEET 9 of 18= 50%

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Behar, seconded by Mr. Bonner, to disagree with staff's findings and recommendation, and recommend denial of the requested Special Use Permit based on the following findings of fact:

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

The Motion passed 5 to 0

Growth Services Director Burgess commented on the Special Use Permit request.

It was noted that Growth Services Department staff recommended approval with Alternate Approval Conditions and the P&Z Commission recommended denial. If the Board grants the Special Use Permit, staff recommends the following Alternate Approval Conditions:

1. The Special Use Permit shall allow the use of a portion of the property as a poultry processing facility, referred to in the Marion County Land Development Code as a "meat packing plant."
2. The site for the meat processing facility shall be developed and operated consistent with the submitted application and conceptual plan as further limited by the conditions set forth herein.
3. The maximum size of the building housing the meat processing facility may not exceed 300 square feet as depicted in the conceptual plan and may not be within 100ft of any property line.
4. Signage shall be limited to one sign with a maximum size of fifteen (15) square feet. The sign must be located on the subject property and not within the property limits of the adjacent parcels.
5. In order to mitigate noise levels, all processing shall be conducted indoors, within the confines of the meat processing/packing facility between the hours of 8am-9pm.
6. If exterior lighting is to be installed, it shall be scaled and located to minimize glare and light diffusion to adjoining properties.
7. Staging facilities for animals in queue shall be designed and operated to minimize off-site odors. All minimum setbacks for poultry rearing buildings in A-1 zoning shall be adhered to.
8. The maximum number of birds for the harvesting and egg operation may not exceed 1,000 at any time.

9. Rendering, or similar processing of inedible animal by-products for sale or use offsite is prohibited.
10. Solid waste from the harvesting operations shall be processed in accordance with best management practices, FDOH and FDEP standards. Where such standards conflict, the applicant must adhere to the most stringent standards. Wastewater from the processing areas is to be stored in disposal containers and regularly removed by a private contractor.
11. All poultry areas must be buffered from adjacent properties. In particular, a hedgerow must be provided along the western property boundary where chickens are housed. The hedgerow shall be at least three-feet within the first year and shall be maintained to adequately provide a visual buffer.
12. Retail sales from this facility shall only be conducted by appointment at a location designated on the site plan. Not more than 20 trips per day are permitted. A "trip" is defined as to or from the property. For example, one pick up from an offsite customer equals two trips.
13. The driveway apron to SE 56th Ave shall be designed in such a way as to provide safe and durable access suitable for vehicles (Residential Apron).
14. Any change in the type, or increase in the intensity of use of the processing facility beyond that shown on the conceptual plan or permitted by this Permit is prohibited; however, a new Special Use Permit Modification Application may be submitted for consideration to change the type or increase the intensity.
15. The Special Use Permit shall run with owner, Benjamin Ocampo, and not the property.
16. The Special Use Permit shall expire on November 17, 2025; however it may be renewed administratively three times for up to 5 years by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
 - There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,
 - Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
 - The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

Ms. Burgess stated after hearing the public input at the P&Z hearing staff feels the proposed Special Use Permit may not be in the best interest of the public.

Don Martin, SE 56th Avenue, Summerfield, applicant, advised that the subject property is zoned A-1 and currently houses 350 organically raised chickens. The purpose of this meeting is to request the Board allow the installation of a small 300 square foot structure on the 6.34 acre property, which would allow the processing of chickens onsite.

In response to Chairman Zalak, Mr. Martin stated the Special Use Permit Conditions would allow for up to 1,000 chickens, but he is only able to house roughly 500 chickens. Currently there are 350 chickens on the property. He advised that this would be a small-

scale operation.

Chairman Zalak opened the floor to public comment.

Ron Shepler, SE 56th Avenue, expressed concern with the traffic and litter issues, as well as the odors associated with processing chickens. He advised that he is opposed to having a retail operation on his road.

Roger Knechtel, SE 97th Street, Summerfield, opined that this use is not compatible with the surrounding area.

James Otto, Blanding Boulevard, Middleburg, commented on a previous request for a chicken processing plant within Marion County.

In response to Mr. Otto, Chairman Zalak advised that if the Special Use Permit is denied the applicant can still have chickens on the property due to the Agricultural zoning. He advised that the request today is for processing and sales of the chickens.

Pastor Wendy Gallegos, SE 145th Street, expressed concern with the proposed chicken processing and retail sales. She commented on existing traffic and road issues in the area and urged the Board to deny the request.

Bill Morris, SE 146th Lane, expressed opposition to allowing a commercial operation in this area.

Tracy Piper, SE 57th Avenue, addressed concern with the potential odor from the processing plant and sink hole activity in the area. She commented on the existing road quality and the impact increased traffic will have on surrounding property owners. Ms. Piper advised that she is not opposed to the chickens being on the property, but does oppose the processing plant and allowing a retail operation on the property. She stated the chickens have increased the coyote activity in the area.

Chairman Zalak advised that the applicant is permitted to have chickens on Agriculturally zoned property, noting what is being considered today is the processing and retail sales of the chickens.

Scott Swinehart, SE 56th Avenue, commented on the distance between his property and the subject parcel. He stated the applicant has already begun selling eggs and processed chickens.

In response to Mr. Swinehart, Chairman Zalak advised that the small cottage farm industry is protected under the United States Farm Act, but if the poultry is commercially processed then United States Department of Agriculture (USDA) inspections are required.

Mr. Swinehart commented on the increased traffic and expressed opposition to the proposed signage.

Charlotte Swinehart, SE 56th Avenue, expressed safety concerns associated with unfamiliar cars coming and going from the subject property and parking near the entry way to her property. She commented on the renewal process should the Special Use Permit be approved and urged the Board to deny the request.

Chairman Zalak advised that the Conditions are what regulates the Special Use Permit, noting certain things are allowed by right depending on how the property is zoned. He stated if the applicant violates one of the Conditions the matter will come back before the Board.

Judy Elder, SE 56th Avenue, questioned if the applicant is allowed to process and sell the chicken. Chairman Zalak clarified that an agricultural product can be sold on site, but processing is different and is the reason a Special Use Permit is required.

Ms. Elder expressed concern with the increased traffic that will be brought by this business.

March 16, 2021

Clay Albright, on behalf of the Shepler Family Trust, commented on the prior deed restrictions on the surrounding properties and objections of neighboring property owners. Chairman Zalak advised that public comment is now closed.

In response to Chairman Zalak, Mr. Martin provided a brief overview of the proposed facility and how it will run. He advised that a majority of the chicken will be sold at market or delivered to clients.

Mr. Martin advised that he does not need the booth at the gate if it will cause an issue and reiterated that most of the sales are either done at the market or delivered to clients. A motion was made by Commissioner Stone, seconded by Commissioner Curry, to deny the Special Use Permit request, disagreeing with Growth Services staff and agreeing with the P&Z Commission, based on findings and recommendations that the proposed use will adversely affect the public interest, is not consistent with the Comprehensive Plan and is not compatible with the surrounding land uses. The motion was unanimously approved by the Board (4-0).

Commissioner Curry questioned if applicant is permitted to sell the eggs onsite without the Special Use Permit. Chairman Zalak advised that the applicant can sell the chickens that are raised on the property and their eggs, but if the chicken is processed on site it becomes commercial and that is not permitted.

Ms. Burgess advised that the size of the operation is what determines if it is commercial or not, noting she was not aware of the exact numbers.

General discussion ensued.

15.3.7. 20-L09 - Rolling Greens-Venture I, LLC., Fred N. Roberts, Jr., Esq; High Residential to Commercial, 51.0 Acres

The Board considered the Large Scale Comprehensive Plan Amendment by Rolling Greens-Venture I, LLC, c/o Gary Timmons, 4350 E Camelback Road, Suite A-100, Phoenix AR, from High Residential to Commercial on an approximate 51 acre "portion of" 62.45 acres of Parcel Account No. 31872-000-00. (w/201103Z)

Growth Services Director Burgess advised that Agenda Item 15.3.7 and 15.3.8 will be addressed together. She provided a brief overview of the Large Scale Comprehensive Plan Amendment and the rezoning request, which was transmitted to the State on November 17, 2020.

Fred Roberts, SE 11th Avenue, attorney representing the applicant, presented a 33 slide PowerPoint presentation on the overhead screens and provided a brief overview of the proposed development.

Mr. Roberts advised that there are 7 units of Deer Path Subdivision that are adjacent to the subject property, noting County Code requires a 20 foot buffer and a wall in connection with those adjacent uses. The Developer has decided to move forward with a 50 foot buffer and a wall in that area. He advised that the portion to the west, closer to Baseline Road, is zoned Commercial and will not be buffered with a wall, instead it will be buffered with fence and screening.

In response to Chairman Zalak, Mr. Roberts stated all of the Recreational Vehicle (RV) sites will be rentals, but the park models may be sold. He advised that the land does not sell and is retained by the underlying property owner.

Mr. Roberts advised that research has shown that some people from a certain age retire, purchase an RV and travel. After a few years they find a location that they like the best and settle down.

In response to Commissioner Gold, Mr. Roberts advised that the new development will have the same "quiet time" as the existing Rolling Greens community. He stated the owner will also limit where RVs are permitted to drive within the subdivision.

Chairman Zalak opened the floor to public comment.

James Otto, Blanding Boulevard, Middleburg, requested this matter be continued due to the facility doors being locked for an extended period of time.

Commissioner Stone advised that security is present to open the doors and people are able to access the meeting.

Mr. Otto commented on stormwater runoff, road trip numbers, impact fees, number of units, trees, water absorption, stakeholders, RV and Boat storage.

Charles Pennington, Pebble Beach Road, addressed the proposed shared amenities with the existing Rolling Greens community.

In response to Commissioner Gold, Mr. Pennington advised that up until 2 years ago there was a fee on top of the lot rent to use the golf course, but when the new owners took over it became free for residents.

Chairman Zalak advised that public comment is now closed.

Mr. Roberts advised that shared amenities have been the biggest sticking point in conversations with residents. At present there are 7 pickle ball courts, 3 pools, 6 bocce ball courts, 8 horseshoe pits for the entire development, as well as 2 club houses. He stated for the new subdivision the Developer is adding 1 club house, a pool, 4 pickle ball courts, 6 bocce ball courts, and 10 horseshoe pits. Mr. Roberts provided the per lot ratio for each type of amenity, noting the additional amenities will increase the amount of amenities available per person.

In response to Chairman Zalak, Mr. Roberts stated the golf course is currently open to the public and explained how playing time is prioritized for residents.

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to approve Large Scale Comprehensive Plan Amendment No. 20-L09, agreeing with Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, Florida Statutes (FS) and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (4-0).

15.3.8. 201103Z - Rolling Greens Venture I, LLC., Fred N. Roberts, Jr., Esq.; P-MH to P-RV, 62.45 Acres

The Board considered a petition by Rolling Greens-Venture I, LLC, c/o Gary Timmons, 4350 E Camelback Road, Suite A-100, Phoenix AR, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from P-MH (Mobile Home Park) to P-RV (Recreational Vehicle Park) for a RV Resort with up to 282 spaces in 2 phases, on approximately 62.45 Acres, on Parcel Account No. 31872-000-00. (W/20-L09)

This matter was addressed with Item 15.3.7 (20-L09).

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve the Zoning Change from P-MH to P-RV for a RV Resort with up to 282 spaces in 2 phases, agreeing with Growth Services staff and the P&Z Commission recommendations, based on findings that the proposed use was compatible with the surrounding land uses, was consistent with the Comprehensive Plan and would not adversely affect the public interest. The motion was unanimously approved by the Board (4-0).

15.4. Adoption of Ordinance

15.4.1 21-S01

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to adopt Ordinance 21-06 adopting Small Scale Comprehensive Plan Amendment No. 21-S01, agreeing with the Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, FS and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (4-0).

Ordinance 21-06 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA; ADOPTING THE FOLLOWING SMALL-
SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF
THE MARION COUNTY COMPREHENSIVE PLAN:

2021-S01, CCO HOSPITALITY, LLC

4.04 ACRES

PARCEL # 3634-000-002

FROM RURAL LAND TO

MEDIUM RESIDENTIAL

PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR
FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEV-
ERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EF-
FECTIVE DATE.

15.4.2 – 20-L09

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to adopt Ordinance 21-07 adopting Large Scale Comprehensive Plan Amendment No. 20-L09, agreeing with the Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, FS and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (4-0).

Ordinance 21-07 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA; ADOPTING THE FOLLOWING LARGE-
SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES
(FLUMS) OF THE MARION COUNTY COMPREHENSIVE PLAN:

2020-L09, ROLLING GREENS VENTURE I, LLC

51.35 +/- Acres

A PORTION OF PID# 31872-000-00

HIGH RESIDENTIAL TO

COMMERCIAL

PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR
FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN
EFFECTIVE DATE.

15.4.3 – Zoning

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

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to adopt Ordinance 21-08 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (4-0).

Ordinance 21-08 is entitled:

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

UPDATE: Mr. Minter clarified that the property owner is entitled the best use of their property under the current zoning.

There being no further business to come before the Board, the meeting thereupon adjourned at 6:50 p.m.

Jeff Gold, Chairman

Attest:

Gregory C. Harrell, Clerk

March 16, 2021

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