

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

April 6, 2021

CALL TO ORDER:

The Marion County Board of County Commissioners met in regular session in Commission Chambers at 9:03 a.m. on Tuesday, April 6, 2021 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

9:00 AM ROLL CALL:

Upon roll call the following members were present: Chairman Jeff Gold, District 3; Vice-Chairman Carl Zalak III, 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).

Chairman Gold requested Items 4.1 through 4.3 be brought forward at this time.

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:

4.1. Present Letter from William M. Gladson, State Attorney, Dated March 16, 2021 Regarding Request for Funding to Support Two (2) Assistant State Attorneys

The Board considered the following letter dated March 16, 2021 from William M. Gladson, State Attorney:

Dear Commissioner Gold:

In March of 2020, in response to the COVID-19 pandemic, the Supreme Court suspended the speedy trial rule, prohibited jury trials, and ordered that only "essential" hearings would be allowed. As a result, a system that is designed to move quickly came to a grinding halt. Without the ability to have trials, we, like all other court systems in the country, have experienced an unprecedented backlog. For example, in 2020, the number of open misdemeanor, felony and juvenile cases in Marion County totaled 2,967. In January 2021, that number had swelled to an unprecedented 8,159.

Further complicating the situation, our total state budget allocation was cut by 6%, which resulted in a loss of approximately \$1,000,000.00 in the Fifth Circuit. Because approximately 95% of the State Attorney budget is used for salaries, we were forced to lay off several employees circuit-wide and we implemented a temporary hiring freeze.

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Last week, the Marion County Judicial Center welcomed jurors for the first time in a year. We were pleased with the commitment of all court personnel who ensured a safe experience for all participants in the process. Moreover, we were able to try some cases to conclusion. We are likewise committed to moving forward, but because of the decrease in state funding, we are now faced with the onus of doing so with fewer lawyers and fewer supporting staff members.

The Marion County Commission has always been supportive of our office and our law enforcement partners. It is imperative that we work through this backlog of cases and that we do so without compromising public safety. By way of full disclosure, the State Courts have requested an increase in their budgets, so the State Attorneys and Public Defenders have likewise requested a corresponding increase. It is unknown if we will receive our requests as the Legislature contemplates potential budget shortfalls.

If the Commission finds itself in a position to allocate CARES Act funding to support our local mission, we would gratefully accept that. It is our sincere hope that this is a temporary situation that, with a little extra help, might be able to be resolved; again, without exposing our community to any risk of harm from unresolved criminal cases. Should such an allocation be available, I would hire two (2) additional Assistant State Attorneys at a total annual cost of \$150,000. Again, we are not requesting this as a recurring budget item, because we anticipate using these positions to work through the backlog as soon as is practical.

As I said, our entities have enjoyed a long history of working together to solve issues and I appreciate your consideration of this matter. Should you have any further questions, or need additional explanation, I will provide whatever is needed.

Sincerely,

William M. Gladson
State Attorney

William M. Gladson, State Attorney, 5th Judicial Circuit of Florida, advised that last March the Supreme Court suspended the speedy trial rule and ordered that only "essential" hearings be allowed. He noted that the Courthouse was basically inaccessible, but law enforcement continued to make arrests. He stated during the time courts were closed the State Attorney's office did not close and was still trying to work through cases but found it difficult to set changes of plea, and many cases could not be negotiated. He stated jury trials began again in March, 2021.

Mr. Gladson stated now that jury trials have begun again there is a backlog of work, which is why he is requesting 2 positions, that he would attempt to fill with lawyers who would be placed in County Court and could go to first appearances, arraignments, etc. He advised this is not a recurring request, but a 1 time request for 1 year. Mr. Gladson advised that his office received a 6% cut in its budget, resulting in layoffs.

In response to Chairman Gold, Mr. Gladson stated there are spikes in different types of crime. He advised that many minor cases were resolved, but the serious cases remain, and the suspension of the speedy trial rule will come to an end at some point and the time to prepare for that situation is now.

Commissioner Curry questioned whether the funds to be expended will be CARES Act funding. County Administrator Mounir Bouyounes stated the money will come from the leftover portion of the reimbursement the Board received, which is in the General Fund. Chairman Gold opened the floor for public comment.

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

A motion was made by Commissioner Stone, seconded by Commissioner Zalak, to approve the two additional Assistant State Attorneys for a total cost of \$150,000.00. The motion was unanimously approved by the Board (5-0).

4.2. Present Letter from Michael A. Graves, Public Defender, Dated March 19, 2021 Regarding Request for Funding to Support Additional Staff to Assist in Processing

Dear Mr. Bouyounes,

The suspension of jury trials and "non-essential" court activity caused by the Covid-19 pandemic has caused an unprecedented backlog in Marion County criminal cases. The Public Defender case load has more than doubled since this time last year.

The resumption of jury trials and other court proceedings has been encumbered by limited staff resources. These difficulties have been amplified by a 6% state budget cut for the 2020-2021 fiscal year. I expect a continued state budget reduction for the upcoming year.

If the Marion County Commission is able to obtain CARES Act funding to address these challenges, I would thankfully accept that assistance. I understand that any such additional funding would be temporary. If such funds become available, I would hire additional support staff to assist in processing data, interviewing in-custody defendants, and serving process in preparation of trials. The total one year cost would be \$65,000.00.

Marion County has always lent its support to all agencies that comprise the local criminal justice and courts system. That support is valued greatly. Any consideration that can be given in this area would be appreciated. I will provide any other information you might need.

Sincerely,

Michael A. Graves

Public Defender, Fifth Judicial Circuit

Michael Graves, Public Defender, 5th Judicial Circuit of Florida, advised that the situation as described by the State Attorney, has increased the Public Defender's Office case load in Marion County has increased active cases from March, 2020 to March, 2021, 110 percent (%), noting an additional 2,000 cases as part of the backlog in addition to those cases received month-to-month in new case appointments.

Mr. Graves stated his request was decreased from \$65,000.00 to \$60,000.00 for 3 part-time support personnel to assist with moving data information and dealing with clients. He advised that the heaviest workload involves preparing for serious trials, and there are many of them coming up. Mr. Graves stated everything was done to keep as much flowing as possible last year, noting 8,500 cases were resolved during that period. His goal for the next year is to be able to catch up, especially in Circuit Court.

In response to Commissioner Zalak, Mr. Graves advised that the juvenile system has been ongoing as the result of a Supreme Court order, relating to juvenile delinquency cases.

Chairman Gold opened the floor for public comment.

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

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to approve funding to support additional staff to assist in processing for a total cost of \$60,000.00. The motion was unanimously approved by the Board (5-0).

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4.3. Present Letter from Judge Ann Craggs, Fifth Judicial Circuit, Dated March 24, 2021 Regarding Funding Request for a General Magistrate and Assistant Dedicated to Dependency Cases

Dear Commissioners:

I serve as a Domestic Relations Judge in Marion County as well as the Domestic Relations Administrative Judge for the Fifth Judicial Circuit. I am writing to you in those capacities, to request your consideration to fund a full-time General Magistrate to be assigned to the dependency docket in Marion County and funding for a full-time assistant to the General Magistrate.

Marion County's need for an additional General Magistrate, to be assigned to the dependency docket, is clear when considering the number of dependency cases pending in Marion County. Presently, Marion County has one Circuit Judge assigned to the dependency docket and one half-time General Magistrate assigned to dependency cases and are funded by the State. While a dependency case remains assigned to the Judge, Magistrates assist the Circuit Judge by conducting hearings, status reviews, arraignments, taking testimony, and making reports and recommendations to the Judge.

In 2020, there were 681 removals of children from their parents due to abuse, neglect, or abandonment in Marion County. For that same time period, Marion County had 497 more removals than any other County in the Fifth Judicial Circuit. At present, we are asking a halftime General Magistrate to conduct more hearings than what a full-time General Magistrate would ordinarily be asked to oversee. Coupled with the complexities of dependency cases and the statutorily mandated timeframes and requirements, Marion County is in dire need of this additional resource. Dependency cases are complex, in part, because the Court must hear from the children, their caregiver, the Department of Children and Families (DCF), the assigned case worker, the Guardian Ad Litem, the Guardian Ad Litem's attorney, and the parents of the child at any given hearing. These inquiries are critical and occur to learn whether the parent(s) are in compliance with their case plan to include whether they have achieved stable housing, stable income, are attending counseling and courses designed to better parent their children, whether drug screens are occurring and the results of those screens and, ultimately, whether reunification between the children and their parent(s) can safely occur. The seriousness of the issues and the safety of the children cannot be sacrificed. Furthermore, the past year of operating during the Covid-19 pandemic has exacerbated the circumstances. While it may seem that parties appearing by Zoom or telephonically is more convenient, conducting remote dependency hearings has caused the already limited available time for the hearing to be consumed by multiple parties and interested stakeholders logging-in, interruptions due to technology issues (bad service, dropped calls, etc.), and an inability to have the next case be staged in the courtroom. Operating remotely leaves even less time for the General Magistrate to address the children's safety and whether the parent(s) is taking the required steps to be able to safely reunify with the child. Further, it also seems as if the impacts of Covid-19 and the pandemic, i.e. financial distress, children not attending school in person, lost jobs, etc., have increased the instances of conflict in the home and the abuse and neglect of children. Any increase in dependency cases is a strain to an already overloaded docket.

Based upon a comprehensive review of Marion County's dependency case numbers over the last several years, I anticipate a full-time General Magistrate would handle over 1,000 hearings in new cases, over 160 hearings in existing cases as well as over 360 hearings in related cases involving the same family (i.e., dissolutions of marriage, paternity, and adoptions). Having a fulltime General Magistrate will also allow the Circuit Judge to handle more hearings and decrease the amount of time to resolve all dependency cases.

I have attached hereto a draft job description for both the General Magistrate position and the Administrative Assistant position. The estimated annual salary, taxes, and all benefits for both General Magistrate and the Administrative Assistant totals \$184,532.01, based on the State's estimates. I am requesting funding on an immediate basis for the second half of 2021 and for 2022. This would allow myself and Court Administration to prepare to submit requests for 2023 and beyond. The Court system would provide all other needed items such as computers, printers, office supplies, office space and courtroom space for both the General Magistrate and Assistant.

Thank you for your time and consideration.

Ann Melinda Craggs

Chief Judge/ Administrative Family Law Judge
Fifth Judicial Circuit

Judge Ann Melinda Craggs, Fifth Judicial Circuit, advised that her request is for a full time General Magistrate to handle dependency cases. She referred to her letter of March 24, 2021 outlining statistics and requirements related to dependency cases, noting these cases continued throughout the COVID-19 pandemic. There is currently 1 Judge assigned to dependency cases and she is assisted only by a part-time General Magistrate.

Judge Craggs stated dependency cases, like delinquency cases, continued without pause, and once Zoom licenses were issued cases were heard via that platform, and prior to that by telephone.

Judge Craggs advised that dependency cases have many deadlines and time frames associated with them because they involve children who have been sheltered from their family based upon abuse, abandonment, or neglect. She stated the compressed time schedules that the Statute sets forth does not allow staff to provide the level of attention that these cases deserve. The request is for a full-time General Magistrate and an Administrative Assistant for that General Magistrate. These positions are requested to be permanently funded with a total cost of \$184,532.01.

Commissioner Curry opined that this request should be funded by the State, but instead the State has cut budgets. He questioned if there have been discussions with any of the local delegation regarding how things will look a couple of years out. Judge Craggs stated the request for these positions was made to the State and they will continue to attempt to secure assistance through the State, noting these requests will be heard this summer. She advised that she felt the County could not wait any longer based on the volume of dependency cases in Marion County compared to others within the 5th Judicial Circuit.

Commissioner Zalak thanked Judge Craggs for meeting individually with the Commissioners. He stated the request should be funded through a different mechanism and cannot guarantee the requested positions on a permanent basis but advised that the County can provide some assistance at this time.

General discussion ensued.

Commissioner Bryant thanked Judge Craggs and the staff that handle these cases. She

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asked that the Board work hand and hand with those that presented requests today during next year's Legislative Session, noting a 6% cut to the judiciary system is uncalled for and commented on the important role this system plays within the State and Counties.

Chairman Gold opened the floor for public comment.

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

A motion was made by Commissioner Bryant, seconded by Commissioner Zalak, to approve the funding request for a General Magistrate and an Administrative Assistant dedicated to Dependency cases.

Commissioner Zalak questioned whether the funds were coming out of the General Fund Reserve. Mr. Bouyounes advised that the funds are in a separate line item, set aside for this purpose.

1. PROCLAMATIONS AND PRESENTATIONS:

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

1.1 PRESENTATION - Update on COVID-19 - Mark Lander, Administrator, Florida Department of Health (DOH)

Administrator Mark Lander, Florida Department of Health (DOH), presented an 11 page handout entitled, "Department of Health Marion County COVID-19 Trends April 6, 2021" to follow along with the PowerPoint presentation.

Mr. Lander provided a brief update on the health statistics related to the COVID-19 pandemic, noting an average of approximately 6,000 testing samples per week over the past several weeks. He advised that the sites operated by DOH have seen a decrease in those seeking testing, noting there is capacity to test 1,000 individuals daily but only approximately 225 individuals show up daily for COVID-19 testing.

In response to Commissioner Bryant, Mr. Lander stated most testing is occurring through urgent care facilities, hospitals, and private providers. Mr. Lander advised that if numbers remain low the team in place at the Southeastern Livestock Pavilion (SELP) through April may be utilized to conduct school testing until that site is shut down.

Mr. Lander stated there were two weeks when the site was not open due to another event, but noted there is still a good deal of testing being conducted in the community. There is a slight increase in positive cases, but more testing was completed. The positivity rate has been relatively steady for the past 2 weeks.

Mr. Lander referred to a slide showing COVID-19 cases in individuals 65 years of age and older. He stated there is a red line that coincides with the time vaccines began to be administered to that age group, noting a sharp decline in COVID-19 cases from that time through yesterday. Mr. Lander advised that COVID-19 infections in those 65 years of age and up have decreased to less than 50 per week.

Mr. Lander stated the combined hospital admissions for the 3 tracked hospitals indicates the 7 day moving average is beginning to stabilize and both the 30 day and 90 day moving averages are declining. The medical-surgical bed data also shows the 7 day average is starting to level out and the 30 day and 90 day averages are showing steep drops. The Intensive Care Unit (ICU) bed data shows drops in the 7 day, 30 day and 90 day averages and the same is true of ventilator use. The combined hospital daily admissions remains below zero, which indicates more patients are being discharged than admitted.

Mr. Lander advised that the approved vaccines right now are Pfizer, the main vaccine supply for DOH, and Moderna. He stated coordination is taking place to ensure those

seeking a 2nd dose of a particular brand of vaccine can get it and complete the vaccination process. He stated limited local availability is the main issue related to the Johnson & Johnson vaccine. Mr. Lander advised that DOH makes specific requests for the Johnson & Johnson vaccine especially when performing homebound missions because it is a 1 dose shot requiring just one trip. There are also vulnerable populations that may be difficult to vaccinate and DOH coordinates with providers to get the 1 dose Johnson & Johnson vaccination to them.

The expanded vaccination priorities effective Monday, April 5, 2021, include those 18 and older for both Moderna, and Johnson & Johnson vaccine, and 16 and up for Pfizer. Those individuals under 18 seeking vaccinations are required to have parental consent and have a parent or guardian present with them at the time of vaccination.

Mr. Lander stated the Paddock Mall site has capacity to perform 3,000 new vaccinations Monday through Wednesday and 3,000 2nd doses performed on Thursday and Friday. Mr. Lander advised that the Florida Horse Park site is conducting 2,000 2nd doses this week on Monday and Tuesday, noting there is capacity to vaccinate 2,500 people on both Wednesday and Thursday.

Mr. Lander commented on advertising related to vaccination registration on Facebook, television, radio, and billboards.

Mr. Lander stated there are expanded hours at the Florida Horse Park which will be open from 10:00 a.m. until 7:00 p.m., noting several hundred individuals can be vaccinated between the hours of 5:00 p.m. and 7:00 p.m.

Chairman Gold advised that some Counties are using a "no appointment" system for vaccinating, resulting in long lines. He stated he made a test call to the number provided on local ads and his call was answered and handled professionally. Individuals can register online or by phone in Marion County.

Mr. Lander advised that as of the previous week DOH has started to work with private physicians and pharmacies which are required to be registered with FLShots as COVID-19 providers, noting there are 52 participants currently registered, but that number is expected to increase. There have been 1,710 vaccines transferred to 6 different providers, including several pharmacies in Ocala, Dunnellon, and Reddick. Mr. Lander stated these providers/pharmacies are sent a limited supply for use on a specific day, when that vaccine is used up, they reach out to DOH which performs another transfer moving doses out of the DOH inventory to that provider/pharmacy. He advised that all the registered providers can request their own vaccine.

Mr. Lander stated as of April 5, 2021, there have been 101,946 Marion County residents vaccinated and today the County has 103,303 residents vaccinated, or nearly 29% of the total population. There has been approximately 50% of the 50 and over population vaccinated and nearly 65% of those 65 and up have been vaccinated.

Mr. Lander advised that Everbridge, an emergency alert system, is being used for self-registration and can be accessed at www.tinyurl.com/MarionCOVIDvax. He stated individuals will be contacted by phone or text message notifying them of appointment availability. The individual can accept or deny the appointment. If they deny it, they will be rolled back into the system for the next available appointment. Individuals can also register by phone at 352-644-2590. There are resources available to assist the homebound population with obtaining vaccinations by registering at Homeboundvaccine@em.myflorida.com online or by phone at 866-779-6121. The Division of Emergency Management (DEM) in Tallahassee works locally with Marion County, or if an event is large enough, DEM will send teams to cover Marion County's

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homebound population. Mr. Lander stated there is a team that goes out and vaccinates Marion County's homebound veterans on the weekends.

Mr. Lander advised of the importance of continuing to observe mitigation measures.

In response to Commissioner Curry, Mr. Lander stated the original Centers for Disease Control and Prevention (CDC) guidance relating to the time frame for vaccine efficacy was 3 months, noting that as more information becomes available the time frame will likely be expanded.

Commissioner Stone questioned whether an individual requesting the Johnson & Johnson vaccine could be guaranteed that vaccine. Mr. Lander stated the County cannot guarantee that vaccine, but can refer an individual to one of the 4 Federal sites that receives it. Those sites are in Tampa, Jacksonville, Orlando, and Miami. Mr. Lander advised that once the Johnson & Johnson vaccine becomes more prevalently shipped to Marion County, DOH will advertise that and make it the County's vaccine availability of choice.

1.2. PROCLAMATION - Marion County Healthcare Decisions Day - Rick Bourne, CEO of Hospice of Marion County (Approval and Presentation)

The Board presented the Proclamation designating April 16, 2021 as "Marion County Healthcare Decisions Day" to Rick Bourne, CEO, Hospice of Marion County.

CEO, Rick Bourne, Hospice of Marion County, advised that National Healthcare Decisions Day is very important as is advanced care planning. He encouraged everyone to put in place their advanced care directives, noting the difficulty family members and other loved ones will have making decisions for others. He introduced Jessica McCune, Director Bereavement Services, Jessica McCune, Hospice of Marion County, stated "It is never too early but often too late". She advised that April 16, 2021 is National Healthcare Decision Day and Decision Day in Marion County. Ms. McCune stated there is a public art project with boards that individuals can write wishes for loved ones. She advised of a partnership with the Reilly Arts Center and the Marion Theatre, to provide two movies free of charge. She thanked those who support Hospice.

1.3. PROCLAMATION - Water Conservation Month - Jody Kirkman, Environmental Services Director (Approval and Presentation)

The Board presented the Proclamation designating April, 2021 as "Water Conservation Month" to Environmental Services Director Jody Kirkman.

Environmental Services Director Jody Kirkman advised that Marion County is proud of its natural springs, lakes and rivers and encourages the public to do its part to protect and preserve our water resources.

Water Resources Liaison Michon Fabio, Office of the County Engineer (OCE), stated there are many programs available to Marion County residents to help preserve, protect, and conserve our resources. There is a toilet rebate program that can help residents with high-flow toilets to replace them or provide a rebate to install a water efficient toilet. There is an irrigation audit program and a landscape and irrigation retrofit program available to help residents. Ms. Fabio advised that she visits schools and educates students and has a booth at many events countywide where she talks about the aquifer, water conservation, makes rain gauges and hosts other fun, hands-on activities for children and adults.

1.4. PROCLAMATION - National Public Safety Telecommunicators Week – Kyle Drummer, Public Safety Communication Director (Approval and Presentation)

The Board presented the Proclamation designating April 11-17, 2021 as “National Public Safety Telecommunicators Week” to Kyle Drummer, Director, Public Safety Communications.

Kyle Drummer, Public Safety Communications Director, stated this is an opportunity to recognize the work the Emergency Communications Professionals do, including the information technology (IT) and mapping professionals. He advised that these individuals come to work every day ready to do something that cannot be planned for. Mr. Drummer commented on the service they provide every day.

Public Safety Communications Manager Lisa Cahill expressed her appreciation for the support shown by different agencies that her organization has served over the years.

Chairman Gold shared a video recognizing 9-1-1 Telecommunicators and the hard work they perform.

Commissioner Stone out at 10:16 a.m.

1.5. PROCLAMATION - Eagle Scout Joseph John Roman (Ratification Only)

The Board ratified the Proclamation congratulating Joseph John Roman upon attaining the status of Eagle Scout in the Boy Scouts of America organization.

Chairman Gold noted it is the 10:00 hour and that Proclamations and Presentations will continue after the public hearing has concluded.

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

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

6.1. PUBLIC HEARING to Consider the Adoption of the Resolution for Maricamp Market Centre Replat Phase 1 and Phase 2 Municipal Service Benefit Unit (MSBU) for General Maintenance and Capital Improvements

Municipal Service Taxing Unit (MSTU) Director Alan Jones presented the following recommendation:

Description/Background: Ordinance Number 21-01 was adopted for the creation of the Maricamp Market Centre Replat Phase 1 and Phase 2 MSBU for General Maintenance and Capital Improvements. The next step is to consider the adoption of a resolution authorizing per acre assessment for the Maricamp Market Centre Replat Phase 1 and Phase 2 MSBU for General Maintenance and Capital Improvements and certify the assessment roll to the Tax Collector.

Budget/Impact: None.

Recommended Action: Motion to adopt the proposed Resolution for the Maricamp Market Centre Replat Phase 1 and Phase 2 MSBU for General Maintenance and Capital Improvements and certify the assessment roll to the Tax Collector and authorize the Chairman and Clerk to execute the same.

Deputy Clerk McAllister presented Proof of Publication of Display ad entitled, “Notice of Hearing for Non-Ad Valorem Assessments” published in the Star Banner newspaper on March 17, 2021. The Notice states the Board will consider adoption of non-ad valorem assessment rolls and establish the amount of non-ad valorem assessments.

MSTU Director Alan Jones advised that this is a public hearing associated with the proposed adoption of a rate Resolution for the Maricamp Market Centre Replat Phase 1 and Phase 2 for general maintenance and Capital Improvements.

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Chairman Gold opened the floor to public comment.

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

Commissioner Stone returned at 10:18 a.m.

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to adopt Resolution 21-R-146 for the Maricamp Market Centre Replat Phase 1 and Phase 2 MSBU for General Maintenance and Capital Improvements. The motion was unanimously approved by the Board (5-0).

Resolution 21-R-146 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AS GOVERNING BODY FOR THE MARICAMP MARKET CENTRE REPLAT PHASE 1 AND PHASE 2 MUNICIPAL SERVICE BENEFIT UNIT FOR GENERAL MAINTENANCE AND CAPITAL IMPROVEMENTS; ESTABLISHING A SPECIAL ASSESSMENT RATE; ADOPTING AN ESTIMATED PER PARCEL ASSESSMENT REVENUE; PROVIDING A CERTIFICATE TO THE SPECIAL ASSESSMENT ROLL FOR THE MARICAMP MARKET CENTRE REPLAT PHASE 1 AND PHASE 2 MSBU FOR GENERAL MAINTENANCE AND CAPITAL IMPROVEMENTS.

1.6. PRESENTATION - Employee Appreciation Month and Ideal Team Players 2021 - Amanda Tart, Human Resources (Presentation Only)

Description/Background: Every year since 2018, the County has held an annual Employee Appreciation Day to celebrate the hard work county employees do every day. Generally, employees and their families come out to a one-day celebration off-site during this day. However, due to circumstances this year, this was unable to happen. Instead, the county had its first ever Employee Appreciation Month.

As part of the Annual Employee Appreciation celebration, the County awards a handful of County Employees and one (1) Director the prestigious Ideal Team Player Award. This award is given to employees who encompass the virtues of humble, hungry, and smart in the workplace. An Ideal Team Player is someone who goes beyond the call of duty, puts the team's interests above their own, and is willing to hold themselves and others accountable for results and improvement within the organization. During March, we awarded six (6) Ideal Team Player employees and one (1) Ideal Team Player Director. These award winners are here today to be presented to the Board along with a summary of the overall Employee Appreciation Month event.

Budget/Impact: None.

Recommended Action: Presentation summarizing the Employee Appreciation Month and the Ideal Team Players for 2021.

Human Resources (HR) Director Amanda Tart advised of a recap of employee appreciation month for 2021, noting there will be presentations for Ideal Team Players after the presentation.

Ms. Tart commented on the annual Employee Appreciation Day that had to be cancelled this year due to COVID-19. She stated Employee Appreciation Month was implemented.

Ms. Tart advised that during the month of March the County teamed up with local businesses and restaurants to offer discount cards to employees and their families. There were free movies at the Marion Theatre, and free Kona Ice. There were 120 dozen donuts delivered across the County to all Fire Stations, Lift Stations and Substations.

Ms. Tart stated the Marion County Employees' closed Facebook group was unveiled, noting there are already over 200 members in that group. She advised that the Commissioners, Directors, and members of County Administration joined in and helped with cookouts, special breakfasts, and other surprises around the County. There were special awards given out throughout the month including Department HiCard Awards given out by Directors to staff members from other Departments. The new HiCard Kudos were given to employees by their peers.

Ms. Tart shared a video recap of the fun activities enjoyed by employees throughout Employee Appreciation Month.

The Board presented the following individuals with their Ideal Team Player Awards:

Suzie Futch	Office of the County Engineer
Tony Pellagrino	Office of the County Engineer
Mike Bates	Facilities Management
Richard Hoffman	Fleet Management
Trevor Smith	Parks and Recreation

It was noted that Michael Vann, Information Technology (IT), was unable to attend this morning but was recognized as an Ideal Team Player.

Ms. Tart announced County Engineer Tracy Straub as the Director Ideal Team Player. Chairman Gold thanked the Ideal Team Players for all their contributions to the County. Commissioner Bryant out at 10:30 a.m.

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 opened the floor for public comment.

Jim Robinson, SE 24th Street, expressed concern relating to viruses and groups of immigrants being settled in the County. He questioned what authority notifies residents of Marion County, the State, or the Country when people are being settled as a group in the community. Mr. Robinson commented on border control and residents who have died from COVID-19.

Commissioner Bryant returned at 10:33 a.m.

Rock Gibboney, NE 45th Terrace, advised that he is thankful to be born, raised and live in Marion County, Florida. He commented on the return to normalcy taking place more quickly in Florida than most other locations, the Polymerase Chain Reaction (PCR) test cycle threshold value, and statistics related to comorbidity and COVID-19 in Marion County.

Chairman Gold advised that staff could provide Mr. Gibboney with contact information for Mark Lander, Administrator, Florida Department of Health (DOH).

3. ADOPT THE FOLLOWING MINUTES: (1 set)

3.1. February 16, 2021

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to adopt the meeting minutes of February 16, 2021. The motion was unanimously approved by the Board (5-0).

5. CLERK OF THE CIRCUIT COURT:

5.1. Budget Amendment

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

5.1.1. 21-R-147 – Building Safety Fund - Building Safety - \$67,025

5.1.2. Fine and Forfeiture Fund - Fine and Forfeitures Transfers - \$677,362 was pulled for discussion

5.1.3. 21-R-148 – Fire Rescue and EMS Fund - Fire Rescue Services - \$8,455

5.1.4. 21-R-149 – General Fund - CoC HUD Planning - \$8,868

5.1.5. 21-R-150 – General Fund - County Administrator - \$30,786

5.1.6. 21-R-151 – General Fund - General Government Capital - \$21,085

5.1.7. 21-R-152 – General Fund - Jail Capital - \$20,266

5.1.8. 21-R-153 – General Fund - Marion County Public Library System - \$45,000

5.1.9. General Fund - Sheriff Capital - \$2,085,548 was pulled for discussion

5.1.10. 21-R-154 – Hills of Ocala MSTU for Recreation - Hills of Ocala Recreation - \$9,610

5.1.11. Infrastructure Surtax Capital Projects - Infrastructure Tax Emergency Communications - \$1,149,094 was pulled for discussion with Consent Agenda Item 7.1.1

5.1.12. MSTU for Law Enforcement - MSTU for Law Enforcement Transfer - \$1,098,486 was pulled for discussion

5.1.13. 21-R-155 – MSTU for Law Enforcement - Sheriff Patrol CID Transfer - \$25,000

5.1.14. 21-R-156 – Pine Run Estates MSTU for Road Improvements - Pine Run Estates Road Improvements - \$28,000

5.1.15. 21-R-157 – Rainbow Lakes Estates MSD - Rainbow Lakes Estates General Government - 15,000

5.1.16. 21-R-158 – Rainbow Lakes Estates MSD - Road and Street RLE MSD - \$5,500

5.1.17. 21-R-159 – Rainbow Lakes Estates MSTU for Road Improvements - Contracted Road Construction RLE MSTU - \$60,000

5.1.18. 21-R-160 – RLE Fire Protection MSBU - Fire Control Services - \$5,500

5.1.19. 21-R-161 – RLE Fire Protection MSBU - Fire Control Services - \$10,000

(Ed. Note: EMS is the acronym for Emergency Medical Services; CoC is the acronym for Continuum of Care; HUD is the acronym for Department of Housing and Urban Development; CID is the acronym for Criminal Investigation Division; MSD is the acronym for Municipal Service District; and RLE is the acronym for Rainbow Lakes Estates; MSBU is the acronym for Municipal Service Benefit Units.)

5.1.2. Fine and Forfeiture Fund - Fine and Forfeitures Transfers - \$677,362

Commissioner Zalak advised that a letter was received from the Sheriff relating to his normal return back funding that occurs at the end of each year.

In response to Commissioner Zalak, Budget Director Audrey Fowler stated the items are related to returned funds requested to be earmarked for Capital Improvements. She stated this is so the funding does not remain in the MSTU for Law Enforcement and Fine and Forfeiture funds and can be tracked to ensure the funds are applied in the Board's intended purpose. This transfers the funds into the General Fund and places them into a department where they can be tracked and managed appropriately. Ms. Fowler advised that these 3 items are specifically addressing the Capital portion of the letter. She stated those budget amendments were not completed and as she prepares the budget for next year, this will ensure those funds are not lost and do not require corrections later.

Commissioner Zalak questioned where the funding for Capital Improvements is being moved. Ms. Fowler advised that the money is in the General Fund in a Sheriff's Capital Improvement Cost Center, noting it is not currently assigned to any specific project. She stated a Capital Improvement Consent Item would have to come before the Board to move ahead with a project, this action is strictly moving the funds into the appropriate account so they can be assigned and managed as decisions are made.

County Administrator Mounir Bouyounes advised that the County is still working with the Sheriff to develop a list of projects. He stated the money is being placed in 1 account to ensure it does not get budgeted again or misappropriated.

In response to Commissioner Zalak, Ms. Fowler advised that all of the Capital are in Capital Cost Centers in the General Fund and they are managed by Facilities, noting the funds are not in the Facilities Department budget because that is an operating department of recurring expenditures. She stated this was done to avoid mixing 1 time Capital expenses with the Facilities Department's operating budget, and it provides transparency. Chairman Gold questioned what happens to those funds for a project if the Board does not approve an item. Ms. Fowler stated the money will stay there earmarked for that purpose until the Board decides or gives direction either to spend it or to not spend the funds.

Commissioner Zalak opined that the funds should come back to the Board and be allocated appropriately for the next budget.

Mr. Bouyounes stated the Board can make the decision to hold on to the funds until the budget workshop.

General discussion ensued.

In response to Commissioner Bryant, Mr. Bouyounes stated the discussion was separate from the budget process, noting the money became available at the end of last year because it was not spent and the Sheriff made the request to the Board, which agreed to the request.

Commissioner Zalak questioned whether these projects will be separate from the CIP. Ms. Fowler advised that the projects will be part of the CIP.

Mr. Bouyounes stated staff can bring a separate list of projects at any Board meeting where the projects can be approved and the funds spent, or the Board can direct staff to wait until the Budget workshops and bring a list of Capital projects and the Board can decide at that time.

Commissioner Zalak stated the funds should be viewed in the entire scope of the projects that need to be done at the Sheriff's Office.

In response to Commissioner Zalak, Mr. Bouyounes stated the Sheriff would like to add a 2nd floor to the Operation building, add parking, and expand the fleet facility.

A motion was made by Commissioner Curry, seconded by Commissioner Zalak, to approve the transfer of funds and to adopt Resolutions 21-R-162, 21-R-163 and 21-R-164. The motion was unanimously approved by the Board (5-0).

Commissioner Zalak questioned whether guidance can be given relating to how the items will be brought in front of the Board.

Commissioner Stone stated it would be a good idea to have a priority list of Capital Improvement Projects.

Mr. Bouyounes advised that the list will be provided during the Budget workshop process unless there is a pressing item.

5.1.9. 21-R-163 – General Fund - Sheriff Capital - \$2,085,548

(This matter was discussed with Item 5.1.2.)

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5.1.12. 21-R-164 – MSTU for Law Enforcement - MSTU for Law Enforcement Transfer - \$1,098,486

(This matter was discussed with Item 5.1.2.)

5.2. Clerk of the Court Items

5.2.1. Request Approval to Transfer Project Funds and Amend the Capital Improvement Program (CIP) Within the Marion County Utility Fund

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

Description/Background: Environmental Services, Utilities Division, is requesting to transfer funds from the Smart Water Project UTC000155 to the Automated Meter Reading Project UTC000117 to cover the cost of additional water meters required for new construction taking place.

Requesting to transfer \$100,000 from UTC000155 - ZF448536-563102 Smart Water Project to UTC000117 - ZF448536-563102 Automated Meter Reading Project.

Budget/Impact: Neutral.

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

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

5.2.2. Request Approval to Transfer Project Funds and Amend the Capital Improvement Program (CIP) for Projects Within the Infrastructure Surtax Capital Projects Fund

Clerk Harrell presented the following recommendation from County Administrator Mounir Bouyounes:

Description/Background: To re-appropriate Sales Surtax 1 project budgets as follows:

Transportation:

- SW 49th/40th Ave Ph 2 (S128807)(STC073807) Closeout and reduce by \$281,497 re-appropriating to STC073804

- NE Hwy 315 (S128858)(STC073858) Closeout and reduce by \$445,888 re-appropriating to STC073804

- S Hwy 314A (S128860)(STC073860) Closeout and reduce by \$239,959 re-appropriating to STC073804

- SE 182nd Avenue Rd (S128861)(STC073861) Closeout and reduce by \$9,580 re-appropriating to STC073804

- SW 49th/40th Ave Ph 1 (S128804)(STC073804) Increase by \$976,924 in CST

- NW 80th/70th Ave (S128866)(STC073866) Reduce by \$2,297,963 re-appropriating to STC073868 and STC073812

- NW 80th Ave at SR 40 (STC073868) Increase by \$1,735,990 for CST

- NW 80th/70th Ave (STC073812) Increase by \$561,973 for DES

Budget/Impact: Neutral.

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

This item was addressed with Item 7.1.1.

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

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

7.1. Administration:

7.1.1. Request Approval of Revised 2016/17 - 2020/21 One (1) Cent Infrastructure Sales Surtax Capital Projects Fund Schedule (Budget Impact - Neutral)

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

Description/Background: The attached schedule update shows actual expenditures in FY 19/20 and budgeted amounts in FY 20/21. This schedule reflects additional changes made to the FY 20/21 budgets in Fire Rescue, Emergency Communications, and Transportation that are detailed on a Budget Amendment Request (BAR) and Project Budget Adjustment Entry (PAJ) on this same agenda.

Budget/Impact: Neutral; budget changes handled with Budget Amendment Requests on this agenda.

Recommended Action: Motion to approve the revised 2016/17 - 2020/21 One (1) Cent Infrastructure Sales Surtax Capital Projects Fund Schedule.

5.1.11. 21-R-165 – Infrastructure Surtax Capital Projects - Infrastructure Tax Emergency Communications - \$1,149,094

5.2.2. Request Approval to Transfer Project Funds and Amend the Capital Improvement Program (CIP) for Projects Within the Infrastructure Surtax Capital Projects Fund

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to approve the revised 2016/17 - 2020/21 One (1) Cent Infrastructure Sales Surtax Capital Projects Fund Schedule. The motion was unanimously approved by the Board (5-0).

7.2. Attorney:

7.2.1. Request Approval of Memorandum of Understanding Between the Board of County Commissioners of Marion County and William “Billy” Woods, as Sheriff of Marion County (Budget Impact - None)

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

Description/Background: On February 2, 2021, the Board of County Commissioners adopted Ordinance Number 21-03 which makes it unlawful for any person to engage in using a simulated gambling device. The attached Memorandum of Understanding sets out the written enforcement policy of the Ordinance.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Memorandum of Understanding between the Board of County Commissioners of Marion County and William “Billy” Woods, as Sheriff of Marion County.

7.3. Community Services:

7.3.1. Request Approval of a Contract Agreement for FY 20/21 Between Marion County and Shepherd's Lighthouse for COVID-19 Response Program with Emergency Solutions Grant Coronavirus (ESG-CV) Funds (Budget Impact - Neutral; not to exceed \$39,000)

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

Description/Background: On May 5, 2020, the Board approved a submission of a Substantial Amendment to the Five (5) Year Consolidated Plan 2019-2023 to include additional funding to prepare, prevent, and respond to the COVID-19 pandemic. Activities covered in the substantial amendment for ESG-CV are: Shelter Operation, Emergency Temporary Shelter, Housing Stabilization, Homeless Management Information System (HMIS), Homeless Prevention, Rapid Rehousing, and Outreach.

Shepherd's Lighthouse is a community service non-profit organization with a goal of providing the means of self-sufficiency and empowerment for people in need throughout Marion County. With the COVID-19 Pandemic, the need for services has greatly increased. The services this grant will cover include emergency shelter to homeless persons, providing rapid rehousing assistance, and providing homeless prevention.

Budget/Impact: Neutral; not to exceed \$39,000.

Recommended Action: Motion to approve and authorize Chair to execute Marion County's Agreement with Shepherd's Lighthouse for COVID-19 Response Program with ESG-CV Funds.

7.4. Development Review Committee:

7.4.1. Request Approval of Final Plat for Longleaf Ridge Phase III Subdivision, Application Number 25959 (Budget Impact - None)

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

Description/Background: On March 15, 2021, the Development Review Committee approved the Final Plat for the Longleaf Ridge Phase III subdivision and recommended that the Board approves and authorizes execution by the Chair and the Clerk. This subdivision is located in the southwest portion of the County and contains 184 lots and eight (8) tracts on 78.71 acres with 2.47 miles of private road.

Budget/Impact: None.

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

7.4.2. Request Approval of Final Plat 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: On March 15, 2021, the Development Review Committee approved the Final Plat for the Calesa Township Roan Hills Phase 1 subdivision and recommended that the Board approves and authorizes execution by the Chair and the Clerk. This subdivision is located in the southwest portion of the County and contains 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 subject plat and to authorize the Chair and Clerk to execute the same.

7.4.3. Request Approval of Waiver Request for LDC 2.16.1.B(8)(g) - Agricultural Lot Split Establishment of County MSBU for Hammock Lane North, Parcel Number 07244-000-01, Application Number 26410 (Budget Impact - None)

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

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

The applicant requests waiver to provide an Easement Agreement for maintenance requirements and HOA documents. This agricultural lot split is located in the northwest portion of the County and contains eight (8) lots on 80.56 acres.

DRC action on March 22, 2021, by a vote of 5-0, was to approve the waiver to the MSBU establishment.

Budget/Impact: None.

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

7.4.4. Request Approval of Waiver Request for LDC 2.16.1.B(8)(g) - Agricultural Lot Split Establishment of County MSBU for Hammock Lane South, Parcel Number 07244-001-00, Application Number 26412 (Budget Impact - None)

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

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

The applicant requests waiver to provide an Easement Agreement for maintenance requirements and HOA documents. This agricultural lot split is located in the northwest portion of the County and contains eight (8) lots on 80.66 acres.

DRC action on March 22, 2021, by a vote of 5-0, was to approve the waiver to the MSBU establishment.

Budget/Impact: None.

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

7.5. Human Resources:

7.5.1. Request Approval of Resolution for the Addition of One (1) Continuum of Care (CoC) Administrative Assistant, Pay Grade 13, Within the Community Services Department AA348564 (Budget Impact - \$49,966)

The Board considered the following recommendation to adopt a Resolution as presented by HR Director Tart:

Description/Background: The Board of County Commissioners became the lead collaborative applicant for the Ocala/Marion County Continuum of Care (CoC) with the opening of the Joint Office of Homelessness in July 2020. The responsibilities of the lead collaborative applicant include applying for and managing the grant agreements on behalf of the continuum through Department of Housing and Urban Development (HUD) and Department of Children and Families (DCF), as well as ensuring regulatory compliance with all other responsibilities of the CoC. A CoC Manager was hired to oversee this work and administrative support is needed to help carry out the scope of work, including maintaining the membership records for the continuum, taking minutes for meetings, and assisting with grant reporting. Budget/Impact: Expenditure of \$49,966.

Recommended Action: Motion to approve the attached resolution for the addition of one (1) Continuum of Care (CoC) Administrative Assistant, pay grade 13, within Community Services Budget AA348564.

In response to Commissioner Zalak, Community Services Director Cheryl Martin advised that the position is being paid for out of the Continuum of Care (CoC) budget.

Mr. Bouyounes stated the position is paid for by grant money received from the State and Federal Government as the County is now managing the CoC.

Ms. Martin advised that when the Board originally approved the transition of the CoC to the County, an organization chart was brought back and after hiring the CoC Manager the decision was made to allow that individual to decide what was needed to help run that organization.

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

Commissioner Gold out at 10:59 a.m.

In response to Commissioner Bryant, Ms. Martin stated the County received Emergency Solutions Grant Coronavirus (ESG-CV) dollars and still has some of those funds available for homeless prevention and rapid rehousing dollars. She advised that the CoC and the County have ESG dollars and having those funds in house will align how it is used and avoid any duplication of services. Ms. Martin advised that CoC dollars have an earlier expenditure deadline and as they are being spent down, the County is supplementing with ESG dollars it received.

In response to Commissioner Bryant, Ms. Martin stated Shepherd's Lighthouse is housing homeless individuals that are either in their shelter or are brought to them through the coordinated entry process. She advised that she could provide the Board with the most recent audit.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to adopt Resolution 21-R-168 for the addition of one (1) Continuum of Care (CoC) Administrative Assistant. The motion was unanimously approved by the Board (5-0).

Resolution 21-R-168 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE ADDITION OF ONE (1) CONTINUUM OF CARE ADMINISTRATIVE ASSISTANT, PAY GRADE 13; WITHIN THE COMMUNITY SERVICES DEPARTMENT AA348564;

ALONG WITH THE CORRESPONDING JOB DESCRIPTIONS AND PAY GRADES AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

Commissioner Gold returned at 3:43 p.m.

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

7.5.2. Request Approval to Rehire a Retired Employee Within the Marion County MSTU Department (Budge Impact - None)

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

Description/Background: Following an extended temporary assignment within the department, Yvonne Morson-Mitchell was offered the part-time position of Assessment Specialist I. Ms. Morson-Mitchell is a retired employee from Marion County Legal and will be coming in at eight percent (8%) above the minimum of the Assessment Specialist I, based on her 30+ years of experience with the County. Her retirement date from the Pension plan after participation in the Deferred Retirement Option Program (DROP) was September 30, 2019.

According to the Marion County Board of County Commissioners Employee Handbook Section 9.04, all employees that have formally retired from the Florida Retirement System must have Board approval for their rehire. Therefore, we respectfully request the approval to rehire Yvonne Morson-Mitchell, as a part-time Assessment Specialist I for the Marion County MSTU department.

Budget/Impact: None.

Recommended Action: Motion to approve the request to rehire Yvonne Morson-Mitchell as an Assessment Specialist I for the Marion County MSTU department.

7.5.3. Request Approval of Resolution for the Reclassification of the Marion Oaks Maintenance Technician Equipment Operator Position, Pay Grade 8-10, to a Marion Oaks Maintenance Technician Equipment Operator Position, Pay Grade 8-12, Within the MSTU Department HH512541 (Budget Impact - \$2,475)

The Board accepted the following recommendation to adopt Resolution 21-R-166 as presented by HR Director Tart:

Description/Background: The MSTU Marion Oaks General Services Unit would like to add an additional level to their existing matrix for the Marion Oaks Maintenance Technician/Equipment Operator position. This tier of the matrix will add a level of advanced support to the equipment maintenance shop, reducing downtime of equipment for needed repairs.

This change will result in a \$2,475 annual increase. The department has the funds within their salaries line item and a budget amendment is not required.

Budget/Impact: Expenditure of \$2,475.

Recommended Action: Motion to approve the attached resolution for the Reclassification of the Marion Oaks Maintenance Technician Equipment Operator position, pay grade 8-10, to a Marion Oaks Maintenance Technician/Equipment Operator position, pay grade 8-12, within the MSTU Department HH512541.

Resolution 21-R-166 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE RECLASSIFICATION OF MARION OAKS MAINTENANCE TECHNICIAN EQUIPMENT OPERATOR, PAY GRADE 8-10; TO A MARION OAKS MAINTENANCE TECHNICIAN EQUIPMENT OPERATOR, PAY GRADE 8-

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12; WITHIN THE MSTU DEPARTMENT HH512541; ALONG WITH THE CORRESPONDING JOB DESCRIPTION AND PAY GRADE AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

7.5.4. Request Approval of Resolution for the Creation of One (1) Conservation Technician Position, Pay Grade 12, Within the Marion County Soil and Water Conservation District Department Budget AA147537 and the Approval of the Inter-local Agreement Between the Marion County Board of County Commissioners and the Marion Soil and Water Conservation District (MSWCD) (Budget Impact - Neutral)

The Board accepted the following recommendation to adopt Resolution 21-R-167 as presented by HR Director Tart:

Description/Background: Marion Soil and Water Conservation District (MSWCD) is an independent special district serving Marion County. The mission of the MSWCD is to provide the administration of programs to conserve soil and improve water quality and quantity on private lands in Marion County.

The Florida Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy (OAWP), is authorized to develop and adopt agricultural Best Management Practices (BMPs) and to assist agricultural producers with BMP implementation. In order to facilitate BMP implementation and verification within the Suwannee River, St. Johns River, and Southwest Florida Water Management District (SRWMD, SJRWMD, and SWFWMD), FDACS has contracted with various soil and water conservation districts to provide technical assistance to producers with BMP enrollment and implementation as well as compliance with SB 712 - Clean Waterways Act.

In order to increase BMP implementation assistance, FDACS has contracted with MSWCD to fund two (2) technician positions to carry out these duties. MSWCD has found it challenging to fill these positions with qualified contract employees (1099). In an effort to improve recruitment of these positions, MSWCD reached out to other districts within the state for guidance; many districts have inter-local agreements with their counties to assist in implementation of these positions.

The MSWCD is requesting the Marion County Board of County Commissioners to employ the Conservation Technician positions on behalf of the MSWCD. The MSWCD will reimburse the County for the full loaded cost of the positions as outlined in the attached inter-local agreement. One (1) existing position was grandfathered in as a 1099 contractual labor position and will remain employed through the District, until such time the position is no longer occupied. At that point, the second Conversation Technician position would fall under the terms as laid out in the attached Agreement. If at any time funding for these positions is lost, the County has no obligation to continue employment.

Budget/Impact: Neutral.

Recommended Action: Motion to approve a Resolution for the creation of one (1) Conservation Technician position, pay grade 12, within the Marion County Soil and Water Conservation District department AA147537 and approval of the inter-local agreement between the Marion County Board of County Commissioners and the Marion Soil and Water Conservation District.

Resolution 21-R-167 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE CREATION OF ONE (1) CONSERVATION TECHNICIAN, PAY GRADE 12; WITHIN THE MARION COUNTY SOIL AND WATER CONSERVATION DISTRICT DEPARTMENT AA147537; ALONG WITH THE CORRESPONDING JOB DESCRIPTION AND PAY GRADE AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

7.6. Parks and Recreation:

7.6.1. Request Approval of Horse Fever 2020 Horse Donation and Letter Recognizing Marion Cultural Alliance and Anonymous Donors (Budget Impact None)

The Board accepted the following recommendation as presented by Parks and Recreation Director, Jim Couillard:

Description/Background: The year 2020 marks the 20th Anniversary of the Marion Cultural Alliance's (MCA) Horse Fever public art initiative. In the later months of 2020, the Parks and Recreation Department was approached by the MCA with the possibility of a horse being displayed at a county park.

The Department proposed that a sports-themed painted horse be displayed at Rotary Sportsplex to tie in to the 2020/2021 Cal Ripken 8U World Series event coming to the park in August 2021. The logo created for the World Series includes an image of a horse in recognition of equine industry in Marion County.

In partnership with the County's Parks and Recreation Department, Marion Cultural Alliance obtained an anonymous donor to cover the costs to commission "Slugger" at no cost to Marion County. "Slugger" was designed and painted by the artist Gene Hotaling and features a predominantly baseball theme with some soccer nuances to fit the activities that occur at Rotary Sportsplex.

Upon approval of accepting this donated piece of public art, a location at the park will be selected to permanently display "Slugger" thus allowing the thousands of players, spectators and park visitors who frequent the park to see the horse.

Marion County is grateful for the consideration by MCA to obtain "Slugger" and for the donors who provided the funding needed to allow this to occur.

Budget/Impact: None.

Recommended Action: Motion to accept Horse Fever 2020 "Slugger" and authorize Chairman to sign attached letter recognizing MCA and anonymous donors.

7.7. Procurement Services:

7.7.1. Request Approval of Second Contract Renewal: 19B-111, Yard Waste and Mulching - D&G Solutions Group LLC, Ocala, FL (Budget Impact - Neutral; annual expenditure of \$487,066 as approved in FY 20/21 budget)

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

Description/Background: On March 19, 2019, the Board approved a contract with D&G Solutions Group LLC (D&G) for yard waste mulching and disposal. Yard waste at the Baseline Landfill and the 18 recycling centers is comprised of green and dried material such as: leaves, limbs, fronds, branches, and dirt collected from residential and commercial sources. This material is transferred to a location toward the rear of Baseline Landfill so the contractor can conduct operations out

of the general public's access. Citing an increase in the cost of fuel, D&G has requested a rate increase of 1.4%, to be effective May 1, 2021. This would increase the grinding portion of the contract from \$13.75 to \$13.94 per ton; meanwhile, the transportation portion of the contract would remain the same at \$2.50 per ton. This brings the price to \$16.44 per ton to process and haul. The contractor has complied with the original agreement's terms and conditions, which includes up to (4) annual renewal options. Solid Waste has provided a positive evaluation, and Environmental Services Director, Jody Kirkman, recommends a one (1) year renewal.

Attached for review is a draft modification. Pending approval at today's meeting, it will be sent to D&G Solutions Group LLC for signature and upon return, will be forwarded for the County Attorney's, Clerk's, and Chairman's signatures.

Budget/Impact: Neutral; expenditure shall not exceed \$487,066 as approved in FY 20/21 budget.

Recommended Action: Motion to approve rate increase and allow staff to issue contract renewal and, upon approval by Legal, authorize the Chairman to execute the Second Contract Renewal with D&G Solutions Group LLC under 19B-111.

7.7.2. Request Approval of Selection Committee Recommendation: 21P-060, Debris Response Operations, Phase 3 Debris Monitoring Services - Tetra Tech Disaster Recovery - Pasadena, CA (Budget Impact - Neutral; ceiling price of \$30,000 at the time of a disaster, 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 Marion County Office of the County Engineer (OCE), Procurement advertised a Request for Proposal (RFP) for debris monitoring services to monitor roadway debris clearance (first push efforts) during an emergency event response period. The work will include damage assessments and monitoring debris clearance activities in an effort to restore essential traffic.

Two (2) submittals were received, evaluated, and scored by the Selection Committee: John Mansfield, George White, and Michael McCain.

The selection Committee recommended Tetra Tech Disaster Recovery, working out of their local Orlando office, as the highest scoring qualified firm as shown below:

FIRM - <i>City, State</i>	SCORE	RANK
Tetra Tech Disaster Recovery - Pasadena, CA	210	1
DebrisTech, LLC - Picayune, MS	190	2

OCE and Procurement negotiated with Tetra Tech regarding 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 ceiling price \$30,000.

Recommended Action: Motion to approve recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute the contract with Tetra Tech Disaster Recovery under RFP 21P060.

7.7.3. Request Approval of Selection Committee Recommendation: 21P-061, Debris Response Operations, Phase 4 Debris Monitoring Services - Tetra Tech Disaster Recovery - Pasadena, CA (Budget Impact - Neutral; ceiling price of \$3,000,000 at the time of a disaster, 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 Marion County Office of the County Engineer (OCE), Procurement advertised a Request for Proposal (RFP) to select a debris monitoring service for the monitoring of debris collection, staging, and disposal during an emergency event recovery period. The work will include damage assessments, reporting, and monitoring of debris related activities such as collection, transportation, staging, reduction, or other processing, and final disposal in an effort to recover from an event.

Three (3) submittals were received, evaluated, and scored by the Selection Committee: John Mansfield, George White, and Michael McCain. The Selection Committee recommended Tetra Tech Disaster Recovery, working out of their local Orlando office, as the highest scoring qualified firm as shown below:

FIRM - City, State	SCORE	RANK
Tetra Tech Disaster Recovery - Pasadena, CA	210	1
Thompson Consulting Services - Lake Mary, FL	180	2
DebrisTech, LLC - Picayune, MS	170	3

OCE and Procurement negotiated with Tetra Tech regarding 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 ceiling price \$3,000,000.

Recommended Action: Motion to approve recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute the contract with Tetra Tech Disaster Recovery under RFP 21P061.

7.7.4. Request Approval of Contract Execution: 20Q-161, Construction Managers - Dinkins Construction LLC (Ocala, FL), Cullison-Wright Construction Corp. (Ocala, FL), Ethridge Construction of Marion County, Inc. (Ocala, FL), D.E Scorpio Corporation (Gainesville, FL), Ausley Construction Company LLC (Ocala, FL), and Charles Perry Partners, Inc. (Gainesville, FL) (Budget Impact - None)

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

Description/Background: At the December 1, 2020 Board meeting, Procurement brought before the Board the Request for Approval of Selection Committee Recommendation for Request for Qualifications (RFQ) 20Q-161) Construction Managers. Since Board approval, Facilities Management has been working alongside Procurement to draft a Contract to reflect current market rates and create consistency in the Construction Manager process. Please see below proposed rates.

<u>Project Value (Construction Budget)</u>	<u>Fee%</u>
Project value up to \$1,000,000	8% of total Project value
Project value from \$1,000,001 to \$2,000,000	7% of total Project value

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Project value from \$2,000,001 to \$3,000,000 6.5% of total Project value

Project value from \$3,000,001 to 4,000,000 6% of total Project value

Attached are the draft Contracts. Pending approval at today's meeting, they will be sent out to the firms as written and, upon return, will be forwarded for the County's Attorney's, Clerk's, and Chairman's signatures.

Budget/Impact: None; Task Orders will be negotiated individually, as assigned. Task Orders that exceed the \$50,000 threshold will be brought before the Board for review and approval.

Recommended Action: Motion to approve Contract draft, allow Staff to issue Contracts, and upon approval by Legal, authorize the Chairman to execute Contracts to firms listed, under RFQ 20Q-161.

7.7.5. Request Approval of Bid Award: 21B-100, US 441 Forcemain Extension Phase 2 - Hartman Civil Construction Co., Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$393,700 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 Marion County Utilities (MCU), Procurement advertised a bid for construction of approximately 5,420 linear feet of 12" forcemain along SE 143rd Lane, SE 87th Terrace Road, SE 142nd Lane, SE 90th Court, SE 140th Place, and SE 91st Terrace from US Hwy 441. This forcemain will connect the south end of Spruce Creek Golf and Country Club sewer system to the Stonecrest Waste Water Treatment Facility (WWTF). Six (6) contractors responded, with Hartman Civil Construction Co., Inc. (Hartman) submitting the lowest bid. The tabulation is below:

FIRM NAME - LOCATION	BID
Hartman Civil Construction - <i>Ocala</i>	\$393,700.00
T&C Underground - <i>Ocala</i>	\$446,275.00
Marion Rock - <i>Ocala</i>	\$467,982.00
Onyx Site Services - <i>Palatka</i>	\$533,335.25
Zorn - <i>Ocala</i>	\$568,431.31
Eco-2000 - <i>Bushnell</i>	\$729,320.00

Environmental Services Director, Jody Kirkman, supports Staff's recommendation to award this contract to Hartman. Funds for this project in the amount of \$125,984 will be reimbursed through a St. John's River Water Management District (SJRWMD) grant.

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

Budget/Impact: Neutral; total contract value shall not exceed \$393,700 with \$125,984 being reimbursed through SJRWMD grant. Up to ten percent (10%) contingency is allowed 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 Hartman Civil Construction Co., Inc. under 21B-100.

7.7.6. Request Approval of First Contract Renewal: 18P-112, Combined Mowing and Litter - Extreme Enterprises of Marion County, Inc., Ocala, FL (Budget Impact - Neutral; annual expenditure of \$1,390,000 as approved in FY 20/21)

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

Description/Background: On March 20, 2018, the Board approved a contract with Extreme Enterprises of Marion County, Inc. for combined roadside, slope, and finish mowing countywide, with roadside and slope mowing for the SE and SW quadrants. Litter pickup and removal in these areas are also included. Contract award allows for two (2), two (2) year renewals. This is the first two (2) year renewal after the initial three (3) year term. The Office of the County Engineer (OCE) has provided positive evaluation, and OCE Director, Tracy Straub, recommends a two (2) year renewal.

Attached for review is a draft modification. Pending approval at today's meeting, it will be sent to Extreme Enterprises of Marion County, Inc. for signature and upon return, will be forwarded for the County Attorney's, Clerk's, and Chairman's signatures.

Budget/Impact: Neutral; expenditure shall not exceed \$1,390,000 as approved in FY 20/21 budget.

Recommended Action: Motion to approve contract renewal and allow staff to issue contract renewal and, upon approval by Legal, authorize the Chairman to execute the First Contract Renewal with Extreme Enterprises of Marion County, Inc. under 18P-112.

In response to Commissioner Zalak, County Engineer Tracy Straub, OCE, advised that she does not have the figures relating to litter pick up. She stated this Item is a continuation of the contract that was negotiated in 2018, noting enhanced mowing cycles and enhanced litter pick up occurred at that time. The contractor does add in specific opportunities in the non-mowing season and on finished roads (curb and gutter), the contractor added additional work to aid them in keeping up with the cycle.

Commissioner Zalak questioned whether Solid Waste monitors the contractor's tonnage. Mr. Kirkman advised that the Solid Waste Department does monitor the contractor's tonnage and that of all the litter crews. He noted the report included is from February and updated statistics can be provided.

In response to Commissioner Zalak, Ms. Straub stated "in house" mowing includes the north side of the County and the small crew there will pick up some trash in front of them, noting coordination takes place to have the litter crew run in front of the mowing, but due to timing issues there can be a delay between the 2 operations.

Commissioner Zalak questioned what classification type the contractor will fall under. Mr. Kirkman stated he could get that information for the Board.

In response to Commissioner Zalak, Ms. Straub advised that there are 8 full-service cycles on curb and gutter roads, 6 cycles on regular roadside, 2 cycles on designated slope areas (usually at bridge approaches), and 1 cycle on graded roads. There are 2 additional litter pickups done during non-mowing season, and there are 2 specific cycles performed from December through March. She noted this related to roadside only.

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to approve and allow staff to issue contract renewal and, upon approval by Legal, authorize the Chairman to execute the First Contract Renewal with Extreme Enterprises of Marion County, Inc. under 18P-112. The motion was unanimously approved by the Board (5-0).

7.7.7. Request Approval of Bid Award: 21B-081, US 27 at CR 225A Intersection Improvement - Commercial Industrial Corp., Ocala, FL (Budget Impact - Neutral; expenditure of \$6,628,268 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 of Engineer (OCE), Procurement Services advertised a bid to widen the existing roadways/intersection into four (4) lane divided roadways/intersection with turn lanes, bike lanes, curb and gutter, concrete sidewalks, shared use path, median, storm drainage retention areas, pavement markings, traffic signalization, ditches, berms, driveways, water mains, and sanitary sewer mains. Four (4) submittals were received, with one (1) deemed non-responsive due to an incomplete submittal. County Engineer, Tracy Straub, requests to contract with Commercial Industrial Corp. (CIC), the lowest responsive bidder based on the tabulation below:

CONTRACTOR NAME - City	BID
Commercial Industrial Corp. - Ocala, FL	\$6,628,268.26
Anderson Columbia - Ocala, FL	\$6,807,027.07
CW Roberts Contracting - Ocala, FL	\$7,335,968.01
Craggs Construction Company - Ocala, FL	Incomplete

Attached for review is a contract draft. Pending approval at today's meeting, it will be sent for the contractor's signatures and upon return, will be routed to the County Attorney, Clerk and Chairman for signatures.

Budget/Impact: Neutral; project cost is \$6,628,268. Up to fifteen percent (15%) 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 Commercial Industrial Corp., the lowest responsible bidder for 21B-081.

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

Pending Requisition/Data Flow Systems, Inc. - Marion County Utilities requests approval to purchase System Control and Data Acquisition (SCADA) systems for the following five (5) water treatment plants (WTP): Spruce Creek Country Club WTP #1 (\$27,650), Kunal WTP (\$27,650), Spruce Creek South WTP #1 (\$27,650), Spruce Creek South WTP #2 (\$25,700), Golden Ocala WTP #2 (\$27,650) and two (2) WTP program upgrades for Ashley Farms WTP (\$3,418), and Salt Springs WTP (\$2,118). The SCADA systems will allow the department to have remote access to the facilities to allow for control and monitoring. **Total Expenditure \$141,836; funds are available in line ZF448536-563102.** *This system was approved by the BCC on June 6, 2010 as a standardization under 10ST-194.*

Recommended Action: Motion to approve requested purchases.

7.8. Transportation - County Engineer:

7.8.1. Request Approval of a Proposed Short Term Lease Between Paddock Mall, LLC and Marion County (Budget Impact - Neutral; expenditure of \$6,800)

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

Description/Background: This is a request to approve a short-term Lease between Paddock Mall, LLC and Marion County for four (4) months effective March 15, 2021 through July 2021 for Unit 328A containing approximately 1,100 square feet and the rental amount is \$6,800 (\$1,700 per month for four (4) months) with no security deposit.

The leased space is for the operation of the COVID-19 Vaccination Clinic Command Center being used as an office for planning and logistics meetings, state and local conference calls, and support services for the Vaccination Clinic. Staffing in the Command Center includes, but is not limited to, the Incident Commander, logistics lead, safety lead, Department of Health leaders, Marion County Emergency Management, and is operational during all hours of the vaccination clinic.

Budget/Impact: Neutral; expenditure of \$6,800 (General Fund - Rentals & Leases - Buildings - AA33851-544401).

Recommended Action: Motion to approve the short-term Lease associated with the COVID-19 Vaccination Clinic Command Center and authorize the Chair and Clerk to execute the same.

7.8.2. Request Approval of a Corrective Statute 125 Deed Between Marion County and Bradford 159 P2, LLC (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 Corrective Statute 125 Deed associated with a previously transferred ten (10) acre parcel by Marion County to Bradford Executive Holdings, LLC dated March 7, 2019 and recorded in OR Book 6933 Page(s) 1890-1891. The proposed Corrective deed amends the name of the Grantee to Bradford 159 P2, LLC, which will match the name of the party that originally conveyed the property to Marion County on January 16, 2017 and recorded in OR Book 6558 Page(s) 1769- 1771. In addition, language has been included pertaining to the transfer of phosphates, minerals, and metals or any interest in petroleum found in Chapter 270.11 F.S.

Budget/Impact: None

Recommended Action: Motion to approve the Corrective Statute 125 deed and authorize the Chair and Clerk to execute the same.

7.8.3. Request Approval of an Estoppel Certificate Together with an Assignment, Assumption, and First Amendment to Ground Lease Between Marion County, Watts Water Quality and Conditioning Products, LLC (Assignor) and Aero Property Partners of Florida, LLC (Assignee) Located at the X35 Marion County Airport (Budget Impact - None)

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

Description/Background: This is a request for approval of an Estoppel Certificate together with an Assignment, Assumption, and First Amendment to Ground Lease between Marion County, Watts Water Quality and Conditioning Products, LLC

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(Assignor) and Aero Property Partners of Florida, LLC (Assignee) located at the X35 Marion County Airport.

Watts Water Quality and Conditioning Products, LLC (Assignor) provided notification in Fall 2020 that they are unfortunately closing this facility and are seeking an assignment of their ground lease. The Special Use Permit for Aero Property Partners of Florida, LLC (Assignee) was approved by the Board of County Commissioners during the March 16, 2021 meeting; they have also obtained approval from the Federal Aviation Administration. The terms and conditions of the Ground Lease remain in full force and effect.

Budget/Impact: None.

Recommended Action: Motion to approve the Estoppel Certificate together with an Assignment, Assumption, and First Amendment to Ground Lease, and authorize the Chair and Clerk to execute the same.

7.9. Utilities:

7.9.1. Request Approval for Water Main Extension Connection Agreement Number 20-SA-19-O Between Baken Homes, 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 Main Extension Connection Agreement requires the Owner to perform necessary improvements to obtain water service to the lot. The extension constructed to serve the owner's parcel will also create a benefit for five (5) other parcels.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Main Extension Connection Agreement Number 20-SA-19-O.

7.9.2. Request Approval for Water Main Extension Connection Agreement Number 20-SA-30-O Between D32 Invest, 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 Main Extension Connection Agreement requires the Owner to perform necessary improvements to obtain water service to two (2) lots. The extension constructed to serve the owner's parcels will also create a benefit for four (4) additional parcels.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Main Extension Connection Agreement Number 20-SA-30-O.

7.9.3. Request Approval for Water Main Extension Connection Agreement Number 20-SA-32-O Between D32 Invest, 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 Main Extension Connection Agreement requires the Owner to perform necessary improvements to obtain water service to the lot. The extension constructed to serve the subject's parcel will also create a benefit for one (1) additional parcel.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Main Extension Connection Agreement Number 20-SA-32-O.

7.9.4. Request Approval for Water Main Extension Connection Agreement Number 20-SA-39-O Between D32 Invest, 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 Main Extension Connection Agreement requires the Owner to perform necessary improvements to obtain water service to their lot, without any benefit to other surrounding parcels.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Main Extension Connection Agreement.

7.9.5. Request Approval for Water Main Extension Connection Agreement Number 20-SA-37-O Between D32 Invest, 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 Main Extension Connection Agreement requires the Owner to perform necessary improvements to obtain water service to their lot. The extension constructed to serve the Owner's parcel will also create a benefit for six (6) additional parcels.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Main Extension Agreement.

7.9.6. Request Approval for Water Main Extension Connection Agreement Number 20-SA-52-O Between Perfect Deed Homes, 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 Main Extension Connection Agreement requires the Owner to perform necessary improvements to obtain water service to their three (3) lots. The extension constructed to serve the Owner's parcel will also create a benefit for one (1) additional parcel along the route.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Main Extension Connection Agreement Number 20-SA-52-O.

7.9.7. Request Approval for Water Service Agreement Number 19-SA-10 Between Bobcat Enterprises, 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, and Customer Service Agreement required the Owner to perform necessary improvements to obtain water service to their lot. The extension constructed to serve the subject parcel on the accompanying Addendum identifies the certified construction cost for the three (3) additional benefitting parcels along the route.

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Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman to sign the Water Service Agreement Number 19-SA10.

8. COUNTY ATTORNEY: NONE

9. COUNTY ADMINISTRATOR:

9.1. Request Approval of a First Amendment to Lease of Portion of Fire Station Between the City of Ocala and Marion County

County Administrator Mounir Bouyounes, Administration, presented the following recommendation from County Engineer Straub, OCE:

Description/Background: This item has been continued from the March 16, 2021 regularly scheduled Board of County Commissioners (BCC) meeting to confirm the overall square footage being utilized in the City Fire Station #6 by County Emergency Medical Services (EMS) staff. Additionally, this has allowed time for the BCC Chairman to meet with the City Council President to discuss the proposed Amendment.

This Amendment provides for an increase of the annual rental rate up to \$12 per square foot (SF) from \$600/month to \$1,180/month, along with an update to Section 18.8 Notice. The overall leased "premises" as a satellite office for EMS contains approximately 1,180 SF, which comprises of 823 SF non-exclusive common areas such as break rooms, downstairs restrooms/showers, downstairs workout room, upstairs laundry room, parking, and upstairs dayroom and kitchen (subject to availability in coordination with the Station Captain). The remaining 357 SF provides for two (2) bunk rooms and a supply area.

The Board approved a budget amendment during the March 2, 2021 Board meeting to cover this increase through the end of the fiscal year. Funding is from the Emergency Medical Services (EMS) Fund - Professional Services - Medical to EMS Fund - Rental and Leases - Buildings.

Please note that staff has been reviewing vacant land sites in strategic locations to potentially build a new facility to handle additional crews, and has inspected other improved sites to accommodate the operation of EMS. The County is to provide sufficient notice to the City, as outlined within the existing Lease and proposed Amendment, should a cost efficient option arise. Staff recommends approval of the Amendment.

Budget/Impact: Neutral; expenditure of \$1,180/month (EMS Fund - Rentals and Leases - Buildings - AA305526-544401)

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

Mr. Bouyounes advised that the Chairman had an opportunity to meet with the City of Ocala's Council President and they discussed how the increase in rent came about, noting this is the most feasible option at this time and the County is looking for an exit as soon as possible. He stated more capacity will be needed in the area eventually and it is in the 5 year CIP. The County will locate a piece of property where a new Fire Station will be built in the general area of State Road (S.R.) 200 and Interstate 75 (I-75).

Chairman Gold advised that he had a good conversation with the President of the Ocala City Council and many points were discussed, noting areas for improvements were identified on both sides.

In response to Commissioner Bryant, Chairman Gold stated CARES Act funding was discussed as was the letter sent by the City of Ocala advising of an increase in rent. Chairman Gold advised that he made the comment the County will do whatever is necessary to protect the west side of Ocala with Fire Rescue services. He stated the price of the rental space was reevaluated, noting the Ocala Fire Rescue (OFR) Chief was directed to look at everything at that site. The OFR Chief performed a breakdown of the space utilization within that premise and came up with a figure of \$2,700.00. There was another discussion that resulted in the current amount of \$1,180.00 per month. Chairman Gold advised that the Ocala City Manager stated there would not be an eviction of MCFR from that site.

Chairman Gold stated CARES Act funding was discussed and he reiterated the purpose of how these funds were put in the budget was for exactly how they are being used today with the State Attorney's Office and the Judges.

In response to Commissioner Bryant, Chairman Gold advised that the City Manager for Ocala stated her Procurement team wrote the original letter and she sent the email.

Commissioner Stone expressed disappointment in the outcome of these discussions and the City of Ocala not looking at the arrangement as a partnership for the citizens of Marion County that live within the City limits.

Chairman Gold stated there have been other conversations with the Ocala Council President who was not aware of some items, including Emergency Management issues. Commissioner Stone questioned whether the County could choose not to execute the lease and stay with the current rate until another location is secured. Chairman Gold advised that the City of Ocala wants to keep the negotiated rate of \$1,180.00.

In response to Commissioner Stone, Chairman Gold stated the cost of another facility that can house 2 ambulances with a cooking station and more, would likely be more than \$1,100.00. He advised that if the Board would like for him to go back and try to renegotiate the amount, he is willing.

Commissioner Bryant expressed concern regarding how the matter was handled by the City of Ocala.

A motion was made by Commissioner Curry, seconded by Commissioner Zalak, to approve the amendment.

Commissioner Bryant expressed concern with how this matter was handled, noting those involved know there is a process by which Governmental entities work when it comes to budgeting and expenditures, and to ask for an increase right after the fiscal year approval of County budgets is not appropriate. She commented on the terms of the lease, noting she will not support this agreement because this should be treated as a partnership due to the services provided by MCFR.

The motion passed by a vote of 3-2, with Commissioner Bryant and Commissioner Stone dissenting.

9.2. Request Approval to Submit the Lowell Area Central Water System Funding Request Through the Community Project Funding Program of Federal Appropriations

Assistant County Administrator (ACA) Jeannie Rickman, Administration, presented the following recommendation:

Description/Background: The Lowell Area, located in Northwest Marion County, includes the Florida Fire College which has been identified with onsite groundwater contamination by perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), as well as soil contamination detected above the Florida Department of Environmental Protection's ("FDEP") provisional cleanup target levels. FDEP

advised the Florida Department of Health (“DOH”) of these results and directed the DOH to develop and implement a community sampling plan. As of September 26, 2019, one-hundred seventy (170) supply wells have been sampled; water produced by fifteen (15) of these wells had levels of PFOA/PFOS above the Health Advisory Level. Exhibit “A” is the map of DOH’s sampling plan.

Marion County has developed a concept plan to extend a centralized potable water system into the Lowell Area which would provide clean drinking water to the citizens within the area. (Reference Exhibit “B” - Fire Contamination Area - NW Gainesville Road map). The proposed 12-inch water line extension is approximately 23,875 feet or 4.52 miles in length with valves, fire hydrants and a water booster station included. The estimated cost of design, permitting and construction is \$3,446,105.

NW Gainesville Road Water Main Extension	
<i>Estimates based on bid prices received for previous water main projects</i>	
12" Water Main	
Task	Cost
Design, Survey, and Permitting (15%)	\$388,125
Construction	\$2,637,500
Contingency (10%)	\$420,480
Total	\$3,446,105

The funding request will be submitted to our congressional leaders for consideration. Under the Interior and Environmental Programming with the Federal Environmental Protection Agency, approximately 50% of matching funds may be required, although this has not been determined at yet. Staff is confident the matching funds will be available for completion of the above project through the American Rescue Plan funding allocation.

Budget/Impact: None.

Recommended Action: Motion to approve the request to submit the Lowell Area Central Water System project as a Federal appropriation request under the Interior and Environmental Program with the Federal Environmental Protection Agency.

Mr. Bouyounes stated there is a known contamination problem in Lowell, noting this item provides an opportunity to apply for an earmark project from the Federal Government. He advised that there will be a local match, but it is 20% instead of 50% as documented in the Agenda, and Rescue Funding can be used for the match.

Mr. Bouyounes recommended the Board authorize staff to submit the application, noting this would allow a water line to be run from Highway 326 all the way up Highway 329, allowing the County to serve the Fire College and the Fire Station that will be built on that site. He advised that users will be paying for that service if the County can get the funds for the Capital Improvement.

A motion was made by Commissioner Bryant, seconded by Commissioner Zalak, to approve the request to submit the Lowell Area Central Water System project as a Federal appropriation request under the Interior and Environmental Program with the Federal Environmental Protection Agency. The motion was unanimously approved by the Board (5-0).

9.3. Request Approval to Reject all Submittals: 20P-061, Unified Emergency Communications Platform

Description/Background: On behalf of Marion County Fire Rescue (MCFR), in partnership with Ocala Fire Rescue (OFR), Ocala Police Department (OPD), and Marion County Sheriff's Office (MCSO), Procurement advertised a Request for Proposals (RFP) for a common Computer-Aided Dispatch (CAD) software platform for all emergency telecommunications and first responders. Five (5) firms responded and their submittals were reviewed and scored by selection committee members Josh Sasso (OPD), Captain Brian Dotten (MCSO), Chief Craig Damien (MCFR), Captain Mike Calhoun (OFR), and Chief Rodney Mascho (MCFR) and four (4) firms were short-listed and provided a second stage of questions, resulting in the Selection Committee's ranking below:

Firm - Location	Max Points (500)	Rank
Hexagon - Madison, AL	455	1
CIS - Skokie, IL	433	2
Central Square - Lake Mary, FL	411	3
Smart Cop - Pensacola, FL	408	4

With the scores being so close, the Selection Committee requested site visits to one (1) customer from each of the four (4) firms. COVID-19 restrictions did not allow for the site visits to take place and the RFP was placed on an indefinite hold. At this time, the agencies have requested not to move forward with this RFP. Procurement Services is recommending rejection of all submittals and closing the RFP.

Budget/Impact: None.

Recommended Action: Motion to reject all submittals and close RFP 20P-061.

Mr. Bouyounes stated all the Chiefs came to agreement that they do not want to continue pursuing this endeavor. He advised that the County is happy with the Computer-Aided Dispatch (CAD) system at the Communications Center. There are 4 companies that have been short-listed, and there is a lot more vetting to be done before a selection is made. Mr. Bouyounes stated any of the partners can use that list to do what they please with it, but the County is recommending rejecting all the proposals and to continue using the CAD system in place today.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to reject all submittals and close RFP 20P-061. The motion was unanimously approved by the Board (5-0).

10. COMMITTEE ITEMS:

10.1. Rainbow Lakes Estates MSD Advisory Board - Request Acceptance of One (1) Resignation and Approval to Advertise for a Full Member for an Unexpired Term
Executive Assistant Nadja M. Griffis, Commission Office, presented the following recommendation:

Description/Background: Karen Crowley-Keen has tendered her resignation from the Rainbow Lakes Estates MSD Advisory Board, effective immediately. Ms. Crowley-Keen is currently serving as a full member in a term that expires February 2022.

Budget/Impact: None.

Recommended Action: Motion to accept Ms. Crowley-Keen's resignation and approve advertisement for the Rainbow Lakes Estates MSD Advisory Board for a full member in an unexpired term.

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A motion was made by Commissioner Bryant, seconded by Commissioner Zalak, to accept Ms. Crowley-Keen's resignation and approve advertisement for the Rainbow Lakes Estates MSD Advisory Board for a full member in an unexpired term. The motion was unanimously approved by the Board (5-0).

10.2. Pine Run MSTU Advisory Council - Request Acceptance of One (1) Resignation and Approval to Advertise for a Full Member in an Unexpired Term

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

Description/Background: Jim Flickinger has tendered his resignation form the Pine Run MSTU Advisory Council, effective immediately. Mr. Flickinger currently serves as a full member in a term that expires June 2024.

Budget/Impact: None.

Recommended Action: Motion to accept Mr. Flickinger's resignation form the Pine Run MSTU Advisory Council and approval to advertise for a full member in an unexpired term.

A motion was made by Commissioner Bryant, seconded by Commissioner Zalak, to accept Mr. Flickinger's resignation form the Pine Run MSTU Advisory Council and approval to advertise for a full member in an unexpired term. The motion was unanimously approved by the Board (5-0).

11. NOTATION FOR ACTION:

11.1. Request Approval to Schedule and Advertise a Public Hearing for the Creation of Kingsland Country Estates/Whispering Pines/Forest Glenn Municipal Service Benefit Unit (MSBU) for Street Lighting on Tuesday, May 4, 2021 at 10:00 a.m. or Immediately Soon Thereafter in the McPherson Governmental Campus Auditorium

MSTU Director Alan Jones, presented the following recommendation:

Description/Background: The following date is being requested for a Public Hearing associated with the proposed Kingsland Country Estates/Whispering Pines/Forest Glenn MSBU for Street Lighting in accordance with Section 125.01(1)(q), Florida Statutes.

Tuesday, May 4, 2021 at 10:00 a.m. or immediately soon thereafter

Budget/Impact: None

Recommended Action: Motion to schedule and advertise a public hearing for the creation of Kingsland Country Estates/Whispering Pines/Forest Glenn MSBU for Street Lighting on Tuesday, May 4, 2021 starting at 10:00 a.m. or immediately soon thereafter in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to schedule and advertise a public hearing for the creation of Kingsland Country Estates/Whispering Pines/Forest Glenn MSBU for Street Lighting on Tuesday, May 4, 2021 starting at 10:00 a.m. or immediately soon thereafter. The motion was unanimously approved by the Board (5-0).

11.2. Request Approval to Schedule a Workshop to Consider a Proposed Ordinance Relating to the Operation of Non-Emergency Medical Transportation Services on Tuesday, May 25, 2021 at 1:30 p.m. in the McPherson Governmental Campus Auditorium
Fire Chief, James Banta, MCFR presented the following recommendation:

Description/Background: On March 2, 2021, the Board adopted a Revised Marion County Ambulance and Rescue Services Ordinance. The adoption of that

ordinance removed the regulation of non-emergency medical transportation services within the Ambulance and Rescue Services Ordinance. During the workshop to adopt that ordinance, the Board directed staff to prepare a draft ordinance to regulate nonemergency medical transportation services within Marion County and to bring to the Board for discussion within 90 days.

After reviewing ordinances regulating similar services within other Florida counties, staff has developed a draft to consider the points of concern raised by the Board. The proposed ordinance would require all agencies transporting persons who may require specialized transportation or are confined to wheelchairs or stretchers and whose condition is such that these persons do not need, nor are likely to need, immediate medical attention during transport to apply for a permit from the county and abide by the regulations outlined in the proposed ordinance. Regulations include inspection prior to issuance of permit and annually thereafter, specific staffing requirements based on method of client transportation, background verification of drivers, training and certification requirements of staff, transportation vehicle design, insurance requirements, and records requirements. The proposed ordinance also outlines the application process, approval process, complaints, violations, etc.

Attached is a draft ordinance for the Board's consideration and a request for a workshop to be scheduled on Tuesday, May 25, 2021 at 1:30 p.m. in the McPherson Governmental Campus Auditorium.

Budget/Impact: None.

Recommended Action: Motion to schedule a workshop to consider a proposed ordinance relating to the operation of nonemergency medical transportation services on Tuesday, May 25, 2021 at 1:30 p.m. in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to schedule a workshop to consider a proposed ordinance relating to the operation of nonemergency medical transportation services on Tuesday, May 25, 2021 at 1:30 p.m. The motion was unanimously approved by the Board (5-0).

11.3. Request Appointment of Jody Kirkman, P.E., Environmental Services Director, as the Marion County Representative on the Board of Directors for the Florida Governmental Utility Authority (FGUA) and Laura Borgesi, P.E., Environmental Services Deputy Director, as the Alternate Member Representative for Marion County

County Administrator Bouyounes presented the following recommendation:

Description/Background: An eight (8) member board of directors, with eight (8) alternates, governs the Florida Governmental Utility Authority (FGUA), with representatives from Citrus, Flagler, Hendry, Lee, Marion, Nassau, Pasco, and Polk counties. These board members meet monthly to represent the member systems and establish policy and priorities on issues such as expansion, rates, environmental resource management, and long-range planning. Each board member is a county employee, with expertise in water and sewer utility management, appointed by their local government. Marion County Board of County Commissioners has been a member of FGUA since November 2013. It is the County Administrator's recommendation to appoint the Environmental Services Director, Jody Kirkman, P.E., to serve as the Marion County representative and Laura Borgesi, P.E., Environmental Services Deputy Director as the alternate member representative.

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Budget/Impact: None.

Recommended Action: Motion to appoint Environmental Services Director, Jody Kirkman, P.E., as the Marion County representative on the Board of Directors for the Florida Governmental Utility Authority and Laura Borgesi, P.E., Environmental Services Deputy Director, as alternate member representative for Marion County.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to appoint Environmental Services Director, Jody Kirkman, P.E., as the Marion County representative on the Board of Directors for the Florida Governmental Utility Authority and Laura Borgesi, P.E., Environmental Services Deputy Director, as alternate member representative for Marion County. The motion was unanimously approved by the Board (5-0).

12. COMMISSIONER ITEMS:

12.1. Commission Comments

Commissioner Stone commented on the Veteran's nursing home moving forward and a virtual 5K Run for the Springs.

Commissioner Stone advised that the County has more than \$10,000,000.00 available for rent and utility assistance for those impacted by COVID-19. Those funds can be applied for by calling 211 or online by visiting uwmc.org/cap.

Commissioner Stone stated today starts National Library Week.

Commissioner Curry stated he had nothing further to add.

Commissioner Bryant stated she had nothing further to add.

Commissioner Zalak expressed appreciation for the work staff performed as part of Employee Appreciation Month.

Chairman Gold expressed his appreciation to H.R. Director Amanda Tart and all those that helped with activities related to Employee Appreciation Month and to the Public Information Office (PIO) for their hard work on a recent video featuring the Chairman. He thanked all employees for their work.

12.2. Commission Calendar

12.2.1. Present Commission Calendar

The Chairman acknowledged receipt of the Commission calendar covering the period of April 6, 2021 through April 20, 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.

Sandra Karwel, NE 92nd Place, Anthony, requested the County intervene regarding a jail employee who she stated has threatened her animals prior to her cats being found shot 2 days apart. She expressed concern related to the responding Sheriff's Deputies' handling of the situation, noting one of the Deputies turned off their body camera after learning the other party was a Sheriff employee at the jail.

Ms. Karwel expressed concern for other animals on her property.

Chairman Gold advised that the Board has no authority over the Sheriff's employees, and Ms. Karwel can pursue other avenues through the State.

Jack Stackman, NE 248th Avenue Rd., stated he would like to see the bloopers from the video featuring Chairman Gold, relating to 9-1-1 Telecommunications.

Mr. Stackman commented on the funds returned by the Sheriff. He expressed concern over the lack of vetting relating to the Capital Improvement Projects proposed by the Sheriff's Office.

Chairman Gold stated each project will still have to be vetted, and the funds were put into a specific account to ensure they remain there.

Henry Munoz, Marion Oaks Boulevard, opined that the County should try to get the State to fund the request related to Item 4.3.

Mr. Munoz commented on the funds returned by the Sheriff, noting he understands the Sheriff holding on to these funds to get a project completed. He stated the MSTU he oversees does not spend all the money they collect. A lot is saved for future needs and operating costs. Mr. Munoz advised that the Board will be required to approve any projects the Sheriff proposes related to these funds.

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

14.1.1. Present Solid Waste Monthly Operations Report for February 2021

14.1.2. Present Notification of Extension of State of Local Emergency Related to COVID-19 Pandemic Dated March 15, 2021

14.1.3. Present Notification of Extension of State of Local Emergency Related to COVID-19 Pandemic Dated March 22, 2021

14.1.4. Present Notification of Extension of State of Local Emergency Related to COVID-19 Pandemic Dated March 29, 2021

14.1.5. Present Email Correspondence Dated March 30, 2021 Regarding Florida Department of Veterans Affairs (FDVA) Marion County Site Selection Report - Site Validation

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: 037704, 040237, 045672 and State Attorney's List Attached

14.4.2. Present Regular Report of Utilization of Reserve for Contingencies

14.4.3. Present Memorandum from Gregory C. Harrell, Clerk of the Circuit Court and Comptroller, Regarding the Filing of Ordinances 21-06 and 21-07 with the Secretary of State's Office

14.4.4. Present Administrative Budget Transfer Report

14.4.5. 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. Code Enforcement Board - February 10, 2021

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14.5.2. District 5 and 24 Medical Examiner Advisory Committee - August 19, 2020

14.5.3. Housing Finance Authority - February 10, 2021

14.5.4. Silver Springs Shores Tax Advisory Council - October 13, and December 8, 2020 and February 9, 2021

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

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

14.5.7. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <http://www.ocalaf1.org/tpo>

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

There was a recess at 11:44 a.m.

The meeting reconvened at 2:03 p.m. with all members present, except Commissioner Zalak, who arrived shortly after the meeting commenced.

Also present were County Attorney Matthew G. Minter; County Administrator Mounir Bouyounes; ACA Angel Roussel; Environmental Services Director Jody Kirkman; and County Engineer Tracy Straub.

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

Environmental Services Director Jody Kirkman advised that Agenda Items 15.1.2. through 15.1.7. have been withdrawn.

15. DRC WAIVER REQUESTS AND REASONABLE ACCOMMODATION REQUESTS (AT 2:00PM):

15.1. DRC Waiver Requests and Public Hearings:

15.1.1. Request to Uphold DRC's Conditional Approval Regarding a Waiver Request for LDC 6.14.2.B (2)(a) - Wastewater Connection for New Single Family Residential for the Clifton & Company Homes Property, Parcel Number 8005-0806-10, Application Number 26225

County Engineer Tracy Straub, Office of the County Engineer (OCE) presented the following recommendation:

Description/Background: This property is located in Marion Oaks Unit 5 Block 806 Lot 10.

Section 6.14.2.B(2)(a) of the Land Development Code provides that new single family residential in the Urban or Rural area shall connect to a central sewer system if a sewer line from a central sewer system with available capacity is within a connection distance of 400 feet and connection may be made to the existing sewer line using a gravity line or an on-site pumping station. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests a waiver to build a new single family home on Lot 10 and 11 of which Lot 11 is not within the required hook-up distance but Lot 10 is. This subdivision is not in the spring protection zone so applicant prefers to install a septic service and drainfield on Lot 10 as they will on Lot 11.

DRC action on February 22, 2021, by a vote of 5-0, was to allow for a nitrogen reducing system for Lot 10.

The applicant requests to install a standard septic system.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's conditional approval of the waiver request for a nitrogen reducing system on Lot 10.

Environmental Services Director Kirkman advised that staff's recommendation is to uphold the Development Review Committee's (DRC's) conditional approval of the waiver request to allow for a nitrogen reducing system.

Chris Zorn, Victoria Lane, Winter Garden, applicant, advised that he owns two properties that are side-by-side, noting lot 11 is not required to connect to the central sewer system due to being beyond the 400 feet; however, lot 10 is required to either connect or install an enhanced septic system. He stated the lots are not located within the Springs Protection Zone (SPZ) and questioned the requirement for enhanced rather than a standard septic system. Mr. Zorn advised that he owns multiple lots and the cost for enhanced systems are three times as much as a standard septic system.

Mr. Kirkman advised that the Land Development Code (LDC) is clear that any lot within a connection distance of 400 feet is required to connect to the central system.

In response to Commissioner Bryant, Mr. Kirkman clarified that if the Board requires the applicant to connect to central sewer (extend the force main) on lot 10, then lot 11 becomes within the 400 feet connection distance and that lot would also be required to connect.

General discussion ensued.

Commissioner Bryant advised that the BCC will be holding a workshop on April 14, 2021 at 2:30 p.m. to address this issue and suggested Mr. Zorn attend the workshop or watch it live on the County's website, noting the Board will also be addressing Senate Bill (SB) 719 and the effect those requirements will have on local governments.

Commissioner Zalak arrived at 2:14 p.m.

Mr. Kirkman stated the LDC does have availability allowances, noting there is a process that an applicant can go through for information on availability and what central systems are within a specific property's vicinity.

Commissioner Bryant advised that the State of Florida will eventually be requiring property owners to mandatorily connect (within 12 months) to central systems within their area if the lines are available.

General discussion resumed.

Mr. Kirkman advised that there is a payback program where if there are other properties that benefit from the line extension, the original installer/customer will be reimbursed a portion of the costs if those properties connect within 7 years.

Chairman Gold opened the floor to public comment.

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

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to uphold the Development Review Committee's conditional approval of the waiver request for a nitrogen reducing system on Lot 10. The motion was unanimously approved by the Board (5-0).

15.1.2. Request to Uphold DRC's Conditional Approval Regarding a Waiver Request for LDC 6.14.2.B(2)(a) - Wastewater Connection for New Single Family Residential for the

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Mortgage Solutions & Investment Properties, Parcel Number 8003-0369-03, Application Number 26246

County Engineer Straub, OCE, presented the following recommendation:

Description/Background: This property is located in Marion Oaks Unit 3 Block 369 Lot 3.

Section 6.14.2.B(2)(a) of the Land Development Code provides that new single family residential in the Urban or Rural area shall connect to a central sewer system if a sewer line from a central sewer system with available capacity is within a connection distance of 400 feet and connection may be made to the existing sewer line using a gravity line or an on-site pumping station. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests a waiver because other lots in the nearby surrounding area are installing septic systems. Applicant requests a waiver to be allowed to do the same and not be required to connect to the sewer force main.

DRC action on February 22, 2021, by a vote of 5-0, was to allow the waiver for a nitrogen reducing system in-lieu-of and if gravity ever becomes available the applicant would have to connect this lot within 365 days.

The applicant requests to install a standard septic system.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's conditional approval of the waiver request for a nitrogen reducing system.

(Ed. Note: This Item was withdrawn prior to the meeting.)

15.1.3. Request to Uphold DRC's Conditional Approval Regarding a Waiver Request for LDC 6.14.2.B(2)(a) - Wastewater Connection for New Single Family Residential for the Aldana Contracting Property, Parcel Number 8009-1247-10, Application Number 26248
County Engineer Straub, OCE, presented the following recommendation:

Description/Background: This property is located in Marion Oaks Unit 9 Block 1247 Lot 10.

Section 6.14.2.B(2)(a) of the Land Development Code provides that new single family residential in the Urban or Rural area shall connect to a central sewer system if a sewer line from a central sewer system with available capacity is within a connection distance of 400 feet and connection may be made to the existing sewer line using a gravity line or an on-site pumping station. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests a waiver because other lots in the nearby surrounding area are installing septic systems. Applicant requests a waiver to be allowed to do the same and not be required to connect to the sewer force main.

DRC action on February 22, 2021, by a vote of 5-0, was to consider as a waiver in-lieu-of allowing the nitrogen reducing system and that this lot would be required to connect within 365 days once gravity sewer is available.

The applicant requests to install a standard septic system.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's conditional approval of the waiver request to provide a nitrogen reducing system.

(Ed. Note: This Item was withdrawn prior to the meeting.)

15.1.4. Request to Uphold DRC's Conditional Approval Regarding a Waiver Request for LDC 6.14.2.B(2)(a) - Wastewater Connection for New Single Family Residential for the Aldana Contracting Property, Parcel Number 8009-1247-11, Application Number 26249 County Engineer Straub, OCE, presented the following recommendation:

Description/Background: This property is located in Marion Oaks Unit 9 Block 1247 Lot 11.

Section 6.14.2.B(2)(a) of the Land Development Code provides that new single family residential in the Urban or Rural area shall connect to a central sewer system if a sewer line from a central sewer system with available capacity is within a connection distance of 400 feet and connection may be made to the existing sewer line using a gravity line or an on-site pumping station. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests a waiver because other lots in the nearby surrounding area are installing septic systems. Applicant requests a waiver to be allowed to do the same and not be required to connect to the sewer force main.

DRC action on February 22, 2021, by a vote of 5-0, was to consider as a waiver in-lieu-of allowing the nitrogen reducing system and that this lot would be required to connect within 365 days once gravity sewer is available.

The applicant requests to install a standard septic system.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's conditional approval of the waiver request to provide a nitrogen reducing system.

(Ed. Note: This Item was withdrawn prior to the meeting.)

15.1.5. Request to Uphold DRC's Conditional Approval Regarding a Waiver Request for LDC 6.14.2.B (2)(a) - Wastewater Connection for New Single Family Residential for the Aldana Contracting Property, Parcel Number 8009-1261-17, Application Number 26251 County Engineer Straub, OCE, presented the following recommendation:

Description/Background: This property is located in Marion Oaks Unit 9 Block 1261 Lot 17.

Section 6.14.2.B(2)(a) of the Land Development Code provides that new single family residential in the Urban or Rural area shall connect to a central sewer system if a sewer line from a central sewer system with available capacity is within a connection distance of 400 feet and connection may be made to the existing sewer line using a gravity line or an on-site pumping station. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests a waiver because other lots in the nearby surrounding area are installing septic systems. Applicant requests a waiver to be allowed to do the same and not be required to connect to the sewer force main.

DRC action on February 22, 2021, by a vote of 5-0, was a motion for the waiver in-lieu-of connecting to allow the nitrogen reducing system and that the applicant understands when gravity sewer becomes available they would have to connect within 365 days.

The applicant requests to install a standard septic system.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's

(Ed. Note: This Item was withdrawn prior to the meeting.)

15.1.6. Request to Uphold DRC's Conditional Approval Regarding a Waiver Request for LDC 6.14.2.B(2)(a) - Wastewater Connection for New Single Family Residential for the Aldana Contracting Property, Parcel Number 8009-1261-01, Application Number 26250
County Engineer Straub, OCE, presented the following recommendation:

Description/Background: This property is located in Marion Oaks Unit 9 Block 1261 Lot 1.

Section 6.14.2.B(2)(a) of the Land Development Code provides that new single family residential in the Urban or Rural area shall connect to a central sewer system if a sewer line from a central sewer system with available capacity is within a connection distance of 400 feet and connection may be made to the existing sewer line using a gravity line or an on-site pumping station. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests waiver because other lots in the nearby surrounding area are installing septic systems. Applicant requests a waiver to be allowed to do the same and not be required to connect to the sewer force main.

DRC action on March 1, 2021, by a vote of 5-0, was a motion to, in-lieu-of the connection, allow the nitrogen reducing system for the wastewater service with the understanding that if sewer becomes available within 365 days the applicant will connect.

The applicant requests to install a standard septic system.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's conditional approval of the waiver request to provide a nitrogen reducing system.

(Ed. Note: This Item was withdrawn prior to the meeting.)

15.1.7. Request to Uphold DRC's Denial Regarding a Waiver Request for LDC 6.14.2.B(1)(a) – Water Connection for New Single Family Residential for the A&M Property Development Property, Parcel Number 9008-0026-15, Application Number 26313

County Engineer Straub, OCE, presented the following recommendation:

Description/Background: This property is located in Silver Springs Shores Unit 8 Block 26 Lot 15.

Section 6.14.2.B(1)(a) of the Land Development Code provides that new single family residential in the Urban or Rural area shall connect to a centralized water system with available capacity if a water line is within a connection distance of 400 feet. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests a waiver because, after starting construction paperwork, they were made aware that they would have to tap into a water pipe. The applicant cannot afford the additional \$17,000. Also, as all properties in that area already have wells, no one would benefit from it, and the applicant would not have a chance to get any money back from any neighbors around the property.

DRC action on March 8, 2021, by a vote of 5-0, was to deny the request.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's denial of the waiver request.

(Ed. Note: This Item was withdrawn prior to the meeting.)

15.1.8. Request to Uphold DRC's Denial Regarding a Waiver Request for LDC 6.14.2.B(1)(a) – Water Connection for New Single Family Residential for the A&M Property Development Property, Parcel Number 9009-0084-04, Application Number 26315

County Engineer Straub, OCE, presented the following recommendation:

Description/Background: This property is located in Silver Springs Shores Unit 9 Block 84 Lot 4.

Section 6.14.2.B(1)(a) of the Land Development Code provides that new single family residential in the Urban or Rural area shall connect to a centralized water system with available capacity if a water line is within a connection distance of 400 feet. The applicant's statement of justification for the requested waiver is as follows:

The applicant requests a waiver because after starting construction paperwork, they were made aware that they would have to tap into the water main pipe. The applicant cannot afford the additional \$22,000. Also, all properties on that block have wells and no one would benefit. Mr. Gabre Nelson owns adjacent Lot 5 (Parcel Number 9009-0084-05) and was approved for a well by the Board on October 20, 2020.

DRC action on March 8, 2021, by a vote of 5-0, was to deny the request.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's denial of the waiver request.

Mr. Kirkman advised that staff's recommendation is to uphold the DRC's denial of the waiver request to connect to the centralized water system.

Angel Louis Gonzalez, SE 80th Street, applicant, stated he was unaware of the mandatory hookup requirement until the permitting process, noting he cannot afford the connection fee of \$22,000.00. Mr. Gonzalez noted the surrounding properties have wells and therefore will not benefit from the water line extension.

In response to Chairman Gold, Mr. Kirkman advised that the property is approximately 345 feet from the water line, noting there is one vacant lot across the street that would benefit from the extension, which would allow the applicant to participate in the payback program.

General discussion ensued.

In response to Commissioner Stone, Mr. Kirkman advised that the subject property lies within the Springs Protection Zone (SPZ).

Chairman Gold opened the floor to public comment.

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

A motion was made by Commissioner Zalak to disagree with DRC's recommendation and grant the applicants waiver request.

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

Commissioner Gold seconded the motion.

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

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

15.2.1. PUBLIC HEARING to Consider the Adoption of an Assessment Resolution Authorizing Per Parcel Assessment for Magnolia Shores/Smith Lake Acres Unit 1 Improvement Area

April 6, 2021

MSTU Director Alan Jones presented the following recommendation:

Description/Background: Consideration to adopt a Resolution authorizing per parcel assessment for Magnolia Shores/Smith Lake Acres Unit 1 Improvement Area and certify the Assessment Roll to the Tax Collector.

Consideration to Award Project Number 21B-080, Magnolia Shore/Smith Lake Acres Unit 1 Improvement Area to D.A.B. Constructors, Inc. Lowest Qualified Bid of \$304,444.44 and authorize Chairman and Clerk to execute contract upon approval by Legal.

Budget/Impact: None.

Recommended Action:

1. Motion to adopt the attached Assessment Resolution Authorizing per parcel assessment for Magnolia Shores/Smith Lake Acres Unit 1 Improvement Area and authorize the Chairman and Clerk to execute same.
2. Motion to certify the Assessment Roll to the Tax Collector.
3. Motion to approve contract and allow staff to issue contract, and upon approval from Legal, authorize the Chairman to execute the contract with D.A.B Constructors, Inc.

Deputy Clerk Windberg presented Proof of Publication of a display ad entitled, "Notice of Hearing to Impose and Provide for Collection of Special Assessments in the Magnolia Shores/Smith Lake Acres Unit 1 Improvement Area" published in the Star Banner newspaper on March 17, 2021.

MSTU Director Alan Jones presented a medium sized binder entitled, "Magnolia Shores/Smith Lake Acres Unit 1" and an 8 page handout entitled, "Magnolia Shores/Smith Lake Acres Unit 1" to follow along with the PowerPoint presentation. Mr. Jones provided a brief overview of the road assessment/scoring process, noting the Pavement Condition Index (PCI) rating for this roadway project varies between a score of 25 up to 41.3 with an aggregate score of 33.84 (poor condition). He noted the cost to the County for maintenance/patching over the past 5 years was \$9,144.00. Mr. Jones shared several slides on the overhead screens of the road conditions of the project area.

The scope of the project consists of reclaiming and resurfacing approximately 0.92 miles of roadway utilizing 1-1/4 inch Type SP (superpave) 9.5 asphaltic concrete wearing surface. A crown will be added to the center of the roadway and there will be regrading for portions of the swale in special flooding areas to improve drainage. Selected driveways within the right-of-way (ROW) will be cut back and reconnected to improve drainage and protect the edge of the roadway. A trench drain will be installed within the ROW on a parcel located in a low elevation, which may see additional runoff due to the project improvements.

Mr. Jones stated D.A.B. Constructors, Inc. came in with the lowest bid of \$304,444.44. The overall cost of the project, not including the financing and bonding fees is \$418,133.28, noting the initial estimate provided to residents in 2019 was \$4,000.00 to \$5,000.00 per parcel. He advised that due to increased construction costs and the additional drainage projects the new price is \$6,059.90 per parcel, with a maximum annual rate per parcel of \$796.33.

Mr. Jones advised that during the 2019 petition process the majority of returned petitions were not in favor of the road assessment project (13 in favor, 21 not in favor, 2 invalid responses).

Mr. Jones advised that an additional community meeting was conducted on September 23, 2019 with 13 residents in attendance, noting the consensus at that time was to move

forward with the project. He noted another community meeting was held to update the residents, answer any questions, and prepare for the public hearing.

In response to Commissioner Bryant, Mr. Jones clarified that staff did not repetition the project.

Chairman Gold opened the floor to public comment.

Terrance Johnson, SE 101st Avenue Road, addressed the conditions of the roads, noting he and his wife are in favor of the road improvements. He requested the Board review and determine whether there is any road funding to help with the cost of this project.

Chairman Gold advised that public comment is now closed.

In response to Commissioner Curry, Mr. Jones stated the roadway will continue to degrade if no improvements are performed. He clarified that the County is prohibited from using funds from other assessment projects to help with the cost of this project.

In response to Commissioner Curry, Paul Wildman, Guerra Development, NE 3rd Street, engineer for the project, stated there is no additional/proposed signage associated with the project.

Mr. Jones clarified that this is a County maintained road; therefore, the County is responsible for road signage.

In response to Commissioner Zalak, Mr. Wildman advised that the borings performed on the road shows the limerock to be approximately 4 inches thick and the existing pavement is approximately 1 inch thick, making it in substandard condition. He stated the road will be reclaimed and a thicker base material will be utilized to go from 4 inches to 5 inches thick and then 1.5 inches of asphalt will be overlayed.

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to adopt Resolution 21-R-169 approving the per parcel assessment for Magnolia Shores/Smith Lake Acres Unit 1 Improvement Area; Certify the Assessment roll to the Tax Collector; and upon approval from Legal, authorize the Chairman to execute the contract with D.A.B Constructors, Inc. The motion was unanimously approved by the Board (5-0).

Resolution 21-R-169 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, RELATING TO THE CONSTRUCTION OF ROAD IMPROVEMENTS; CREATING THE MAGNOLIA SHORES/SMITH LAKE ACRES UNIT I IMPROVEMENT AREA; CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; ESTABLISHING THE MAXIMUM AMOUNT OF THE ANNUAL ASSESSMENT FOR EACH PARCEL UNIT; IMPOSING ASSESSMENTS AGAINST REAL PROPERTY WITHIN SUCH IMPROVEMENT AREA; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

(Ed. Note: The Deputy Clerk received 3 electronic mails (emails) relating to the Magnolia Shores/Smith Lake Acres Unit 1 Improvement Area).

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There being no further business to come before the Board, the meeting thereupon adjourned at 2:40 p.m.

Jeff Gold, Chairman

Attest:

Gregory C. Harrell, Clerk

DRAFT