CALL TO ORDER:
The Marion County Board of County Commissioners met in regular session in Commission Chambers at 9:03 a.m. on Tuesday, November 21, 2017 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:
The meeting opened with invocation by Commissioner Zalak and the Pledge of Allegiance to the Flag of our Country.

9:00 AM ROLL CALL:
Upon roll call the following members were present: Chairman Kathy Bryant, District 2; Vice-Chair Michelle Stone, District 5; Commissioner David Moore, District 1; Commissioner Jeff Gold, District 3; and Commissioner Carl Zalak, District 4. Also present were Clerk David R. Ellspermann, County Attorney Matthew G. Minter and County Administrator Mounir Bouyounes.

ANNOUNCEMENTS:
Chairman Bryant addressed upcoming scheduled meetings as listed on the Commission Calendar (Item 12C).

1. PROCLAMATIONS AND PRESENTATIONS:
Upon motion of Commissioner Moore, seconded by Commissioner Stone, the Board approved and/or ratified the following:

1A. PROCLAMATION - Ruben Lamb Day - Ruben Lamb (Approval and Presentation)
The Board presented the Proclamation recognizing November 21, 2017 as “Ruben Lamb Day” to Ruben Lamb.
The Board presented a brief video honoring Mr. Lamb.
Mr. Lamb commented on the success of the Shriner’s Rodeo over the past 35 years.

1B. PRESENTATION - Recognition of Volunteer Service - Julie Sieg, Library Director (Approval and Presentation)
The Board considered the following recommendation from Library Director Julia H. Sieg:
Description/Background: The Marion County Public Library System is able to accomplish much, in large part, because of the hard work and efforts of our staff and volunteers. During fiscal year 2016-17, 346 individuals officially volunteered their time in the library system, contributing a total of 14,456 hours. Volunteers visit day care centers to present stories, repair damaged materials, shelve library materials, answer the telephone, create program props, maintain landscaping, create reports, search for requested materials and assist at each of our special events. Our volunteers enable the Marion County Public Library system to extend our customer service efforts, in a fiscally responsible manner.
Of our almost 350 volunteers, Amanda Vought, a volunteer in our circulation division at our headquarters library, stands out as a shining example of hard work
November 21, 2017

and commitment. She typifies one of the guiding principles of Marion County in her dedication to serve. Amanda shelves library materials, empties curbside book drops, searches for request materials and trains other volunteers how to both shelve materials and empty the book drops. Last year Amanda volunteered 702 hours!

During this season of Thanksgiving, the staff of the Marion County Public Library System share a special “thank you” to Amanda Vought for her hard work and commitment.

Budget/Impact: None.

Recommended Action: Motion to approve and present the certificate of appreciation to Amanda Vought.

The Board of County Commissioners (BCC), along with Ms. Sieg, presented the Certificate of Recognition to Amanda Vought.

Commissioner Moore out at 9:22 a.m.

Chairman Bryant presented a plaque to Commissioner Zalak for his great leadership as the Board Chair for the previous year.

1C. PROCLAMATION - Fort King Heritage Week (Approval Only)
The Board approved the Proclamation recognizing the week of November 27 through December 3, 2017 as “Fort King Heritage Week”.

2. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:
The chairman will ask if members of the public wish to make comment on items during this portion of the agenda; comments will be limited to two (2) minutes.

2A. Jennifer Martinez, Executive Director of Marion Senior Services – Request Reimbursement for Engine Purchases from Unspent FY 16-17 Contract Funds

The Board considered the following Letter of Transmittal from Executive Director Jennifer Martinez, Marion Senior Services, dated October 19, 2017:

As a result of the gas shortage, Hurricane Irma, and its aftermath, we were unable to provide many trips in September. After Invoice No. 26 there is a balance of $14,674.89 unspent on our 2016/2017 contract. Attached is Invoice No. 27 (y 2016/2017), with attachments, for $14,674.89 for new and rebuilt engines purchased during August and September. This reimbursement amount brings our total funding for FY 2016/2017 to our total contract amount of $825,735.00 as shown below:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(FY 2016/2017) Contract Amount</td>
<td>$825,735.00</td>
</tr>
<tr>
<td>Total billing thru September 2017 (excluding engines)</td>
<td>$811,060.11</td>
</tr>
<tr>
<td>Difference (Engine reimbursement)</td>
<td>$14,674.89</td>
</tr>
</tbody>
</table>

We are requesting payment in the amount of $14,674.89

Executive Director Jennifer Martinez, Marion Senior Services, commented on the reimbursement request.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is not closed.
A motion was made by Commissioner Stone, seconded by Commissioner Gold, to approve reimbursement for engine purchases in the amount of $14,674.89. Commissioner Zalak expressed concern with returning funds to outside agencies. Commissioner Moore returned at 9:24 a.m.

Budget Director Michael Tomich advised that outside agencies will typically ask for consideration during the next budget process for unexpended funds for the prior year to be included in the budget request. The significant difference of this request is that Marion Senior Services is asking the county to cover direct expenditures of the organization and the budget request is for matching funds for federal grant money.

Commissioner Stone stated she spoke with the Finance staff and confirmed the federal matching funds have been used and the county will not be out of alignment if they allow this expense to move forward.

Ms. Martinez advised that due to fuel shortages, power outages and road closures caused by Hurricane Irma, Marion Senior Services was unable to operate as normal. She stated the contract covers operational and capital expenses, noting in the past the agency has absorbed these costs.

General discussion ensued.

Commissioner Zalak requested the motion be split for Items 2A and 2B. Commissioner Stone withdrew her motion.

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to approve reimbursement for engine purchases in the amount of $14,674.89. The motion was approved by the Board by a vote of 3-2, with Commissioners Zalak and Moore voting nay.

(Ed. Note: FY is the acronym for fiscal year.)

2B. Wesley Wilcox, Supervisor of Election - Request Acceptance of FY 16-17 Unexpended Funds in the Amount of $37,154.51 and Request Return of $25,816 to Purchase Items Placed on Hold due to Insurance Loss

The Board considered the following letter dated November 7, 2017 from Supervisor of Election Wesley Wilcox, Marion County Supervisor of Elections Office:

Dear Chairman Zalak:

The un-audited amounts returned to the Board of County Commissioners for fiscal year 2016-2017 were as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petition Verification Fees</td>
<td>$1,340.70</td>
</tr>
<tr>
<td>Excess Budget Funds Returned</td>
<td>$35,813.81</td>
</tr>
<tr>
<td>Actual Excess Budget Funds</td>
<td>$9,997.78</td>
</tr>
<tr>
<td>Insurance Reimbursement</td>
<td>$25,816.03</td>
</tr>
<tr>
<td>Total Unexpended Funds Returned</td>
<td>$37,154.51</td>
</tr>
</tbody>
</table>

I am respectfully requesting $25,816 from the Excess Budget Funds to be returned to my budget via amendment. This money was a reimbursement to our fiscal year 2016-2017 budget for cost incurred for an insurance claim in September 2017. This money will be used to purchase items placed on hold due to the insurance loss.

Your consideration and support in this matter is greatly appreciated.

Respectfully,
Wesley Wilcox, CERA
Supervisor of Election

Supervisor of Election Wesley Wilcox commented on the reimbursement request.
November 21, 2017

Chairman Bryant opened the floor to public comment. There being none, Chairman Bryant advised that public comment is not closed. A motion was made by Commissioner Stone, seconded by Commissioner Moore, to approve the return of $25,816 from excess budget funds. The motion was unanimously approved by the Board (5-0).

3. GENERAL PUBLIC ITEMS: All members of the public wishing to speak during the “General Public” portion of the agenda will be limited to two (2) minutes to make their request or presentation and will be heard following scheduled requests, which are limited to five (5) minutes. For unscheduled requests, public comment request forms are available in the lobby. If the request or matter requires investigation by County staff, the Chairman will refer to staff for follow-up with the person making the request.

3A. Florence Pritchard - Homestead Extension
Florence Pritchard did not appear when called upon to speak.

3B. Joe Fitzpatrick - Disputed Investigation
Joe Fitzpatrick did not appear when called upon to speak.

3C. General Public Comment (Limited to 2 Minutes Each Speaker):
Dominic Ferrelli, Chestnut Drive, commented on the use of golf carts by parcel delivery services. Chairman Bryant directed MCSO staff to address Mr. Ferrelli’s concerns.
Virginia Gayle, SW 39th Circle, addressed the importance of vaccinating children before allowing them to enter schools.
Roger Knechtel, SE 97th Terrace Road, Summerfield, commented on increased spending during the holiday season and the drug epidemic in the country.
Henry Munoz, Marion Oaks Boulevard, wished the Board a Happy Thanksgiving and Merry Christmas.

4. ADOPT THE FOLLOWING MINUTES: (6 sets)
4A. August 14, 2017
4B. August 17, 2017
4C. August 22, 2017
4D. September 7, 2017 A
4E. September 7, 2017 B
4F. September 15, 2017
A motion was made by Commissioner Stone, seconded by Commissioner Gold, to adopt the meeting minutes of August 14, 17, 22, and September 7 (2 sets), and 15, 2017. The motion was unanimously approved by the Board (5-0).

5. CLERK OF THE CIRCUIT COURT:
5A. Request Adoption of the Following Budget Amendment Resolutions:
Upon motion of Commissioner Stone, seconded by Commissioner Moore, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Clerk Ellsperman:
5A1. 17-R-429 – Fine & Forfeiture - Sheriff Regular - $44,577
5A2. 17-R-430 – General Fund - Assessments/PA - $1,300
5A3. 17-R-431 – General Fund - Clerk to County Commission/Transfer - $150,000

Page 370, Book X
5B. Request Adoption of the Following Budget Amendments to the Prior (2016-17) Fiscal Year Budget. These Amendments Do Not Require Additional Taxes or Revenues:

Upon motion of Commissioner Stone, seconded by Commissioner Moore, the Board adopted the following Budget Amendment Resolutions to the prior (2016-17) FY budget as presented by Clerk Ellspermann:

5B1. 17-R-446 - 20% Gas Tax Construction Fund - Road Construction/20% Gas Tax - $57,956
5B2. 17-R-447 - County Transportation Maintenance Fund - Road & Street Facilities - $125,062
5B3. 17-R-448 - County Transportation Maintenance Fund - Transportation/Transfers - $3,466,830
5B5. 17-R-450 - Fine & Forfeiture - Sheriff Bailiff - $62,000
5B6. 17-R-451 - General Fund - Legislative - $77,778
5B7. 17-R-452 - General Fund - Sheriff Jail - $300,000
5B8. 17-R-453 - General Fund - Supervisor of Elections/Transfers - $50,000
5B9. 17-R-454 - General Fund - Supervisor of Elections/Transfers - $349,407
5B10. 17-R-455 - General Fund - Tax Collector/Transfer - $212,677
5B11. 17-R-456 - MSTU for Law Enforcement - MSTU for Law Enforcement/Transfer - $40,714
5B12. 17-R-457 - MSTU for Law Enforcement - Sheriff Patrol & CID - $329
5B13. 17-R-458 - MSTU for Law Enforcement - Sheriff Patrol & CID - $600,000
5B14. 17-R-459 - Public Improvement Transportation Capital Projects Fund - Transportation Capital Projects - $3,466,830
5B15. 17-R-460 - Series 2014A Capital Projects Fund - Improvements 2014A - $170,627
5B18. 17-R-463 - Series 2007A Debt Service Fund - Series 2007A - $12,150
5B20. 17-R-465 - Series 2010A Debt Service Fund - Series 2010A - $49,374
5B21. 17-R-466 - Series 2011A Debt Service Fund - Series 2011A - $262,920
5B22. 17-R-467 - Series 2012A Debt Service Fund - Series 2012A - $101,019
5B23. 17-R-468 - Series 2013A Debt Service Fund - Series 2013A - $149,187
5B25. 17-R-470 – Series 2015A Debt Service Fund - Series 2015A - $14,114

5C. Request Approval of Payment of $418,603.65 to the City of Ocala, $66,636.09 to the City of Dunnellon and $22,785.68 to the City of Belleview for Tax Increment Financing District (TIFD) Funding. Additionally, Request Approval of Payment of $58,963.14 to the Silver Springs CRA Trust Fund for TIFD Funding (Budget Impact - Neutral; expenditure of $566,988.56 as approved in FY17/18 budget)

Clerk Ellspermann presented the following recommendation from Finance Director John W. Garri relating to letters from the cities of Ocala, Dunnellon and Belleview, as well as the Silver Springs Community Redevelopment Area (CRA) Trust Fund regarding payment of TIFD Funds:

Description/Background: Tax Increment Financing District (TIFD) request for payment.

Budget Impact: Neutral; included in Fiscal Year 17-18 adopted budget.

Recommended Action: Motion to approve TIFD funding payments.

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to approve payments to the Cities of Ocala, Dunnellon and Belleview, as well as the Silver Springs CRA Trust Fund. The motion was unanimously approved by the Board (5-0).

5D. Request Adoption of Deposit Account Resolution Providing Facsimile Signatures of the Chairman and the Clerk to the Designated Depository of Marion County. Originals with Facsimile Signatures and Full Account Numbers Including New Signature Cards will be Presented by the Clerk for Chairman Signatures

Clerk Ellspermann presented the following recommendation from Finance Director Garri:

Description/Background: Update of Deposit Account Resolution and Signature Cards to reflect the new Chairman to the designated depository of Marion County.

Budget Impact: None.

Recommended Action: Request motion to adopt Account Resolution providing facsimile signatures of Chairman and Clerk to the designated depository of Marion County.

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to adopt Resolution 17-R-471 relating to facsimile signatures of the Chairman and Clerk to the designated depository of Marion County. The motion was unanimously approved by the Board (5-0).

5E. Request Board Approval of the FY 2018-19 Annual Budget and Capital Improvement Program Calendar

Clerk Ellspermann presented the following recommendation from Budget Director Michael E. Tomich, CPA (Certified Public Accountant):

Description/Background: Attached is the Proposed Annual Budget and Capital Improvement Program Calendar of the Marion County Board of County Commissioners for the Fiscal Year 2018-19 Budget. The significant deadlines have been reviewed for compliance with applicable statutes. With the concurrence of the Board of County Commissioners, this calendar shall serve as the schedule of budget activities for preparation and adoption of the upcoming budget and capital improvement program.

Budget Impact: None.
November 21, 2017

Recommended Action: Recommend Board approval of the 2018-19 Annual Budget and Capital Improvement Program Calendar.

A motion was made by Commissioner Gold, seconded by Commissioner Moore, to adopt the Proposed Annual Budget and Capital Improvement Program (CIP) calendar for the FY 2018-19 budget. The motion was unanimously approved by the Board (5-0).

(Ed. Note: Public Hearings are noted on the Budget Calendar for Thursday, June 21, Thursday, September 6 and Thursday, September 20, 2018.)

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 Moore, seconded by Commissioner Gold, the Board acted on the Consent Agenda as follows:

7A. Community Services:
7A1. Request Approval of State Housing Initiative Partnership (SHIP) Annual Reports for Submission to Florida Housing Finance Corporation (Budget Impact - None)

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

Description/Background: State Housing Initiative Partnership (SHIP) funding is allocated to Marion County from the doc stamp revenues on an annual basis as available. These funds are used to support affordable housing initiatives according to the Marion County Local Housing Assistance Plan. SHIP regulations require entitlement communities two years to fully encumber funds and three years to expend funds. SHIP regulations require submission of reporting three consecutive years annually. SHIP's fiscal year is July 1 through June 30th.

Marion County is submitting Annual Reports to Florida Housing Finance Corporation for Fiscal Years 2012/13, 2013/14, 2014/15, 2015/16 and 2016/17. Upon reconciliation of Annual Reports to the general ledger it was discovered that FY 2012/13 and FY 2013/14 Annual Reports needed to be revised and submitted to Florida Housing Finance Corporation. Copies of the SHIP Annual Reports prepared for these years are attached.

IN SUMMARY:

<table>
<thead>
<tr>
<th>Fiscal Yr.</th>
<th>Allocation</th>
<th>Income</th>
<th>Expended</th>
<th>Encumbered</th>
<th>Units Assisted</th>
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<td>2012/13</td>
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<td>$99,285</td>
<td>$210,870</td>
<td>$0.00</td>
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<tr>
<td>2013/14</td>
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<td>$113,498</td>
<td>$589,878</td>
<td>$0.00</td>
<td>33 FINAL</td>
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<tr>
<td>2014/15</td>
<td>$1,366,173</td>
<td>$104,582</td>
<td>$1,329,195</td>
<td>$0.00</td>
<td>66 FINAL</td>
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<tr>
<td>2015/16</td>
<td>$1,381,313</td>
<td>$241,303</td>
<td>$730,690</td>
<td>$845,193</td>
<td>50</td>
</tr>
<tr>
<td>2016/17</td>
<td>$1,854,964</td>
<td>$383,481</td>
<td>$0.00</td>
<td>$426,806</td>
<td></td>
</tr>
</tbody>
</table>

*Expended includes all strategies: Purchase Assistance, Housing Rehabilitation, and Rental.*

Budget/Impact: None, pending approval of this agenda item.

Recommended Action: Motion to approve SHIP Annual Reports for FY 2012 through 2017 for submission to Florida Housing Finance Corporation and execute Certifications.
7A2. Request Approval to Amend the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan (LHAP) for Fiscal Years 2017 Through 2019, Adopted by Resolution 16-R-159 (Budget Impact - None)

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

Description/Background: Marion County is required to submit a Local Housing Assistance Plan (LHAP) to Florida Housing Finance Corporation every three (3) years in order to receive SHIP funding. On May 3, 2016 the Marion County BCC approved the fiscal years 2017 through 2019 SHIP LHAP by Resolution 16-R-159. The LHAP identifies affordable housing strategies that may be implemented with Marion County SHIP funds.

It has been deemed necessary to amend the current LHAP to create efficiencies with SHIP expenditure deadlines. A new affordable housing strategy has been created to provide qualified builders the opportunity to construct affordable housing to benefit low/ moderate income households.

In addition, combining the following strategies per Florida Housing Finance Corporation’s recommendation:

- Deleting Owner Occupied Rehabilitation for (120%) Income Households strategy and adding (120%) income households to existing Owner Occupied Rehabilitation/Demolition-Reconstruction Program strategy.

Budget/Impact: None.

Recommended Action: Motion to adopt the Resolution approving the amendments for fiscal years 2017 through 2019 SHIP LHAP and authorize the Chairman to sign certifications.

Resolution 17-R-472 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, ADOPTING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.9071-9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE COUNTY ADMINISTRATOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

7A3. Request Approval of a Contract Agreement between Marion County and Transitions Life Center & Community, Inc. (TLC) not to exceed $600,000 to Construct a 7,500 Square Foot Community Center for Students with Special Needs - (Budget Impact - Neutral; Expenditure of $600,000 of FY 17/18 Community Development Block Grant (CDBG) Funds)

The Board considered the following recommendation as presented by Community Services Director Martin:
Description/Background: Transitions Life Center & Community, Inc. (TLC) applied for FY 2016/17 CDBG funds for the construction of a new 7,500 square foot community center in the amount of $600,000 to serve special needs students who have “aged out” of the public school system.

In November of 2015, the City of Ocala negotiated a generous, long-term lease agreement with TLC for 22 acres located in NW Ocala to operate its future facility. There are four (4) phases to this project. This contract would only be providing funds for Phase one (1) upon the City of Ocala conveying property located in Phase one (1) to TLC.

Phase one (1) will include: constructing a 7,500 square foot community center, playground, swimming pool, walking trail, soccer field and basketball court.

The other three (3) phases will include: additional amenities for physical enrichment, respite housing, and long term residential housing.

Work is not to commence until an executed amendment to the existing ground lease between the City of Ocala and TLC, conveying the ownership of Phase 1 property to TLC is provided to the County. Upon receipt of recorded deed, a notice to proceed will be issued.

Budget/Impact: Neutral; not to exceed $600,000 of FY 17/18 CDBG Funds.

Recommended Action: Motion to approve the FY 17/18 CDBG funding not to exceed $600,000 to Transitions Life Center & Community, Inc.

Rodney Rogers, Transitions Life Center & Community, Inc., SE 3rd Avenue, commented on the unique funding process of the project and requested the contract be amended so that not all their funding has to be exhausted before CBDG funds are received.

Community Services Director Cheryl Martin stated the contract can be reworded to pay the final draw upon completion of the project. Mr. Minter concurred.

A motion was made by Commissioner Stone, seconded by Commissioner Moore, to approve the FY 17/18 CDBG funding not to exceed $600,000 to Transitions Life Center & Community, Inc. with the provision to exhaust all funds prior to the final draw.

Chairman Bryant stated the Board will give Ms. Martin and Mr. Minter the ability to correct the contract to reflect that change.

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

7B. County Extension Service:

7B1. Request Approval of Reaffirmation Letter Between Marion County Board of County Commissioners and University of Florida for Continuation of Current Memorandum of Understanding (Budget Impact - Neutral, Expenditure Approved in FY17/18 Budget)

The Board accepted the following recommendation as presented by Extension Services Director David Holmes:

Description/Background: A Memorandum of Understanding was fully executed on April 22, 2014 and the date extended by amendment on May 16, 2017 between Marion County Board of County Commissioners and the University of Florida for the position of Community Resource Efficiency Agent. This letter serves to continue the agreement for the time frame of October 1, 2017 through September 20, 2018. This letter is required by University of Florida.

Budget/Impact: Neutral, expenditure approved in FY17/18 budget.

Recommended Action: Motion to approve reaffirmation letter and authorize Chairman to execute the same.
7C. Development Review Committee:
7C1. Request Approval of Final Plat for Ocala Preserve Phase 18A Subdivision, Application #20860 (Budget Impact - None)
The Board accepted the following recommendation as presented by Growth Services Director Martsolf:

Description/Background: On November 13, 2017, the Development Review Committee approved the Final Plat for the Ocala Preserve Phase 18A Subdivision and recommended that the Board approves and authorizes execution by the Chair and the Clerk. This subdivision is located in the northwest portion of the County and contains 114 lots and 4 tracts on 13.5 acres with .59 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.

7D. Library Services:
7D1. Request Approval of Marion County Public Library System Annual Plan of Service, 2017-2018 (Budget Impact - None)
The Board accepted the following recommendation as presented by Library Director Sieg:

Description/Background: As a public library receiving state aid we are required to submit documents annually, by December 1st, as specified by the State Library of Florida. One required document is an annual plan of service which has been approved by the library governing body.
Attached is the proposed Marion County Public Library System Annual Plan of Service, 2017-2018. The proposed annual plan of service is adapted from the approved Marion County Public Library System Strategic Plan, 2015-2020. The vision, mission, four goals, objectives, and the implementation statement remain the same in this annual plan as they also appear in the strategic plan. The activities included are what may reasonably be initiated or accomplished in the upcoming fiscal year based on already approved resources via the annual budgeting process.
Conducting the activities associated with the Annual Plan of Service may reflect continuation of a particular aspect of service, investigation into the feasibility of a service or improvement in efficiency.
Budget/Impact: The revenue from the State Aid to Libraries grant for Marion County for FY2017-18 is estimated to be approximately $155,900. Costs associated with the implementation of the Annual Plan of Service have already been reflected in the approved budget.
Recommended Action: Motion to approve the attached Marion County Public Library System Annual Plan of Service, 2017-2018.

7E. Procurement Services:
7E1. Request Approval of Task Order for Solid Waste Consultant: 04Q-088-TO-42, Install 3 Ground Water Monitoring Wells at Davis Landfill – SCS Engineers, Tampa, FL (Budget Impact - Neutral; expenditure of $75,010 as approved in FY 17/18 budget)
The Board accepted the following recommendation as presented by Procurement Services Director Susan Olsen:

Description/Background: At its March 1, 2005 meeting, the Board approved three (3) consulting firms for Solid Waste (SW): Jones Edmunds & Associates, Inc.,
S2Li, and SCS Engineers, the last of which has been selected to perform the services related to this task order including the installation of three (3) ground water monitoring wells at the Davis Landfill approximately 220’ below land surface. Solid wastes will be sampled for liquid and solid contaminants to confirm no hazardous wastes are present. The County has been conducting groundwater assessments and remedial actions at this landfill since 1987 in response to Consent Order #87-0445. The work assigned to SCS includes scheduling of field activities and the as-needed updating of the site Safety and Health Plan, and includes working with subcontractors, the consultant, and County personnel each month during the term of the task order. The task order is based on hourly rates established under the original contract and an estimate of time based on previous years' services for the work. The scope of work under the task order is more thoroughly described in the attached, and will become part of the file and backup to the purchase order.

Budget/Impact: Neutral; the total cost for this task order is estimated at $75,010.

Recommended Action: Motion to approve and allow staff to issue purchase order to SCS Engineers, Inc. under task order 04Q-088-TO-42.

7E2. Request Approval of Change Order to Purchase Order 160720: Marion Oaks WTP4 Upgrades - Tillman & Associates Engineering, LLC, Ocala (Budget Impact - Neutral; additional expense of $113,325 as approved in FY 17/18 budget)

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

Description/Background: At its April 5, 2016 meeting, and on behalf of Marion County Utilities (MCU), the Board approved a task order to Tillman & Associates Engineering, LLC for upgrades to the Marion Oaks Water Treatment Plant 4 (MO4). Purchase Order 150962 was issued for the work, totaling $159,772 for the design of a new potable well with all associated appurtenances for its operation, improvements to the existing high service pumping facility and to tie to the existing SCADA system. With the proposed development of the McGinley property as well as the interconnect with the Oak Run System, proposed water demands at WTP 6 call for MCU to further improve pressures and flow rates out of MO4. At this time, MCU requests a change order for additional services required to meet these improvements and prepare for construction of a new Motor Control Center room to provide flexibility for expanding the MO4 in the future. A copy of the complete task order is attached for review and will be used to support the change order, and will become part of the task order file. If approved, the original change order will be presented for signatures after today's meeting.

Budget/Impact: Budget impact - neutral; cost for additional work shall not exceed $113,325, which brings the project's total cost to $273,097.

Recommended Action: Motion to approve, allow staff to process and authorize the Chairman to execute change order #1 against PO 160720 to Tillman & Associates Engineering, LLC for the Marion Oaks WTP4 Upgrades under task order 15Q-017-TO-03.

7E3. Request Approval of First Contract Amendment: 17B-078 Painting Exterior of Main Building and Kennels at Marion County Animal Services - Shamrock Restoration Services, Inc., Brooksville, FL (Budget Impact - None)
November 21, 2017

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

Description/Background: On March 7, 2017, the Board approved a contract with Shamrock Restoration Services, LLC (SRS) to repaint the main building and kennels at the Animal Shelter. SRS was required to do two adherence tests in different sections of the kennels with tests to be witnessed by Facilities Management (FM) staff and a Sherwin Williams representative, as the supplier of the two-part epoxy paint product. After passing all rigorous testing, including high pressure washing, Sherwin Williams approved the product and application method. The coating was applied by SRS per the manufacturer's specifications. After the allotted cure time had passed, animals were allowed back into the kennels, and within a week, small sections of paint, up to the size of a fifty cent piece, began to chip off. Facilities met the contractor and the paint manufacturer's representative onsite several times with no explanation as to the cause.

On the recommendations of Facilities Management Director, Andy Race, and County Attorney, Guy Minter, and as agreed to by SRS, the standard one (1) year warranty will be extended to a five (5) year warranty. The County will withhold a percentage of funds from the original contracted price, to be paid out in equal quarterly increments, over the extended warranty period as SRS makes quarterly site visits to correct any noted deficiencies.

Attached for review is a copy of the contract amendment; upon approval at today's meeting, a vendor signed original will be presented for the County Attorney, Clerk and Chairman's signature.

Budget/Impact: None.

Recommended Action: Motion to approve recommendation and authorize the Chairman to execute the First Contract Amendment with Shamrock Restoration Services, Inc. under 17B-078.

7E4. Request Approval for Task Order for Civil/Site Engineers for Miscellaneous Projects: 15Q-051-TO-63, Maricamp Road Forcemain Replacement - Pigeon-Roberts & Associates, LLC, Ocala, FL (Budget Impact - Neutral; expenditure of $80,345 as approved in FY 17/18 budget)

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

Description/Background: During the May 19, 2015 BCC meeting, the Board approved contracts with ten (10) engineering firms to provide various services for the County under 15Q-051. Firms can be selected based on area of specialty or on a rotating basis. Pigeon-Roberts has been selected by Marion County Utilities (MCU) to provide survey and engineering services for the design and permitting of a 12" forcemain along Maricamp Road between Pine Road and Bahia Avenue (approximately 6,000'). A copy of the engineer's complete scope of work is attached for review and if the task order is approved today, will become part of the project file and backup to the purchase order.

Budget/Impact: Neutral; expenditure shall not exceed $80,345 as approved in the FY 17/18 budget.

Recommended Action: Motion to approve recommendation and authorize staff to issue the purchase order for 15Q-051-TO-63 for the Maricamp Road Forcemain Replacement.
7E5. Request Approval of Contract Renewal: 15P-111, Fence Line Herbicide Spraying in County Drainage Retention Areas (DRAs) – EarthBalance Corporation, North Port, FL (Budget Impact - Neutral; annual expenditure of $65,000 as approved in FY 17/18 budget)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On June 2, 2015, the Board approved a contract with EarthBalance Corporation for fence line spraying in the County’s DRAs. The firm has complied with all terms and conditions of the contract which included renewal options for up to four (4) annual terms. With receipt of a positive evaluation by the Office of the County Engineer (OCE), and acceptance of the renewal request by EarthBalance, Procurement is presenting OCE’s request for the third renewal term ending October 31, 2018. Attached for review is a draft of the contract amendment. Upon approval, it will be sent to EarthBalance for execution as written and upon return will be forwarded for the County Attorney, Clerk, and Chairman’s signatures. Budget/Impact: Neutral; expenditures shall not exceed $65,000 annually.
Recommended Action: Motion to approve contract renewal and allow staff to issue contract, and upon approval from Legal, authorize the Chairman to execute the third contract amendment with EarthBalance

7E6. Request Approval of Task Order for Miscellaneous Maintenance for Roads, Right-of-Ways and Stormwater Management Facilities: 17Q-087-TO-03, NW 89th Place Pavement Repairs – Art Walker Construction, Inc, Ocala, FL (Budget Impact - Neutral; expenditure of $99,441 as approved in FY 17/18 budget)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: All prequalified firms under this contract were proposed a detailed task order to hot mix asphalt level and overlay, install mitered end sections and stabilize shoulder material and sod for a portion of NW 89th Place from NW 38th Avenue Rd to CR 25A/NW Gainesville Rd, the project’s western edge will be next to a railroad easement. The tabulation below summarizes the offers received:

<table>
<thead>
<tr>
<th>Contractor - City</th>
<th>Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art Walker Construction, Inc. - Ocala</td>
<td>$99,441.00</td>
</tr>
<tr>
<td>CW Roberts Contracting, Inc. - Ocala</td>
<td>$104,091.10</td>
</tr>
<tr>
<td>Hartman Civil Construction Co, Inc. - Hernando</td>
<td>$133,700.00</td>
</tr>
</tbody>
</table>

County Engineer Tracy Straub, PE, requests to award to Art Walker Construction, Inc. Attached for review is the draft contract, including scope of work and fee schedule as Exhibits A and B, respectively. Substantial completion of the project shall be within 45 calendar days; final completion within an additional 45.
Budget/Impact: Neutral; expenditure shall not exceed $99,441; up to ten percent (10%) contingency has been requested and is allowed per the Procurement Ordinance.
Recommended Action: Motion to approve recommendation and allow staff to issue, and upon approval by Legal, authorize Chairman to execute contract with Art Walker Construction, Inc. for the NW 89th Place Pavement Repairs task order 17Q-087-TO-03.
7E7. Request Approval of Contract Renewals: 12C-066, Microsoft Enterprise Agreements - SHI International, Inc, Piscataway, NJ (Budget Impact - Neutral; annual expenditure of $265,947.85 as approved in FY 17/18 budget)

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

Description/Background: In 2002, the Board of County Commissioners (BCC) entered into an Enterprise Agreement with Microsoft (MS) for volume licensing. Currently the BCC has two Enterprise Agreements eligible for renewal. These agreements are separate from the Library's MS Academic Agreement, which is on a different renewal cycle and contract. The first MS Enterprise Agreement "Marion County BCC" covers licenses in place for servers, computers, user accounts, email, databases, Office Suite, and Windows operating systems for computers not specifically covered by the second agreement. The second MS Enterprise Agreement "Marion County BCC – 911 Comm CAD Fire/EMS MDTs and Public Kiosk" covers only the MS Windows operating system licenses for Public Safety 911 CADs, Fire Rescue EMS Mobile Data Terminals (MDTs) and public use kiosk computers. In addition to licenses, MS provides 24/7 technical support, training vouchers for IT professionals, e-learning for staff, Home Use Programs, product updates, new versions and product specific enterprise level features such as BitLocker Drive Encryption technology. The Board approved the most recent Enterprise Agreement contract renewals on October 21, 2014, expiring October 31, 2017; a 30-day extension was approved by MS.

The three (3) year MS Enterprise Agreement renewals are being presented as follows:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Funding Department</th>
<th>Account</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 4,250.39</td>
<td>Medical Examiner</td>
<td>3924-552106</td>
</tr>
<tr>
<td>$ 7,538.68</td>
<td>Utilities</td>
<td>7130-552106</td>
</tr>
<tr>
<td>$ 249,078.78</td>
<td>Information Technology</td>
<td>2510-552106</td>
</tr>
</tbody>
</table>

Marion County BCC – 911 Comm CAD Fire / EMS MDTs and Public Kiosk

$ 5,080.00 Information Technology 2510-552106

The combined countywide MS Enterprise Agreements total $265,947.85 for this fiscal year with a combined total of $797,843.55 through the three (3) year term. Pending approval at today's meeting, originals for both vendor-signed MS Enterprise Agreements will be presented for the Chairman's signature as they have already been approved by Assistant County Attorney, Russell Ward.

Budget/Impact: Neutral; expenditure amount for FY 17/18 shall not exceed $265,947.85, with FY 18/19 and 19/20 expenditures being equal.

Recommended Action: Motion to approve renewals and authorize the Chairman to execute both MS Enterprise Agreements with SHI under 12C-066-CA-05.

7E8. Request Approval of Purchases Over $50,000

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

Description/Background: Items below have been received by Procurement for approval and payment in conformance with the Procurement Code/Manual:

Page 380, Book X
Purchase Order 180358/VCCDD-LSSA - Utilities requests approval to issue PO for annual wastewater processing services to the Villages Center Community Development District/ Little Sumter Service Area for Spruce Creek South residents per agreement 00C-005, approved March 7, 2000. Annual cost estimated at $59,000; funds available in account 7150-534101.

Purchase Order 180368/ETR LLC – Fire-Rescue is requesting approval to purchase six (6) new ambulances. One (1) 2018 Ford F-450, 4x4, body AEV Custom Type and five (5) 2018 Ford F-450, 4x2, body AEV Custom Type to include present graphic/chevron layout. Florida Sheriff’s Association Contract # FSA16-VEF12.0. The total purchase price of $1,086,096, which includes a negotiated $19,304 pre-payment discount, is available in account 1283-564101 (FY 17/18 Infrastructure Sales Surtax Revenue).

Purchase Order 180393/Alan Jay Chevrolet Cadillac, Inc. - Fleet Management/OCE requests approval to purchase one (1) 2018 Chevy Traverse 2WD including class III trailer tow hitch, 4-corner LED kit and 3rd key ($25,910.30) and one (1) 2018 Chevy Traverse all-wheel drive including 4-corner LED kit and 3rd key ($27,296). NJPA contract 2018-120716-NAF. Total cost $53,206.30 available in account 4121-564101.

P-card/Priority Dispatch – Public Safety Communications (PSC) requests approval to purchase Emergency Police Dispatch (EPD) software for the communications center under the Board’s declaration of Priority Dispatch call-taking software under 13ST-211 August 20, 2013. Total cost $173,306 available in account 3930-552106.

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

7E9. Request Ratification of Purchase over $50,000

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

Description/Background: The item listed below has been received by Procurement Services for approval in conformance with the Procurement Code/Manual:

Extreme Enterprises of Marion County – Facilities Management is requesting ratification of payment for emergency debris clean-up after Hurricane Irma at multiple county properties. Total cost of $90,444 was paid by Facilities Management from funds available in account # 2610-546101 Project Irma FY 16/17.

Recommended Action: Motion to ratify the purchase over $50,000.

7F. Transportation - County Engineer:

7F1. Request Approval of a Sale and Purchase Agreement and FS 125 Deed between Marion County and Clark N. Whitcomb and Bridgette Whitcomb, for Parcel #05269-009-40 (Budget Impact - Revenue of $1,500)

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

Description/Background: This is a request to declare Parcel #05269-009-40 located in D-J Campsites as Surplus and approve a Sale and Purchase Agreement between Marion County and Clark N. Whitcomb and Bridgette Whitcomb, in the amount of $1,500 plus closing costs. There was one (1) other adjacent owner notified and two (2) bids obtained. Staff recommends approval of this sale to an
November 21, 2017

adjacent owner, and requests approval of the FS 125 Deed that includes restrictions in accordance with Section 125.35(2) rendering this parcel of use only to an adjacent owner and prohibiting it from being utilized as an individual parcel for the construction of a residential unit.

Budget/Impact: Revenue of $1,500 - Sale of Surplus Land - 000001 - 0001 - 36400022.

Recommended Action: Motion to approve the request to declare Parcel #05269-009-40 as Surplus, approve the attached Sale and Purchase Agreement and Deed, and authorize the Chair and Clerk to execute the same.

7F2. Request Approval of Improvement Agreement for Ocala Preserve Phase 18A Subdivision (Budget Impact - None)
The Board accepted the following recommendation as presented by County Engineer Straub, OCE:

Description/Background: The County Attorney has reviewed and approved the Improvement Agreement with Surety Bond in the amount of $236,203.20. This subdivision is located in the northwest portion of the County and contains 114 lots and 4 tracts on 13.5 acres with .59 miles of private road.

Budget/Impact: None.

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

8. COUNTY ATTORNEY
8A. Request Adoption of Initial Assessment Resolution for Shady Hills Estates - S.W. 33rd Terrace Improvement Area
County Attorney Matthew G. Minter presented the following recommendation:

Description/Background: Pursuant to the Capital Improvement Ordinance (No. 09-10), the attached Initial Assessment Resolution has been prepared for the following assessment project:

SHADY HILLS ESTATES – S.W. 33RD TERRACE IMPROVEMENT AREA

The adoption of this resolution is the next step in the road assessment process.
The final public hearing for this project is scheduled for Wednesday, December 20, 2017 at 2:00 p.m., per Sec. 2.03 of the Resolution.

Budget/Impact: None.

Recommended Action: Motion to adopt the attached Initial Assessment Resolution for the Shady Hills Estates – S.W. 33rd Terrace Improvement Area and Authorize the Chairman and Clerk to execute same.

Mr. Minter commented on the Initial Assessment Resolution.
A motion was made by Commissioner Stone, seconded by Commissioner Gold, to adopt Resolution 17-R-473. The motion was unanimously approved by the Board (5-0).

Resolution 17-R-473 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, RELATING TO THE CONSTRUCTION AND FUNDING OF ROAD IMPROVEMENTS; DESCRIBING THE REAL PROPERTY TO BE LOCATED WITHIN THE PROPOSED SHADY HILLS ESTATES – S.W. 33RD TERRACE IMPROVEMENT AREA AND THE ROAD IMPROVEMENTS TO BE CONSTRUCTED THEREIN;
ESTABLISHING THE METHOD OF ASSESSING THE COSTS OF THE ROAD IMPROVEMENTS AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENTS AND THE METHOD OF THEIR COLLECTION; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

9. COUNTY ADMINISTRATOR:
9A. Administrative Updates
9A1. Hurricane Irma Update
County Administrator Mounir Bouyounes advised that Solid Waste Director Mike Sims will give a brief update on Hurricane Irma.
Mr. Sims advised that 630,000 cubic yards of storm debris has been collected to date and the second pass through the county has begun. Staff is mulching at both the Baseline Landfill and Newton facilities. He requested the Board authorize staff to shut down the citizen debris drop off at Baseline Landfill as of close of business Sunday, November 26, 2017.
Mr. Sims stated there is still some debris on state roads and it does not appear as though the county will receive state assistance. The Federal Emergency Management Agency (FEMA) indicated that material could be eligible for reimbursement, but there is no written commitment. Staff will continue to try to get reimbursement on state roads, but is requesting permission from the Board to move forward with collecting state road debris.
In response to Commissioner Zalak, Mr. Sims advised that there is approximately 40,000 cubic yards of material on state roads. FEMA’s onsite project manager indicated that the work will be covered, but the department would prefer to have something in writing.
General discussion ensued.
Commissioner Zalak asked if NE 160th Avenue Road will be cleaned up prior to the parade, Saturday, December 2, 2017. County Engineer Tracy Straub stated the contractor communicated that most of the work will be completed by early next week and that area will be ready for the parade.
Chairman Bryant directed staff to address any debris on a state road causing a driving hazard. It was the general consensus of the Board to agree.
Mr. Sims advised that citizens can call (352) 671-8686 to report issues.

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.
6A. PUBLIC HEARING - Request Consideration of the DDMM CR42 PUD (formerly Utopia PUD) Restated and Amended Developer’s Agreement and Confirm the Second/Final Public Hearing Date Scheduled for Tuesday, December 5, 2017, at 10:00 a.m.
Growth Services Director Samuel Martsolf presented the following recommendation:
Description/Background: The Board of County Commissioners approved the DDMM CR42 PUD (20170704Z - formerly the Utopia PUD) in July of 2017, subject to revising the existing Developer’s Agreement to reflect the revised PUD design
November 21, 2017

and completing the final PUD Master Plan. The size and intensity of the project are increasing, and the applicant has proposed an Amended and Restated Developer's Agreement (Agreement) to address the conditions and improvement needs of the project as follows:

1. Reflect the change in site ownership, and amend the boundary to add a ±1.13 acre parcel at the site's southwest corner at CR Highway 42, to result in an overall project size of ±338 acres,
2. Set the gross maximum number of dwelling units at 1,395 units,
3. Establish the project's overall required perimeter buffers (Agreement Exhibit "D")
4. Address the coordination and installation of central potable water services, including prepayment of utility capital charges, and development of new potable water treatment facilities,
5. Address the coordination and installation of central wastewater services, and
6. Address the coordination and construction of transportation improvements, particularly in relation to SW 73rd Avenue, as well as CR Highway 42.

The Board must conduct two public hearings regarding the Agreement pursuant to FS §163.3225, and this consideration is the first hearing. Staff recommends the Board discuss, and receive public comment regarding the Agreement and confirm the second/final public hearing date scheduled for Tuesday, December 5, 2017, at 10:00 a.m.

Budget/Impact: None.

Recommended Action: Discuss, and receive public comment regarding, the proposed DDMM CR42 PUD (formerly Utopia PUD) Amended and Restated Developer's Agreement and confirm the second/final public hearing date scheduled for Tuesday, December 5, 2017, at 10:00 a.m.

Deputy Clerk Lewter presented Proof of Publication of a display ad entitled, "Notice of Public Hearing" published in the Star Banner newspaper on November 10, 2017. The Notice states the Board will consider approval and adoption of a replacement Developer's Agreement between DDMM CR42 PUD, "f/k/a Utopia PUD" and Marion County, Florida. (Ed. Note: f/k/a is the abbreviation of formerly known as.)

Growth Services Director Sam Martsolf stated this is the 1st of 2 public hearings. The Board approved the PUD pending the formalization of this agreement, as well as a return final PUD Master Plan of the project. The changes to the agreement are summarized in the Agenda Item and are as follows: the addition of 1.13 acre parcel in the southwest corner located on CR 42; the gross maximum number of dwelling units increased from 950 to 1,395; the projects overall perimeter buffers have been established in Exhibit "D"; the coordination and installation of central potable water services, including prepayment of utility capital charges, and development of new potable water treatment facilities; the coordination and installation of central wastewater services; and the coordination and construction of transportation improvements.

Chairman Bryant opened the floor to public comment.

Clarence Lewis, SE 80th Avenue, commented on buffering and stormwater management relating to the project.

Chairman Bryant clarified that anytime a property is developed the property owner is required to manage the stormwater and cannot be sent to any adjacent properties.

Commissioner Gold out at 10:10 a.m.
Commissioner Zalak gave a brief overview of how stormwater is managed and the criteria required for approval of the plan.

Commissioner Gold returned at 10:13 a.m.

Troy Adkins, SE 147th Place, expressed opposition to changes made to the original agreement and the increase traffic the project will bring to the area.

Planning & Governmental Relations Manager David Herlihy, Marion County Public Schools, suggested deletion of the entire sentence on page 3, Section 7, of the proposed agreement relating to Florida Statute (FS) 163.3180(13). The county does not have a public schools facility element in the comprehensive plan any more. During a joint meeting with elected officials and School Board Members there was consensus not to administer a school concurrency. He also suggested the addition of clarifying language that indicates if the development were to become age restricted that it will be exempt from any school impact fees in place at that time.

Floyd Smith, SE 73rd Avenue, questioned what changes will be made to the subject property. Mr. Martsolf advised that a conceptual master plan is not available at this time and reiterated the changes listed in the Agenda Item.

Commissioner Moore out at 10:25 a.m.

Chairman Bryant advised that the proposed amendment addresses the utilities, additional dwelling units and water. As far as stormwater is concerned, that is outlined in the county’s Land Development Code (LDC) and the developer will have to adhere to all Code requirements.

Steven Gray, NE 1st Avenue, attorney, representing the developer, stated one of the property owners of an outparcel on the western side of the property expressed concern that the development would berm around an out parcel, which could result in impounding of water if there were a big rain event. The developer ensured the property owner at that time a drainage system would be in place and that commitment remains in place. He advised that the county and developers have not reached an agreement on capital prepayments for water utilities, but are close to having the details ironed out.

Commissioner Moore returned at 10:26 a.m.

Mr. Gray stated the water that is provided to users in this area, including the 300 units that The Villages is building across the street, is from the county plant located on the east side of US 27. The plant has limited capacity and does not have the remaining capacity to service this project. The county is planning to build a new water plant and asked the developer to prepay for water capital charges in the amount of $700,000. As well as pay for the design and permitting for the new county water plant, which is not exclusive to this project. In return the county will agree to give the developer a credit of capital charges up to $200,000. He advised that the limited water capacity can affect the opinions of lenders.

In response to Commissioner Zalak, Mr. Gray advised that originally Utopia was going to build a water plant for that project, which would cost approximately $2,000,000 and service only properties within the development.

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

Commissioner Bryant out at 10:33 a.m.

General discussion ensued.

Commissioner Bryant returned at 10:35 a.m.

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

Acting County Administrator (ACA) Angel Roussel stated several studies have taken place in the area and the available capacity within the next 5 years is between 200 and 300 units. The developer was originally going to build a water plant, but that changed with
November 21, 2017

the proposed agreement.
Mr. Gray advised that the previous developer was unable to provide water service. If the current developer was to build a facility it would be done to county specifications with the intentions of turning the operations over to the county. He requested the Board leave open for final discussion Section 8.2 regarding the utility credits.
In response to Commissioner Zalak, Mr. Bouyounes stated $200,000 will be used for design and is directly paid by the developer to the engineer. The remaining $700,000 will be used for construction and will be part of the funding scenario for the project.
Mr. Roussel advised that the water plant will process roughly 500 million gallons a day (mgd) and cost between $4,000,000 to $5,000,000 to construct.
Mr. Martsolf gave a brief overview of the buffering in the proposed plan.
General discussion ensued.
Mr. Adkins commented on the changes made from the original plans and expressed opposition to the project.
General discussion resumed.
Mr. Gray advised that this agreement amends and restates the old Developer's Agreement, noting Utopia never occurred and this is a new PUD. Chairman Zalak stated the PUD has already been changed and the proposed amendments are part of the Developers Agreement. In the previous agreement the developer was going to build a water plant, but the county is in need of a larger facility in the area and it is better for them to invest jointly.
Chairman Bryant advised that public comment is now closed.
Chairman Bryant stated more work has to be done before this item is brought back on Tuesday, December 5, 2017.
Mr. Minter advised of a scrivener's error in the notice of hearing. The notice had SW instead of SE and a corrected notice will be published in the Star Banner for the second hearing.

9A2. Dunnellon Utilities/Florida Governmental Utilities Authority Update
County Administrator Bouyounes advised that Assistant County Administrator (ACA) Angel Roussel will give a brief update on the Dunnellon Utilities/Florida Government Utilities Authority (FGUA).
Mr. Roussel advised that a joint session of the FGUA Board of Directors and Dunnellon City Council took place. Multiple action items that were tabled at that time, including the Resolution finding the acquisition and public interest; the approval of the Interlocal Agreement (ILA); and the approval of a Purchase and Sale Agreement. There is still some language being worked out between the city and FGUA attorney’s, as well as some concerns that the city has with the ILA that will be forthcoming to the Board on December 5, 2017.
Chairman Bryant stated staff will meet with anyone from the city to address concerns.
Mr. Roussel advised that the main 2 concerns are: 1) the timeframe they will have to close on reacquiring the system; and 2) the city would like to go back and recognize the service area established through their Ordinance.
In response to Commissioner Stone, Mr. Roussel stated staff is unsure if the city will decide to maintain their water system if the county does not change the agreement. The intent is to move forward once an agreement has been made.
Commissioner Zalak advised that if the city moves forward the service area will be FGUA's and the concern is a moot point.

Page 386, Book X
9B. Request Approval for a Partial Release of Lien on Code Enforcement Case No. 699216 (Budget Impact - None)

County Administrator Bouyounes presented the following recommendation from Growth Services Director Martsolf:

Description/Background: On April 10, 2015, the Code Enforcement Board imposed a fine for a code violation on parcel # 9047-1522-09 and a lien was recorded on July 9, 2015 on all real and personal property of the violator, Federal National Mortgage Association. Code Enforcement received documentation that the violator sold this parcel on April 30, 2015 and that the Special Warranty Deed was recorded on May 5, 2015, prior to the Code Enforcement Lien being recorded. Russell Ward, Assistant County Attorney, reviewed the attached documentation received by Code Enforcement on October 20, 2017, and advised that a Partial Release of Lien was warranted only as to parcel # 9047-1522-09. It is recommended that a Partial Release of Lien be recorded on parcel # 9047-1522-09. The lien against all other real and personal property of the Respondent(s) Federal National Mortgage Association shall remain in full force and effect.

Budget/Impact: None.

Recommended Action: Consideration and staff direction regarding the Partial Release of Lien of the above described code enforcement lien solely as it applies to parcel # 9047-1522-09.

Mr. Martsolf commented on the request for a partial release of lien.
In response to Commissioner Zalak, Mr. Martsolf stated on April 10, 2015 the Board imposed the fine, but it was not recorded until July 9, 2015 and the property was sold in April, 2015.

Mr. Minter advised that under title law if a property is sold without the lien being of record whoever the buyer is would take it not subject to that lien.

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to approve the partial release of lien as it applies to parcel #9047-1522-09. The motion was unanimously approved by the Board (5-0).

9C. Request Approval for a Reduction of the Code Enforcement Lien for Case No. 732814 (Budget Impact - None)

County Administrator Bouyounes presented the following recommendation from Growth Services Director Martsolf:

Description/Background: Code Enforcement case # 732814, begun on July 12, 2016, was brought to the Code Enforcement Board on February 8, 2017, for a continued violation of the Land Development Code, Article 4, Division 3, Section 4.3.7; Junk Yards, on parcel # 35623-002-03, owned by Mr. Mark C. Debolt, TR. The Code Enforcement Board (CEB) imposed a fine of $50 per day to a maximum of $3000.00, which was recorded on March 31, 2017, and levied against any real or personal property of Mr. Mark Debolt.

A collections letter was sent by the Code Enforcement Department, to Mr. Debolt on 4/17/17 requesting payment of this lien, which had maxed out at $3000.00. No payment was received.

Code Enforcement Officer Lancon reported that this violation was cleared on July 18, 2017. On July 20, 2017, Code Enforcement staff had received a verbal request from Mr. Debolt to appear before the Code Enforcement Board to request a possible reduction or rescission of this lien. On October 11, 2017, the CEB heard...
Mr. Debolt’s request and made a recommendation to the Board of County Commissioners (BCC), that the CEB’s prior order dated February 8, 2017, should be amended to reduce the fine from $3000.00 to $1500.00, plus any applicable administrative costs. The CEB also recommended that the BCC apply the lien solely to the property that was in violation, located at 8735 SW 40th Avenue, Ocala, Parcel # 35623-002-03. Mr. Debolt owns over 20 parcels throughout Marion County.

Budget/Impact: None.

Recommended Action: Consideration and direction to staff regarding the CEB’s recommendation to reduce the fine, as levied upon Mark C. Debolt, TR, from $3,000.00 to the amount of $1,500.00, plus any applicable administrative costs, and that this fine be applied solely to the property located at 8735 SW 40th Avenue, Ocala, Florida.

Commissioner Moore questioned why the owner waited so long to address the issue. Mr. Martsolf advised that the property owner is not present today, but testified to the Code Board about difficulty removing the tenant from the property.

In response to Commissioner Zalak, Mr. Martsolf stated the owner will pay the reduced amount of $1,500, plus administrative costs.

A motion was made by Commissioner Stone, seconded by Commissioner Moore, to direct staff to reduce the fine as levied upon Mark C. Debolt, TR, from $3,000.00 to $1,500.00, plus any applicable administrative costs; to be applied solely to the property located at 8735 SW 40th Avenue. The motion was unanimously approved by the Board (5-0).

10. COMMITTEE ITEMS:

10A. Silver Springs Shores Special Taxing District Advisory Council – Request Acceptance of One (1) Resignation and Approval to Advertise for an Unexpired Term

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

Description/Background: Terry Thompson has tendered his resignation from the Silver Springs Shores Special Taxing District Advisory Council. Mr. Thompson was recently re-elected to the Council via general election in November 2016. Per Resolution 87-SSS-1 “the governing board shall appoint a successor to serve until the next general election. Then, if the term of the vacancy so filled has not expired, a successor shall be elected to serve out the remaining years of the term”.

Budget/Impact: None.

Recommended Action: Motion to approve acceptance of Mr. Thompson’s resignation and approve advertisement of a full member for an unexpired term ending November 2018.

A motion was made by Commissioner Moore, seconded by Commissioner Stone, to accept the resignation of Terry Thompson; execute the appropriate letter of appreciation; and advertise vacancy. The motion was unanimously approved by the Board (5-0).

10B. Rainbow Lakes Estates MSD Advisory Committee - Request Appointment of One (1) Full Member for a Full Term

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

Description/Background: On November 30, 2017 there will be two vacancies on the Rainbow Lakes Estates Advisory Committee; neither incumbent has chosen to accept appointment for a new term. 

A motion was made by Commissioner Moore, seconded by Commissioner Stone, to accept the resignation of both incumbents; execute the appropriate letter of appreciation; and advertise vacancy. The motion was unanimously approved by the Board (5-0).
re-apply and there has been one application received. The full term will begin December 1, 2017 and expire on November 30, 2021.

- G. Dallas Seveland – retired business owner

Budget/Impact: None.

Recommended Action: Motion to appoint Mr. Seveland to the Rainbow Lakes Estates MSD Advisory Board for a full term beginning December 1, 2017 and expiring November 30, 2021.

Clerk Ellspermann advised that the applicant received the appropriate votes. A motion was made by Commissioner Moore, seconded by Commissioner Stone, to appoint G. Dallas Seveland as a member. The motion was unanimously approved by the Board (5-0).

**10C. Hills of Ocala MSTU for Recreation - Request Appointment of One (1) Full Member for a Full Term**

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

Description/Background: There are three vacancies on the Hills of Ocala MSTU board, two for full terms and one for an unexpired term. The two full term vacancies have been previously advertised and the vacancy for the unexpired term is currently in the advertisement and application period. There has been one application received:

- Sheila I. Bonetti

Budget/Impact: None.

Recommended Action: Motion to appoint Sheila Bonetti to the Hills of Ocala MSTU board for a full term ending November 2021.

Clerk Ellspermann advised that the applicant received the appropriate votes. A motion was made by Commissioner Moore, seconded by Commissioner Stone, to appoint Sheila I. Bonetti as a member. The motion was unanimously approved by the Board (5-0).

**10D. License Review Board - Request Appointment of One (1) Alternate Member for a Full Term**

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

Description/Background: The License Review Board has one alternate term that will be expiring November 2017. There have been two application received for this, one of which is the current incumbent who is eligible for re-appointment. The new term will end November 2021.

- Jeremiah Bennett – general contractor, Benmar Construction LLC
- Craig E. Moncrief, Sr. (incumbent) – retired general contractor

Budget/Impact: None.

Recommended Action: Motion to appoint one applicant to the License Review Board as an alternate member for a full term ending November 2021.

Clerk Ellspermann announced the results of the Commissioners' ballots for the License Review Board. A motion was made by Commissioner Stone, seconded by Commissioner Gold, to appoint Jeremiah Bennett as an alternate member. The motion was unanimously approved by the Board (5-0).
11. NOTATION FOR ACTION:

11A. Request Approval to Schedule and Advertise a Public Hearing to Consider the Adoption of a Resolution Establishing Revised Fees for the Parks and Recreation Department on **Tuesday, December 5, 2017 at 10:00 a.m.**

The Board considered the following recommendation from Parks Director/Landscape Architect Jim Couillard, PLA, ASLA, Parks and Recreation:

Description/Background: The Parks and Recreation Department, in cooperation with the Parks and Recreation Advisory Council (PRAC), conducts an annual review of fees collected by the department. Fees are collected at various parks, recreation programs and through the rental of facilities and equipment. During a regularly scheduled PRAC meeting held on October 18, 2017, members of the council unanimously approved recommended changes to the fees resolution. A draft resolution with the proposed changes is attached for review in anticipation of the public hearing, which is requested to be scheduled on Tuesday, December 5, 2017 at 10:00 a.m.

Budget/Impact: None.

Recommended Action: Motion to schedule and advertise a public hearing to consider the adoption of the revised Parks and Recreation Fees Resolution on Tuesday, December 5, 2017 at 10:00 a.m.

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to schedule and advertise a public hearing on Tuesday, December 5, 2017 at 10:00 a.m. to consider adoption of the revised Parks and Recreation Fees Resolution. The motion was unanimously approved by the Board (5-0).

11B. Request Approval to Schedule National Opioid Litigation Workshop on **Monday, December 11, 2017 at 9:00 a.m.**

The Board considered the following recommendation from County Administrator Bouyounes:

Description/Background: At the October 17, 2017 BCC meeting, County Attorney Guy Minter briefed the board on potential opioid class action lawsuit involving counties. The board directed staff to schedule a workshop to include presentation from outside attorneys. Monday, December 11, 2017 at 9:00 a.m. has been confirmed with the outside attorneys and upon approval by the board, invitation will be sent to local municipalities and other community stakeholders to participate in this workshop, as directed by the Board. The Southeastern Livestock Pavilion Auditorium has been reserved for this workshop.

Budget/Impact: None.

Recommended Action: Motion to schedule a workshop to discuss National Opioid Litigation on Monday, December 11, 2017 at 9:00 a.m. in the Southeastern Livestock Pavilion Auditorium.

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to schedule a workshop on Monday, December 11, 2017 at 9:00 a.m. in the Southeastern Livestock Pavilion Auditorium to discuss National Opioid Litigation. The motion was unanimously approved by the Board (5-0).

11C. Request Approval to Schedule the Annual Strategic Planning Workshop on **Tuesday, January 23, 2018 at 9:00 a.m.**

The Board considered the following recommendation from County Engineer Straub, OCE:
Description/Background: The Annual Strategic Planning Workshop is an opportunity for the Board to establish the County’s future goals, initiatives and appropriate budget planning. Staff is recommending a proposed date for the workshop of Tuesday, January 23, 2018 at 9:00 a.m. Based on previous direction from the Board and in preparation for this workshop, staff is in the process of reviewing and updating the five-year budgeting plans developed during the budget workshops. Individual commissioners are encouraged to bring any additional items they would like discussed during this workshop to the attention of the County Administrator for staff to research and include on the agenda.

Budget/Impact: None.

Recommended Action: Motion to schedule the Annual Strategic Planning Workshop on Tuesday, January 23, 2018 at 9:00 a.m.

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to schedule the Annual Strategic Planning Workshop on Tuesday, January 23, 2018 at 9:00 a.m. at the Growth Services Training Room. The motion was unanimously approved by the Board (5-0).

11D. Request Ratification of Letter of Support for College of Central Florida Dated November 13, 2017

The Board considered the following recommendation from County Engineer Straub, OCE:

Description/Background: At the August 22, 2017 BCC meeting, during the approval of the County’s 2018 Legislative Priorities, the board agreed to support the College of Central Florida and their Legislative Priorities for 2018. Staff prepared the attached letter for signature by former Chairman Zalak, which was sent on November 13, 2017.

Budget/Impact: None.

Recommended Action: Motion to approve ratification of letter of support for College of Central Florida.

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to ratify the letter of support for College of Central Florida (CF) dated November 13, 2017. The motion was unanimously approved by the Board (5-0).

12. COMMISSIONER ITEMS:

12A. Request Approval for Travel for Commissioner Michelle Stone to Travel Outside of County for Miami/Dade Homeless Trust Tour on November 27-28, 2017

The Board considered the following recommendation from Executive Assistant Griffis, Commission Office:

Description/Background: On Monday and Tuesday, November 27-28, 2017, staff and Commissioner Stone will be conducting site visits at homeless facilities in the Miami/Dade area. Cost associated will be for lodging the evening of November 27th.

Budget/Impact: Approximate cost is $140.00.

Recommended Action: Motion to approve commissioner travel.

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to approve travel for Commissioner Stone for the Miami/Dade Homeless Trust Tour on November 27 and 28, 2017. The motion was unanimously approved by the Board (5-0).
November 21, 2017

12B. Commission Comments
Commissioner Gold stated he has nothing further to add.

Commissioner Stone commented on a recent house fire and the amazing response by Marion County Fire Rescue (MCFR)
Commissioner Gold out at 11:11 a.m.
Commissioner Stone thanked the Board for approving her travel to Miami-Dade County for the homeless trust tour.
Commissioner Moore stated he is working on bringing forward a plan to move away from ad valorem and towards per parcel assessments. He wished everyone a Happy Thanksgiving and expressed appreciation to first responders.

Commissioner Zalak thanked the Board and staff for all their hard work.

Chairman Bryant complimented MCFR for their professionalism and wished everyone a Happy Thanksgiving.

UPDATE: Mr. Bouyounes advised that an email was received from the FEMA representative and debris removal on state roads will not be available for reimbursement. Chairman Bryant directed staff to bring back options during the afternoon (Zoning) portion of today's meeting.

Chairman Bryant commented on the importance of paying attention to proposals at the state level that will affect Home Rule.

12C. Commission Calendar
The Chairman acknowledged receipt of the Commission calendar covering the period of November 21, 2017 through December 5, 2017.

12D. Additional Public Comment: All members of the public wishing to speak during the “Additional Public Comment” portion of the agenda will be limited to two (2) minutes to make their request or presentation. If the request or matter requires investigation by County staff, the Chair will refer to staff for follow-up with the person making the request. Henry Munoz, Marion Oaks Boulevard, opined that if issues from Item 6A are not resolved before the hearing on December 5, 2017 the 2nd hearing should be postponed until resolved. He wished everyone a Happy Thanksgiving.
Virginia Gayle, SW 39th Circle, thanked the commissioners for their hard work.
Sandra Robinson, SE 80th Avenue, Summerfield, expressed opposition to Item 6A.
Chairman Bryant advised that the PUD was approved in July, 2017. The hearing today was to address water issues and a few other minor changes.

13. NOTATION FOR RECORD:
13A. County Administrator Informational Items:
13A1. Present DRC Waiver Request LDC 2.16.1.B(10) - Family Division for the Deborah Batten Property Parcel #41830-017-00, Application #21046
13A2. Present Solid Waste Monthly Operations Reports for September and October 2017
13A3. Present Ocala/Marion County Chamber and Economic Partnership (CEP) Activity Report for October and Performance Matrix FY 2018 YTD

Page 392, Book X
13A4. Present Letter from the City of Miami Beach City Clerk Dated November 1, 2017 Regarding Resolution Number 2017-30043

13B. Present Walk-On Items From Previous BCC Meeting: NONE

13C. General Informational Items:
13C1. Marion County Health Department – For the Latest health news and information, Visit the Website at http://marion.floridahealth.gov/
13C2. Present Estates at Cotton Plant, Plat 8, Page 023 Petition Count for Proposed Road Assessment

13D. Clerk of the Court:
13D1. Present Letter from Florida Department of Revenue Dated October 20, 2017 for the Marion County Board of County Commissioners Stating that TRIM (Truth in Millage) Certification and Maximum Millage Levy Calculation Final Disclosure Requirements are in Compliance
13D2. Present Letter from Florida Department of Revenue Dated October 23, 2017 for the Rainbow Lakes Estates Municipal Service District Stating that TRIM (Truth in Millage) Certification and Maximum Millage Levy Calculation Final Disclosure Requirements are in Compliance
13D4. Present Monthly Report for the Building Department Budget and Actual
13D5. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 24831, 39886, 44248, 47551, an Attached List From Marion County Health Department
13D6. Present Memorandum From David R. Ellspermann, Clerk Of Circuit Court And Comptroller, Regarding The Filing Of Ordinances 17-26 (Special Events); 17-27 (Comprehensive Plan); 17-28 (Comprehensive Plan), And 17-29 (Zoning) With The Secretary Of State's Office
13D7. Present Lands Available For Taxes Which The County May Purchase (Within 90 Days From 9/27/17) For The Opening Bid Amounts, Pursuant To Chapter 197.542(1), Florida Statutes

13E. Present for information and record, minutes and notices received from the following committees and agencies:
13E1. Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at http://www.WaterMatters.org
13E2. St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at http://www.floridaswater.com
13E3. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at http://www.ocalafl.org/tpo
13E4. Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at http://www.wrwsa.org
13E5. Board of Adjustment (BOA) - October 2, 2017
13E6. Development Review Committee (DRC) - October 16 and 23, 2017
13E7. Dog Classification Board - June 21, 2017
13E8. Marion County Hospital District Board of Trustees (MCHD) – September 25, 2017
November 21, 2017


There was a recess at 11:26 a.m.
The meeting reconvened at 2:00 p.m. with all members present.

Also present were: Growth Services Director Sam Martsolf, Senior Planners Chris Rison and Ken Weyrauch, Strategic Resources Project Manager Kevin Smith, Administrative Staff Assistant Stephanie Sourcey, Staff Assistant IV Darlene Pocock, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, ACA Angel Roussel, and County Engineer Tracy Straub.

9A1. Hurricane Irma Update
Chairman Bryant noted the BCC needed to address a housekeeping item from the morning portion of today's meeting.
Mr. Bouyounes advised that County Engineer Straub was able to talk to the Florida Department of Transportation (FDOT).
Ms. Straub stated she spoke to FDOT and noted they are not changing their position on anything. She advised that an email was received from FEMA indicating that the county would not be eligible for reimbursement on state roads. FDOT believes they have been told something different by their FEMA representative. Ms. Straub shared the email from FEMA with FDOT, who is passing it on and will try to get information from their FEMA representative.
Ms. Straub commented on the need for a bigger state message, not just an opinion by someone, noting the need for a clear answer. FDOT asked that they be advised of any safety issues, which they will address.
Mr. Bouyounes stated there was a lot of discussion about this at the Florida Association of Counties (FAC), noting it is at the state level. He opined that something from FAC may probably need to go directly to the Governor.
In response to Chairman Bryant it was the general consensus of the Board to draft a formal letter to the FAC, as well as the Governor.

UPDATE: Chairman Bryant advised that she presented each Commissioner with the new Liaison Chart, noting there are different assignments for everyone. She asked that if a Commissioner has an issues with being able to attend any of the meetings they have been assigned to let her know so that someone else may be assigned.
(Ed. Note: The Liaison Chart will appear on the December 5, 2017 BCC Agenda.)

14. PLANNING & ZONING AND DRC WAIVER REQUESTS (AT 2:00PM):
Deputy Clerk Bonvissuto advised that there are several Proofs of Publication to be presented for this afternoons meeting.
First is Proof of Publication No. A000920959 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on November 6, 2017. The Notice states the Board will consider adopting an Ordinance approving Comprehensive Plan Amendments (CPAs), rezoning and/or Special Use Permit applications, as well as considering adoption of an Ordinance (14D3).
The second Proof of Publication is entitled, "Notice of Public Hearing to Close and Abandon Road(s)" published in the Voice of South Marion newspaper on November 2,
The Notice states the Board will consider adoption of a Resolution as petitioned by Ermine E. Hagen-Thompson (Item 14B1).

The third Proof of Publication is entitled, “Notice of Public Hearing to Close and Abandon Road(s) and Simultaneously Vacate Plat” published in the Voice of South Marion newspaper on November 2, 2017. The Notice states the Board will consider adoption of a Resolution as petitioned by Church of Gold at Salt Springs (Item 14B2).

The final 2 Proofs of Publication are display ads entitled, “Notice of Change of Land Use, Marion County Comprehensive Plan”, published in the Star Banner newspaper on October 18, 2017. The Notices state the Board will consider Large Scale CPAs 17-L09, Condores 7, LLC (Item 14C1) and 17-L10, Marion County (14C2).

Chairman Bryant stated the County Attorney will now address the process for today’s zoning hearings.

County Attorney Matthew G. Minter commented on the Development Review Committee (DRC) items, which are normally non-controversial, noting there are a number of items on the consent agenda (Items 14A1 through 14A8), which means that no opposition has been received in regard to those items. If anyone present today has any concern with any consent agenda item they may raise their hand and that item will be pulled for separate consideration. The second grouping is the DRC waiver requests (14B1 through 14B3). The property owner is usually the only one concerned with the waiver requests, as in most cases it is only particular to that specific property. Items 14C1 through 14C4a are items for individual consideration and include large scale land use CPA, rezoning and Special Use Permit requests. As to amendments to the Comprehensive Plan; the Comprehensive Land Use Plan in Florida and Marion County is basically considered like the Constitution for land development and is intended to set a long-range plan for how development will progress over a period of years in the community. When the BCC establishes that Plan and makes amendments it is considered Policy making; for that purpose the Board is sitting in a Legislative Policy making role. The BCC is interested in input from citizens in regard to their concerns and opinions of issues, such as the capabilities of the county with its capital improvements, road programs, solid waste, transportation, and what the future land use element (FLUE) of the Comprehensive Plan looks like. This is a policy making discretionary consideration for the BCC.

Under Florida Law, all zoning and Special Use Permits are considered quasi-judicial. In effect, the BCC is basically sitting as judges in those proceedings. Testimony and/or comments about re-zonings or special use permits must be relevant to the situation and are not like a majority vote (i.e., where a majority of those in attendance are either for or against an item). The BCC needs facts as to how the application is beneficial to the community or neighborhood; whether or not the request will have an adverse effect on surrounding properties; or information related to traffic impacts of the project. The applicant will be given an opportunity to give their initial presentation to the BCC or they may wait until after public comment, at which time the applicant (or agent) will respond. If a speaker has questions for the applicant they must address the BCC at the podium and the Board will then in turn direct those issues to the applicant for a response.

### 14A. Planning and Zoning Consent Items:

It was noted that the Planning & Zoning (P&Z) Commission recommendation is as follows:

<table>
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<th>ITEM NUMBER</th>
<th>OWNER</th>
<th>FROM-TO</th>
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Book X, Page 395
PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Colen, and seconded by Mr. Gaekwad, to agree with staff's findings and recommendation, and recommend approval of the following Consent Agenda items (171101SU, 171102SU, 171103SU, 171104Z, 171105Z, 17-S06 and 171109Z) based on the following findings of fact:
1. Will not adversely affect the public interest.
2. Are consistent with the Marion County Comprehensive Plan.
3. Are compatible with the surrounding land uses.

The motion passed 7 to 0.

Growth Services Director Sam Martsolf advised that the eight (8) petitions listed on the consent agenda are recommended for approval by both the Planning Division and the P&Z Commission. He stated the consent agenda items will be acted on in one motion, as follows:

Mr. Martsolf advised that Item 14A8 is a voluntary revocation of a Special Use Permit (Resolution 16-R-346) issued to Tony O'Connor and Sam Scarborough on September 20, 2016.

Chairman Bryant opened the floor to public comment.
There being none, Chairman Bryant advised that public comment is now closed.
A motion was made by Commissioner Moore, seconded by Commissioner Stone, to approve consent agenda items 14A1 through 14A8, agreeing with Growth Services Department staff and the P&Z Commission recommendations, based on findings that the proposed uses are compatible with the surrounding land uses, are consistent with the...
Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).
The motion approved the consent agenda items as follows:

14A1. 171101SU - Tampa Bay Home Improvements LLC., Special Use Permit in R-1, .22 Acres
The Board adopted Resolution 17-R-474 granting a petition by Tampa Bay Home Improvements LLC (owner) / JW Albright (applicant), 812 Centerwood Court, Brandon, FL, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, accessory structure on a parcel without a primary use in an R-1 (Single Family Dwelling) zone on approximately 0.22 acres of Parcel Account No. 3483-006-012.
Resolution 17-R-474 contains the following Conditions:
1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
2. This Special Use Permit for an accessory 24' x 30' garage only.
3. There shall be no outside storage of vehicles or personal items on the subject property.
4. Any security lighting shall be shielded to prevent casting direct light onto adjacent properties.
5. This Special Use Permit runs with the owner, Tampa Bay Home Improvements, LLC, and not with the property.
6. This Special Use Permit will terminate at the time that a primary dwelling unit is constructed on the subject property thereby making the garage a conforming accessory use.
7. The Special Use Permit shall expire on November 21, 2020; however it may be renewed administratively for up to 5 years by a written instrument signed and issued by the Growth Services Manager (or position equivalent to the Growth Services Manager at that time), unless:
   a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,
   b. Neighboring property owners within 300' have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
   c. The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

14A2. 171102SU - VAA Plaza, Inc., Special Use Permit in B-2, 1.61 Acres
The Board adopted Resolution 17-R-475 granting a petition by VAA Plaza, Inc., Varsha H. Shah (owners) / Bryan Caracciolo (applicant), 7732 Clubhouse Estates Drive, Orlando, FL, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for warehouse storage in a B-2 (Community Business) zone on approximately 1.61 acres of Parcel Account No. 15350-000-11.
Resolution 17-R-475 contains the following Conditions:
November 21, 2017

1. The site shall be developed and operated consistent with the site plan approved through the Marion County DRC approval process and the conditions as provided with this approval.

2. This Special Use Permit does not preclude uses that would also be allowed by the subject property's Community Business (B-2) zoning classification per the Land Development Code.

3. Outside storage shall be limited to three (3) job trailers and/or items relating to residential use that will be stored on a temporary basis (no longer than 90 days) at the rear of the proposed building as shown on the site plan.

4. A type B buffer with an opaque screen 8 ft. in height shall be provided where the subject property abuts residential zoning.

5. Any security lighting shall be shielded to prevent casting direct light onto adjacent properties.

6. This Special Use Permit runs with the owner, VAA Plaza, Inc. and not with the property.

7. The Special Use Permit shall expire on November 21, 2022; however it may be renewed administratively for up to 5 years by a written instrument signed and issued by the Growth Services Manager (or position equivalent to the Growth Services Manager at that time), unless:
   a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,
   b. Neighboring property owners within 300' of the subject property have complained to the County Code equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
   c. The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

14A3. 171103SU - Barry and Debra Perpente, Renewal of Special Use Permit in R-1, 1.29 Acres
The Board adopted Resolution 17-R-476 granting a petition by Barry and Debra Perpente (owners/applicants), 13320 SW 114th Place, Dunnellon, FL, for renewal of Special Use Permit 141001SU, Articles 2 and 4, of the Marion County Land Development Code, for parking a commercial semi-truck tractor in an R-1 (Single Family Dwelling) zone on approximately 1.29 acres of Parcel Account No. 3529-008-009.
Resolution 17-R-476 contains the following Conditions:
   1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
   2. The Special Use Permit is limited to one (1) commercial tractor (VIN #1FUJGLD55FLGT5578) only.
   3. The parking/storage of any trailer unit(s), or refrigerated unit(s), is prohibited.
   4. No mechanical repairs/maintenance on the commercial vehicle shall take place on-site.
5. The tractor parking area shall be located in the northern 1/2 of the subject property.

6. The ingress/egress of the tractor may be from Hwy 484 via SW 134th CT to SW 114th PL. Within 30 days of any improvements to SW 114th PL, the applicant shall contact the Office of the County Engineer (OCE) to determine if any driveway/access improvements are required. The applicant/owner/operator will then be responsible for completing any such improvement(s) required by the OCE within 60 days.

7. The owner/operator of the commercial vehicle shall reside on-site.

8. The Special Use Permit shall run with the owner (Barry Perpente).

9. The Special Use Permit shall terminate upon any division or subdivision of the subject property.

10. The Special Use Permit shall expire on November 21, 2022. The applicant may submit a new Special Use Permit Application for consideration to renew and extend this permit in the future.

14A4. 171104Z - Netishen Land Holdings LLC., R-1 to RR-1, 2.35 Acres
The Board granted a petition by Netishen Land Holdings LLC, David M. Netishen (owner/applicant), 35 Beech Hill Road, Exeter, NH, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from R-1 (Single Family Dwelling) to RR-1 (Rural Residential) on approximately 2.35 acres of Parcel Account No.1740-004-004.

14A5. 171105Z - Milton L. Mosley, R-4 and A-1 to B-2, 3.75 Acres
The Board granted a petition by Milton Leroy Mosley (owner/applicant), 51 NW 71st Avenue, Ocala, FL, for Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from R-4 (Mixed Residential) and A-1 (General Agriculture) to B-5 (Heavy Business) on approximately 3.75 acres of Parcel Account No. 23204-022-00.

14A6. 17-S06 - Owen Hayden, Low Residential to High Residential, 1.02 Acres
The Board approved Small Scale Comprehensive Plan Amendment No. 17-S06 by Owen Hayden (owner/applicant), 5795 NE 31st Terrace, Ocala, FL, for a land use change, Articles 1, 2 and 3 of the Marion County Land Development Code, from Low Residential to High Residential on approximately 1.02 acres of Parcel Account Nos. 1492-010-001 and 1492-010-002.

14A7. 171109Z - Owen Hayden, B-2 to R-3, 1.02 Acres
The Board granted a petition by Owen Hayden (owner/applicant), 5795 NE 31st Terrace, Ocala, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from B-2 (Community Business) to R-3 (Multiple Family Dwelling) on approximately 1.02 acres of Parcel Account Nos. 1492-010-001 and 1492-010-002.

14A8. Request to Approve a Voluntary Revocation of Special Use Permit 160902SU, Resolution 16-R-346, Issued to Tony O’Connor and Sam Scarbrough on September 20, 2016.
The Board approved the voluntary revocation of Special Use Permit 160902SU and repeal of Resolution 16-R-346 issued to Tony O’Connor and Sam Scarbrough on September 20, 2016.
14B. Individual DRC Waiver Requests for Consideration:

14B1. PUBLIC HEARING - To Consider Adoption of a Resolution to Close and Abandon a Certain Portion of Oak Avenue Located in Town of Belleview Subdivision

The Board considered the following recommendation from County Engineer Straub, OCE:

Description/Background: This is a request to consider approval of a Resolution to close and abandon a certain portion of Oak Avenue located in Town of Belleview Subdivision, Plat Book ‘A’, Page 15 (A & B). The Development Review Committee considered this request on September 18, 2017 and it was the committee’s recommendation that the petition be granted.

Budget Impact: None.

Recommended Action: Motion to adopt the Resolution closing and abandoning a certain portion of Oak Avenue located in Town of Belleview Subdivision and authorize the Chair and Clerk to execute the same.

Mr. Martsof commented on the request to close and abandon a certain portion of Oak Avenue located in Town of Belleview Subdivision.

Chairman Bryant opened the floor to public comment.

David MacKay, SW College Road, attorney, representing the petitioner, advised that he is present to answer any questions.

Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner Moore, seconded by Commissioner Stone, to adopt Resolution 17-R-477 closing and abandoning portion of roadway as described and requested by Ermine E. Hagen-Thompson. The motion was unanimously approved by the Board (5-0).

Resolution 17-R-477 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO CLOSE AND ABANDON ROAD(S).

14B2. PUBLIC HEARING - To Consider Adoption of a Resolution to Simultaneously Close and Abandon Alleys and Vacate Certain Lots Located in Michigan City Subdivision

The Board considered the following recommendation from Growth Services Director Martsof, on behalf of the Development Review Committee (DRC):

Description/Background: This is a request to consider approval of a Resolution to simultaneously close and abandon alleys lying in Block VIII and vacate Lots 1-16 of Block VIII located in Michigan City Subdivision, Plat Book ‘A’, Page 85. The Development Review Committee considered this request on September 18, 2017 and it was the committee’s recommendation that the petitions be granted.

Budget Impact: None.

Recommended Action: Motion to adopt the Resolution simultaneously closing and abandoning alleys lying in Block VIII and vacating Lots 1-16 of Block VIII located in Michigan City Subdivision and authorize the Chair and Clerk to execute the same.

Mr. Martsof commented on the request to simultaneously close and abandon alleys and vacate certain lots located in Michigan City Subdivision.

Chairman Bryant opened the floor to public comment.

Jonathan Deen, NE 25th Avenue, attorney, representing the petitioner, advised that he is here to answer any questions.

Chairman Bryant advised that public comment is now closed.
A motion was made by Commissioner Stone, seconded by Commissioner Moore, to adopt Resolution 17-R-478 simultaneously closing and abandoning portion of roadway and vacating lots as described and requested by the Church of God at Salt Springs. The motion was unanimously approved by the Board (5-0).

Resolution 17-R-478 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SIMULTANEOUSLY CLOSE AND ABANDON ROAD(S) AND VACATE PLAT.


Growth Services Director Martsolf advised that this matter has been withdrawn by the applicant, noting they have agreed to settle and pay the fee.

14C. Planning and Zoning Items for Individual Consideration:
14C1. 17-L09 - Condores 7 LLC, Rural Land to Low Residential, 197.43 (Transmittal Hearing)

The Board considered the Large Scale Comprehensive Plan Amendment by Condores 7 LLC (owner) / Marion County (applicant), SW 7th Avenue Road, Ocala, FL, to correct an involuntary map change on approximately 197.43 acres of Parcel Account No. 36243-000-00.

PERCENT WRITTEN OPPOSITION WITHIN 300 FEET: 5 of 24 = 21%.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Colen seconded by Ms. Mastrantonio to agree with staff's findings and recommendation, and recommend approval of the requested land use change based on the following findings of fact:
1. Will not adversely affect the public interest.
2. Is consistent with the Marion County Comprehensive Plan.
3. Is compatible with the surrounding land uses.

The motion passed 7 to 0.

Strategic Resources Project Manager Kevin Smith, AICP, Growth Services, advised that this item was initiated by the Growth Services Department to correct a mapping error. The request is to change the land use from rural land to low density residential. The maximum residential density allowed in rural land is 1 unit per 10 acres, while the maximum density allowed in low density residential is 1 dwelling unit per acre (1 du/a). The subject property consists of 197 acres located on the west side of SW 7th Avenue Road in the unincorporated area south of City of Ocala. The site was originally approved for low density residential land use in November of 2006, under application 06-L51. A Developer's Agreement and associated Planned Unit Development (PUD) project was approved for this parcel in 2008. Subsequently, in 2014 the BCC approved a major update to the Future Land Use Map (FLUM) at which time this parcel was unintentionally and erroneously changed from low density residential to rural land. The Growth Services Department also received an associated rezoning request for the property at a proposed density of approximately 1 dwelling unit per 3.5 acres, which would be processed immediately following the large scale land use amendment approval. Staff is recommending approval as it is compatible with the surrounding area and is consistent with the Comprehensive Plan, as well as correcting an unintentional mapping error.
Mr. Smith advised that it is his understanding that the property is in the process of being sold and the buyers representative is present.

Chairman Bryant opened the floor to public comment.

Ria Counts, SW 57th Street, expressed her opposition to 1 du/a.

Jean Hogan, SW 7th Avenue Road, expressed her opposition to the request and asked the Board to leave it as farmland.

Mr. Minter gave the BCC a little background on this item, noting this parcel received the low density residential land use back in 2006, but it was inadvertently taken away in 2014 through no fault or initiative on the part of the land owners. In this case, notwithstanding the concerns that have been expressed; those entitlements were established in 2006 and this is just correcting the county’s mistake.

Chairman Bryant advised that public comment is now closed.

Commissioner Moore inquired as to any other existing errors from 2014. Mr. Martsof stated no other errors are known at this time or they would also have been brought forward. He noted it was a countywide change and there could be another.

A motion was made by Commissioner Stone, seconded by Commissioner Moore, to correct an error made in 2014 and approve transmittal of Large Scale Comprehensive Plan Amendment No. 17-L09, agreeing with Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, Florida Statutes (FS) and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (5-0).

Chairman Bryant advised that the comments will go on the record, noting this will be coming back before the Board on January 16, 2018, at which time they will deal with the other part at that point in time.

It was noted that the Deputy Clerk received a 5 page handout from Randy Klein regarding Development Rights and a 12 page Developer’s Agreement dated September 16, 2008 with 7th Avenue Ocala, LLC, also from Mr. Klein.

14C2. 17-L10 - Marion County Future Land Use Element Text Amendment (Transmittal Hearing)

The Board considered the Text Amendment by Marion County (owner/applicant), SE 25th Avenue, Ocala, FL, as proposed, which affect one Objective and four separate Policies within the Future Land Use Element (FLUE) of the Comprehensive Plan.

PLANNING & ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Gaekwad seconded by Mr. Bailey to agree with staff’s findings and recommendation, and recommend approval of the Future Land Use Text Amendment based on the following findings of fact:

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

The motion passed 7 to 0.

Growth Services Director Sam Martsof advised that staff is bringing forward a Text Amendment, which affects several Policies, Elements, and Objectives of the Comprehensive Plan. He commented on the strike-through and underlined portion in the Agenda packet, which he summarized. Policy 2.1.18 deletes the Rural Community land use designation (the designation AZ Ocala Ranch applied for approval under). This designation has the potential to have unintended consequences of promoting urban
sprawl and is in conflict with a number of objectives of the Comprehensive Plan. The land
use does not currently appear on the FLUM, nor is it addressed in the Land Development
Code (LDC); therefore, there is no impacts to existing properties. This is addressed on
the stricken-through and underlined pages 1-1 and 1-2. The second is Objective 3.1, supports Policies 3.1.4 and 3.1.6, relating to the urban
growth boundary (UGB) definition, as well as rural and urban areas outside of the UGB. The language provided seeks to clarify the intent of the UGB and allowable land use
designations inside and outside, as well as clarify that a modification to the UGB is not
required in order to designate an area outside of the UGB with an urban land use. This is
what staff did, a text policy, for the Wormser amendment, so this fixes that one.
Policy 9.1.7 relates to designating receiving areas for the Transfer of Development Rights
(TDR) program. The change is to remove areas in the environmentally sensitive overlay
zones (ESOZ). Mr. Martsolf commented on a land use amendment and density change
about 1-1/2 years ago on the Scales property, on the south side of Lake Weir, which turns
out to be an area that was Urban Reserve in the older plans and was included in an area
that was eligible to received TDR. This is a simple addition, underlined on page 1-6. This
affects that area on the south boundary of Lake Weir, as well as a bit of floodplain along
the Ocklawaha. He noted no current applications have been received under that, that
would take those areas out of eligibility for TDRs. Mr. Martsolf stated there are also areas
that do not have water and sewer.
Chairman Bryant opened the floor to public comment.
Jane Sands, Highway 25, Ocklawaha, advised that she serves on the Board of Save Lake
Weir. She stated they are very much in favor of taking TDRs away from ESOZ areas,
noting this first came up with the rezoning of the Sloane property, on the south side of Lake Weir, which has since reverted back to agriculture. Ms. Sands commented on the draft for the new Management Plan that will come before the Board as a workshop, hopefully in January of 2018. She
addressed the importance of moving on to some of the elements that are in the
Management Plan in order to help create a good environment for Lake Weir, as it is an
impaired body of water. Ms. Sands referred to the Plan, noting it says to remove the TDR
area within the ESOZ or modify only to allow when sewer is available. She stated they
are opposed to allowing TDRs when sewer is available.
Chairman Bryant advised that public comment is now closed.
A motion was made by Commissioner Stone, seconded by Commissioner Moore, to
approve transmittal of Large Scale Comprehensive Plan Amendment No. 17-L10,
agreeing with Growth Services staff and the P&Z Commission recommendations, based
on findings that the land use change will not adversely affect the public interest, is
compatible with land uses in the surrounding area, is consistent with Chapter 163, Florida
Statutes (FS) and the Marion County Comprehensive Plan. The motion was unanimously
approved by the Board (5-0).
recommendation, and recommend approval with staff developmental conditions of the requested PUD based on the following findings of fact:

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

The motion passed 6 to 0 with Mr. Bailey abstaining due to a conflict of interest.

Senior Planner Ken Weyrauch, Growth Services, presented an 11-inch by 17-inch revised Concept Plan of the PUD. He commented on the request for a zoning change, noting the property is located on the southwest corner of SW 95th Street Road and SW 62nd Avenue Road, and contains 61.61 acres. The proposed units are 246 and the maximum allowable, based on land use, is 399 to 400. Mr. Weyrauch referred to the map on the overhead screens, pointing out the medium density residential on 23.17 acres and high density on 38.44 acres.

Mr. Weyrauch referred to the revised Concept Plan, noting the gray parcels are the 40 foot lots and all others are 60 foot lots. He spoke with Traffic folks and they advised that the access location is fine, as it is spaced far enough away from Cherrywood to the south and allows for access to the commercial lots to the north. The applicant is proposing no buffers (as shown on the Concept Plan) and the buffer to the north would be provided by the commercial property.

Commissioner Zalak questioned what will be built on the 40 foot lots. Mr. Weyrauch referred to a rendering he received today. In response to Commissioner Moore, Mr. Weyrauch stated the setbacks are 5 foot on the sides and 15 feet to the rear, noting all lots have a 20 foot front setback.

David Tillman, Tillman & Associates Engineering, LLC, SE 16th Street, presented a 4 page handout (3, 11x17's and 1, 8.5x11), noting the last page is the rendering referred to by Mr. Weyrauch.

General discussion ensued.

Mr. Weyrauch noted the proposed development will have to connect to water and sewer. He commented on the connection to Cherrywood, noting staff would like for that to be a full connection, but at the least an emergency access.

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

1. The project shall be developed consistent with the conditions outlined herein and the project PUD Conceptual Plan minimum development standards as listed within this staff report.
2. The project shall be limited to a maximum total of 246 site-built dwelling units consisting of SFR detached residential units. Their development shall be consistent with the PUD Conceptual Plan.
3. All portions of the project shall be established as fee ownership lots within the resulting PUD subdivision.
4. In lieu of a Type "A" Buffer, a modified E-Type Buffer (minimum 10' wide, 5 trees per 100 LF and a double-staggered hedgerow) shall be provided along the boundaries shared with the Commercial designated and zoned property (PID# 35695-025-12) to the northeast of the site.
5. A Type "C" buffer shall be provided along SW 62nd Ave Rd. Type "C" buffer shall consist of a 15-foot wide landscape strip without a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and
groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer and form a layered landscape screen with a minimum height of three feet achieved within one year.

6. The final PUD Master Plan shall include a master access plan component to provide for coordinated and shared access to the subject property and the adjacent commercial parcel (PID #35695-025-12) to the northeast to establish a cohesive circulation plan for access to both parcels in order to reduce and limit access points to SW 62nd Avenue Road & SW 95th Street Road and comply with LDC access separation requirements.

7. Prior to completion and approval of the final PUD Master Plan, the project Traffic Study shall be completed and adequate provision shall be made to provide for the completion and connectivity of the project to SW 62nd Avenue Road and SW 95th Street Road.

8. Emergency access shall be provided for the project to the south through Cherrywood Estates.
   a. The emergency access connection shall be established and maintained as a gated and controlled access for emergency vehicles.
   b. In the event the project's main access emergency event or situation, as determined by the County Engineer, the emergency access may be used, with the access closed once the emergency event is resolved, again as per the County Engineer.

9. All construction and/or day-to-day development access for the project shall be provided via SW 62nd Avenue Road, via the project’s main connection to SW 62nd Avenue Road; no construction and/or day-to-day development access shall be provided from or through either the Cherrywood Estates Subdivision.

10. *The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant's expense.*

Mr. Tillman, representing the applicant, was present, and addressed the Conditions regarding a buffer adjacent to the commercial; however, the agreement between the existing owners and the current purchaser are requesting that the commercial buffering be done with the commercial project, not the residential, and would like that condition to be removed. He noted they agree with staff to keep the stub out to the south into Cherrywood as a full access, which provides access to the commercial without having to enter any of the county roadways. The Cherrywood Subdivision is public rights-of-way (ROW) and the majority of this site has 60 foot lots making it more compatible with the same type of uses in Cherrywood. The 40 foot was pushed up over toward the commercial and further away; the drainage retention areas (DRAs) were placed to separate in between Cherrywood and the proposed development to provide as much buffer as possible.

Mr. Tillman commented on the earlier layout and location of the townhomes, as well as the 40 foot lots adjacent to the DRA. He opined that they have done a good job of matching the same type of uses or a less intensity than what is adjacent in most places. Chairman Bryant asked if they are only asking for the buffer requirement to not be for the land adjacent to the commercial, but are still buffering around the remainder of the project.
Mr. Tillman stated the remainder of the project is light, or less intense uses, are adjacent to the entire boundary of the property. Chairman Bryant noting buffering is shown on the Conceptual Plan. Mr. Tillman concurred.

In response to Commissioner Stone, Mr. Tillman advised that he has no idea what the value of the homes are going to be at this time. He referred to page 2 of the handout, noting the gray properties will be 40 to 45 foot in size and the remainder will be 60 feet or larger. Mr. Tillman stated this was not submitted with an age restriction, but is being discussed.

Chairman Bryant opened the floor to public comment.

Bonnie Clark, SW 59th Circle (Cherrywood Estates), commented on items submitted by the DRC in October of 2017, which she hopes can be negotiated and beneficial to all parties and communities concerned. She noted her main concern is the traffic review item and urged the Board to look at the proposed entrances and reconsider the proposed connection on SW 62nd Avenue Road, as well as emergency access on SW 98th Loop through Cherrywood. Ms. Clark stated residents of Cherrywood implore the BCC to ask the developer to do more than DRAs and trees and install a secure wall to keep multi-family residents on their property and not giving walking accessing into Cherrywood, which is a 55 plus community.

Chairman Bryant advised that public comment is now closed.

Mr. Tillman stated he would like to address the conditions; however, one thing they would like to do to make it more compatible with Cherrywood to the south is to make this an age restricted community; thereby matching the same type of use with Cherrywood, so that connection is not so onerous. He requested that Condition 4 be removed. Conditions 8 and 9 will need to be modified. Mr. Tillman stated they would like for this to be modified for a full connection and limit the construction traffic of the subdivision or any of the houses under construction to forbid passing through the Cherrywood neighborhood. He further stated they would like to keep the SW 62nd Avenue Road connection, as staff advised that SW 95th Street will not become a full median opening, so there would be nothing but right in/right out accesses, but will potentially be looking at that in the future for the commercial and will likely request full median access opening. As a concession, to keep these connections open through the subdivisions this will be made an age restricted community.

Chairman Bryant advised that while she appreciates Mr. Tillman's client's willingness to change that to a 55 plus community in order to be conducive with what is around it, she feels that having that exit into Cherrywood be an emergency access only at this time with the yelp (yelp siren) since they have the other 2 accesses. Mr. Tillman noted it would send traffic out to SW 62nd Avenue Road to make that loop right back into commercial. He stated they are trying to take traffic off of what has been described by residents in that area as a roadway that is intensely busy already. Having that connection will bring people from Cherrywood through the proposed development, not the opposite.

General discussion ensued.

Commissioner Moore opined that looking at the traffic pattern, it is more of a benefit to the residents of Cherrywood. Mr. Bouyounes agreed that it will be an opportunity for the residents of Cherrywood to have an easier access to the commercial corridor. Commissioner Moore questioned how they would enforce the no construction traffic. Mr. Tillman stated it will be condition of the PUD and they would not make the connection until after the subdivision. Commissioner Zalak noted it does not make sense for construction traffic to come through Cherrywood. Mr. Bouyounes stated the best way to
enforce the no construction traffic is to not make the connection until the end. He advised that it needs to be a condition of the PUD so they have something to enforce with the developer if they start using Cherrywood for housing construction. In response to Commissioner Zalak, Mr. Bouyounes stated you can put temporary barricades, a gate, etc.

Commissioner Zalak addressed the buffering of 2 lots that are right on Cherrywood, which he opined needs to be more than a Type "C" Buffer. He inquired as to how much is open space and trails, noting it is a lot of units to not really have any amenities. Mr. Tillman noted there is open space in the middle and have been talking about other locations to maybe expand amenities on the site. He stated they will meet the minimum requirement.

General discussion ensued.

In response to Commissioner Zalak, Mr. Martsolf stated there are no specific requirements for a building or pool, noting it is 350 square foot (sf) per unit.

General discussion resumed.

Mr. Tillman advised that they can put that they will address an amenities package. Commissioner Zalak stated he has not seen too many retirement communities that do not have an amenities package, noting this is still lacking that piece. Mr. Tillman advised that they can do that with the Master Plan. It was the general consensus of the Board to concur. Chairman Bryant stated the Board definitely needs to see that package. Mr. Bouyounes questioned whether the Board wants the final Master Plan to come back. Commissioner Zalak stated that is correct, noting he wants to make it a condition that this comes back with an amenities package.

Commissioner Stone noted it says there is going to be passive recreation. Mr. Tillman stated that is what they were going for, passive type recreation, not a clubhouse and pool. He noted the intention is for the open space to be a park area, not just a grass open field.

In response to Commissioner Stone, Mr. Tillman stated there will be sidewalks, at least on 1 side of the road. Chairman Bryan opined that when the engineer originally looked at the concept they were looking at a development with no age restrictions and a more family type atmosphere; however, since it is being changed to a 55 plus community, some type of amenities may be needed.

General discussion resumed.

A motion was made by Commissioner Gold, seconded by Commissioner Moore, to approve the Zoning Change from R-1 to PUD with Master Plan Recommended Conditions 1 through 9, as amended below; agreeing with Growth Services staff and the P&Z Commission recommendations, based on findings that the proposed use is compatible with the surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest.

In response to Commissioner Gold, Mr. Tillman advised that Condition No. 10 requires that the final Master Plan be brought back to the BCC.

Master Plan Recommended Conditions, as approved:

1. The project shall be developed consistent with the conditions outlined herein and the project PUD Conceptual Plan minimum development standards as listed within this staff report.

2. The project shall be limited to a maximum total of 246 site-built dwelling units consisting of SFR detached residential units. Their development shall be consistent with the PUD Conceptual Plan.

3. All portions of the project shall be established as fee ownership lots within the resulting PUD subdivision.
In lieu of a Type "A" Buffer, a modified E-Type Buffer (minimum 10'-wide, 5 trees per 100 LF and a double-staggered hedgerow) shall be provided along the boundaries shared with the Commercial designated and zoned property (PID# 35695-025-12) to the northeast of the site. PUD shall be age restricted to 55+.

4. A Type "C" buffer shall be provided along SW 62nd Ave Rd. Type "C" buffer shall consist of a 15-foot wide landscape strip without a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer and form a layered landscape screen with a minimum height of three feet achieved within one year.

5. The final PUD Master Plan shall include a master access plan component to provide for coordinated and shared access to the subject property and the adjacent commercial parcel (PID #35695-025-12) to the northeast to establish a cohesive circulation plan for access to both parcels in order to reduce and limit access points to SW 62nd Avenue Road & SW 95th Street Road and comply with LDC access separation requirements.

6. Prior to completion and approval of the final PUD Master Plan, the project Traffic Study shall be completed and adequate provision shall be made to provide for the completion and connectivity of the project to SW 62nd Avenue Road and SW 95th Street Road.

7. Emergency access shall be provided for the project to the south through Cherrywood Estates.
   a. The emergency access connection shall be established and maintained as a gated and controlled access for emergency vehicles.
   b. In the event the project's main access emergency event or situation, as determined by the County Engineer, the emergency access may be used, with the access closed once the emergency event is resolved, again as per the County Engineer.

8. All construction and/or day-to-day development access for the project shall be provided via SW 62nd Avenue Road, via the project's main connection to SW 62nd Avenue Road; no construction and/or day-to-day development access shall be provided from or through either the Cherrywood Estates Subdivision.

9. The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant's expense.

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

14C4. 171107Z - B. Smith Hialeah LLC., A-3 to PUD, 358 Acres
The Board considered a petition by B. Smith Hialeah, LLC (owner) / Scott Siemens (applicant), 1675 N. Military Trial, 5th FL, Boca Raton, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from A-3 (Residential Agricultural Estate) to PUD (Planned Unit Development) on approximately 358 acres of Parcel Account No. 41427-000-00.
WRITTEN OPPOSITION WITHIN 300 FEET: 1 of 42 = 2%.

PLANNING AND ZONING COMMISSION RECOMMENDATION (for 171107Z):
Motion was made by Mr. Gaekwad seconded by Mr. Langley to agree with staff's findings and recommendation, and recommend approval of the request for a PUD with staff's developmental conditions based on the following findings of fact:
1. Will not adversely affect the public interest.
2. Is consistent with the Marion County Comprehensive Plan.
3. Is compatible with the surrounding land uses.
The motion passed 5 to 0 with Mr. Bailey abstaining due to a conflict of interest and Mr. Colen having left the meeting before the case was presented.

Senior Planner Chris Rison, AICP, Growth Services, presented a 16 page handout entitled, "20171107Z/2017-DT4" to follow along with the PowerPoint presentation. He commented on the project, which was created as a Comprehensive Plan Amendment a number of years ago.

Commissioner Moore out at 2:51 p.m.
The property was previously approved for a PUD for a hamlet development; however, this site obtained a CPA by obtaining a transfer of vested rights commitments related to their project. Transferring vested rights in a historic subdivision in the Orange Springs area to this site to attain the equivalent of a low density residential designation and then obtained the CPA to make it medium residential. The applicant is now requesting a PUD for the 358 acre site to potentially increase the number of dwelling units up to 895 units, although with the land use they would be eligible for up to 1,400 units. The subject site is located on Highway 484 in the Belleview area; west of Belleview, heading toward the Interstate (I-75). The area is currently served by a number of different service activities; water and sewer lines will be extended to the site from the Marion Oaks Summerfield facilities to the west. Just to the east and southeast are Belleview Heights Estates and Sunlight Acres subdivisions. The Via Paradisus development is approximately 1/2 mile to the north and another residential, agricultural tract area is to the east and northeast, which is also historic. Along the property's west boundary is a series of flag lots, which access these different parcels shown to the northwest (as seen on the overhead screens), resulting in a very large strip of flag parcels that run for a total of about 80 feet on the western boundary that separates the subject property from properties to the west.

Commissioner Moore returned at 2:54 p.m.
Properties to the east are agricultural tracts, followed by the urban type tracts of the Belleview Heights Estates subdivision.

Growth Services staff and the P&Z Commission recommend approval with the following Master Plan Recommended Conditions:
1. The project shall be limited to a maximum total of 895 site-built dwelling units consisting of a maximum of 502 SFR detached residential units and a maximum of 393 site-built multiple-family units. Their development shall be consistent with the PUD Conceptual Plan, subject to compliance with the PUD's typical development designs and standards listed as in Tables 6 and 7; however; development of the multiple-family units may be reduced or eliminated in favor of the development of additional SFR detached residential units, subject to compliance with the typical minimum lot designs and standards listed in Tables 6 and 7, and the project-wide maximum gross number of 895 dwelling units.
2. Development of the multiple-family residential units (MFR) shall be placed so that no habitable MFR structures are located within 100' of the PUD's overall boundary.

3. Project buffers shall be provided consistent with Table 6. Additionally, buffers for the project shall be established and maintained in independent tracts separate from residential properties, whether SFR or MFR, and not as easements or similar overlays on the properties. No accessory structures for the SFR or MFR units or for the buffers (e.g., wells, irrigation pump house, trails, etc.) themselves may be placed within the buffers other than irrigation system lines.

4. All project development shall be served by central potable water and central sanitary sewer services prior to the issuance of any project Certificates of Occupancy or equivalent final inspection; with the developed consistent with the LDC.

5. In the event an alternative water treatment plant site is established in lieu of the intended on-site facility, the development of the project's SFR dwelling units may then extend into the former water treatment plant area, subject to compliance with the typical minimum lot designs and standards listed in Tables 6 and 7, and the project-wide maximum gross number of 1,395 dwelling units.

6. Any RV/Boat storage area shall be provided internal to the development and a minimum of 200' from the PUD's overall boundary.

7. Prior to completion and approval of the final PUD Master Plan, the project Traffic Study shall be completed and adequate provision shall be made to provide for the dedication of thoroughfare and minor local collector rights-of-way along with necessary supporting transportation system and/or access improvements, consistent with applicable County and State provisions.

8. Prior to completion and approval of the final PUD Master Plan, the Plat Vacation and Road Abrogation Application(s) for the Ocala Ranchettes Subdivision shall be completed and recorded to effect the dissolution of the Ocala Ranchettes Subdivision. However, after 1-calendar year from the date this PUD is approved, in the event the Plat Vacation and Road Abrogation Application(s) for the Ocala Ranchettes Subdivision are not completed and recorded to effect the subdivision's dissolution, this PUD Zoning Application shall be deemed "void" and Marion County may administratively pursue returning the site's zoning classification to "PUD — Hamlet".

9. The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant's expense.

Mr. Rison noted the applicant is proposing a housing type size of 50 and 60 feet wide dimensions, as well as a 30 foot wide minimum, Type "A" Buffer surrounding the perimeter of the project. Internal to the project the applicant is allowing for a townhome type development pattern, which will allow for internal multi-family type activity. The development is not proposed as an age restricted community at this point in time. The amenity package proposed is shown in the Amenities Chart, found at the bottom of page 410, Book X.
9 of the handout, indicating the types of amenities they would provide, depending upon whether or not it would be made an age restricted retirement community or a traditional family community.

Mr. Rison advised that the project's original approval had a requirement for a Developer's Agreement; however, such an agreement has not yet been executed. At this point the PUD would be addressing the main concerns for that; therefore, staff is recommending that the requirement for a Developer's Agreement be terminated.

Mr. Rison stated one of the tables in the staff report will need to be updated to match some of the better measurements for setbacks as proposed, as they are slightly smaller than on the table listing for the multi-family project that is located internally.

Commissioner Zalak inquired as to the original approved buffer along the agriculture properties. Mr. Rison advised that it did not get into specifics at that point for the original proposal, as it was more related to the CPA when the development was approved. The PUD that was previously existing was essentially a hamlet type subdivision and then they came in with a plan amendment for a higher, more density, development. The only limitation that Developer's Agreement requirement was a lower number of units of approximately 450 units, but are now asking for a maximum of 895 units.

Chairman Bryant opened the floor to public comment.

Carolyn Beecroft, S. Highway 475, was not present when called upon to speak.

Calvin Babcock, S. Highway 475, advised that he originally objected to the placement of 548 units on the subject site, noting he lived to the northwest on the other side of the 80 foot flag in a neighborhood of 20 acre equine estates. He expressed his concern with a 358 acre development going from 548 units to 895 units and creating urban sprawl in a horse country area.

Paul Picone, S. Highway 475, advised that he shares the same concerns as Mr. Babcock, as well as traffic, noise, water runoff, and trash.

Delbert Smallridge, SE Highway 484, Belleview, noted he lives to the south, adjacent to the this PUD and shares the same kind of concerns as those who spoke before him, in addition to quality of life concerns. He respectfully asked that the Board consider the density of the development.

Rex Smallridge, SE Highway 484, Belleview, questioned the proposed buffer zones and access points. He asked the Board to consider how busy Highway 484 already is and what this proposal will do to the traffic situation. Mr. Smallridge advised that when he built on his 4 acre tract it was with the understanding that if any of the land was to be subdivided one would need at least 10 acres to build on and further subdivide the larger parcel of land, which seems to have gone by the wayside. He questioned whether multi-family units means duplexes or apartments.

Chairman Bryant advised that public comment is now closed.

David J. Tillman, SE 16th Avenue, Tillman & Associates, LLC, engineer, representing the applicant was present and presented an 11x17 Interactive Map — Golden Oak. He commented on the buffer and referred to the Concept Plan where they tried to go toward a clustered type development. With the cluster type development they tried to pull things a little bit further away than is typically seen in the majority of developments that come before the BCC. There are locations where the buffer is in excess of 200 feet adjacent to neighbors; and adjacent to the neighbors to the south, the closest point is about 120 feet. The plan is to leave a minimum a 30 foot buffer with existing vegetation, as there is a lot of very mature vegetation around the outside boundary of the subject parcel, which
provides pretty good screening throughout the majority of the boundary; however, some places will require infill where the vegetation is lacking.
Chairman Bryant inquired as to the buffer type when talking about infill. Mr. Tillman stated it is a Type "A" Buffer, which consists of 4 trees per 100 feet with 3 shade trees per 100 feet, 5 ornamentals and shrubs.
In response to Chairman Bryant, Mr. Tillman stated they agree that any multi-family will be a minimum of 200 feet separation and will be fee-simple, not apartments for rent, which could be condominiums (condos) or townhomes. He stated it will not be duplex type units, noting they proposed a minimum of 4 units per structure.
Mr. Tillman addressed densities, noting adjacent properties, such as Sunlight Acres has a calculated density of 2.1 units per acre, which is basically 2 units per acre; Bellevue Heights is 3.4 units per acre, and Tropicana Park is 2.3 units per acre. If they were to build out at full density, with all of the multi-family type housing, which is not exactly what they see going here, would be at 2.5 units per acre and is not an excessive type density. The subject property also has some environmentally sensitive things of concern to be worked around. As the plans are developed they will try to pull away from property lines a little bit more to leave as much vegetation as possible in between the development and neighbors.
Commissioner Moore commented on the Florida Crossroads Commerce Park and questioned how much of that will come into play or have an effect on the proposed development. Mr. Tillman stated any job creation that occurs in an area also creates a housing demand and the commerce park will be a benefit to this development.
Commissioner Zalak addressed the comments heard and letters received in regard to agriculture right up against the property line. He noted the driving range does not seem to be of issue. Mr. Tillman stated those 2 pieces are where they have some of the largest separation from, noting the flag lots on the west side have almost 100 feet of driveway that is adjacent to the property line. Commissioner Zalak clarified that he is referring to the east boundary that jags, noting he is willing to negotiate if they are willing to reduce the actual buffer to perhaps a Type "B" Buffer; however, he would like to see a vinyl wall or something against those horse farms/mini farms. Chairman Bryant stated it is on the south side. Mr. Tillman commented on the costs of fences, noting they were trying to do a cluster development and pulling off of the property line so they are not right up to and adjacent to those farms. He stated he cannot stop someone from walking over to another property. Commissioner Gold noted it is some extensive fencing. Mr. Tillman stated it is over 1 mile of fencing.
General discussion ensued.
Scott Siemens, SE Ft. King, applicant, advised that the eastern boundary is abutting SE 30th Court, noting the western boundary also has a roadway that is flag access; however, those properties do not actually abut the property in that area. As you get to some of the housing of the residential lots there is an existing barbed wire fence that was refurbished when they purchased the property that is maintained as they have cattle on the property currently and has a very mature tree line. Mr. Tillman advised that the majority of the layout has been pulled away from the property line.
General discussion resumed.
Commissioner Zalak opined that as long as they put in the PUD that the existing fence will be maintained by someone, a Homeowners Association (HOA) or whatever is put in place.
Commissioner Stone questioned the value of the units. Chairman Bryant questioned the target market. Mr. Siemens stated they are thinking somewhere in the range of a couple hundred thousand to $250,000 and up. Commissioner Stone commented on the need for affordable housing in the area. Commissioner Zalak asked if they are in excess of $40,000 a lot to get utilities. Mr. Tillman stated they are half way between Belleview and I-75 utilities, which is not a short run.

A motion was made by Commissioner Zalak, seconded by Commissioner Gold, to approve the Zoning Change from A-3 to PUD, with Master Plan Recommended Conditions 1 through 10, as amended below; agreeing with Growth Services staff and the P&Z Commission recommendations, based on findings that the proposed use is compatible with the surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest.

Master Plan Recommended Conditions, as approved:

Master Plan Recommended Conditions:

1. The project shall be limited to a maximum total of 895 site-built dwelling units consisting of a maximum of 502 SFR detached residential units and a maximum of 393 site-built multiple-family units. Their development shall be consistent with the PUD Conceptual Plan, subject to compliance with the PUD's typical development designs and standards listed as in Tables 6 and 7; however; development of the multiple-family units may be reduced or eliminated in favor of the development of additional SFR detached residential units, subject to compliance with the typical minimum lot designs and standards listed in Tables 6 and 7, and the project-wide maximum gross number of 895 dwelling units.

2. Development of the multiple-family residential units (MFR) shall be placed so that no habitable MFR structures are located within too' of the PUD's overall boundary.

3. Project buffers shall be provided consistent with Table 6. Additionally, buffers for the project shall be established and maintained in independent tracts separate from residential properties, whether SFR or MFR, and not as easements or similar overlays on the properties. No accessory structures for the SFR or MFR units or for the buffers (e.g., wells, irrigation pump house, trails, etc.) themselves may be placed within the buffers other than irrigation system lines.

4. The existing fence line (currently barbed-wire/farm fence) abutting the existing tracts along the sites south and southeast boundaries (including PID #41510-000-03 at the southwest corner then extending east and then north to include PID #41527-001-01) will be maintained at least as barbed-wire/farm fencing.

5. All project development shall be served by central potable water and central sanitary sewer services prior to the issuance of any project Certificates of Occupancy or equivalent final inspection; with the developed consistent with the LDC.

6. In the event an alternative water treatment plant site is established in lieu of the intended on-site facility, the development of the project's SFR dwelling units may then extend into the former water treatment plant area, subject to compliance with the typical minimum lot designs and standards listed in

Book X, Page 413
Tables 6 and 7, and the project-wide maximum gross number of 1,395 dwelling units.

7. Any RV/Boat storage area shall be provided internal to the development and a minimum of 200' from the PUD’s overall boundary.

8. Prior to completion and approval of the final PUD Master Plan, the project Traffic Study shall be completed and adequate provision shall be made to provide for the dedication of thoroughfare and minor local collector rights-of-way along with necessary supporting transportation system and/or access improvements, consistent with applicable County and State provisions.

9. Prior to completion and approval of the final PUD Master Plan, the Plat Vacation and Road Abrogation Application(s) for the Ocala Ranchettes Subdivision shall be completed and recorded to effect the dissolution of the Ocala Ranchettes Subdivision. However, after 1-calendar year from the date this PUD is approved, in the event the Plat Vacation and Road Abrogation Application(s) for the Ocala Ranchettes Subdivision are not completed and recorded to effect the subdivision’s dissolution, this PUD Zoning Application shall be deemed “void” and Marion County may administratively pursue returning the site’s zoning classification to “PUD — Hamlet”.

10. The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant’s expense.

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

14C4a. 17-DT4 - B. Smith Hialeah LLC., Developer’s Agreement Requirement Termination, 358 Acres
The Board considered the request by B. Smith Hialeah, LLC (owner) / Scott Siemens (applicant), to terminate the requirement for a Developer’s Agreement as related to Comprehensive Plan Amendment 2007-L08 on PID #41427-000-00; located at 2499 SE Highway 484 Belleview, respectively; totaling ±358 acres, to terminate.

WRITTEN OPPOSITION WITHIN 300 FEET: 1 of 42 = 2%.

PLANNING AND ZONING COMMISSION RECOMMENDATION (for 17-DT4):
Motion was made by Mr. Gaekwad seconded by Mr. Langley to agree with staff’s findings and recommendation, and recommend termination of the developer’s agreement based on the following findings of fact:
1. Will not adversely affect the public interest.
2. Is consistent with the Marion County Comprehensive Plan.
3. Is compatible with the surrounding land uses.

The motion passed 5 to 0 with Mr. Bailey abstaining due to a conflict of interest and Mr. Colen having left the meeting before the case was presented.

This matter was addressed with Item 14C4 (171107Z).
A motion was made by Commissioner Stone, seconded by Commissioner Gold, to grant the termination requirement for a Developer’s Agreement to terminate the requirement for a Developer’s Agreement as related to Comprehensive Plan Amendment 2007-L08 on PID #41427-000-00. The motion was unanimously approved by the Board (5-0).
14D. Adoption of Ordinance

14D1. 17-S06
A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to adopt Ordinance 17-31 adopting Small Scale Comprehensive Plan Amendment No. 17-S06, agreeing with the Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, FS and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (5-0).

Ordinance 17-31 is entitled:

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

2017-S06, OWEN HAYDEN;
1.02 +/- ACRES;
PID# 1492-010-001, 1492-010-002;
FROM LOW RESIDENTIAL TO HIGH RESIDENTIAL PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

14D2. O'Connor Revocation
The Board considered a letter dated October 18, 2017 from Tony O'Connor regarding Special Use Permit No. 160902SU granted by Resolution 16-R-346 (Tony O'Connor/Sam Scarbrough), requesting the Special Use Permit be canceled or revoked.

A motion was made by Commissioner Moore, seconded by Commissioner Zalak, to adopt Ordinance 17-32 revoking Special Use Permit No. 160902SU / Resolution 16-R-346, effective November 21, 2017. The motion was unanimously approved by the Board (5-0).

Ordinance 17-32 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, REVOKING SPECIAL USE PERMIT NO. 160902SU, RESOLUTION NO. 16-R-346 AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

14D3. Zoning
The Deputy Clerk presented Affidavits of Mailing and Posting of Notices received from Deputy Growth Services Director Sam Martsolf and Deputy Clerk Bonvissuto regarding petitions for rezoning and Special Use Permits heard earlier in the meeting.

A motion was made by Commissioner Moore, seconded by Commissioner Zalak, to adopt Ordinance 17-33 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (5-0).

Ordinance 17-33 is entitled:
November 21, 2017

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

UPDATE: Commissioner Zalak inquired as to the two lawsuits or appeal to the Circuit Court regarding the Roberts issue. Mr. Minter advised that they received a Petition for an Administrative Hearing last week for Golden Ocala. He noted he has not seen it yet, but received word that a Civil lawsuit was received today on Golden Ocala. Commissioner Zalak asked that the county attorney keep the BCC updated.

There being no further business to come before the Board, the meeting thereupon adjourned at 3:18 p.m.

Kathy Bryant, Chairman

Attest:

David R. Ellsperrmann, Clerk