CALL TO ORDER:
The Marion County Board of County Commissioners met in regular session in Commission Chambers at 9:05 a.m. on Tuesday, January 16, 2018 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:
The meeting opened with invocation by Commissioner Stone 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 12B).

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

1A. PRESENTATION - Plaque from Marion County Sheriff's Office and Certificates of Appreciation from BCC to Central Christian Church and Church of Hope for Gracious Assistance with Special Needs Sheltering During Hurricane Irma (Approval and Presentation)

County Administrator Mounir Bouyounes, PE, County Administration, presented the following recommendation:
Description/Background: The Marion County Board of County Commissioners and the Marion County Sheriff's Office would like to recognize two local churches for the gracious assistance they provided to the citizens of Marion County during Hurricane Irma. Both Central Christian Church and Church of Hope donated the use of their facilities to serve as shelters during the storm event and were instrumental in Marion County's recovery efforts. Additionally, congregants from these churches helped in other ways, such as volunteering to staff the shelters, donating needed supplies and providing food to the staff and special needs residents. In this recognition, Marion County Board of County Commissioners will be presenting both churches with a certificate of appreciation (attached) and the Sheriff's office will be presenting a plaque for their compassion and efforts during this countywide disaster.
Budget/Impact: None.
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Recommended Action: Motion to approve and present the attached certificates of appreciation to the Central Christian Church and Church of Hope.

Emergency Management Director Preston Bowlin, on behalf of the Marion County Sheriff's Office (MCSO), along with the Board of County Commissioners (BCC), presented plaques and Certificates of Appreciation to Emily Cummins, Linda Wilson and Rob Peters, Church of Hope; and Lead Pastor Doug Reed and Executive Pastor Dan Kuhn, Central Christian Church, for use of their facilities to serve as host shelters immediately after Hurricane Irma.

1B. PROCLAMATION - Human Trafficking Awareness Month - Joelle Aboytes, Circuit 5 Community Development Administrator (Approval and Presentation)

The Board presented the Proclamation designating the month of January, 2018 as the “Human Trafficking Awareness Month” to Donna Guinn, Supervisor of the Ocala Police Department (OPD) Victim Advocate Program; Don Westgate, Director of Kimberly’s Center for Child Protection; Mark Lander, Florida Department of Health (DOH); Cindy Turner, MCSO; and Megan Shay, Public Information Officer, OPD.

Ms. Guinn advised that the next Human Trafficking Task Force meeting will be held on Wednesday, February 28, 2018 at OPD Headquarters.

1C. PRESENTATION - Employee Service Awards - Amanda Tart, Human Resources Director (Approval and Presentation)

Human Resources (HR) Director Amanda Tart presented the following recommendation:

Description/Background: The Marion County Board of County Commissioners feels it is important to recognize employees with fifteen (15) years of service or more to the County. For our recognition ceremony, we want to acknowledge those employees who have achieved this milestone.

Because of the Board’s continual and generous support of its employees, the Marion County Board of County Commissioners would like to present the following Employee Service Awards (see Exhibit A).

Budget Impact: Funds are available.

Recommended Action: Presentation of appropriate awards to the employees listed on Exhibit A.

The BCC, along with HR Director Amanda Tart, presented Employee Service awards to the following:

Susan Bedard, Solid Waste, for 15 years of service;
Dale Berman, Marion Public Library, for 15 years of service;
Thomas Cunningham, Fire Rescue Services, for 15 years of service;
Robert Deel, Fleet Management Fleet, for 15 years of service;
Justin Deen, Fire Rescue Services, for 15 years of service;
Scott Hyler, Fire Rescue Services, for 15 years of service;
Timothy LaFlamme, Office of County Engineer (OCE), for 15 years of service;
Todd Muder, Fire Rescue Services, for 15 years of service;
Michael Rodoski, Fire Rescue Services, for 15 years of service;
Eric Schwartz, Fire Rescue Services, for 15 years of service;
Deananath Seegobin, Fire Rescue Services, for 15 years of service;
Michael Wicker, Facilities Management, for 15 years of service;
James Banta, Fire Rescue Services, for 20 years of service;
Damon Bogart, OCE, for 20 years of service;
Bryan Fields, OCE, for 20 years of service;
Scott Gragen, Fire Rescue Services, for 20 years of service;
Warren Hope, Solid Waste, for 20 years of service;
Alan Kleckner, Utilities, for 20 years of service;
Misti Mattingly, Fire Rescue Services, for 20 years of service;
Mary Merenda, Marion Public Library Public Services, for 20 years of service;
Paul Moore, Facilities Management, for 20 years of service;
Diane OLenick, Marion Public Library, for 20 years of service;
Sarah Papanu, Fire Rescue Services, for 20 years of service;
Christopher Reynolds, Fire Rescue Services, for 20 years of service;
Thomas Scott, Fire Rescue Services, for 20 years of service;
David Calder, Fire Rescue Services, for 25 years of service; and
Charles Hall, OCE, for 25 years of service.

It was noted that Susan Bedard, Robert Deel, Justin Deen, Timothy LaFlamme, Todd Muder, Michael Rodoski, Eric Schwartz, Deananath Seegobin, Damon Bogart, Scott Gragen, Warren Hope, Alan Kleckner, Misti Mattingly, Mary Merenda, Paul Moore, Diane OLenick, Sarah Papanu, Christopher Reynolds, Thomas Scott, and David Calder were not present.

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. Jon Lin, Trial Court Administrator - Request Approval to Designate Lutheran Services Florida, dba LSF Health Systems to Serve as the Lead Applicant for the Florida Department of Children and Families Grant Opportunity "Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant" on Behalf of Marion County to Expand the Services of the Mental Health Court

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

Description/Background: Lutheran Services Florida Health Systems, as the Managing Entity overseeing the state-funded system of behavioral healthcare in our county, to more effectively meet the behavioral health needs of individuals at-risk for or those already involved in the criminal justice system is requesting to serve as the lead applicant for the Florida Department of Children and Families Grant Opportunity "Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant" on behalf of Marion County. This funding would assist the Mental Health Court to expand the services they are able to provide and to increase the number of people they are able to serve. Community Council Against Substance Abuse will serve as the planning council or committee for this program. Attached is the letter designating Lutheran Services Florida as the lead applicant for the Florida Department of Children and Families Grant opportunity "Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant" on behalf of Marion County to expand the services of the Mental Health Court.

Budget/Impact: Up to $1.2 million grant award for the 3 years for Mental Health Court.

Recommended Action: Motion to approve letter designating Lutheran Services Florida Health Systems to serve as the lead applicant for the Florida Department of Children and Families grant opportunity "Criminal Justice, Mental Health, and
Substance Abuse Reinvestment Grant on behalf of Marion County to expand the services of the Mental Health Court.

A motion was made by Commissioner Moore, seconded by Commissioner Zalak, to approve letter designating Lutheran Services Florida Health Systems to serve as the lead applicant for the Florida Department of Children and Families grant opportunity "Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant " on behalf of Marion County to expand the services of the Mental Health Court. 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. Vincent Vaughns - Shooting Range in His Neighborhood

Vincent Vaughns, NE 21st Avenue Road, Sparr, addressed the Board regarding a firing range on a nearby property.

Commissioner Bryant: I saw that name on the list, is your son Vincent Vaughns from North Marion?

Mr. Vaughns: Yes.

Commissioner Bryant: How’s he doing?

Mr. Vaughns: Doing good, he was here for the holidays, but he’s gone back now.

Commissioner Bryant: I saw that on Facebook. So, for those of you that don’t know, Vincent is a North Marion, student who actually left North Marion early and went to where?

Mr. Vaughns: Exeter.

Commissioner Bryant: Exeter and now he is at Harvard?

Mr. Vaughns: Yale.

Commissioner Bryant: And now at Yale; a great story out of Marion County. Thank you for being with us today Mr. Vaughns.

Mr. Vaughns: Thank you. Anyway, I was here last year on the 20th of December. I went online and I printed out the minutes of the meeting when I was here and I just have some concerns about what was written up. I know that it is at somebody’s discretion, as to what is written in here and what’s left out, and how accurate everybody’s statements are. But, when I was here before, I was here because prior to that; I have the report here, the incident report. I was here because of this incident where there is a firing range just north of my house. It’s mentioned in the minutes here 3 times, or twice, and then it’s eluded to by Mr. Martsolf that there is 8 acres between my property and where the shooting range is. I know specifically that I said there is not 8 acres between where my window is and where those berms are setup down there, it is not 8 acres across there. I have a report of a recent incident from the Marion County Sheriff’s Department, on the 10th or maybe the 16th of December this year, last month, where the officer stated that there is about 1/10th of a mile between where those berms are and where my window is that was shot out, I’m gonna say that now because that is why I am here again. They shot my window out and I have not heard from the gentleman that owns the property. I talked to him on the phone the day that it happened and he told me that he didn’t know who was down there. From what I am understanding, the reason he is able to do that, according to Mr. Martsolf, is
that it's for personal use. There is a 15 or 16 acre piece down there that he's set this range up on and he doesn't live there. I have been living where I'm living for right at 40 years. I originally went to Mr. Martstolf because of the incident report that I have; when there were live rounds shooting over my house. That was the reason I went to Mr. Martstolf in the beginning because the reporting officer told me that is what I needed to do, to go to talk to the zoning people because there was nothing he could do. The Sheriff told me that there is nothing they can do. While they were there; twice they've been there, they are trying to tell me they don't know where the shots coming from, but they shot my window out and I have pictures of the guys down there shooting. I have pictures showing the bullet in my house. The officer took the bullet that was in my house into evidence. The officer that wrote up the report, I went to talk to the Captain up at the north office; the substation, I can't remember what his last name is, but he was a Captain up there, and I'm here now because in the original report, or the minutes when I was here back in December, I distinctly remember, Chairman Zalak, saying that, can't we write this guy a letter or something. That is not in the minutes, but I remember that.

Zalak: uh huh.

Mr. Vaughns: It's not in the minutes and like I said almost three, well twice for certain, but the next time it's eluded to that there is 8 acres in between, and that if the property, personal property, is not outside, but if they're shooting and live rounds are going over my house and my window is shot out; nobody here would want to be shot in their home and that is why I'm here. I would like to know what was done, how was he contacted before when I was here, because that's in the minutes, saying that he would work with the property owner. Mr. Zalak directed staff to work with the property owner to come to an amenable agreement for all parties, okay, like I said, so what was done? Nobody said anything to me, since I was here back in December of 2016. I don't know what's amenable? What am I supposed to do, am I supposed to just accept the fact that they can shoot out my window? They can shoot over my house and there not be a letter or something written to this man to put him on notice that he, that they, can't shoot over my house. I mean, if they shoot the berms that are there and originally like I said I was concerned because there was nothing ever mentioned in the minutes that I said before that they were shooting over my house, the rounds, were going over my house and that is why I am here because now they have shot my window out. There's a couple of prominent members of the community that if I called their names, somebody here would know them, they told me that; and they mentioned that something is wrong, you should not be in your home and have to worry about being shot in your home.

Chairman Bryant: Mr. Vaughns

Mr. Vaughns: Yes.

Chairman Bryant: Ok so, I was actually going to ask you that was December of 2016 that you were here originally and then since December of 2016, this past December of 2017 you have had one of your windows shot out.

Mr. Vaughns: Yes, I have the report.

Chairman Bryant: Ok.

Mr. Vaughns: Right here from the Marion County Sheriff's Department, he was there.

Chairman Bryant: All right.

Mr. Vaughns: and he.

Chairman Bryant: So if.

Mr. Vaughns: While he was there. The reason I went to talk to the Captain was because of the way he wrote this up, it was suspicious and then he told me, and it's not in his report
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and I know it’s just what I’m saying, but he told me that it looks suspicious, you know, he
didn’t know where the shots were coming from and the bullet inside my house and he’s
trying to tell me well that looks staged and I mean I was upset about that.
Chairman Bryant: I’m sure. Well.
Mr. Vaughns: You know, because here I am now in my home and I have to be subjected
to someone shooting in my house. The original statement here says that when I was here,
I expressed concern with the safety issues, which was right and urged that the Board not
allow any commercial use. I was not here with any concerns or any knowledge of anybody
being able to setup a commercial range there and it be outside of my being able to
complain about it. I didn’t say anything about any commercial use when I was here before.
I was here complaining because they were shooting over my house and the rounds were
going over my house. The commercial use only covers, it seems, his right to do what he
is doing, but I didn’t know anything about that when I went to talk with Mr. Martsolf. He
told me the man had talked to him and said that he had contacted everybody in the
neighborhood and I told him he never talked to me. The people who own the property
next to me live in California, so I called them in California to find out if the man had talked
to them and they told me no, they haven’t heard anything from the man about that. So
the cover was for him to go and tell Mr. Martsolf that he talked to everybody, then I found
out that he doesn’t have to contact anyone if he’s using that for personal use. So that is
his escape to be able to do what he’s doing, to shoot over my house, break out my window
and not be accountable, because it happened and I have the report.
Chairman Bryant: Mr. Vaughns, I’m gonna have to ask you to wrap it up.
Mr. Vaughns: Yeah, that’s it. I mean I said what I have to say because I’m here from when
I was here before, my statements that are here were not put accurately why I was here.
Mr. Martsolf stated twice in here that he has 8 acres there and even the police officer that
came out after the window was shot out, said it was only 1/10th of a mile, which is about
520 feet.
Chairman Bryant: Well what we are going to have to do is we are going to have, we’ll go
back to the Clerk, I’ll ask the Clerk’s Office to go back and listen to the recording of that
meeting and you were at the zoning meeting that date or the morning meeting?
Mr. Vaughns: I was here.
Chairman Bryant: So we’ll go back and we will look at that and if we need to make a
correction to those minutes: 1) we will make a correction to those minutes; 2) we’re going
to have Sam Martsolf, from our Zoning, he is our Growth Management Director is sitting
right back there, he’s heard all of your comments this morning and we’re gonna have him
check into that; and then we definitely will be getting back with you on this. I also think
Commissioner Zalak has something that he would like to add to this as well.
Mr. Vaughns: Okay, I know my time may be up, but could I say I’m here because he has
already stated in the minutes here, that you know, well can’t we, but it’s not here, but to
do some agreement and that word there or what was left out of the minutes about him
asking to write a letter to this gentleman or can’t we contact him or something, someway.
For this personal property code action where he asks his staff to work with him and then
Mr. Martsolf mentions again about there being; reiterated the shooting range is north of
my property, as if this vacant piece of property that is in between where the man has his
range, as if he is able to do that and not be accountable. Like I said before, nobody ever
contacted me, never.
Commissioner Zalak: Madam Chair, Mr. Vaughns, you may be very well right, I thought
your problem; quite frankly after that meeting, that your situation was solved and I
apologize, if it has not been. But Angel (Assistant County Administrator (ACA) Roussel) right behind you will make sure we have all the information. We will have a sit down meeting with us and the Sheriff’s Office. We will bring everyone to the table and we will do our very best to bring a recommendation to get this solved for you. I will personally make sure that it is followed up on and Angel will make sure that we get it done. So, you will be contacted with a meeting time within the next week or so, and we’ll be sitting down to have this further conversation so we can get your, we can get your issue remedied. Okay?

Mr. Vaughns: Okay, I appreciate that, but, but.
Commissioner Zalak: That’s my fault for not following up on making sure that a letter was sent, I just thought it was.
Mr. Vaughns: Ok, fine I accept that, but I’ve contacted a lawyer because.
Chairman Bryant: Mr. Vaughns, Mr. Vaughns, I’m really sorry but your time has been up. If you have some more, you might want to go into the office and make an appointment with Nadja (executive Assistant Griffis) to sit down with Chairman Zalak, because Chairman, I believe this is in your District.
Commissioner Zalak: Yeah, yeah, I’ll take care of it.
Chairman Bryant: He’ll take care of it and we will address all of your concerns. We take your public safety very seriously and you know, if those things are occurring, that definitely is an issue and we want to make sure that we get it resolved. We appreciate you being here this morning.
Mr. Vaughns: All right, all right.
Commissioner Zalak: Thank you Mr. Vaughns. If you will go with Angel please.
Commissioner Bryant: He’s right behind you.
Commissioner Zalak: And get a time to get set up, we’ll make sure that meeting gets done here shortly. Thank you, sir.

Excerpt from the official minutes of the December 20, 2016 BCC meeting (Item 2D):
Vincent Vaughns, NE 21st Avenue Road, Sparr, addressed the Board in regard to a firing range on a nearby property. He expressed concerns with safety issues and urged the Board to not allow any commercial use on the subject parcel.
Growth Services Director Sam Martsolf advised that he has spoken with the property owner, as well as Mr. Vaughns. He stated the property owner constructed the firing range approximately 2 weeks ago for personal use, noting staff is monitoring the activity for any signs of commercial use.
In response to Chairman Zalak, Mr. Martsolf stated the property in question is 15 acres, with 8 acres to the south separating it from Mr. Vaughns’ property. He advised that he will speak with the property owner to see if the position of the firing range can be moved to a different area of the property.
Commissioner Bryant questioned the location of the property in comparison to Mr. Vaughns’ property and if all barriers in place meet the county’s Code requirements. Mr. Martsolf stated the subject parcel is north of Mr. Vaughns’ property and is separated by an 8 acre parcel. He advised that staff has verified it is a personal use range, no mining is taking place and a berm is present.
Chairman Zalak stated a property owner is only required to install a sufficient backstop to stop the round.
In response to Chairman Zalak, Emergency Management Director/Captain Chip Wildy, Marion County Sheriff’s Office (MCSO), advised that a deputy dispatched to the property
would be required to consider whether the property owner is violating any Florida Statutes, noting all zoning issues would be referred to Code Enforcement. Chairman Zalak directed staff to work with the property owner to come to an amendable agreement for all parties. He advised that, legally, the Board cannot restrict the use of a firearm on personal property when all Code regulations are being followed.

In response to Commissioner Bryant, Mr. Martsolf reiterated the shooting range is north of Mr. Vaughn’s property on a vacant piece of property.

**Verbal Record from December 20, 2016 (Item 2D):**
VAUGHNS: Vincent Vaughns, I live at 14209 NE 21st Avenue Road, in Sparr, Florida. I think I spoke with Commissioner Zalak on Friday.
ZALAK: Yeah.
BRYANT: Excuse me one moment, Commissioner, if I may, is Vince Vaughns your son; that went to North Marion High School?
VAUGHNS: Yeah.
BRYANT: You should be very, very, very proud of that young man.
VAUGHN: Thank you. He's at Yale now.
BRYANT: I know, I was there when he got accepted into, to finish his last year of high school and I've been following him on Facebook. So, sorry.
VAUGHNS: Anyway, I'm here today because of where I live. My property in Sparr, I explained to Mr. Zalak, I have, I think I have the plot number and the two other adjacent properties that are next to mine; and the property that is in question they're putting up a, a firing range there. And from what I understand, that the gentleman has to have some sort of an exception to put it there, if he's going to have like I guess, other than his personal use. Last Saturday, not Saturday gone, but the Saturday before, is when they started to shoot there. They have these berms put up, but my concern was that last Saturday I thought I heard one of the rounds go over my house. So I called the county sheriff and he came out and he told me, what he; he said there was no criminal act done and if something hit my house then I would have to find the round and you know, then present that. But, I'm here concerned because, you know, there is property between where he's setting up his firing range and my property. There is 8 acres in between where he is and where I am, but it's not 8 acres across. There is only about 500 feet there; 520 feet, I'll say from where my property is to where his is. I'm here because I'm concerned that should I have to wait for something to go wrong before something is done. I mean he, from what I understand; I went to the Zoning Department and the gentleman there told me; well, whoever the guy is that owns the property told them what he talked to everyone in the neighborhood or he went to the neighbors or what have you. The people that own the property between myself and him live in California. I called them the other day to talk to them; they didn't know anything about it. I mentioned to them, I said, well, you know I'm sure the value of your property is going to go down because this man is putting up this firing range there and that should be a concern for them. I understand he has a right to put that there, but do I have to be subjected to not being safe in my own home? I have to wait for something to go wrong for him to have the approval to do what he's doing? I don't know what size armaments they're using; some of it is real loud; some of it is not quite so loud. And, I'm sure that somebody is going to come with a bigger rifle than the next man, just to show, you know, what he has, a bigger whatever. And I don't know what kind of specifications are required for the berm to be put up. I don't know what size caliber of gun should be used there that the way the sand is that it will contain whatever is shot toward...
my house. And that's my concern, I know I live out in the country and he has a right to do that, but does he have a right to shoot toward my house, that's my concern.

ZALAK: Alright, Sam, I've already asked Sam this question. So why don't you fill us in, at least to the best of your knowledge.

VAUGHNS: Say it again, I'm sorry.

ZALAK: No. No. Sam Martsolf is our Zoning Director, so go through the process. Have you talked to them?

MARTSOLF: Yes sir. Sam Martsolf, Marion County Growth Services Director, for the record. Yes, I've talked to the property owner, as well as Mr. Vaughns and he claims he knows all the right things to say; it's a personal use range, built, or started constructing it a couple of weeks ago and we got the first complaint, I think 2 weeks ago on a mining complaint. So we've been out there monitoring it ever since, and he knows that if he starts to do anything commercial, if he starts to conceal weapons permitting, or anything that's advertised and getting groups up there outside of his personal use, individuals, then we've got people monitoring it that live up in that area.

ZALAK: Do you, Sam, is there a criteria for him in regard to the backstop?

MARTSOLF: No sir, there is best management practices by the National Rifle Association; they're very detailed, very easily accessible online and the gentleman who owns the property is well aware of them.

ZALAK: Okay.

MARTSOLF: The berm is pretty substantial in size. We have an individual that lives up there that is our resident Code Enforcement expert on those kind of things.

ZALAK: How many; how big is his property over there?

MARTSOLF: 15 acres.

ZALAK: 15 acres.

MARTSOLF: And there is 8 acres to the south, then there is Mr. Vaughns property.

ZALAK: Okay. Is it possible to ask, I mean ask, of course this is just an ask, but is it possible to ask them to shoot in a different direction that doesn't have any houses in it?

MARTSOLF: Yes, absolutely. I'll have a conversation with him before Christmas.

ZALAK: Will you do that?

MARTSOLF: Yes sir.

ZALAK: Okay.

BRYANT: Mr. Chair.

ZALAK: Yes?

BRYANT: Is it possible that we could pull up, do we have the ability to pull up Mr. Vaughns property and pull up the neighbors property? Just so I can see where it is, if you don't mind.

ZALAK: Can we do that?

BRYANT: I don't know if we can or if we can't, that's fine. I don't know if we can.

ZALAK: That's not really available.

BRYANT: I don't know if it's available right now.

MARTSOLF: I can email it to you.

BRYANT: It's okay.

MARTSOLF: Soon as I get back in the office.

BRYANT: I pulled up Mr. Vaughns property.

MARTSOLF: North of that is an 8 acre piece, and then there's a piece kind of on the corner that's 15 acres.

BRYANT: Okay, so north of it?
MARTSOLF: Yes ma’am.
BRYANT: Alright. I was just trying to get an idea, trying to get a feel to be able to see what we are looking at there. And we have looked to see if they have put everything up properly?
MARTSOLF: Yes ma’am, we’ve looked to see that there is a berm there and that he’s not mining and it is a personal use range. We don’t have any construction specifications for that and as far as I know the Building Department certainly does not require a permit for a mound of dirt. We have these all over the county, as you are probably well aware.
ZALAK: Yes. I mean they’re just supposed to provide sufficient backstop.
BRYANT: Right.
ZALAK: To stop the round I mean, and that’s the only criteria, right?
MARTSOLF: Yes sir.
ZALAK: Okay. Chip, hey, can you, do you mind filling us in on what the Sheriff looks for as well? Just out of curiosity, or Sheriff Elect, I mean either way it will work.
WILDY: Basically the, Chip Wildy, Emergency Management Director, Captain, Marion County Sheriff’s Office, basically the Sheriff’s Office will go out there with the type of call that he got we would be looking for one of a couple of things. There are certain laws as far as shooting over occupied dwellings. Basically we go through the whole gamete of are they doing anything illegal by Florida Statutes. There are a lot of things protecting an individual of things they can do on their own property and naturally, like you’ve already approached any sort of zoning issues or anything like that Mr. Martsolf would be referred over to the county. I would, I’m guessing by the description that I briefly heard, and not knowing any more of the conversation that it was probably a case of there was no criminal statutes that were being violated and then probably would refer him to any of the other avenues, which is what he is pursuing here today. So, from what little I know about this I would not imagine there was any criminal violations.
ZALAK: So, the only time they would actually have an issue though is if they obviously the backstop wasn’t sufficient to stop a round.
WILDY: Well, you know, then you’re looking; okay, shooting over an occupied dwelling.
ZALAK: Yeah, and what happens there? It’s got to be intent.
WILDY: I mean, it’s criminal statute we would have to
ZALAK: You would have to witness it as a deputy?
WILDY: Not necessarily.
ZALAK: Okay.
WILDY: But, we’d have to have evidence that it occurred.
ZALAK: Okay.
WILDY: If that round was fired at certain angles it would be difficult for us to get any physical evidence to take to the State Attorney’s Office to backup that allegation, unless there was a specific allegation. There are also the possibility of things that would come under the Wildlife Commission, depending on the area of the county and stuff like that. But, like I said, briefly from what little I heard a little bit ago, I would imagine that, I can guarantee the deputy went through the gamete of possible criminal violations. But, more than likely did not find an issue.
VAUGHNS: I have, this is the; when the Deputy came out, this is what he gave me.
ZALAK: Okay.
VAUGHNS: That’s the case
WILDY: Look, they actually pulled a case number.
VAUGHNS: All of that
WILDY: That Deputy is a very experienced deputy.
VAUGHNS: But he was telling me that if something happened I would have to find the round and bring the round in.
ZALAK: Yeah, talk about some evidence?
VAUGHNS: Well, that's sort of a little excessive, I think. I mean, I live there, I didn't just move there. I don't know how long this man is on this property.
WILDY: Can we get a few minutes on this cause this will take a little bit of time and I don't want to dice (inaudible).
ZALAK: So, one of the, here, what I let you know, I'm going to ask our Zoning Department just to kind of go out there and look at this. The best thing with a private range on private property for us to do is to ask the owner if there are some concessions that he'd be willing just to make. And we're just asking that because there have been some neighborhood concerns raised, legally there's not; we don't have some type of mechanism to say you can't shoot your firearm on your own property, so long as you; especially when they put the backstop in and built a berm and doing all those things. So our best recourse; allow Sam and his team to go and ask them to make some additional concessions, because I think it is important that we do the very best that we can to help you facilitate being able to, at least feel safe in your own home. I think that's important, so we're going to do to the best of our efforts to go to that end and Mr. Wildy will spend some extra time with you. Thank you.
BRYANT: Mr. Chair?
ZALAK: Yes.
BRYANT: May I ask Sam one more question?
ZALAK: You may.
BRYANT: I've just, just trying to identify the property. So, Mr. Vaughns property is there, there is an 8 acre piece north of that and then there is a 15 acre parcel north of that, a vacant parcel?
MARTSOLF: Correct.
BRYANT: And this is where the shooting range has been put?
MARTSOLF: Yes ma'am.
BRYANT: Thank you.
ZALAK: Alright Commissioners, that was the only person I had that was signed up to speak today. So, let's open it up to the general public. Anyone else?

Commissioner Gold out at 9:39 a.m.
3B. Doug Shearer - Greenway Paved Trail
Doug Shearer, SE 85th Street, presented a 1 page diagram entitled, “Horse Trail Crossings” and an 8 page handout entitled, “Paved Trail” to follow along with the PowerPoint presentation.
Commissioner Gold returned at 9:40 a.m.
Mr. Shearer addressed the Board regarding a proposed reroute of the Pruitt Trailhead, which eliminates 6 horse crossings and provides a safer route for equestrians. He expressed concern that the signage along the trailway are made of metal instead of breakaway materials, which can be a safety issue should a horse rider or cyclist fall. In response to Chairman Bryant, County Engineer Tracy Straub, OCE, advised that several portions of the trail are still under construction and there are some items that the contractor is responsible for repairing; however, some remedies need to be made by the county as pointed out by Mr. Shearer.
Chairman Bryant clarified that the project is still under construction and sign placement is not complete. She stated the signage will be changed to a breakaway material, which will resolve that issue.

Mickey Thompson, Regional Manager, State Office of Greenways and Trails, advised that he and county staff have reviewed every item in Mr. Shearer's presentation. He noted signage will be placed on both sides of all 4 tunnels, as well as the land bridge that is part of the current trail segment. Mr. Thompson stated we will continue to work with all user groups (cyclists, equestrians, hikers, etc.) to refine the trail and get it where it needs to be. He addressed the need for law enforcement presence along the trailway, as well as the importance of educating users on the safety aspects of shared trail usage.

General discussion ensued.

Chairman Bryant questioned whether the Board should schedule a community meeting regarding the trail and then invite all of the different groups to come at one time to discuss shared usage.

Mr. Thompson stated he will also work with staff from the Florida Parks Services to help facilitate the meeting. He commented on the need to continue to place signage along the trailway and on park kiosks to educate users on proper trail etiquette. Mr. Thompson stated he spoke with Mr. Shearer regarding the realignment of Pruitt Trailhead.

Chairman Bryant directed Mr. Thompson and Ms. Straub to get with Mr. Shearer and schedule a meeting to further discuss this matter. She commented on the need to also address vehicle parking and trail crossings along SR 200. Chairman Bryant requested the meeting be scheduled prior to the next regularly scheduled BCC meeting so that the matter can be brought back for Board discussion.

Ms. Straub advised that staff will also review the berm along the wetlands and plains, noting the Southwest Florida Water Management District (SWFWMD) has been working with the county on those items.

General discussion resumed.

Mr. Thompson addressed the current alignment versus the proposed realignment, noting many things have to be taken into consideration, such as new surveys, wetlands, topography, habitat impact, etc.

Chairman Bryant commented on the importance of getting this trail right for generations to come.

Chairman Bryant noted it is past the ten o'clock hour. She advised that the Board will continue with public comment after the public hearing is concluded.

6. PUBLIC HEARINGS (Request Proof of Publication) at 10:00 am: Public participation is encouraged. When prompted, please step up to the podium and state your name and address for the record. Please limit your comments to the specific issue being addressed.

6A. PUBLIC HEARING - Request Approval and Adoption of the Comprehensive Plan Five-Year Schedule of Capital Improvements 2018 Annual Update for FY 2017-2018 Through FY 2021-2022

Growth Services Director Samuel Martsolf presented the following recommendation:

Description/Background: Florida Statutes Section 163.3177(3) requires the county to annually maintain a Schedule of Capital Improvements for the Five-Year Capital Improvements Program as part of the Capital Improvements Element (CIE) of the Comprehensive Plan. The CIE Schedule contains projects for facilities and services with a Comprehensive Plan adopted Level of Service (LOS) standard
which includes the following: Potable Water, Sanitary Sewer, Transportation, Solid Waste, Stormwater (drainage), Public School Facilities, and Recreation and Open Space. This annual update must be approved by the Board, but is no longer required to be a formal Comprehensive Plan Amendment that must be reviewed by the Department of Economic Opportunity.

Budget/Impact: None.

Recommended Action: Motion to adopt the Comprehensive Plan Five-Year Schedule of Capital Improvements for FY 2017-2018 through FY 2021-2022.

Deputy Clerk Windberg presented Proof of Publication of a display ad entitled, "Notice of Annual CIE Update Marion County Comprehensive Plan" published in the Star Banner newspaper on January 5, 2018. The Notice states the Board will consider adoption of an Ordinance relating to the 2018 Annual Capital Improvements Program (CIP) Update. Growth Services Director Sam Martsoff, advised that this is the statutory required annual update to the Capital Improvement Element of the Comprehensive Plan.

Commissioner Moore out at 10:03 a.m.

Chairman Bryant opened the floor to public comment.

Jack Stackman, NE 248th Avenue Road, advised that the Plan proposes to expend approximately $5,000,000 on the Baseline Landfill and opined that it is time to discuss when the county will begin utilizing the ACMS/Heart of Florida Landfill in Sumter County.

Donna Hayes, SW 109th Lane Road, questioned whether there are members from the MCSO and OPD present. She stated she is here today to discuss gambling in Marion County.

Chairman Bryant clarified that this is a public hearing regarding the CIE Update and general public comment will resume after this hearing.

Commissioner Moore returned at 10:04 a.m.

Roger Knechtel, SE 97th Terrace, opined that employee wages should be addressed as part of the Comprehensive Plan.

Chairman Bryant advised that public comment is now closed.

Commissioner Zalak stated the money the county expended to purchase airspace at the ACMS Landfill will be used in the next 4 to 5 years, noting part of the $5,000,000 set aside for Baseline Landfill will be utilized to set up going from a landfill operation to a transfer station operation. Some of the funds will also be utilized for long term care of the Baseline Landfill (methane collection, well monitoring, etc.) after it closes.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to adopt Ordinance 18-01 relating to the Comprehensive Plan. The motion was unanimously approved by the Board (5-0).

Ordinance 18-01 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR FINDINGS; ADOPTING THE 2018 ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT (CIE) OF THE MARION COUNTY COMPREHENSIVE PLAN, PURSUANT TO SECTION 163.3177(3), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

3C. Donna Hayes – General
Donna Hayes, did not appear when called upon to speak.
Chairman Bryant noted if Ms. Hayes returns, she will be given another opportunity to speak.
Commissioner Gold out at 10:09 a.m.

3D. General Public Comment (Limited to 2 Minutes Each Speaker):
Brian Creekbaum, NE 31st Terrace, advised that on Saturday, February 3, 2018 at 2:00 p.m. at the historic Reilly Arts Center, a solo piano performance will be given by Terry Waldo, who is a highly recognized professional Rag Time musician.
Commissioner Gold returned at 10:11 a.m.
Mr. Creekbaum invited the public to come out and enjoy this musical event.
Domenic Ferrelli, Chestnut Drive, did not appear when called upon to speak.
Glenn Biggerstaff, did not appear when called upon to speak.
Phil Johnson, did not appear when called upon to speak.
Michelle Shearer, SE 85th Street, presented a 1 page diagram entitled, “Safety For All”, regarding the Cross Florida Greenway paved trail. She recommended the county place “horse crossing ahead” signage directly on the pavement to alert users that there is an upcoming equestrian crossing.
Roger Knechtel, SE 97th Terrace Road, Summerfield, reiterated his previous comments regarding the need for the BCC to address employee salaries.
Bill Slavich, SE 48th Avenue, addressed the Board regarding proposed revisions to the current Fee Schedules for Construction Permits, Contractor Licensing and Citation Fees (Item 7B1). He advised that the Marion County Building Industry Association (MCBIA) is working with county staff on this matter and is in support of the consolidation of inspections. Mr. Slavich stated MCBIA was still working on 4 or 5 items relating to the Revised Fee Schedule, which was just returned to the Building Department for review. He requested the Board postpone this matter to allow staff time to address those items.
ACA Angel Roussel advised that staff can bring this matter back at the next regularly scheduled BCC meeting in February, noting the proposed Fee Schedule will not be made effective until July 2018.
Chairman Bryant advised that Item 7B1 will be pulled from the Consent Agenda for continuance until the next regularly scheduled BCC meeting. She expressed her appreciation to MCBIA for their efforts relating to this matter.
Mr. Slavich advised that MCBIA and the Advocacy Resource Center (ARC) of Marion are doing a King of the Wing fund raiser on Tuesday, January 30, 2018, from 5:00 p.m. to 9:00 p.m. at the Southeastern Livestock Pavilion (SELP).
Henry Munoz, Marion Oaks Boulevard, advised that the county is going to expend in the aggregate of $2,227,192 for the Enterprise Resource Planning (ERP) Project and questioned what the project relates to (Item 5B).
Chairman Bryant stated the ERP will bring the county’s Information Technology (IT) software and computer programs up to date. Commissioner Zalak stated it will take multiple years to install the program across the entire county and noted the funds are coming from savings on other projects.
Glenn Biggerstaff, did not appear when once again called upon to speak.
Phil Johnson, SW Highway 484, addressed the Board regarding the proposed reroute of the Pruitt Trailhead and read a statement into the record. He advised that he and his wife are in favor of the proposal to reroute and eliminating 6 of the horse trail intersections as proposed by Mr. Shearer.
(Ed. Note: The statement read into the record was not provided to the Deputy Clerk.)
Donna Hayes, SW 109th Lane Road, addressed the Board regarding Chapter 849, of the Florida Statutes (FS) relating to gambling at Internet Cafes.

Commissioner Moore advised that he worked on getting a law passed that would shut down Internet Cafes, noting he is totally opposed to gambling. He commented on a loophole that is being used by operators of Internet Cafes, noting it is a state law that needs to be addressed in Tallahassee.

Ms. Hayes stated the Department of Agriculture turned Internet Cafes over to counties to administer. She opined that these gambling establishment are an economical and safety issue to citizens in the community.

Chairman Bryant suggested Ms. Hayes meet with Ms. Griffis, Commission Office, to schedule one-on-one meetings with Commissioners. She requested County Attorney Minter sit in on her meeting with Ms. Hayes.

Mr. Minter advised that he did not contact Ms. Hayes last week because he did not have an answer to her question. He advised that since that time, he spoke with staff from the Zoning Department, as well as attorney David Shields from Seminole County, which has a task force currently in place to address this issue. An amendment to this Statute in 2013 eliminated significant problems with enforcement of this matter. Mr. Minter advised that he spoke with attorney Gregg Jerald, MCSO, regarding this issue, noting Mr. Jerald is interested in Ms. Hayes information and requested Ms. Hayes contact Mr. Jerald with the specific locations of the businesses she is concerned with so that they may pursue the matter.

(Ed. Note: This matter was again discussed later in the meeting.)

Corline Finley, Plant City, advised that she is not in favor of paving the Marjorie Harris Carr Cross Florida Greenway. She expressed concern with safety issues on paved trails and the lack in preservation of wilderness throughout the State of Florida.

Jack Stackman, NE 248th Avenue Road, advised that he supports legalized gambling. He commented on those who support the thoroughbred horse industry and opined the only purpose of thoroughbred horses is to race and gamble on them.

Susan Augello-Vaisey, Lithia Towne Road, Lithia, addressed the Board regarding the Greenway Trail, and expressed concern with multi-users sharing the same tunnels throughout the trailways. She commented on the need to have unpaved trails for equestrian riders.

Denise Raymond, NW 50th Avenue, requested the county make the proper allowances for equestrian riders along the trails.

4. ADOPT THE FOLLOWING MINUTES: (9 sets)

4A. October 17, 2017
4B. October 20, 2017
4C. November 7, 2017 A
4D. November 7, 2017 B
4E. November 21, 2017
4F. December 5, 2017
4G. December 11, 2017
4H. December 19, 2017
4I. December 20, 2017

A motion was made by Commissioner Stone, seconded by Commissioner Moore, to adopt the meeting minutes of October 17, 20, November 7 (2 sets), 21, December 5, 11, 19 and, 20, 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 Moore, seconded by Commissioner Gold, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Clerk Ellspermann:
5A1. 18-R-001 – Building Department Fund - Building Department - $17,000
5A2. 18-R-002 – Fine & Forfeiture - Sheriff Regular - $15,000
5A3. 18-R-003 – Fire, Rescue and EMS Fund - Fire/Rescue Services - $150,000
5A4. 18-R-004 – General Fund - Facilities Management - $15,903
5A5. 18-R-005 – General Fund - Facilities Management - $23,305
5A6. 18-R-006 – General Fund - Procurement Services - $21,959
5A7. 18-R-007 – MSTU for Law Enforcement - Sheriff Patrol & CID - $1,690
5A8. 18-R-008 – MSTU for Law Enforcement - Sheriff Patrol & CID - $9,174
5A9. 18-R-009 – MSTU for Law Enforcement - Sheriff Patrol & CID - $18,042
5A10. 18-R-010 – MSTU for Law Enforcement - Sheriff Patrol & CID - $41,981
5A11. 18-R-011 – Silver Springs Comm. Redevelopment Area Trust Fund - Silver Springs CRA/Administrative - $58,789
(Ed. Note: EMS is the acronym for Emergency Medical Services; MSTU is the acronym for Municipal Service Taxing Unit; CID is the acronym for Criminal Investigation Division; Comm. is the abbreviation for Community; and CRA is the acronym for Community Redevelopment Area.)

5B. Request Approval of the Following Budget Amendment Resolutions Related to the Enterprise Resource Planning Project (ERP):
Upon motion of Commissioner Moore, seconded by Commissioner Gold, the Board adopted the following Budget Amendment Resolutions related to the ERP project as presented by Clerk Ellspermann:
5B1. 18-R-012 – Building Department Fund - Building Department - $84,744
5B2. 18-R-013 – County Transportation Maintenance Fund - Transportation Department - $193,314
5B3. 18-R-014 – Fire, Rescue and EMS Fund - Fire / Rescue Services - $198,948
5B4. 18-R-015 – General Fund - General Government Capital - $840,591
5B5. 18-R-016 – Insurance Fund - Insurance - $41,664
5B6. 18-R-017 – Local Housing Assistance Trust Fund - State Housing Initiative Partnership Act - $8,787
5B7. 18-R-018 – Marion County Utilities Fund - Utilities/Capital Construction - $642,971
5B8. 18-R-019 – Parks and Recreation Fees Fund - Parks & Recreation Fees - $96,061
5B9. 18-R-020 – Solid Waste Disposal Fund - Solid Waste Disposal - $93,224
5B10. 18-R-021 – Stormwater Program - Stormwater Program Department - $12,050
5B11. 18-R-022 – Tourist Development Tax - Visitor and Convention Bureau - $14,838

UPDATE: Clerk Ellspermann advised that he has forwarded each Commissioner a copy of the minutes from the December 20, 2016 BCC meeting that was referred to by Mr. Vaughns for Board review.

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

7A. Administration:
7A1. Request Approval of Marion County Historical Commission Bylaws (Budget Impact - None)
The Board accepted the following recommendation as presented by Assistant County Administrator (ACA) Jeannie Rickman, Administration:
Description/Background: At the December 11, 2017 Historical Commission Meeting the attached bylaws were approved and prepared for BCC approval. These bylaws are intended to ensure that the Historical Commission is able to effectively facilitate its operations within the scope of the attached Resolution and Ordinance established by the Board on September 7, 2016. Assistant County Attorney Russell Ward recommended the Historical Commission adopt these bylaws after an instance where the president was unable to attend a meeting on behalf of the Historical Commission, and another instance requiring a meeting to be rescheduled/postponed on short notice due to Hurricane Irma. The proposed bylaws allow for the Vice President to "perform all the duties and be subject to all the responsibilities of the President in his/her absence, disability or disqualification." The bylaws also permit the President to reschedule meetings or change the meeting location, "provided that reasonable advance notice is given each member and the public in accordance with Florida's Sunshine Law."
Budget/Impact: None.
Recommended Action: Motion to approve the Marion County Historical Commission bylaws.

7B. Building:
7B1. Request Approval of Revised Fee Schedules to Accompany Building Safety Department Reorganization (Budget Impact – Revenue generating)
The Board considered the following recommendation to Revise Fee Schedules for the Building Safety Department as presented by Acting Building Safety Director Douglas Newbanks:
Description/Background: The Building Department workload has increased an average of 6% annually over the past four years. In an effort to maintain functions and improve service to our customers, additional staff is required. A reorganization of the Building Department was initiated by Jeffrey Camden, then Building Director, and has been carried out by Acting Director, Doug Newbanks. This reorganization included revisions to the current Fee Schedules for Construction Permits and Fee Schedules for Contractor Licensing and Citation Fees with the following objectives:
1) To reduce the number of permit types from 173 to 58, which will simplify permitting processes for both customers and staff.
2) To propose and implement a reorganization plan that will provide sufficient staff and cross-training to deliver quality service to our customers and increase overall efficiency in our permitting processes.
3) To establish a new Fee Schedule which adjusts fees at a fair rate to cover expenditures for the reorganization plan.
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Budget/Impact: Revenue generating; fee restructure will create funds sufficient to support future Building Department Operations.
Recommended Action: Request Approval of Revised Fee Schedules for the Building Safety Department with an effective date of July 1, 2018.

Chairman Bryant advised that Item 7B1 has been pulled from the Consent Agenda and is continued to the February 6, 2018 BCC meeting.

7C. Community Services:
7C1. Request Approval of an Agreement Between Marion County and the Diocese of Orlando (St. Theresa Catholic Church) to Build a Soup Kitchen and Food Pantry with Community Development Block Grant (CDBG) Funds (Budget Impact: Neutral; Expenditure of $200,000 as approved in FY 2017-18 budget)
The Board accepted the following recommendation as presented by Community Services Director Cheryl Martin:

Description/Background: A Notice of Funding Available (NOFA) for unencumbered FY 2016-17 CDBG funds was advertised November 28, 2016, for the receipt of applications. The Diocese of Orlando (St. Theresa Catholic Church) applied for the unencumbered funds to construct Phase 1 of an expansion project to include a soup kitchen and food pantry. St. Theresa is providing 40% of the funding towards the anticipated total cost for Phase 1.
St. Theresa Catholic Church located in Belleview is the main meal provider for the homeless and low income population of that area. In addition to providing professional and financial services, they anticipate serving approximately 2,000 extra meals a week upon completion of the new soup kitchen.
Budget/Impact: Neutral; Expenditure of $200,000 as approved in FY 2017-18 budget.
Recommended Action: Motion to approve recommendation to execute agreement between Marion County and the Diocese of Orlando (St. Theresa Catholic Church) not to exceed $200,000.00.

7C2. Request Approval of Second Contract Amendment for FY 2016-17 Emergency Solutions Grant (ESG) Funding between Marion County and Interfaith Emergency Services, Inc. (Budget Impact: Neutral; Expenditure of $32,786.75 as approved in the FY 2017-18 budget)
The Board accepted the following recommendation as presented by Community Services Director Martin:

Description/Background: As an entitlement community identified by the Department of Housing and Urban Development (HUD), Marion County began receiving Emergency Solutions Grant (ESG) funds in 2013, and has received a total of $566,963.00 to date. These funds are used for rapid re-housing and homelessness prevention for Marion County residents who are facing homelessness or are homeless.
On April 5, 2016, the Marion County BCC approved the first amendment to the FY 2016-17 contract between Marion County and Interfaith Emergency Services, Inc. to increase ESG funds in the amount of $37,986.50. This second amendment will encumber remaining ESG funds while housing more families.
Interfaith provides the following services to Marion County's homeless population: case management assistance to individuals and families, locating affordable rental
units, assisting with deposits, rent and utility payments. To date, Interfaith has housed 20 families with the use of ESG funds.
Budget/Impact: Neutral; Expenditure of $32,786.75 as approved in the FY 2017-18 budget.
Recommended Action: Motion to approve second contract amendment between Marion County and Interfaith Emergency Services, Inc., not to exceed $32,786.75.

7C3. Request Approval of an Agreement for FY 2017-18 Between Marion County and Project Hope of Marion County Inc. for Community Development Block Grant Funds (CDBG). (Budget Impact - Neutral; Expenditure of $25,000 as approved in the FY 2017-18 budget)
The Board accepted the following recommendation as presented by Community Services Director Martin:
Description/Background: On August 1, 2017 The Marion County BCC approved the FY 2017-18 Annual Action Plan which was submitted and approved by the Department of Housing and Urban Development (HUD). The 2017-18 Annual Action Plan includes Marion County’s strategies for the expenditure of CDBG funds to assist low to moderate income persons and families.
As part of the FY 2017-18 Annual Action Plan a Notice of anticipated funding was advertised for the receipt of CDBG applications. Project Hope of Marion County submitted a CDBG public service grant application requesting funds for an additional case manager for its transitional housing apartments. Project Hope is a Marion County agency that provides transitional housing to homeless women with children. The case manager will provide oversight to ten (10) families living in its apartments by assisting in the establishment of individual goals and objectives that link the participant to community resources as they move towards self-sufficiency. In addition, Project Hope of Marion County, Inc. will provide a forty percent (40%) match to the requested funding.
Award of this requested contract will help fulfill the 2nd priority identified in the approved County’s 2014-2019 Consolidated Plan submitted to HUD, to promote safe and decent permanent housing for homeless persons and very-low income, at-risk households.
Budget/Impact: Neutral; Expenditure of $25,000 as approved in the FY 2017-18 Budget.
Recommended Action: Motion to approve agreement between Marion County and Project Hope of Marion County, Inc. not to exceed $25,000.

7C4. Request Approval of Agreements Between Marion County, Interfaith Emergency Services Inc. and Shepherd’s LightHouse, Inc. for FY 2017-18 Emergency Solutions Grant (ESG) Funds (Budget Impact - Neutral; Expenditure of $149,816.70 as approved in the FY 17/18 budget)
The Board accepted the following recommendation as presented by Community Services Director Martin:
Description/Background: On August 1, 2017 the Marion County BCC approved the FY 2017-18 Annual Action Plan submitted and approved by the Department of Housing and Urban Development (HUD). The 2017-18 Annual Action Plan includes Marion County’s strategies for the expenditure of ESG funds to assist homeless persons and families.
A notice of anticipated FY 2017-18 ESG funding was advertised to agencies that would be able to assist homeless persons/families with rapid re-housing and homelessness prevention using the Housing First model. The Housing First model is intended to move homeless persons from homelessness to permanent housing providing case management after being permanently housed. Three agencies applied for funding and scoring was prioritized by which agency would commit to the Housing First model. The two agencies that scored the highest were:

- Interfaith Emergency Services, Inc.
- Shepherd’s Lighthouse, Inc.

Both Interfaith and Shepherd’s Lighthouse are considered emergency shelters and transitional housing providers. It is anticipated that each agency will house eight (8) homeless families through the Continuum of Care’s coordinated entry system. Case management will be provided to those families once they are stably housed. Moving families into permanent housing, for a maximum of 12 months of ESG assistance, includes but is not limited to deposits, rent, utilities, moving expenses, and case management. The case management component includes counselling, monitoring, education, job training and other activities the agency deems appropriate based on the family’s needs.

Budget/Impact: Neutral; Expenditure of $149,816.70 as approved in the FY 17/18 budget.

Recommended Action: Motion to approve FY 2017-18 ESG contracts between Marion County and Interfaith Emergency Services, Inc. ($74,908.35) and Shepherd’s Lighthouse, Inc. ($74,908.35), not to exceed $149,816.70.

7D. Growth Services:

7D1. Request to Authorize the Chairman to Sign the Comprehensive Plan Evaluation and Appraisal Letter and Transmit it to the Department of Economic Opportunity as Required by Ch. 163 Florida Statutes (Budget Impact - None)

The Board accepted the following recommendation as presented by Growth Services Director Samuel Martsolf:

Description/Background: State law requires that the County periodically review and update the Comprehensive Plan. In accordance with Section 163.3191(1)-(5), Florida Statutes (F.S.) and the Evaluation and Appraisal Notification Schedule 2012-2018 posted on the Department of Economic Opportunity website, Marion County must determine if amendments to its Comprehensive Plan are necessary to reflect changes in state requirements and notify the state planning agency of its determination by February 1, 2018.

Staff has evaluated its Comprehensive Plan and determined that amendments are necessary to reflect changes in state requirements. As required by Section 163.3191(2), F.S., the necessary amendments to the Comprehensive Plan must be prepared and transmitted to the state land planning agency within one year, which is by February 1, 2019. The evaluation indicates that the Future Land Use Element and the Transportation Element will need amendments to comply with the new state requirements.

Budget/Impact: None.

Recommended Action: Motion to authorize the Chairman to sign the Comprehensive Plan Evaluation and Appraisal notification letter and transmit it to the Department of Economic Opportunity as required by Ch. 163 Florida Statutes.
7E. Human Resources:
7E1. Request Approval for the Reorganization Plan within the Building Safety Department
Budget 3415 (Budget Impact - Expenditure of $402,596.27)
The Board accepted the following recommendation to adopt Resolution 18-R-023, as
presented by HR Director Tart:

Description/Background: Under the direction of the County Administrator to create
the best Building Department in the state, Former Building Director, Jeff Camden,
initiated an exercise to restructure the department and Acting Building Director,
Douglas Newbanks, finalized the initial phase of the restructure. The plan involves
extensive cross-training of many of the existing positions as well as retitling them.

**Inspections and Plans Examination**
In an effort to make the best use of resources, all Plans Examiners and Building
Inspectors will acquire state certifications in both fields. This will ensure coverage
in either division which is experiencing a backlog of work. This new position will be
renamed Inspector / Plans Examiner to replace the previous positions of
Inspectors and Plans Examiners.
Six additional Inspector/Plans Examiner positions are requested to handle the
growing inspection demand. At this time, the average inspection rate per inspector
per day is 32. The State ISO recommendation is 15-17 per day.
The department will be presenting a budget amendment for $182,128 to fund six
vehicles and six tablets for the six additional Inspector/Plans Examiner positions.

**Inspections / Plans Examiners Supervisors**
Due to the number of individuals performing the functions of Inspectors and Plans
Examiners, two supervisor positions are being recommend. These employees will
have the day-to-day responsibility of maintaining appropriate staffing levels,
assigning workloads and dealing with any staffing issues which may arise. They
will be the first chain of command for all inspection/examiner staff.

**Division Manager, Inspections / Plans Examination**
This position will hold ultimate responsibility for the combined divisions of
Inspections and Plans Examination. All hiring/firing, disciplinary, cross-training,
aprovals for testing, workload levels, etc. will come from this individual. This
position answers directly to the Department Director.

**Customer Service and Licensing**
The positions of Contractor Licensing Agent and Permitting Supervisor are being
combined into one position. The newly created position will be named Division
Manager, Permitting and Licensing. This position answers directly to the
Department Director and has ultimate responsibility over the combined divisions
of Customer Service and Licensing.
The current positions of Senior Customer Service Representative and License
Investigator are being reclassified to a Permitting and Licensing Supervisor. There
will be two supervisors over this area due to the number of employees in this
division.
One position, the Contractor Licensing Rep, is being reclassified to a Contractor
Licensing Specialist. A portion of the responsibilities of the current Contractor
Licensing Agent are being added to the Licensing Specialist position.
Customer Service Representatives will be cross-trained in Licensing to enable
them to assist customers in a more thorough manner. The renaming of this position
will be Permitting and License Technician. Each will have additional responsibilities
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and will be able to offer Licensing assistance to all customers without additional wait time.

**E-Business**
The E-Business Division will be expanded, as this is the fastest growing area of the department. Two additional positions are requested; one Permit Expediter (currently filled by a Source2 employee), and one E-Business Technician (currently filled by a Customer Service Rep.). These two positions assist the Plan Review Coordinator in processing electronic plans for permits. They maintain a consistent flow of plans to all required reviewing departments and to the customer. They also conduct on-site training for contractors and individual customers to educate them on the electronic plan submission process.

**Staff Assistant IV**
The current position of Staff Assistant IV is being reclassified into an Administrative Staff Assistant at no increased cost. This is to enable to Department Director, at the time of advertising and filling the position in the future, to acquire an assistant with the necessary skills and experience. Due to the circumstances of the hire of the current Staff IV, no additional expense will be incurred at this time.

**Administration**
The Budget and Administrative Coordinator position is being reclassified to a Business Manager. This position has historically handled all of the budgeting, finance, ordering of operating supplies, benchmarking, monthly reports, and various other administrative functions for the department.
The employee who has held this position for the past 18 years recently retired. In order to balance the heavy workload of this position and avoid a recurrence of this current situation, a Fiscal Coordinator position is being added to assist the Business Manager.

This action will ensure continuity of functions within the Building Department.
A newly created position of Records and Lien Technician is being created to maintain State required records and perform lien searches. This position is currently filled by a Source 2 employee.

**Budget/Impact:** Expenditure of $402,596.27; sufficient funds exist within the Cash Carry Forward fund for the current fiscal year, and the Fee Schedule revision will cover expenses for future.

**Recommended Action:** Motion to approve the attached resolution, reclassifications and equipment purchase for the Building Safety Department.

Resolution 18-R-023 is entitled:
A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, Reclassifying One (1) Staff Assistant IV Positions, Pay Grade 10, to One (1) Administrative Staff Assistant Position, Pay Grade 13 within the Building Safety Department budget 3415;
Reclassifying One (1) Chief Building Inspector/Division Manager Position, Pay Grade 24, to One (1) Division Manager of Plans Examination & Inspections, Pay Grade 29 within the Building Safety Department budget 3415;
Reclassifying One (1) Chief Plans Examiner Position, Pay Grade 23, to One (1) Inspector & Plans Examiner Supervisor, Pay Grade 26 within the Building Safety Department budget 3415;
Reclassifying One (1) Contractor Licensing Agent Position, Pay Grade 17, to One (1) Permitting & Licensing Division Manager, Pay Grade 25 within the Building Safety Department budget 3415;
Reclassifying One (1) Budget & Administrative Coordinator Position, Pay Grade 16, to One (1) Building Business Manager, Pay Grade 23 within the Building Safety Department budget 3415;
Reclassifying One (1) Contractor Licensing Representative Position, Pay Grade 7, to One (1) Contractor Licensing Specialist, Pay Grade 11 within the Building Safety Department budget 3415;
Reclassifying Eight (8) Plans Examiner Positions, Pay Grade 61, to Eight (8) Inspector & Plans Examiner Positions, Pay Grade 36 within the Building Safety Department budget 3415;
Reclassifying One (1) Building Inspector Position, Pay Grade 36, to One (1) Inspector & Plans Examiner Supervisor Position, Pay Grade 26 within the Building Safety Department budget 3415;
Reclassifying Twelve (12) Building Inspector Positions, Pay Grade 36, to Twelve (12) Inspector & Plans Examiner Positions, Pay Grade 36 within the Building Safety Department budget 3415;
Reclassifying One (1) Senior Building Service Representative Position, Pay Grade 14, to One (1) Permitting & Licensing Supervisor Position, Pay Grade 16 within the Building Safety Department budget 3415;
Reclassifying One (1) Building Customer Service Representative Position, Pay Grade 7, to One (1) E-Business Technician Position, Pay Grade 11 within the Building Safety Department budget 3415;
Reclassifying Twelve (12) Building Customer Service Representative Position, Pay Grade 7, to Twelve (12) Permitting & Licensing Technician Positions, Pay Grade 11 within the Building Safety Department budget 3415; Reclassifying One (1) License Investigator Position, Pay Grade 14, to One (1) Permitting & Licensing Supervisor Position, Pay Grade 16 within the Building Safety Department budget 3415;
Add One (1) Record & Lien Technician Position Pay Grade 12 within the Building Safety Department Budget 3415;
Add Six (6) Inspector & Plans Examiner Positions Pay Grade 36 within the Building Safety Department Budget 3415;
Add One (1) Permit Expediter Pay Grade 11 within the Building Safety Department Budget 3415;
Delete One (1) Building Services Supervisor Pay Grade 17 within the Building Safety Department Budget 3415;
Along with the corresponding job descriptions and pay grades within the Marion County Building Safety Department, and incorporating the foregoing actions into the Marion County Classification Plan.

7E2. Request Approval of Reorganization Plan within the Office of County Engineer Budgets 4121 and 3390 (Budget Impact: Expenditure of $715,354.36)
The Board accepted the following recommendation to adopt Resolutions 18-R-024 and 18-R-025, as presented by HR Director Tart:
Description/Background: The Office of the County Engineer (OCE) is experiencing vacancies in more than 20% of its positions. These vacant positions range from
field maintenance workers and equipment operators to technical and professional staff, both entry level and supervisors/managers. Potential candidates are rejecting OCE’s offers citing better salary offers, as do employees that are leaving. The Florida Public Human Resources Association (FPHRA) launched a survey on October 24, 2016 and collected data through January 20, 2017 for the 2017 Salary Survey of the Public Works Section. After a review of this survey, as well as Source2 salary comparisons and the salaries of other comparable public agencies (surrounding counties and Florida Benchmark Consortium comparable), the County Engineer is recommending the following reorganizational changes to OCE. These changes are recommended in an effort to increase efficiencies, provide for training matrices and succession planning, and improve operations, recruitment and retention. In addition, the reclassifications will more effectively reflect the actual responsibilities of these positions.

The department is implementing a matrix for the following positions: Heavy Equipment Operator, Highway Maintenance Technician, Light Equipment Operator, OCE Medium Equipment Operator, Traffic Maintenance Technician, Transportation Service Technician and OCE Engineering Project Manager. The matrices are based on education and years of experience. Within the matrices employees will have the opportunity to obtain advanced education, certifications, experience and expertise in the area of utilities and as a result employees will possess the skills to better serve the citizens and employees of Marion County.

Following the latest OCE Equipment Training and Certification Plan implemented, employees will earn an hourly stipend of $0.10/hr. for every group of 4 pieces of specialty equipment they are certified for. Total cost to stipends $18,012.13.

Budget/Impact: Expenditure of $715,354.36 within the current budget of the Office of County Engineer budgets 4121 and 3390.

Recommended Action: Motion to approve the attached resolution and reclassifications of the Office of County Engineer.

Resolution 18-R-024 is entitled:
A Resolution of the Board of County Commissioners of Marion County, Florida,
Reclassifying One (1) Stormwater Engineer Position, Pay Grade 28, to One (1) Stormwater Engineer Position, Pay Grade 29 within the Office of County Engineering budget 3390;
Reclassifying Two (2) Engineering Project Manager III Positions, Pay Grade 27, to Two (2) OCE Engineering Project Manager III Positions, Pay Grade 28 within the newly created OCE Engineering Project Manager matrix within the Office of County Engineering budget 3390;
Reclassifying One (1) Engineering Project Manager II Position, Pay Grade 22 to One (1) OCE Engineering Project Manager II Position, Pay Grade 23 within the newly created OCE Engineering Project Manager matrix within the Office of County Engineering budget 3390;
Reclassifying Two (2) Engineering Project Manager I Positions, Pay Grade 17, to Two (2) OCE Engineering Project Manager I Positions, Pay Grade 19 within the newly created OCE Engineering Project Manager matrix within the Office of County Engineering budget 3390;
Reclassifying One (1) GIS Technician Analyst Position, Pay Grade 15, to One (1) OCE – GIS Technician Analyst Position, Pay Grade 17 within the Office of County Engineering budget 3390;
Reclassifying Two (2) Senior Engineering Inspector Positions, Pay Grade 12, to Two (2) Engineering Construction Inspector II Positions, Pay Grade 13 within the newly created OCE Engineering Construction Inspector matrix within the Office of County Engineering budget 3390;
Reclassifying One (1) Engineering Inspector Positions, Pay Grade 10, to One (1) Engineering Construction Inspector II Positions, Pay Grade 13 within the newly created Engineering Construction Inspector matrix within the Office of County Engineering budget 3390;
Along with the corresponding job descriptions and pay grades within the Marion County Office of County Engineering, and incorporating the foregoing actions into the Marion County Classification Plan.

Resolution 18-R-025 is entitled:
A resolution of the Board of County Commissioners of Marion County, Florida,
Reclassifying One (1) Traffic Supervisor Position, Pay Grade 17, to One (1) Traffic Supervisor Position, Pay Grade 18 within the Office of County Engineering budget 4121;
Reclassifying One (1) Roads Superintendent Position, Pay Grade 22, to One (1) Roads Superintendent Position, Pay Grade 25 within the Office of County Engineering budget 4121;
Reclassifying One (1) Transportation Administrative Manager Position, Pay Grade 22, to One (1) Transportation Administrative Manager Position, Pay Grade 23 within the Office of County Engineering budget 4121;
Reclassifying One (1) Transportation Asset Manager Position, Pay Grade 26, to One (1) Transportation Asset Manager Position, Pay Grade 27 within the Office of County Engineering budget 4121;
Reclassifying One (1) Traffic Engineer Position, Pay Grade 28, to One (1) Traffic Engineer Position, Pay Grade 29 within the Office of County Engineering budget 4121;
Reclassifying Two (2) Engineering Project Manager II Position, Pay Grade 22, to Two (2) OCE Engineering Project Manager II Position, Pay Grade 23 within the newly created OCE Engineering Project Manager matrix within the Office of County Engineering budget 4121;
Reclassify Four (4) Engineering Project Manager I Positions, Pay Grade 17, to Four (4) OCE Engineering Project Manager I Positions, Pay Grade 19 within the newly created OCE Engineering Project Manager matrix within the Office of County Engineering budget 4121;
Reclassifying One (1) Safety & Training Manager Position, Pay Grade 19, to One (1) Safety & Training Manager Position, Pay Grade 20 within the Office of County Engineering budget 4121;
Reclassifying One (1) Roads Engineer Position, Pay Grade 28, to One (1) Roads Engineer Position, Pay Grade 29 within the Office of County Engineering budget 4121;
Reclassifying One (1) Transportation Engineer Position, Pay Grade 28, to One (1) Transportation Engineer Position, Pay Grade 29 within the Office of County Engineering budget 4121;
Reclassifying One (1) Traffic ATMS/Signal Supervisor Position, Pay Grade 19, to One (1) Traffic ATMS/Signal Supervisor Position, Pay Grade 22 within the Office of County Engineering budget 4121;
Reclassifying One (1) County Surveyor Position, Pay Grade 25, to One (1) County Surveyor Position, Pay Grade 27 within the Office of County Engineering budget 4121;

Reclassifying Three (3) Engineering Technician III Positions, Pay Grade 14, to Three (3) Engineering Technician III Positions, Pay Grade 16 within the newly created Engineering Technician matrix within the Office of County Engineering budget 4121;

Reclassifying One (1) Right of Way Manager Position, Pay Grade 19, to One (1) Right of Way Manager, Pay Grade 24 within the Office of County Engineering budget 4121;

Reclassify One (1) ROW Field Inspector I Position, Pay Grade 7, to One (1) Engineering Construction Inspector I Position, Pay Grade 11 within the newly created Engineering Construction Inspector matrix within the Office of County Engineering budget 4121;

Reclassify Two (2) Senior Engineering Inspector Positions, Pay Grade 12, to Two (2) Engineering Construction Inspector III Positions, Pay Grade 14 within the newly created Engineering Construction Inspector matrix within the Office of County Engineering budget 4121;

Reclassify Four (4) Engineering Inspector Positions, Pay Grade 10, to Four (4) Engineering Construction Inspector II Positions, Pay Grade 13 within the newly created Engineering Construction Inspector matrix within the Office of County Engineering budget 4121;

Reclassify One (1) Engineering Inspector Positions, Pay Grade 10, to One (1) Engineering Construction Inspector I Positions, Pay Grade 11 within the newly created Engineering Construction Inspector matrix within the Office of County Engineering budget 4121;

Reclassifying Two (2) Survey Party Chief Positions, Pay Grade 13, to Two (2) Survey Party Chief Positions, Pay Grade 17 within the Office of County Engineering budget 4121;

Reclassifying Two (2) Survey Technician I Positions, Pay Grade 5, to Two (2) Survey Technician I Positions, Pay Grade 8 within the newly created Survey Technician matrix within the Office of County Engineering budget 4121;

Reclassifying One (1) Traffic Signal Technician III Position, Pay Grade 16, to One (1) Traffic Signal Technician III Position, Pay Grade 19 within the newly created Traffic Maintenance Technician matrix within the Office of County Engineering budget 4121;

Reclassifying One (1) Traffic Signal Technician II Position, Pay Grade 12, to One (1) Traffic Signal Technician II Position, Pay Grade 15 within the newly created Traffic Maintenance Technician matrix within the Office of County Engineering budget 4121;

Reclassifying One (1) Traffic Engineering Technician Position, Pay Grade 13, to One (1) Traffic Engineering Technician Position, Pay Grade 15 within the Office of County Engineering budget 4121;

Reclassifying One (1) Transportation Construction Manager Position, Pay Grade 23, to One (1) Transportation Construction Manager Position, Pay Grade 27 within the Office of County Engineering budget 4121;

Reclassifying Six (6) Traffic Maintenance Technician Positions, Pay Grade 4, to Six (6) Traffic Maintenance Technician Positions I, Pay Grade 8 within the newly
created Traffic Maintenance Technician matrix within the Office of County Engineering budget 4121;
Reclassifying Three (3) Sr. Traffic Maintenance Technicians Positions, Pay Grade 7, to Three (3) Traffic Maintenance Technician II – Signs Positions, Pay Grade 11 within the newly created Traffic Maintenance Technician matrix within the Office of County Engineering budget 4121;
Reclassifying One (1) Sr. Traffic Maintenance Technicians Positions, Pay Grade 7, to One (1) Traffic Maintenance Technician II – Markings Positions, Pay Grade 11 within the newly created Traffic Maintenance Technician matrix within the Office of County Engineering budget 4121;
Reclassifying One (1) Transportation Contract Compliance Coordinator Position, Pay Grade 12, to One (1) Transportation Contract Coordinator Position, Pay Grade 16 within the Office of County Engineering budget 4121;
Reclassifying Six (6) Customer Service Specialist Positions, Pay Grade 10, to Six (6) Customer Service Specialist Positions, Pay Grade 11 within the Office of County Engineering budget 4121;
Reclassifying Two (2) Heavy Equipment Operator II pay grade 12, to Two (2) Heavy Equipment Operator III pay grade 15 within the newly created Heavy Equipment Operator matrix within the Office of County Engineering budget 4121;  
Reclassifying Seven (7) Heavy Equipment Operator II pay grade 12, to Seven (7) Heavy Equipment Operator IV pay grade 16 within the newly created Heavy Equipment Operator matrix within the Office of County Engineering budget 4121;
Reclassifying Four (4) Heavy Equipment Operator I pay grade 10, to Four (4) Heavy Equipment Operator I pay grade 13 within the newly created Heavy Equipment Operator matrix within the Office of County Engineering budget 4121;
Reclassifying Seventeen (17) Medium Equipment Operator positions pay grade 8, to Seventeen (17) OCE Medium Equipment Operator II pay grade 12 within the newly created OCE Medium Equipment Operator matrix within the Office of County Engineering budget 4121;
Reclassifying Eight (8) Crew Leader Positions, Pay Grade 13, to Eight (8) Crew Supervisor Positions, Pay Grade 17 within the Office of County Engineering budget 4121;
Reclassify Three (3) Road Maintenance Supervisor Positions, Pay Grade 19, to Three (3) Road Maintenance Manager Positions, Pay Grade 22 within the Office of County Engineering budget 4121;
Reclassifying Twelve (12) Highway Maintenance Technician positions pay grade 3, to Twelve (12) Highway Maintenance Technician I Positions pay grade 7 within
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the newly created Highway Maintenance Technician matrix within the Office of County Engineering budget 4121;
Reclassifying One (1) Highway Maintenance Technician Positions pay grade 3, to One (1) Highway Maintenance Technician II Positions pay grade 8 within the newly created Highway Maintenance Technician matrix within the Office of County Engineering budget 4121;
Reclassifying Eighteen (18) Light Equipment Operator Positions pay grade 6, to Eighteen (18) Light Equipment Operator I Position pay grade 9 within the newly created Light Equipment Operator matrix within the Office of County Engineering budget 4121;
Reclassifying Three (3) Light Equipment Operator Positions pay grade 6, to Three (3) Light Equipment Operator II Positions pay grade 10 within the newly created Light Equipment Operator matrix within the Office of County Engineering budget 4121;
Reclassifying Three (3) Transportation Service Technician Positions pay grade 10, to Three (3) Transportation Service Technician I Positions pay grade 12 within the newly created Transportation Service Technician matrix within the Office of County Engineering budget 4121;
Along with the corresponding job descriptions and pay grades within Office of County Engineering, and incorporating the foregoing actions into the Marion County Classification Plan.

7E3. Request Approval of Reorganization Plan within the Solid Waste Department Budgets 4230, 4250 and 4270 (Budget Impact – Expenditure of $88,881.81)
The Board accepted the following recommendation to adopt Resolution 18-R-026, as presented by HR Director Tart:
Description/Background: The Florida Public Human Resources Association (FPHRA) launched a survey on October 24, 2016 and collected data through January 20, 2017 for the 2017 Salary Survey. After review of this survey, the Director of Solid Waste is recommending organizational changes to the Solid Waste Department. In an effort to support Marion County’s Empowering Marion for Success goals for organizational culture, staff development and more effectively reflect the compensation and responsibilities of these positions. In addition, these changes will increase efficiencies, improve operations, enhance recruitment, as well as assist with retention and succession planning.
The Director is recommending the reclassification of eight (8) positions as detailed in the attached resolution.
Budget/Impact: Expenditure of $88,881.81. This expenditure will be offset by savings of approximately $51,347.00 due to position vacancies as well as savings in Buildings and Grounds Operations line items. Future budget amendments from existing budget will be made to make these adjustments as necessary.
Recommended Action: Motion to approve the attached resolution and paygrade adjustment of the Solid Waste Department.
Resolution 18-R-026 entitled:
A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, Reclassifying Two (2) Hazardous Waste Spotter Positions, Pay Grade 5, to Two (2) Hazardous Waste Spotter Positions, Pay Grade 7 within the Solid Waste Department budget 4230;
Reclassifying Four (4) Scale Operations Specialist Positions, Pay Grade 7, to Four (4) Scale Operations Specialist Positions, Pay Grade 10 within the Solid Waste Department budget 4230;
Reclassifying Five (5) Litter Crew Leader Positions, Pay Grade 9, to Five (5) Litter Crew Leader Positions, Pay Grade 11 within the Solid Waste Department budget 4250;
Reclassifying Fourteen (14) Medium Equipment Operator – SW Positions, Pay Grade 8, to Fourteen (14) Solid Waste Medium Equipment Operator Positions, Pay Grade 11 within the Solid Waste Department budget 4250;
Reclassifying One (1) Accounting Specialist II - SW Position, Pay Grade 9, to One (1) Accounting Specialist II - SW Position, Pay Grade 11 within the Solid Waste Department budget 4230;
Reclassifying One (1) Scale Operations Supervisor Position, Pay Grade 12, to One (1) Scale Operations Supervisor Position, Pay Grade 16 within the Solid Waste Department budget 4230;
Reclassifying One (1) Solid Waste Services Coordinator Position, Pay Grade 16, to One (1) Solid Waste Services Coordinator Position, Pay Grade 18 within the Solid Waste Department budget 4230;
Reclassifying One (1) Solid Waste Services Coordinator Position, Pay Grade 16, to One (1) Solid Waste Services Coordinator Position, Pay Grade 18 within the Solid Waste Department budget 4250;
Reclassifying One (1) Solid Waste Services Coordinator Position, Pay Grade 16, to One (1) Solid Waste Services Coordinator Position, Pay Grade 18 within the Solid Waste Department budget 4270;
Reclassifying One (1) Solid Waste Operations Manager Position, Pay Grade 24, to One (1) Solid Waste Operations Manager Position, Pay Grade 27 within the Solid Waste Department budget 4230
Along with the corresponding job descriptions and pay grades within the Marion County Solid Waste Department, and incorporating the foregoing actions into the Marion County Classification Plan.

7E4. Request Approval for the Salary Adjustment Plan within the Information Technology Department Budget 2510 (Budget Impact - Expenditure of $70,324.01)
The Board accepted the following recommendation as presented by HR Director Tart:
Description/Background: Marion County and the surrounding areas have seen a sharp increase in the number of available Information Technology (IT) jobs over the past several years. Many of these positions in government and private sector offer significantly higher wages. This has led to the loss of several talented staff and decades of institution knowledge. In addition, two long term IT employees with a combined service of over 40 years recently retired. This is a critical issue for the IT Department with the upcoming implementation of an organization-wide ERP system and replacement of core network infrastructure. The need for a capable, stable, and fully staffed department will help ensure the success of these projects and our organizations goals and objectives.
These factors require us to become more competitive in our wages to recruit and retain talented individuals to our organization. In an effort to address the IT Department's challenges with employee retention and recruitment HR is proposing the attached salary

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adjustment.
Using data from the 2017 Florida Public Human Resources Association salary study, seven IT salaries would move closer to the Mean of Central Measures (M.C.M.) for their corresponding positions. This initiative is 100% self-funded using a combination of savings from vacant positions and retiring staff. Through this proposal, IT has the opportunity to address these salary and staffing concerns.

Budget/Impact: Expenditure of $70,324.01.
Recommended Action: Motion to approve the attached salary adjustments for the reorganization within the IT Department.

7E5. Request the Adoption of the Collective Bargaining Agreement Between the Laborers' International Union of North America (LiUNA) Local 517 and the Marion County Board of County Commissioners (Budget Impact - Expenditure of $13,125.00)
The Board accepted the following recommendation as presented by HR Director Tart:
Description/Background: The Collective Bargaining Agreement (CBA) between the Laborers' International Union of North America (LiUNA) Local 517 and the Marion County Board of County Commissioners was ratified by the union body on December 21, 2017 (Exhibit “A”). The Bargaining Agreement must be adopted by the Marion County Board of County Commissioners to become effective. Once adopted the agreement is in effect until September 20, 2020.

Budget/Impact: Expenditure of $13,125 as shown in the charts below. Budget amendments will be done in the future if needed.

<table>
<thead>
<tr>
<th>Fund</th>
<th>Sum of Remainder FY 17-18 (1/20/18-9/30/18)</th>
<th>On-Call Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>0000001 General Fund</td>
<td>$ 3,500.00</td>
<td></td>
</tr>
<tr>
<td>105000 County Transportation Maintenance Fund</td>
<td>$ 4,375.00</td>
<td></td>
</tr>
<tr>
<td>452000 Marion County Utilities Fund</td>
<td>$ 5,250.00</td>
<td></td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>$ 13,125.00</strong></td>
<td></td>
</tr>
</tbody>
</table>

Recommended Action: Motion to adopt the Collective Bargaining Agreement (CBA) of the Laborers' International Union of North America (LiUNA) Local 517.

7F. MSTU:
7F1. Request Approval to Amend the Assessment Roll and Authorization of Refunds to Property Owners in the Georgetowne Road Improvement Area (Budget Impact - Neutral)
The Board accepted the following recommendation as presented by MSTU Director Shawn Hubbuck:
Description/Background: The following road improvement project has been completed on time and under budget and, therefore, the Board of County Commissioners is being requested to amend the assessment roll so refunds can be forwarded to all affected property owners located within the Georgetowne Road Improvement Area.

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Final Rate</th>
<th>Proposed Adjustment</th>
<th>Proposed Amended Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgetowne</td>
<td>4,716.32</td>
<td>519.8900</td>
<td>4,196.4300</td>
</tr>
</tbody>
</table>
Budget/Impact: Neutral; A total of $5,790.71 to be refunded to the property owners located within the project area.
Recommended Action: Motion to amend the assessment roll for Georgetowne Road Improvement Area and authorize the Clerk’s Office to prepare and mail refund checks to the property owners within the project area.

7F2. Request Approval to Amend the Assessment Roll and Authorization of Refunds to Property Owners in the Summerfield Terrace Road Improvement Area (Budget Impact - Neutral)
The Board accepted the following recommendation as presented by MSTU Director Hubbuck:

Description/Background: The following road improvement project has been completed on time and under budget and, therefore, the Board of County Commissioners is being requested to amend the assessment roll so refunds can be forwarded to all affected property owners located within the Summerfield Terrace Road Improvement Area.

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Final Rate</th>
<th>Proposed Adjustment</th>
<th>Proposed Amended Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summerfield Terrace</td>
<td>36.68</td>
<td>2.3220</td>
<td>34.3580</td>
</tr>
</tbody>
</table>

Budget/Impact: Neutral; A portion of $21,183.19 to be refunded to the property owners located within the project area.
Recommended Action: Motion to amend the assessment roll for Summerfield Terrace Road Improvement Area and authorize the Clerk’s Office to prepare and mail refund checks to the property owners within the project area.

7G. Procurement Services:
7G1. Request Approval of Bid Rejection: 18B-039, Silver Spring Shores Community and Youth Center Restroom and Sidewalk Renovation Project (Budget Impact - None)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of MSTU/Assessment (MSTU), Procurement advertised a bid for the renovation of the Silver Spring Shores Community and Youth Center restrooms and sidewalks. A single bid was received by Mejia international Group Corp (Mejia) for $143,939.92, which greatly exceeded MSTU’s $90,000 budget. MSTU Director, Shawn Hubbuck recommends rejection of Mejia’s bid so staff can review specifications and present a new bid for Procurement to advertise, if approved by the Board today.

Budget/Impact: None.
Recommended Action: Motion to approve rejection of Mejia’s bid and allow Procurement to re-advertise.

7G2. Request Approval of Sole Source Declaration and Purchase of FirstWatch® Early Event Detection System: 18SS-072, First Watch Solutions, Inc., Carlsbad, CA (Budget Impact - Neutral; Expenditure of $167,897 as approved in FY 17/18 budget)
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:
Description/Background: On behalf of Fire-Rescue (MCFR), Procurement requests a waiver of the formal solicitation process to declare a sole source provider FirstWatch® Early Event Detection System (FirstWatch). FirstWatch is a program that works directly with Tri Tech, our current Computer Aided Dispatch (CAD) vendor, and ZOLL, our current EMS and Patient Care Reporting (ePCR) system and Billing Software vendor, to continually pull raw data, analyze and identify patterns and trends in real time. Alerts are sent to appropriate department staff based on predetermined criteria set by MCFR, including information regarding incidents like overdoses, influenza outbreaks, Zika virus outbreaks as well as cluster incidents indicating arson activity. Interfacing seamlessly with Fire Dispatching, FirstWatch is the only real time data analysis and alerting systems provider for operational awareness. This dashboard view of the department's current status is an invaluable tool for responding to events that may require movement of resources, both short term and long term. Attached for review is a vendor signed copy of the software licensing agreement, which has been reviewed and approved by legal. Upon approval at today’s meeting, a vendor signed original will be presented for the Clerk’s and Chairman’s signature.

Budget/Impact: Neutral; Expenditure of $167,897.
Recommended Action: Motion to approve request and declare FirstWatch Solutions, Inc. the sole source provider for FirstWatch® Early Event Detection System and authorize the Chairman to execute the software licensing agreement under 18SS-072.

7G3. Request Approval of Bid Award: 18B-059, Rainbow Springs 5th Replat Stormwater Retrofit CP-72 - Hartman Civil Construction Co., Inc., Ocala, FL (Budget Impact - Neutral; expenditure of $227,415.50 as approved in FY 17/18 budget)

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

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid for drainage improvements in DRAs 2166, 2176, and 2188 (CP-72), located in the Rainbow Springs 5th Replat Subdivision. Work consists of removing and replacing the top two feet (2') of onsite soil and replacing it with Bold & Gold® Filtration Media for the purpose of nitrogen removal from stormwater runoff entering the DRAs. Improvements to the surrounding stormwater conveyance systems are also included. Five (5) firms responded. County Engineer, Tracy Straub supports staff's recommendation to contract with the low bidder for the construction, plus the alternate for the transportation of the Bold and Gold® based on the tabulation below:

<table>
<thead>
<tr>
<th>Firm Name - City</th>
<th>Base Bid</th>
<th>Alternate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartman Civil Construction Co., Inc. - Ocala</td>
<td>$ 198,727.50</td>
<td>$ 28,688.00</td>
</tr>
<tr>
<td>Art Walker Construction Inc. - Ocala</td>
<td>$ 248,628.00</td>
<td>$ 62,755.00</td>
</tr>
<tr>
<td>GWP Construction, Inc. - Ocala</td>
<td>$ 306,731.70</td>
<td>$ 36,935.80</td>
</tr>
<tr>
<td>Pave-Rite, Inc. - Lecanto</td>
<td>$ 344,090.49</td>
<td>$ 35,501.40</td>
</tr>
<tr>
<td>Craggs Construction Company, Inc. - Ocala</td>
<td>$ 2,512,966.84</td>
<td>$ 28,688.00</td>
</tr>
</tbody>
</table>

An accompanying agenda item (Purchases Over $50,000) identifies a corresponding direct purchase of this project's estimated quantity of Bold and
Gold from Environmental Conservation Solutions, LLC; the firm was declared a sole source by the Board at its December 19, 2017 meeting. Attached for review is a draft of Hartman’s contract; pending approval at today’s meeting, it will be sent for execution as written and upon return, will be forwarded for the County Attorney, Clerk, and Chairman’s signatures.

Budget/Impact: Neutral. Project cost is $227,415.50; up to ten percent (10%) contingency may be added to the purchase order per the Procurement Manual. Recommended Action: Motion to approve recommendation and allow staff to issue, and upon approval by Legal, authorize the Chairman to execute the contract with Hartman Civil Construction Co, Inc., for bid 18B-059.

7G4. Request Approval of Task Order for Miscellaneous Maintenance for Roads, Right-of-Ways and Stormwater Management Facilities: 17Q-087-TO-07 Road & Drainage Repair - SW 80th Avenue Pavement Repairs - Art Walker Construction, Inc, Lowell, FL (Budget Impact - Neutral; expenditure of $54,000 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 mill, level, and overlay with hot mix asphalt, and replace traffic markings affected by construction. 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>$ 54,000.00</td>
</tr>
<tr>
<td>CW Roberts Contracting, Inc. - Ocala</td>
<td>$ 68,565.70</td>
</tr>
<tr>
<td>Hartman Civil Construction, Inc. - Ocala</td>
<td>$ 73,325.00</td>
</tr>
<tr>
<td>D.A.B. Constructors, Inc. - Ocala</td>
<td>$ 118,088.88</td>
</tr>
</tbody>
</table>

County Engineer Tracy Straub, 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.

Budget/Impact: Neutral; expenditure shall not exceed $54,000; up to ten percent (10%) contingency is allowed and will be added to the purchase order 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 SW 80th Avenue Pavement Repairs task order 17Q-087-TO-07.

7G5. Request Approval of Bid Award: 18B-058, Rainbow Springs 5th Replat Stormwater Retrofit DRA 2216 - Hartman Civil Construction Co., Inc., Ocala, FL (Budget Impact - Neutral; expenditure of $154,381 as approved in FY 17/18 budget)

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

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid for drainage improvements in DRA 2216 located in the Rainbow Springs 5th Replat Subdivision. Work consists of removing and replacing the top two feet (2') of onsite soil and replacing it with Bold & Gold®
Filtration Media for the purpose of nitrogen removal from stormwater runoff entering the DRA. Improvements to the surrounding Stormwater conveyance systems are also included. Four (4) firms responded. County Engineer, Tracy Straub supports staff’s recommendation to contract with the low bidder for the construction, plus the alternate for the transportation of the Bold & Gold® based on the tabulation below:

<table>
<thead>
<tr>
<th>Firm Name - City</th>
<th>Base Bid</th>
<th>Alternate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartman Civil Construction Co, Inc. - Ocala</td>
<td>$ 122,829.00</td>
<td>$ 31,552.00</td>
</tr>
<tr>
<td>Art Walker Construction Inc. - Ocala</td>
<td>$ 159,287.00</td>
<td>$ 69,020.00</td>
</tr>
<tr>
<td>Pave-Rite, Inc. - Lecanto</td>
<td>$ 204,445.15</td>
<td>$ 39,085.04</td>
</tr>
<tr>
<td>Craggs Construction Company, Inc. - Ocala</td>
<td>non-responsive - wrong bid form</td>
<td>non-responsive - wrong bid form</td>
</tr>
</tbody>
</table>

An accompanying agenda item (Purchases Over $50,000) identifies a corresponding direct purchase of this project’s estimated quantity of Bold & Gold® from Environmental Conservation Solutions, LLC; the firm was declared a sole source by the Board at its December 19, 2017 meeting.

Attached for review is a draft of Hartman’s contract; pending approval at today’s meeting, it will be sent for execution as written and upon return, will be forwarded for the County Attorney, Clerk, and Chairman’s signatures.

Budget/Impact: Neutral; award to the contractor in the amount of $154,381. Up to ten percent (10%) contingency may be added to the purchase order per the Procurement Manual.

Recommended Action: Motion to approve recommendation and allow staff to issue, and upon approval by Legal, authorize the Chairman to execute the contract with Hartman Civil Construction Co, Inc., for bid 18B-058.

7G6. Request Approval of Purchases Over $50,000
The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: The requisitions listed below have been received by Procurement Services and are approved for conformance with the Procurement Code/Manual, pending approval at today’s meeting:

Pending Requisition Request/Environmental Conservation Solutions, LLC – The Office of the County Engineer requests approval to purchase 1,972 tons of Bold and Gold® Filter Media to be used in the 18B-058 project pending award under this agenda (Procurement/Consent), per the Sole Source Declaration and contract approval with ECS under 18SS-016, and approved by the Board at its December 19, 2017 meeting. Cost per ton is $96.65 for a total of $190,593.80; an additional 10% contingency is being requested, and is allowed per the Procurement Ordinance. Funded from budget line 3390-563101.

Pending Requisition Request/Environmental Conservation Solutions, LLC – The Office of the County Engineer requests approval to purchase 1,793 tons of Bold and Gold® Filter Media to be used in the 18B-059 project pending award under this agenda (Procurement/Consent), per the Sole Source Declaration and contract approval with ECS under 18SS-016, and approved by the Board at its December 19, 2017 meeting. Cost per ton is $96.65 for a total of $173,293.45; an additional 10% contingency is being requested, and is allowed per the Procurement Ordinance. Funded from budget line 3390-563101.
January 16, 2018

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

7H. Transportation - County Engineer:
7H1. Request Approval of Indemnification Agreement for Candler Hills West Larkhill (Budget Impact - None)
The Board accepted the following recommendation as presented by County Engineer Tracy Straub, OCE:

Description/Background: With an Indemnification Agreement approved by the Board, Land Development Code Section 2.18.4.E allows for up to 10% of the total lots to be constructed in a subdivision prior to recording the Final Plat. The County Attorney has reviewed and approved the Indemnification Agreement request for 9 individual building permits. This subdivision is located in the southwest portion of the County and contains 97 lots and 12 tracts on 42.29 acres with 0.93 miles of private road.

Budget/Impact: None.
Recommended Action: Motion to approve the attached Indemnification Agreement and authorize the Chair and Clerk to execute the same.

7H2. Request Approval of Indemnification Agreement for Indigo East South Phase IV Subdivision (Budget Impact - None)
The Board accepted the following recommendation as presented by County Engineer Straub, OCE:

Description/Background: With an Indemnification Agreement approved by the Board, Land Development Code Section 2.18.4.E allows for up to 10% of the total lots to be constructed in a subdivision prior to recording the Final Plat. The County Attorney has reviewed and approved the Indemnification Agreement request for 4 individual building permits. This subdivision is located in the southwest portion of the County and contains 49 lots and 4 tracts on 17.78 acres with 0.33 miles of private road.

Budget/Impact: None.
Recommended Action: Motion to approve the attached Indemnification Agreement and authorize the Chair and Clerk to execute the same.

7H3. Request Approval of the Site "K" Mitigation Management Plan and Deed of Conservation Easement to St. Johns River Water Management District (Budget Impact - Neutral; expenditures will be incorporated in construction related services in FY 2022/23 budget)
The Board accepted the following recommendation as presented by County Engineer Straub, OCE:

Description/Background: Marion County is proposing to expand a portion of NE 35th Street from a two-lane road to an urban four-lane road to increase traffic flow and reduce congestion on the existing road network. As a result of the expansion, portions of the forested mix wetland in Parcel #15842-000-00 (18.5 acres) and #15842-000-01 (0.79 acres) will be partially impacted. When impacting such wetlands, state and federal permitting require mitigation.

This site "K" mitigation management plan satisfies the required mitigation upon deeding a conservation easement to the St. Johns River Water Management District. Site "K" consists of 4.05 acres on Parcel #01671-001-00 (the Leitner Pit).
January 16, 2018

Budget/Impact: Neutral; expenditure will be incorporated in construction related services in FY 2022/23 budget.

Recommended Action: Motion to approve the attached Site “K” Mitigation Management Plan and Deed of Conversation Easement to St. Johns River Water Management District, and authorize the Chairman and Clerk to execute same.

Utilities:

71. Request Approval of a Cost-Share Agreement with Saint Johns River Water Management District (Budget Impact - Revenue of $706,496)

The Board accepted the following recommendation as presented by ACA Angel Roussel:

Description/Background: The US 441 Water Main Interconnect project consists of constructing a water main interconnect between two non-connected potable water systems (PWS). The water main will be approximately 15,600 linear feet, varying in size, connecting the Spruce Creek Golf and Country Club (SCGCC) potable water system (PWS) to the Stonecrest PWS. The objective of this agreement is to provide cost share dollars that will enable Marion County Utilities (MCU) to reallocate approximately 0.12 million gallons per day (MGD) of withdrawals from the Upper Floridian aquifer about 5.5 miles further from Silver Springs, thereby reducing Marion County Utilities withdrawal impacts to Silver Springs. This is a follow-up from August 22, 2017 Proclamation and Presentations, item 1C-Presentation-Cost-Share Check for the US 441 Water Main Interconnect Project.

Budget/Impact: Revenue of $706,496.

Recommended Action: Motion to approve the Cost-Share Agreement with Saint Johns River Water Management District.

8. COUNTY ATTORNEY: NONE

9. COUNTY ADMINISTRATOR:

9A. Administrative Updates

9A1. Hurricane Irma Update

County Administrator Mounir Bouyounes advised that Solid Waste Director Mike Sims and County Engineer Tracy Straub will give a brief update on Hurricane Irma.

Solid Waste Director Mike Sims advised that the county is about 99 percent (%) complete with hurricane debris collection, noting the county has already collected approximately 978,000 cubic yards of debris. The county is operating 3 mulching machines and have mulched approximately 50% of the debris collected, which is going to the Gainesville Regional Utilities (GRU) biomass plant. The county will also be burning debris collected at the McKinley site. Regarding debris alongside state roads, the county is still caught in the middle between the State of Florida and the Florida Emergency Management Agency (FEMA); wherein, the State advised that it will not go out and collect debris along their roadways and FEMA advised that it will not reimburse the county for the costs associated with the cleanup. Mr. Sims advised that so far, the county has expended approximately $18,000,000 to clean up hurricane debris.

In response to Chairman Bryant, County Engineer Tracy Straub concurred with Mr. Sims and advised that the Florida Department of Transportation (FDOT) is not authorizing anymore debris pickups and FEMA will not reimburse the county.

Commissioner Zalak commented on SR 19 by the lake, noting it is his understanding that there is still some debris in this area, which could be a safety issue and requested staff
follow up on this. Ms. Straub stated staff will check on that and requested citizens call the county if there are any more areas of concern relating to debris or stumps that have not been marked by orange paint.

Commissioner Zalak commented on other hurricane debris and litter along the roadside and questioned how staff is going to address that as it may become an issue for roadside mowing. Mr. Sims stated between the Solid Waste Collection and Litter Department, staff is currently picking up that kind of debris. If a citizen calls in, staff will create a work order and take care of the matter. Regarding litter in general, the Department has hired contract labor to help staff litter crews, which consist of 15 laborers per day, 10 on Saturday, 8 on Sunday and none today. He advised that staff will address the methodology at the BCC’s upcoming strategic planning session, noting the department would like to procure fulltime Source2 employees to provide a more reliable labor source. The department still attempts to utilize inmate crews when possible.

General discussion ensued.

Commissioner Zalak suggested Chairman Bryant address the matter with the Judicial System.

General discussion resumed.

Clerk Ellspermann suggested the Board may want county staff to follow up on the proposed Bill relating to the Civil Citations Program, noting it is moving quite well and appears that it will pass this year in some form. The Bill may offer the ability for community service hours through the Civil Citation process and the private vendor that will oversee the program (i.e., Salvation Army).

Chairman Bryant directed ACA Rickman to follow through with the matter.

Mr. Bouyounes addressed previous discussion relating to the possibility of burning hurricane debris, noting it may begin earlier than proposed, depending on the workload and the ability for staff to meet the deadline at the end of February.

Commissioner Moore out at 11:04 a.m.

WALK-ON: County Administrator Bouyounes, Administration, presented the following recommendation from Procurement Services Director Olsen regarding the request to approve Bid Award 18B-057, DRA 3556 Irma Erosion Repair — Hamlet Underground, LLC, Ocala, FL (Budget Impact – Neutral; expenditure of $105,354 as approved in FY 17/18 budget)

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid to address erosion repair issues caused by Hurricane Irma in DRA 3556. The repair work consists of clearing and grubbing, excavation, placing and compacting fill in 12" lifts, and sodding disturbed areas. Four (4) contractors submitted bids summarized below:

<table>
<thead>
<tr>
<th>Firm Name</th>
<th>Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamlet Underground, LLC – Ocala</td>
<td>$105,354.00</td>
</tr>
<tr>
<td>Hartman Civil Construction Co. Inc. - Ocala</td>
<td>$117,392.00</td>
</tr>
<tr>
<td>John L Finch Contracting Corp – Summerfield</td>
<td>$170,772.50</td>
</tr>
<tr>
<td>Art Walker Construction, Inc. - Ocala</td>
<td>$264,333.00</td>
</tr>
</tbody>
</table>

The low bid is within the estimated budget of $178,000, and County Engineer, Tracy Straub recommends Hamlet Underground be awarded the contract. Work is to be substantially complete within 30 days. Attached for review is a contract draft; pending approval at today’s meeting, it will be sent to Hamlet for signature and
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upon return, will be forwarded for the County Attorney, Clerk, and Chairman’s signatures.
Budget/Impact: Neutral; project shall not exceed $105,354; up to ten percent (10%) contingency is requested and may be added to the purchase order per the Procurement Manual.
Recommended Action: Motion to approve recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute contract with Hamlet Underground, LLC, the lowest responsible, responsible bidder for 18B-057.

A motion was made by Commissioner Zalak, seconded by Commissioner Gold, to consider the Walk-On Item. The motion was unanimously approved by the Board (4-0).
Chairman Bryant opened the floor for public comment.
There being none, Chairman Bryant advised that public comment is now closed.
Commissioner Moore returned at 11:05 a.m.
A motion was made by Commissioner Zalak, seconded by Commissioner Gold, to approve the recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute contract with Hamlet Underground, LLC, pursuant to Bid No. 18B-057. The motion was unanimously approved by the Board (5-0).

UPDATE: County Administrator Bouyounes advised that on Saturday, January 20, 2018, the county is holding its 2018 Employee Appreciation Day at the Church of the Springs facilities. He encouraged employees and their families to attend.

10. COMMITTEE ITEMS: NONE

11. NOTATION FOR ACTION:
11A. Request Approval to Advertise and Schedule a Workshop to Discuss Lake Weir Planning Initiatives on Monday, February 12, 2018, at 2:00 p.m.
The Board considered the following recommendation from Growth Services Director Martsolf:
Description/Background: Lake Weir is a 5,600-acre lake in SE Marion County. It is impaired for water quality and a Total Maximum Daily Load (TMDL) was adopted for the lake earlier this year. In addition to water quality, residents have expressed concerns over water levels and navigation. This workshop is requested to discuss the status of the lake and potential action items to address water quality, lake levels and navigation.
Budget/Impact: None.
Recommended Action: Motion to advertise and schedule a workshop on Monday, February 12, 2018 at 2:00 p.m.
A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to schedule and advertise a workshop on Monday, February 12, 2018 at 2:00 p.m. to discuss Lake Weir planning initiatives. The motion was unanimously approved by the Board (5-0).

11B. Request Approval and Adoption of a Resolution to Declare a Public Hearing Date for Consideration of a Road Closure Petition Associated with the Plat of the Property of the Heirs of N. Brush, on Tuesday, February 20, 2018 at 2:00 p.m. or as Soon Thereafter as Possible

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

Description/Background: This is a request for Board adoption and execution of a resolution declaring that a Public Hearing be held to consider a petition presented by Darren Michael Schueller & Theressa Lori Schueller. The petition requests to close and abandon two (2) segments of unopened and unnamed roads lying within Parcel #02695-002-00, located in the Plat of the Property of the Heirs of N. Brush, Plat Book E, Page 26, and renounce and disclaim any right of the County and the Public.

Budget Impact: Revenue of $500 — Transportation - Road Closing - 105000-34190012.

Recommended Action: Motion to approve and adopt the resolution declaring a Public Hearing date to consider closing two (2) segments of unopened and unnamed roads lying within Parcel #02695-002-00, located in the Plat of the Property of the Heirs of N. Brush on February 20, 2018 at 2:00 p.m., or as soon thereafter as possible, and to authorize the Chair and Clerk to execute the same.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to adopt Resolution 18-R-027 declaring a public hearing on Tuesday, February 20, 2018 at 2:00 p.m., or as soon thereafter as possible, to consider a road closure associated with the Plat of the property of the Heirs of N. Brush. The motion was unanimously approved by the Board (5-0).

12. COMMISSIONER ITEMS:

12A. Commission Comments
Comissioner Moore thanked first responders, law enforcement officers, and county employees for their dedicated service to citizens. He commented on cold weather coming to Marion County and noted the need to provide warm shelter for the homeless. Commissioner Moore requested the Public Relations (PR) meet with the MCSO to get the message out to those who need shelter. He reiterated his opposition to gambling in Marion County.

Commissioner Zalak encouraged employees to go and enjoy the Employee Appreciation Day. He commented on the Reorganization Plans within several county departments (Items 7E1, 7E2 and 7E3), noting the importance of making strategic investments in county employees.

Commissioner Gold thanked Chief Banta and staff for their efforts relating to the service held for the fallen Ocala Firefighter. He advised of his support for the Adopt-A-Road program to address litter issues in Marion County.

Commissioner Stone commented on the number of complaints she has received relating to litter throughout the county and called on the community to take responsibility to help clean it up. She expressed her appreciation to those businesses who have helped by placing trash containers out to accept other people's garbage. Commissioner Stone requested the Board give staff good direction to help educate the public about this issue, starting in the school system, and commented on the need for litter enforcement. She advised of the upcoming Run for the Springs 5K event to be held on Saturday, April 14, 2018, noting monies raised will be used to help educate the community on keeping waterways clean. More information on the Run for the Springs 5K can be found on the
January 16, 2018

county’s website at www.marioncountyfl.org. Commissioner Stone noted she is looking forward to the Employee Appreciation Day event.

Chairman Bryant commented on the upcoming Strategic Planning workshop to be held on Tuesday, January 23, 2018. She wished everyone a Happy New Year.

Chairman Zalak addressed the need to provide people the tools necessary for litter control (pickup sticks, buckets, etc.).

12B. Commission Calendar
The Chairman acknowledged receipt of the Commission calendar covering the period of January 16, 2018 through February 9, 2018.

12C. 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, addressed the Board regarding the litter issue in Marion County, noting the importance of partnering with the school system. Michelle Shearer, SE 85th Street, encouraged citizens to join the Adopt-A-Road program and commented on the need for recycling centers to be open every day. She advised of the annual Greenway Getaway Endurance Ride event that occurs along the Pruitt Trailway.

Bill Slavich, SE 48th Avenue, clarified that 7E1 includes new hiring’s for the Building Department and noted funding for those positions comes from the proposed Fee Schedule which has been postponed.

In response to Chairman Bryant, Mr. Bouyounes stated the funding for those positions are already in the budget for this year.

Mark Lander, DOH, SE 32nd Avenue, invited citizens to attend the FreeD.O.M. Clinic event to be held on Saturday, January 20, 2018 at the First Baptist Church in Fort McCoy, noting the event will offer dental and vision screenings.

13. NOTATION FOR RECORD:
13A. County Administrator Informational Items:
13A1. Present DRC Waiver Request LDC 2.16.1.B(10) - Family Division for the Don & Pamela Ward Property Parcel #50004-011-00, Application #21203
13A2. Present DRC Waiver Request LDC 2.16.1.B(10) - Family Division for the Cayrol Goree Property Parcel #44616-002-01, Application #21216
13A3. Present DRC Waiver Request LDC 2.16.1.B(10) - Family Division for the Lynne Martin Property Parcel #12263-005-02, Application #21200
13A4. Present DRC Waiver Request LDC 2.16.1.B(10) - Family Division for the Celestine Frazier Property Parcel #05897-000-00 & 05893-002-02, Application #21239
13A5. Present Ocala/Marion County Chamber and Economic Partnership (CEP) Activity Report for December and Performance Matrix FY 2017 YTD
13A6. Present Contracts and Amendments as Requested by the Clerk for FY 17/18 Disbursements

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13A7. Present Letter from Duke Energy in Regards to the Proper Care and Maintenance of the Transmission Infrastructure as it Relates to Vegetation Management within the Right of Way Corridor in Marion County.

13A8. Present Letter Sent to Marion County Legislative Delegation from Chairman Bryant Regarding the Commissioner’s Opposition to Senate Bill 484 Dated December 19, 2017

13A9. Present Letter Sent to Governor Rick Scott, Marion County Delegation, Ginger Delegal, Executive Director of Florida Association of Counties and Chris Constance, President of Florida Association of Counties from Chairman Bryant Regarding Hurricane Irma Debris on State Roads Dated December 22, 2017

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 Thoroughbred Acres - SW 89th Avenue, Plat UNR, Page N/A Petition Count for Proposed Road Assessment
13C3. Present Outside Counsel Fees

13D. Clerk of the Court:
13D3. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 39212, 39213, 44682, 47532, 47533, an Attached List From The Clerk of the Circuit Court
13D5. Present Internal Audit Report No. 2017-14 Regarding Operating Parts and Supplies Inventories for FY 2017
13D7. Present Monthly Report for the Building Department Budget and Actual
13D8. Present Memorandum From David R. Ellsperrmann, Clerk Of Circuit Court And Comptroller, Regarding The Filing Of Ordinances 17-34 (Marion County Code); 17-35 (Comprehensive Plan); 17-36 (Comprehensive Plan); And 17-37 (Zoning) With The Secretary Of State’s Office
13D9. Present Constitutional Officers’ and Commissioners’ Bonds Pursuant to Chapter 137.05, Florida Statutes

13E. Present for information and record, minutes and notices received from the following committees and agencies:
13E2. Development Review Committee (DRC) - November 13, 20, December 4 and 11, 2017
13E3. License Review Board (LRB) - November 14, 2017
13E4. Marion County Historical Commission - August 14 and October 9, 2017
13E5. Marion County Hospital District Board of Trustees (MCHD) – November 27, 2017
January 16, 2018

13E6. Parks & Recreation Advisory Council (PRAC) - October 18, 2017
13E10. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at http://www.ocalafl.org/tpo
13E11. Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at http://www.wrwsa.org

There was a recess at 11:30 a.m.
The meeting reconvened at 2:01 p.m. with all members present.

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

NEW BUSINESS: Chairman Bryant advised of a new bit of business that needs to be taken care of before the Zoning portion of today's meeting begins. She noted a request for a Proclamation was received for next month, which she wanted to distribute to the BCC for review prior to moving forward with the Proclamation. Chairman Bryant stated the Proclamation can be addressed at the end of today's Zoning meeting.

14. PLANNING & ZONING AND DRC WAIVER REQUESTS (AT 2:00PM):
Deputy Clerk Bonvissuto advised that there are 3 Proofs of Publication to be presented for this afternoons meeting.
The first two Proofs of Publication are display ads entitled, "Notice of Change of Land Use, Marion County Comprehensive Plan", both were published in the Star Banner newspaper on January 5, 2018. The Notices state the Board will consider Large Scale Comprehensive Plan Amendments 17-L09 (Item 14B3), and 17-L10, Text Amendments (14B4).
The last Proof of Publication is No. A000924170 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on January 2, 2018. The Notice states the Board will consider approving Large Scale Comprehensive Plan Amendment (CPA), rezoning and/or Special Use Permit applications, as well as considering adoption of proposed Ordinances.
Chairman Bryant stated the County Attorney will now address the process for today's zoning hearings.
County Attorney Matthew G. Minter noted Items 14A1 through 14A4 is the consent agenda, 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. If there are no objections those items will be moved in one combined motion.
Items 14B1 through 14B4 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 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 BCC also considers Conditions for Special Use Permits to help the project be compatible with surrounding properties. The public is invited to speak to the Board about an additional condition that may be relevant to a Special Use Permit.

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:

Growth Services Director Sam Martsolf advised that the four (4) 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:

<table>
<thead>
<tr>
<th>ITEM NUMBER</th>
<th>OWNER</th>
<th>FROM-TO</th>
<th>ACREAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 180101SU</td>
<td>Jakthan Properties Management, LLC</td>
<td>Renewal of Special Use Permit in B-2</td>
<td>1.47</td>
</tr>
<tr>
<td>2 180102SU</td>
<td>House of Prayer Apostolic Church</td>
<td>Modification of Special Use Permit in A-1</td>
<td>3.99</td>
</tr>
<tr>
<td>3 180104Z</td>
<td>Thomas Hubbard</td>
<td>M-1 to B-4</td>
<td>5.02</td>
</tr>
<tr>
<td>4 180106Z</td>
<td>Mike Raney</td>
<td>R-4 to B-5</td>
<td>0.4</td>
</tr>
</tbody>
</table>

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Kroitor and seconded by Mr. Gaekwad to agree with staff's findings and recommendation, and recommend approval of the following Consent Agenda items (180101SU, 180102SU, 180104Z, and 180106Z) 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 4 to 0.
January 16, 2018

Mr. Martsolf read the Consent Agenda into the record. 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 Stone, seconded by Commissioner Moore, to approve consent agenda items 14A1 through 14A4, 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. 180101SU - Jakthan Properties LLC., Renewal of a Special Use Permit in B-2, 1.47 Acres**

The Board adopted Resolution 18-R-028 granting a petition by Bernard Sachs c/o Jakthan Properties MGM (owner) / Thomas Leece (applicant), 3132 NE Jacksonville Road, Ocala, FL, for renewal of Special Use Permit 141115SU, Articles 2 and 4, of the Marion County Land Development Code, for parking of commercial moving trucks in a B-2 (Community Business) zone on approximately 1.47 acres of Parcel Account No. 24612-000-00.

Resolution 18-R-028 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. A maximum total of ten (10) moving trucks may be kept on the property (either moving business or moving truck lease business, in any combination); a maximum of 10 towing trailers (e.g., auto or motorcycle) may also be kept on the property in conjunction with either of the businesses.
3. No mechanical repair/maintenance of the vehicles shall take place onsite.
4. The Special Use Permit shall run with the applicant, Thomas Leece, and not the property.
5. The Special Use Permit shall terminate upon any division or subdivision of the subject property.
6. The applicant shall install and maintain an equivalent Modified Type “C” Buffer along the site’s NE Jacksonville Road frontage as follows: minimum 5’ wide, one shade tree (replacing the downed oak tree at the site’s northeast corner) and seven accent/ornamental trees including the three existing crepe myrtles in front of the office, leaving four to be installed and maintained to the south in front of the truck parking area (two north and two south of the driveway).
7. The Special Use Permit shall expire on December 19, 2022; however it may be renewed administratively for up to 5 years by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
   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 Enforcement, Zoning, or
equivalex/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. 180102SU - House of Prayer Apostolic Church, Modification of a Special Use Permit in A-1, 3.99 Acres**

The Board adopted Resolution 18-R-029 granting a petition by House of Prayer Apostolic Church (owner/applicant), 12921 NW 38th Avenue, Reddick, FL, for modification of Special Use Permit 080806SU, Articles 2 and 4, of the Marion County Land Development Code, to include two additional buildings for Sunday School classroom and storage in A-1 (General Agriculture) zone on approximately 3.99 acres of Parcel Account No. 07287-000-00.

Resolution 18-R-029 contains the following Conditions:

1. The site shall be operated consistent with the submitted conceptual plan and conditions as provided with this approval.
2. This Special Use Permit shall run with the owner (House of Prayer Apostolic Church, Inc.) and not the property.
3. Use of the site shall be limited to conducting church and Sunday school related activities and/or those uses consistent with the site's zoning and the Land Development Code.
4. Buffer shall include the existing vegetation, along the perimeter, as proposed on the conceptual plan.
5. Any further expansion of the site shall require a modification of the Special Use Permit.
6. The Special Use Permit shall expire on January 16, 2023; however it may be renewed administratively for up to three consecutive three year periods by a written instrument signed and issued by the Zoning Manager (or position equivalent to the Zoning 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 Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
   c. The Zoning 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. 180104Z - Thomas Hubbard, M-1 to B-4, 5.02 Acres**

The Board granted a petition by Thomas Hubbard (owner) / Salem Hassan (applicant), 13837 SE 80th Avenue, Summerfield, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from M-1 (Light Industrial) to B-4 (Regional Business), for all permitted uses including an RV Dealership for selling new and used
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RVs. Repair and servicing RVs on approximately 5.02 acres of Parcel Account No. 45458-002-03.

14A4. 180106Z - Mike Raney, R-4 to B-5, .4 Acres
The Board granted a petition by Mike Rainey, Sr. (owner) / Mike Rainey, Jr. (applicant), 1466 NW 38th Avenue, Ocala, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from R-4 (Mixed Residential) to B-5 (Heavy Business) for all permitted uses including a semi-truck/car/truck sales lot on approximately 0.4 acres, on Parcel Account Nos. 21684-000-00 and 21684-001-00.

14B. Planning and Zoning Items for Individual Consideration:
14B1. 18-S01 - Rogers Lakeview Investments LLC., Medium Density Residential to Commercial, 1.9 Acres
The Board considered a petition by Rogers Lakeview Investments, LLC, James Rogers Jr. (owner/applicant), PO Box 4222, Belleview, FL, for a Land Use Change, Articles 1, 2 and 3 of the Marion County Land Development Code, from Medium Density Residential to Commercial on approximately 1.9 acres, on a portion of Parcel Account No. 38521-000-00.

WRITTEN OPPOSITION WITHIN 300 FEET: 4 of 16 = 25%.
PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Gaekwad, 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 4 to 0.

It was noted for the record that the Deputy Clerk received an 11 page handout regarding Items 14B1 and 14B2 from staff.
Strategic Resources Project Manager Kevin Smith, AICP, Growth Services, advised that the next 2 items for consideration (14B1 and 14B2) will be addressed together. Item 14B1 by Rogers Lakeview Investments, LLC (18-S01) is a request to change the land use from Medium Density Residential to Commercial on 1.9 acres. The property is located on SE Highway 484 at the intersection with SE 125th Street. A companion rezoning application (14B2), from A-1 to B-5 is also included. Staff analysis relating to the land use request indicates that the commercial business activity has been established for a number of years on this property. The request will facilitate commercial development of the remaining portion. Adequate protections are available for surrounding properties, which are residential and agricultural land uses that can be accomplished through appropriate zoning controls (i.e., buffer standards and other applicable requirements). Staff recommends approval for the land use change.

The companion rezoning application (Item 14B2), is a request for B-5 zoning. Staff feels that this would be inconsistent with the established agricultural and low density residential land uses in the surrounding area. Staff instead recommends that the property be rezoned to B-2 with a Special Use Permit in order to limit the potential adverse impacts to the surrounding area and to allow for specific development conditions as needed to eliminate or mitigate such impacts. The P&Z Commission also agreed with staff’s recommendation in their review.

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James Rogers, SE Highway 484, Belleview, applicant, presented a 2 page petition to change zoning requirements. He stated the business has been there for a while now, noting a permit was pulled 1-1/2 years ago to remodel one of the houses on the property. It was later brought to his attention that the Zoning Department was not notified and they have asked that the zoning be changed to allow for 3 parking spaces, handicapped parking, and buffers, for which he is agreeable. Mr. Rogers stated he spoke with his engineer, Craig Hedgecock, who explained to him that the B-5 zoning change was not needed, as B-2 is appropriate for the use. He advised that he is amenable with the B-2 zoning change. Mr. Rogers commented on the Special Use Permit Conditions relating to the entrance. Originally he could not come in the entrance he is using because of the trees, but to remedy that problem the existing driveway on SE 53rd Court could be moved and put on the other side of those trees to come in off the dirt/limerock road from Taylor College. He noted Zoning has also requested that this be paved; however, neighbors do not want the road paved for fear that those driving from Taylor College will turn it into a racetrack through the neighborhood. Mr. Rogers asked if he could grade and maintain the road with limerock. He advised that he would be willing to stipulate to the county that he would maintain the road rather than paving. Mr. Rogers addressed the barriers and trees, noting when Growth Services came out he was told that the privacy fence at the back of the property was fine, but he needed another privacy fence down the side of the property on SW 125th Street, which he agreeable to; however, the neighbor next to him has asked for trees instead of a fence. He advised that he is willing to do whatever the county asks in regard to buffers, adjusting the new entrance down in front of the trees, and maintain the road. Mr. Rogers further advised that he will block off the entrance coming off of SE 53rd Court so that he will come in off Highway 484 by Taylor College in the future.

Chairman Bryant opened the floor to public comment.

John McGoff, Jr., SE 54th Avenue, Belleview, commented on the reason for not wanting the road to be paved and issues with Taylor College students using neighborhood slag roads to cut back to Highway 301 and speeding. He advised of discussions with the applicant, who is very accommodating. Mr. McGoff asked for a speed table if the road is paved with asphalt.

Tim James, SE 53rd Court, Belleview, noted when the business first began he noticed all of the trucks going out in the morning and coming in in the evening running over grass and speeding. He advised that he lodged a complaint with the Office Manager right after it opened, but nothing changed. Then his wife went and spoke with the owner. Mr. James questioned how the applicant is able to use A-1 property to park business vehicles as if it was already zoned B-2 or B-5. He further questioned how the applicant was able to continue to use neighborhood roads this whole time. Mr. James stated the business has a history of not following the process and procedures they are required to do and have gotten away with it all this time. He questioned how the restrictions placed on them will be adhered to.

Chairman Bryant advised that public comment is now closed.

Chairman Bryant questioned where staff would be with the ask on behalf of the 2 people who spoke and the applicant about changing the entrance on Highway 484 and other things. Mr. Smith referred to the aerial detail (shown on the overhead screens), which is more descriptive of what is going on with this property. The dirt or un-stabilized road shown to the south of the property (SE 125th Street) and the existing entrance is directly across from the north/south link going into the neighborhood. In staff's review of this
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application considered the fact that additional traffic is being generated by the proposed development on the highway and dirt road. Staff recommendation in terms of the conditions of approval that would go along with a B-2 zoning change would request that the road be stabilized, but not necessarily be paved. The concern would be dust that would be created by an un-stabilized roadway. Staff has no objections to the idea of moving the driveway to a better location and in fact it was suggested and believes the applicant has already gotten with the Engineering Department to discuss those issues. Chairman Bryant clarified that staff is agreeable with moving the driveway to Highway 484 and getting it out of the residential neighborhood. Mr. Smith concurred.

Chairman Bryant inquired about the landscape buffers. Mr. Smith stated landscape buffers are normally required in a B-2 zone, which has been added as one of the Special Use Permit Conditions to go with the B-2.

Chairman Bryant questioned how the A-1 property is being used for a business today. Mr. Smith stated he does not know the detailed history of the property from years ago, but the A-1 zoning classification would allow for very limited storage of business related vehicles on the property. He noted that is why the request to rezone the property would be appropriate for this type of business. In response to Chairman Bryant, Mr. Smith stated there is no Code Enforcement action on this property.

Mr. Rogers advised that the trees are why they did not originally come down SE 125th Street. He clarified that the building out front is zoned B-5 and the only reason he is not parking there is because he did not want all that clutter on Highway 484 when people drive by. The house was remodeled through a building permit, but he was unaware that the Zoning Department was not advised. Mr. Rogers stated he will block the entrance from SE 53rd Court and start coming in off Highway 484. He advised that he has no problem with grading the road and maintaining it with limerock. Mr. Rogers noted he is agreeable with the buffers and stated he planned to put trees down the whole side, as requested by the Zoning Department. He advised that the engineer has the actual layout of all the trees, which needs to be provided to Growth Services for review. Mr. Rogers stated he is willing to work with the neighborhood.

Commissioner Zalak stated he will move for approval of a B-2 zoning change with a Special Use Permit and Conditions, to make sure there are no visual issues with the trucks in the back. He opined that this particular project is better than adding a driveway on Highway 484, noting the applicant has the right to park the trucks out front. Commissioner Zalak stated a better solution is to properly buffer and make sure that visually, it is in the right location, as well as move the gate to the proper location, and will not burn on this property.

Mr. Minter advised that the land use (14B1) needs to be moved first and then the rezoning (14B2).

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to approve Small Scale Comprehensive Plan Amendment No. 18-S01, 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 the surrounding land uses, is consistent with Chapter 163, Florida Statutes (FS) and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (5-0).

14B2. 180107Z - Rogers Lakeview Investments LLC., A-1 to B-5, 1.9 Acres

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The Board considered a petition by Rogers Lakeview Investments, LLC, James Rogers Jr. (owner/applicant), PO Box 4222, Belleview, FL, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from A-1 (General Agriculture) to B-5 (Heavy Business), for all permitted uses including a contractor's yard and office on approximately 1.9 acres, on a portion of Parcel Account No. 38521-000-00. (18-S01).

WRITTEN OPPOSITION WITHIN 300 FEET: 4 of 16 = 25%.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Kroitor, seconded by Mr. Gaekwad, to agree with staff's findings and recommendation, and recommend denial of the B-5 zoning and recommend approval of B-2 zoning with a Special Use Permit based on the following findings of fact for B-2 zoning with a Special Use Permit:
1. Will not adversely affect the public interest.
2. Is consistent with the Marion County Comprehensive Plan.
3. Is compatible with the surrounding land uses.

The motion passed 4 to 0.

This matter was addressed with Item 14B1.

It was noted that Growth Services staff and the P&Z Commission both recommended denial of the Zoning Change from A-1 to B-5; however, they do recommend approval of a Zoning Change from A-1 to B-2 with a Special Use Permit with the following Alternate Approval Conditions:

1. Use of the property shall be limited to a contractor's storage yard and office, and all uses permitted under B-2, Community Business zoning.
2. This Special Use Permit shall run with James Rogers/Rogers Lakeview Investments, LLC and not with the property.
3. A site plan and other required information shall be submitted to the Development Review Committee (DRC) for review and approval in accordance with the applicable development standards in the Land Development Code.
4. Landscaped buffers shall be required in accordance with the requirements of Article 6 of the Land Development Code and shall be shown on the site plan. Modified buffers are permitted subject to approval by the Development Review Committee (DRC).
5. Paving or stabilization SE 125th Street along the southern boundary of the site maybe required to support the proposed commercial activities. The applicant shall meet with the Office of the County Engineer to assess the condition of SW 125th Street.
6. Commercial trucks accessing the site shall avoid using SE 53rd Court and SE 54th Avenue which are part of the established residential subdivision of Bellmar Estates located to the south of the subject property.
7. The Special Use Permit shall expire on January 16, 2021; however it may be renewed administratively for up to 5 years by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
   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 Enforcement, Zoning, or
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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).

Commissioner Zalak restated his earlier motion to approve a Zoning Change from A-1 to B-2 with a Special Use Permit, which includes all listed Conditions; moving the gate; a contract with the Office of the County Engineer in regard to maintaining the dirt/limerock up to the existing gate; no use of neighborhood roads; no burning on the property; and will make the inclusions with neighbors to figure out to make sure visual buffers works for the trucks in the back.

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to deny the Zoning Change from A-1 to B-5 and adopt Resolution 18-R-30 approving a Zoning Change from A-1 to B-2 with a Special Use Permit with Conditions 1 through 8, as amended (see 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.

CONDITION NO. 5: Stabilization of SE 125th Street along the southern boundary of the site is required to support the proposed commercial activities. The applicant shall meet with the Office of the County Engineer to assess the condition of SW 125th Street.

CONDITION NO. 6: Commercial trucks supporting this permit’s operation and deliveries shall avoid using SE 53rd Ct. and SE 54th Avenue which are part of the established residential subdivision of Bellmar Estates located to the south of the subject property. The existing access gate on SE 125th Street shall be moved to the west to reduce the impacts to Bellmar Estates no later than January 30, 2018.

CONDITION NO. 7: No burning shall be allowed on the site.

CONDITION NO. 8: The Special Use Permit shall expire on January 16, 2021; however it may be renewed administratively for up to 5 years by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:

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 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).

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

In response to Chairman Bryant, Mr. McGoff questioned when the situation with the trucks using neighborhood roads will cease and desist. He advised that the recommendation at the P&Z Commission meeting was to cease and desist driving down SE 53rd Court/SE

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54th Avenue, which encompasses the neighborhood; however, trucks are still on those roads.
Chairman Bryant noted that the applicant stated his people will not drive on the neighborhood roads. Mr. Rogers advised that the only reason it has not happened at this time is because he was waiting on the BCC action. He stated he needs to open up the fence and put on a gate then close off the other gate. Mr. Rogers opined that it will take a week or two to move everything over.
Commissioner Zalak noted that unfortunately, it becomes very difficult to stop someone from driving on public roads; however, Mr. Rogers can control his people.
Chairman Bryant stated the applicant wants to be a good neighbor and work with his neighbors.

14B3. 17-L09 - Condores 7, LLC., Rural Land to Low Residential, 197.43 Acres - Adoption 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.
(Ed. Note: P&Z Commission recommendation from 10/30/17 meeting, which was placed on the 11/21/17 BCC Agenda.)

It was noted for the record that the Deputy Clerk received a 4 page handout from staff.
Commissioner Moore out at 2:32 p.m.
Strategic Resources Project Manager Kevin Smith, AICP, Growth Services, advised that this item is a large scale land use amendment request (17-L09), from Rural Land to Low Residential density on 197.43 acres. The request was submitted by the Growth Services Department to correct an error that was made on the land use map. The site was originally approved for Low Density land use in 2006 under application 06-L51. Subsequent to that, a Developer’s Agreement was signed and a Planned Unit Development (PUD) project was also approved. In 2014, the BCC approved a major amendment to the Future Land Use Map (FLUM). Subsequently, an error was noted on the map and staff has moved forward with a correction on this particular property. The application has been sent to the state agencies for their review and there have been no objections.
Mr. Smith noted that the buyer’s representative, Randy Klein, is present to answer any questions. He advised that staff recommendation is approval of the land use change.
In response to Chairman Bryant, Mr. Klein advised from his seat in the audience that he would wait to address the Board.
Commissioner Moore returned at 2:34 p.m.
Chairman Bryant opened the floor to public comment.
Elsa Avalos, SW 7th Avenue Road, urged the Board to evaluate the existing zoning and the number of houses that will be placed on the property. She expressed concern with the environment and asked the Board to be responsible in the way Marion County grows. Michelle Shearer, SE 85th Avenue, President of the Shady Greenway Conservation Alliance, expressed her concerns with roads, traffic, and flooding. She stated a PUD should not be put on the property, noting the property should remain as horse farms or larger tracts if not maintained by one owner.

Doug Shearer, SE 85th Avenue, commented on the area and flooding that occurred during Hurricane Irma. He expressed concern with flooding and noted the property does not drain well.

Ken Ausley, SW 7th Avenue Road, stated he has reluctantly been appointed as spokesperson for a lot of the neighbors down this street, noting he understands this process and is aware that this parcel has already gone through the process and was approved for Low Density Residential by a previous Commission; and this is clearing up a clerical error. He advised that the group he represents understands. As background history, this property was owned by his grandfather and was sold to the Counts family. Mr. Ausley stated he and his mother grew up on this property, so he knows it well. He stated he has no problem with the property being developed, but retrospectively looking back a hamlet would probably be a more appropriate use given all of the surrounding rural development. Mr. Ausley advised that when this comes to a PUD process they would ask the BCC to think hard about what the density should look like, noting about 50 homes is around the right density, but the one-to-one is a bit much. He opined that the infrastructure could not handle the one-to-one density.

Randy Klein, SE 11th Avenue, attorney, commented on the unique situation and stated his client should be given what was approved. He noted the Low Density Residential was changed due to an error that was not corrected, which is why they are here today. Mr. Klein addressed the existing recorded Developer’s Agreement that already covers water/sewer, school concurrency, traffic concurrency, a mechanism for funding off-site transportation improvements, stormwater design and management, and springs protection adherence to minimum development standards. Whoever develops the property will be bound by that Developer’s Agreement.

Chairman Bryant advised that public comment is now closed.

Commissioner Zalak advised that he agrees with the testimony that has been given to the BCC today and opined that the Board would have made a different decision if this would have been brought to them. He noted they will have that opportunity when the PUD comes up in the future; however, today the BCC needs to approve this due to the clerical error which has taken the legal right from somebody.

A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to approve 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).

14B4. Proposed Text Amendments for the Future Land Use Element-Adoption 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: PLANNING AND 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.

(Ed. Note: P&Z Commission recommendation from 10/30/17 meeting, which was placed on the 11/21/17 BCC Agenda.)

Growth Services Director Sam Martinolf presented the following recommendation:
Description/Background: Attached are the proposed text amendments for the Future Land Use Element, the following policies and objectives are affected: Policy 2.1.18, deleting the Rural Community Land Use Designation (the designation denied for AZ Ocala Ranch project) and the associated Table 2-1; Objective 3.1, Policy 3.1.4 and Policy 3.1.6 changes to the Urban Growth Boundary definition, Rural Areas outside of the UGB and Urban Areas outside of the UGB, respectively; Policy 9.1.7 deleting designated receiving areas for the Transfer of Rights program in the Environmentally Sensitive Overlay Zone.

Budget/Impact: None.

Recommended Action: Adopt the proposed text amendments to the Comprehensive Plan.

Senior Planner Kim Dinkins, Growth Services, advised that Item 14B4 (17-L10), are Text Amendments being proposed, noting there is 1 Objective and 4 separate Policies within the Future Land Use Element (FLUE) of the Comprehensive Plan. Policy 2.1.8 deletes the Rural Community land use designation and its associated definition in Table 2-1. Objective 3.1, Policy 3.1.4 and Policy 3.1.6 relates to the UGB definition, Rural and Urban areas outside of the UGB. Policy 9.1.7 relates to designated receiving areas for the Transfer Development Rights (TDR) program; eliminating those areas in the Environmentally Sensitive Overlay Zone (ESOZ) from eligibility in that program.

Ms. Dinkins advised that this was transmitted to the Department of Economic Opportunity (DEO); no objections or comments were received by the reviewing agencies.

Chairman Bryant opened the floor to public comment.
There being none, Chairman Bryant advised that public comment is now closed.
A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to approve 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.

Mr. Minter noted that before the meeting, Senior Planner Chris Rison, County Administrator Mounir Bouyounes and himself were talking about the proposed Objective 3.1. and the new Text related to the UGB. The Board will recall that in the Roberts case, Jimmy Gooding (attorney) was proposing this would be a good idea to clarify. Staff is on
record previously that you can have Urban uses outside the UGB, but we (County Attorney and County Administrator) have some concerns that a more complete treatment of this may be needed. Simply saying there is a UGB and then saying you can have urban uses outside the UGB creates confusion. The county used to have an issue in that it could not expend money on capital projects outside of the UGB, which has been corrected, so that needed utility infrastructure can be connected. Whether the BCC goes ahead with this now or defer Objection 3.1 to allow staff to more completely develop that objective to harmonize concerns for allowing development or orderly growth of the county, but not create confusion by saying this is the UGB, but here is Urban Growth somewhere else. He advised that he is open to anybody from Growth Services to address any problem that the county needs to cure and go ahead with this today, noting he does not want to stand in the way of that.

Commissioner Zalak inquired as to what it would hurt to move this Objective today and if it needs to come back that it comes back with a more robust definition. Mr. Minter stated they can do that too, but noted he wanted to use this opportunity to at least start the conversation. Commissioner Zalak opined that it is good the way it is presented today, unless someone can tell him why it is not. The best strategy is to move it forward and then allowing staff to come back later since it still has to be submitted to DEO.

Ms. Dinkins reminded the Board that staff is in the process of their Evaluation and Appraisal Report (EAR) and will be opening up the Comprehensive Plan a bit more, which may present an opportunity to bring this back to the BCC at a time certain or as part of that process. Commissioner Zalak opined that it depends on how quickly Mr. Minter wants it back. Mr. Minter questioned the timeframe on the EAR. Ms. Dinkins advised that it is 1 year. Mr. Minter stated he likes Commissioner Zalak's idea of going ahead with this and then if we need to come up with something more robust to further define this, then maybe that is the way to go. Commissioner Zalak stated he would like for staff to look this over in the next 90 days and bring back something if it needs to be adjusted, and if it is minor then it can occur in the overall plan. Mr. Minter agreed to the 90 day review. In response to Commissioner Zalak, it was the general consensus of the Board to concur.

Commissioner Zalak advised that his motion still stands.

Commissioner Gold inquired as to Policy 2.1.8 and whether it will have any bearing on current litigation. Mr. Minter opined that it will not, simply because the RC (Rural Community) was in effect at the time that AZ Ocala came in for approval. If they are successful in persuading the court that they should have gotten their approval, it is his opinion that it should be according to the plan the county had in effect when they applied, even if we subsequently eliminated it. As long as you do not make this Policy retroactive it will not adversely affect them if they do prevail in the lawsuit.

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

14C. Adoption of Ordinance
14C1. 18-S01
A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to adopt Ordinance 18-02 adopting Small Scale Comprehensive Plan Amendment No. 18-S01, agreeing with the Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, FS and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (5-0).
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Ordinance 18-02 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:

2018-SO1, ROGERS LAKE VIEW INVESTMENTS, LLC
1.9 ACRES (PORTION OF 2.5 ACRES)
PARCEL # 38521-000-00
FROM MEDIUM RESIDENTIAL TO COMMERCIAL 
PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

14C2. 17-L09
A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to adopt Ordinance 18-03 adopting Large Scale Comprehensive Plan Amendment No. 17-L09, agreeing with the Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, FS and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (5-0).

Ordinance 18-03 is entitled:

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

2017-L09, CONDORES 7 LLC, OWNER MARION COUNTY, APPLICANT
197.43 +/- ACRES;
PID# 36243-000-00
RURAL LAND TO LOW RESIDENTIAL 
PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

14C3. 17-L10
A motion was made by Commissioner Zalak, seconded by Commissioner Moore, to adopt Ordinance 18-04 adopting Large Scale Comprehensive Plan Amendment No. 17-L10, 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 18-04 is entitled:
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA; ADOPTING THE FOLLOWING LARGE-SCALE TEXT AMENDMENTS TO THE FUTURE LAND USE MAP SERIES OF THE MARION COUNTY COMPREHENSIVE PLAN:

2017-L10, MARION COUNTY

FUTURE LAND USE ELEMENT TEXT AMENDMENT;

1) Objective 2.1 Future Land Use Designations and associated tables and policies
2) Objective 3.1 Urban Growth Boundary and associated policies
3) Objective 9.1 Transfer of Development Rights Program and associated policies
4) FUTURE LAND USE MAP SERIES; Map 12, Transfer of Rights PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

14C4. 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 Zalak, seconded by Commissioner Moore, to adopt Ordinance 18-05 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 18-05 is entitled:

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

UPDATE: Mr. Martsolf stated he, along with help from Mr. Minter, will briefly explain the confusion that occurred at the last Zoning meeting on December 19, 2017 in regard to 171205SU by Gavin Billings to have a lawn business in the Silver Creek Subdivision. He noted staff receives requests, not routinely, that are in conflict with the Comprehensive Plan; with the way they are submitted, addressed, or brought forward. If an applicant is persistent or feel they have mitigated those conflicts with the Comprehensive Plan, staff is upfront with them and will not recommend approval; however, it goes forward. An application also goes forward because an applicant has no appeal, unless they come through this body. An application will come forward even though it is in conflict with the Comprehensive Plan and the BCC then has to make the decision. He opined that what Mr. Minter was telling the Board is that they cannot approve the request if the BCC feels that an application is in conflict with the Plan. However, if the Board feels the application is consistent with the Comprehensive Plan, based on something they did to mitigate the conflict, then it is the BCC's prerogative to approve the application. Mr. Martsolf stated that is where they were in December, 2017, except the Board was going toward denial and staff recommended denial because it was in conflict in the way that it was submitted.
Commissioner Zalak clarified that the reason staff brings those forward is because at the end of the day, this Board is the one that needs to vote on whether or not an application is in conflict with the Comprehensive Plan and the only way an applicant can seek a remedy to the Board decision is by going to the courts after receiving a decision by this Board. Mr. Martsolf concurred.

Mr. Minter advised that he is in agreement with that, noting the applicant has staff's report, which gives them the opportunity to bring in their expert witness to try and convince the BCC that an application is consistent with the Comprehensive Plan. He stated his only point is, at the end of the day after the BCC has heard everything, if you determine that it is inconsistent with the Comprehensive Plan then the Board should not approve the request. It will be an easy win in court if someone is able to prove that something is inconsistent with the Comprehensive Plan, which is easy to reverse in court.

NEW BUSINESS (Continued): Chairman Bryant asked if the Board had time to review the Proclamation presented at the beginning of the meeting and if there are any suggested changes.

Commissioner Moore commented on accentuating the positive things that occurred and research he has been conducting in regard to John E. Williams, who was appointed by the Governor and was the first African-American to serve on this Board and later served on the Marion County School Board. He also believes that his son, Reden Reche Williams, was the first or second African-American doctor in the State of Florida and opened the Metropolitan National Bank. In response to Chairman Bryant, Commissioner Moore advised that staff has already conducted part of that research. Commissioner Moore stated he would like to incorporate that research into the Proclamation, if possible.

Commissioner Zalak commented on the Proclamation from last year, noting he is good with the Chairman making the decisions. He referred to the portion regarding becoming racially cohesive and understanding black and white history, noting there are a lot of ethnicities that encompass American History. Commissioner Zalak stated he is not sure if there is a way to say that so it includes all history, not just black and white. He noted we have Indian, Asian, Hispanic, etc. histories.

Chairman Bryant thanked the Board and stated they would get the Proclamation done.

UPDATE: Mr. Minter addressed the end of the morning portion of today's meeting in regard to earlier public comment where Ms. Hayes set up some meetings with Commissioners. He emphasized that he had communicated with Gregg Jerald, MCSO, and noted the statute Ms. Hayes is referring to which makes a violation a criminal violation. Mr. Minter opined that Ms. Hayes would like for the county to get Code Inspectors involved in this. An Attorney General Opinion (AGO) that says in the first instance it is up to the law enforcement agency to determine whether or not Internet Cafes or if illegal gambling devices are going on. He advised that Mr. Jerald did say that he will communicate that with the Sheriff and they will evaluate their enforcement efforts on those things. Frankly, he is not sure what the County Commission can do about it, but wanted to inform the Board before meeting with Ms. Hayes.

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There being no further business to come before the Board, the meeting thereupon adjourned at 2:59 p.m.

Kathy Bryant, Chairman

Attest:

David R. Ellspermann, Clerk