

MARION COUNTY BOARD OF COUNTY COMMISSIONERS



Dist 1 – Andy Kesselring
Dist 2 – Jim Payton
Dist 3 – Stan McClain
Dist 4 – Barbara Fitos
Dist 5 – Charlie Stone

A G E N D A

Marion County Government Complex
601 SE 25th Avenue, Ocala, FL 34471

County Commission Auditorium
December 18, 2007

*****Notice to Board Meeting Attendees: As a courtesy to others, please ensure pager and cell phones are turned off during meeting*****

Welcome to the Board of County Commissioners regularly scheduled meeting. Your participation in County government is appreciated. All regular Board meetings are held on the 1st and 3rd Tuesday of each month at 9:00am. Zoning Board meetings are held on the 3rd Tuesday of each month at 2:00pm.

Please visit the Marion County website at <http://www.marioncountyfl.org> for complete agenda packet including back-up documentation.

All persons wishing to address the County Commission will be asked to limit their comments to the specific subject being addressed. Public opinions and input are valued by the Board of County Commissioners. However, it is requested that comments are directed at specific issues rather than personal comments directed toward Board members or staff in order to foster mutual respect between Board members and the public.

Any persons requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the Public Affairs Office at (352) 438-2300 at least two (2) business days prior to the meeting.

Official minutes and audio recordings of Board meetings, workshops, or public hearings are available for purchase through the Clerk of Court, Commission Records. Please call (352) 671-5622 for additional information. In addition, VHS/DVD video recordings of the regular Board meetings are available with a deposit for viewing or for purchase through the County's Public Affairs office.

Marion County BOCC Mission Statement
"Meeting Needs by Exceeding Expectations"

- **INVOCATION AND PLEDGE OF ALLEGIANCE**
 - **9:00AM – CALL TO ORDER**
 - **ROLL CALL**
 - **WELCOME NEW COUNTY EMPLOYEES (None)**
1. **PROCLAMATIONS/PRESENTATIONS/RESOLUTIONS:**
 - 1A. Presentation – Marion County Employee Recruitment Video – “Together We Make a Difference” – Administration (Presentation) (No Backup)
 - 1B. Proclamation – Eagle Scout – William M. Houghton (Approval Only)
 2. **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 un-scheduled 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. **Furthermore, Commissioners cannot address any issues that will be considered or are currently being addressed by the Zoning Commission or the Code Enforcement Board during this portion of the meeting.**
 - 2A. Florida Renewable RC&D Council, Inc. – Tom Cunilio
 - 2B. AMVETS Post 19 – Dan LeBlanc
 - 2C. General Public Comment (Limited to 2 Minutes Each Speaker):
 3. **ADOPT THE FOLLOWING MINUTES: (6 sets)**
 - 3A. September 6, 2007 (A)
 - 3B. September 6, 2007 (B)
 - 3C. September 12, 2007 (A)
 - 3D. September 12, 2007 (B)
 - 3E. September 20, 2007 (A)
 - 3F. September 20, 2007 (B)
 4. **CONSTITUTIONAL OFFICERS / ELECTED OFFICIALS:**
 - 4A. Sheriff Ed Dean – Request to Utilize Funding in the Amount of \$70,000 from Capital Improvement Project to Help Meet the Necessary Budgetary Needs for the Construction Project of the Ocklawaha District Office

5. CLERK OF THE CIRCUIT COURT:**5A. Request Adoption of the Following Budget Amendment Resolutions:**

- 5A1.** General Fund - Community Services/CDBG - \$5,000
- 5A2.** General Fund - Solid Waste Disposal Fund - \$20,000
- 5A3.** General Fund - Disaster Relief Services - \$600,317
- 5A4.** General Fund - Disaster Relief Services - \$283,645
- 5A5.** General Fund - Community Services - \$100
- 5A6.** General Fund - Planning - \$200,000
- 5A7.** General Fund - Facilities Management - \$65,000
- 5A8.** General Fund - Sheriff - Jail - \$120,000
- 5A9.** General Fund - Other Recreation Programs - \$12,054
- 5A10.** Law Enforcement Trust Fund - MSTU for Law Enforcement - \$25,000
- 5A11.** MSTU for Law Enforcement - Sheriff - Patrol & CID - \$25,000
- 5A12.** Solid Waste Disposal Fund - Hazardous Waste Disposal - \$20,000
- 5A13.** Solid Waste Disposal Fund - Solid Waste Disposal - \$170,000
- 5A14.** Solid Waste Disposal Fund - Solid Waste Collection - \$115,999
- 5A15.** Solid Waste Disposal Fund - Computer Software - \$3,892
- 5A16.** Marion County Utilities Fund - Customer Service - \$100,000

5B. Request approval of County Attorney's recommendation to approve claims for overbid monies from Tax Deed Sale Nos. 283530, 283740, 283961, 284024; and deny claim from Tax Deed Sale No. 282723. (*)

5C. Request Approval Of Payment Of \$262,161.91 To The City Of Ocala And \$69,269.17 To The City Of Dunnellon Regarding Tax Increment Financing District Funding.

5D. Present Draft Marion County EMS Alliance Financial & Statistical Report for the Period 10/1/06 - 9/30/07 Received from Finance Director Garri.

5E. Present Internal Audit Report No. 2007-02 Regarding Annual Review Of The FY 2007 Choose Life License Plate Fees Conducted By Wallace Watford, Internal Auditor And Authorize Execution Of The Annual Report By The Chairman.

6. 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.

6A. Attorney:

- 6A1.** Request Approval of Release of Code Enforcement Lien – John D. Shaw and Linda L. Shaw – Case No. 330317SL (*Budget Impact – Increase in Revenue \$2,500*)
- 6A2.** Request Approval of Release of Code Enforcement Lien – John D. Shaw and Linda L. Shaw – Case No. 383850JB (*Budget Impact – Increase in Revenue \$3,534.62*)
- 6A3.** Request Approval of Release of Code Enforcement Lien – Robert L. Dennis (*Budget Impact – Increase in Revenue \$3,000*)
- 6A4.** Request Approval of Release of Code Enforcement Lien – Thomas C. Gillan and G. L. Gillan (*Budget Impact – Increase in Revenue \$6,000*)
- 6A5.** Request Approval of Recommendation for Reduction/Rescission of Lien – Emory W. Frazier (*Budget Impact – None*)

6B. Development Review Committee:

- 6B1.** Request Approval of Final Plat – Ashley Farms Golf & Country Club Phase 1B (*Budget Impact – None*)
- 6B2.** Request Approval of PUD Master Plan – On Top of the World Crescent Ridge II (*Budget Impact – None*)
- 6B3.** Request Approval of PUD Master Plan – On Top of the World Terralea (*Budget Impact – None*)

6C. Library:

- 6C1.** Request Approval of Award of State of Florida Construction Grant Agreement (*Budget Impact – \$500,000 Construction Grant Requiring Dollar-for-Dollar Match Which Has Been Achieved*)

6D. Planning:

- 6D1.** Request to Reconvey Former Voting Booth Property – Flemington

6E. Purchasing:

- 6E1.** Request Approval of Contract Renewal – 99P-064 – Debt Collection Services (*Budget Impact – Compensation to Municipal Services Bureau Shall Remain at 22.5% for Court Related Cases and 25% for Non-Court Related Cases*)

- [6E2.](#) Request Approval of Project Amendment – 05Q-037 – Architect/Engineering Services for Marion County – Architecture Study – Animal Center Roof Over Design (*Budget Impact – Not to Exceed \$14,500 Plus Allowable Reimbursables Payable in \$500 Increments*)
- [6E3.](#) Request Approval of Project Amendment – 05Q-036 – Construction Manager for Various Projects – Ethridge – Ocklawaha Sheriff's Office (*Budget Impact – Not to Exceed \$509,230, Pending Budget Amendment Referenced Above*)
- [6E4.](#) Request Approval of Contract Amendment – 06Q-108 – Architectural Firm for Various County Projects – Johnson, Peoples Architects, PA – SOE and Transportation Annex (*Budget Impact – Not to Exceed \$24,500 Plus \$600 Approved Reimbursable Expenses*)
- [6E5.](#) Request Approval of Contract Amendment – 05P-044 – Fuel and Delivery for Marion County (*Budget Impact – Not to Exceed \$4,000,000*)
- [6E6.](#) Request Approval of Contract Amendment – 03B-070 – Tire Service and Repairs (*Budget Impact – Not to Exceed \$100,000*)
- [6E7.](#) Request Approval of Bid Tabulation Results – 08B-009 – Orange Blossom Hills Units 2, 3, and 4 Road Assessment Program **Contingent Upon the Outcome of the Required Final Public Hearing** (*Budget Impact – Approximately \$1,304,803.73 Plus 10% Contingency for a Total of \$1,435,284.11*)
- [6E8.](#) Request Approval of Bid Tabulation Results – 08B-011 – J.L.W. Subdivision Road Assessment Program **Contingent Upon Outcome of Required Final Public Hearing** (*Budget Impact – Approximately \$224,490.50 Plus 10% Contingency for a Total of \$246,939.55*)
- [6E9.](#) Request Approval of Special Use Authorization – Additional Equipment for Verizon Communications (*Budget Impact – None*)
- [6E10.](#) Request Approval of Contract Renewal – 07B-019 – Tree Replacement Program (*Budget Impact – See Attached*)
- [6E11.](#) Request Approval of Bid Tabulation Results – 08B-016 – Silver Spring Shores Sidewalk Project Phase III (*Budget Impact – \$587,526.08 Plus 10% Contingency, If Required, for Total of \$646,278.68*)

- [6E12.](#) Request Approval of Contract Amendment – Farm Outreach Program – Marion Soil and Water Conservation District (*Budget Impact – Not to Exceed \$70,000; Marion County Will Be Reimbursed \$20,000 by Southwest Florida Water Management District*)
- [6E13.](#) Request Approval of Contract Amendment – Planning – Southwest Florida Water Management – Springs Protection Program (*Budget Impact – Not to Exceed \$498,455; Marion County Will Be Reimbursed \$143,955 Leaving Actual Cost at \$354,500*)
- [6E14.](#) Request Approval of Contract Renewal – 04B-074 – Textile Recycling (*Budget Impact – Revenue Generating*)
- [6E15.](#) Request Approval of Project Amendment – Water, Wastewater and Reclaimed Water Expansion Project Percentage Study – 06Q-052 – Consulting Services for Utilities – PBS & J (*Budget Impact – Not to Exceed \$18,000*)
- [6E16.](#) Request Approval of Project Amendment – 07P-042 – Utilities Rate Study Financial Consultant – Water and Wastewater Revenue Sufficiency Analysis for Fiscal Year 2008 (*Budget Impact – Not to Exceed \$39,749*)
- [6E17.](#) Request Approval of Negotiation Results – 08Q-005 – Public School Facility Element and Completion of Revisions to the Interlocal Agreement for Public School Facility and Planning (*Budget Impact – Not to Exceed \$99,000*)
- [6E18.](#) Request Approval of Negotiation Results – 07Q-083 – Economic Modeling (*Budget Impact – Not to Exceed \$185,000*)
- [6E19.](#) Purchase Orders \$10,000 and Over

6F. Transportation:

- [6F1.](#) Request Approval of Acceptance of Roads and Drainage Facilities for the Buffington Estates Subdivision (*Budget Impact – None*)
- [6F2.](#) Request Approval of Acceptance for County Maintenance of all Roads Located in Marion Oaks Unit 9 Area B (*Budget Impact – None*)
- [6F3.](#) Request Approval of NW 44th Avenue Road Improvement Project Purchase Agreement – Parcel # 13701-003-00 (*Budget Impact – \$4,800*)
- [6F4.](#) Request Approval of 31st Street Extension Improvement Project Purchase Agreement – Parcel # 2986-008-002 (*Budget Impact – \$300,00 Plus Closing Costs*)

7. COUNTY ATTORNEY:

- 7A.** Ocala Jai Alai Para-Mutual Facility – Request for Authorization to Operate Card Room – Second Chance Jai Alai, LLC, Applicant
- 7B.** Resolution Regarding Approving the Issuance by the Marion County Industrial Development Authority of That Authority's Industrial Development Revenue Bonds – Grace Episcopal School, Inc.)
- 7C.** Financial Disclosure – Marion County Hospital District Board of Trustees
- 7D.** Approval of Settlement Agreement for Condemnation of Property for SW 31st Street Improvement Project

8. COUNTY ADMINISTRATOR:

- 8A.** Informational Presentation on Water Use in Large Components of the Marion County Utility Systems
- 8B.** Water Supply Task Force
- 8C.** Waiver Request and Developer's Agreement – Family Division Application Project # 2007080049 #3719 – John and Robert Morrison – Parcel 14001-006-00
- 8D.** Land Development Code Amendment for Springs Protection – Citizen Input Committee
- 8E.** Project Amendment – 06Q-052 – Consulting Services for Utilities, PBS&J – Water and Wastewater Utility Master Plan
- 8F.** State Revolving Fund Amendment 1 to Loan Agreement – WW645060 and WW645120 Marion County – Wastewater Management Facility (Stonecrest Subregional Area)
- 8G.** State Revolving Fund Amendment (SRF) 1 to Loan Agreement WW645070 and WW645130 Marion County – Transmission Treatment and Reuse – Upgrade Wastewater Treatment Plant – Eliminate Septic Tanks
- 8J.** State Revolving Fund Amendment WW645090 Change of Funding Accounts by FDEP for the SR 200 Project

9. 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.

- 9A.** Public Hearing to Consider Approval of City of Ocala – Fire Rescue Service – Advanced Life Support (**Non-Transport**) Medical Services – Application for Certificate of Public Convenience and Necessity
- 9B.** Public Hearing to Consider Establishment of Utopia of Marion Community Development District (UMCDD)
- 9C.** Public Hearing to Consider Closing Portions of Nelson Street and Seminole Avenue in Lake View Heights
- 9D.** Public Hearing to Consider Comprehensive Plan Amendment Transmittal for LUA 2007-D1 for the On Top of the World Development of Regional Impact Fourth Notice of Proposed Change (OTOW DRI 4th NOPC) and Circle Square Woods Fourth Binding Letter of Modification for Vested Rights (CSW 4th BLIM)
- 9E.** Public Hearing to Consider Repealing Dance Hall Ordinance
- 9F.** Public Hearing to Consider the Authorized Use of Uniform Collection Method for Non-Ad Valorem Assessments
- 9G.** **Continued** Public Hearing to Consider Adoption of Ordinance Amending the Marion County Code Adopting Water Protection and Sustainability Ordinance (***Request for Cancellation***)

10. COMMITTEE ITEMS: (NONE)

11. NOTATION FOR ACTION:

- 11A.** Request to Schedule Workshop to Discuss Proposed Water Conservation and Protection
Suggested Dates:
 - **Wednesday, January 9, 2008 at 9:00 am**
 - **Thursday, January 10, 2008 at 9:00 am**
- 11B.** Request to Schedule Workshop to Discuss Parks & Recreation Ten Year Master Plan and the Impact Fee Ordinance
Suggested Dates:
 - **Tuesday, January 15, 2008 at 9:00 am**
 - **Wednesday, January 23, 2008 at 9:00 am**

11C. Request to Schedule Public Hearing to Discuss Closing Portion of Alley – Block C – Ocala Heights No. 2 **on Tuesday, January 22, 2008 at 10:00 am**

11D. Request to Schedule Workshop to Review Utilities Operations, Projects, Master Plan and Developer Agreements

Suggested Dates:

- **Thursday, January 24, 2008 at 9:00 am**
- **Tuesday, January 29, 2008 at 9:00 am**

12. COMMISSIONER ITEMS:

12A. Commission Calendar

13. NOTATION FOR RECORD:

13A. County Administrator Informational Items:

13A1. Old Business

13A2. Building Department Statistics – November 2007

13A3. Parks & Recreation Department – Horseshoe Lake Park & Retreat Statistics

13A4. Solid Waste – Monthly Litter Control and Operations Report – November 2007

13A5. Notice of Receipt for Alternative Dispute Resolution Related to Land Use Amendment Application Denials

13B. U.S. Department of Housing and Urban Development – Third Year Program Year Consolidated Annual Performance and Evaluation Report

13C. Present Letter from United States Department of Agriculture – Ocala National Forest Regarding Proposed Mowing Project

Clerk of Court

13D. Present Letters Received From Secretary Of State's Office Advising That Ordinances 07-31 (Large Scale Comprehensive Plan Amendments), 07-32 (Remedial Comprehensive Plan Text Amendments), 07-33 (Zoning) And 07-34 (Land Development Code) Were Filed.

13E. Present Parcel Which The County May Purchase (Within 90 Days From 12/5/07) For The Opening Bid Amount, Pursuant To Chapter 197.502(6)(C), Florida Statutes And 12D-13.063(5)(2) Of The Florida Administrative Code.

- 13F.** Present Budgetary Financial And General Ledger Reports For Month Ending 11/30/07, Pursuant To Chapter 136.06, Florida Statutes, Including List Of Checks Drawn On Commission Accounts. Also Provided Are Detailed Reports Of Account Balances, Revenues And Expenditures. (*)
- 13G.** Present Internal Audit Report No. 2007-01 regarding the fifth annual review and audit required by County Agreement with The Villages of Lake-Sumter, Inc. relating to Transportation Impact Fee Credits performed by Wallace K. Watford, Internal Auditor.
- 13H.** Present the Florida Division of Forestry, Department of Agriculture & Consumer Services Report prepared by William Holland, Marion County Forest Area Supervisor (visit the website at <http://www.doacs.state.fl.us/index.html>).
- 13J.** Present regular Report of Utilization of Reserve for Contingencies received from Budget Director Tomich.
- 13K.** Present for information and record, minutes and notices received from the following committees and agencies:
- 13K1.** Board of Adjustment - November 5, 2007.
- 13K2.** Code Enforcement Board - November 7, 2007.

14. **ZONING (AT 2:00PM):**

14A. Zoning Consent Items:

- 14A1.** **071201SU** Steven & Janet Fryman, Special Use Permit in A-1, 10.52 Acres
- 14A2.** **071203Z** Vorce Properties-Marion LLC, A-1 to B-2, 1.34 Acres
- 14A3.** **071204Z** Marion County, R-1 & R-3 to G-U, 3.36 Acres
- 14A4.** **071205SU**, Marion County, Special Use Permit in G-U, 3.36 Acres
- 14A5.** **071206Z** Timothy & Ethel Ann Novkov, A-1 to R-E, 1.00 Acres
- 14A6.** **071207SU** Monica Holbrook , Special Use Permit in A-1, 7.40 Acres
- 14A7.** **071208Z** Buffington Development LLC, R-3 & M-1 to PUD, 23.35 Acres

14B. Zoning Items for Individual Consideration:

14B1. 071103Z Lisette Lumia, R-1 to RR-1, 2.34 Acres
(Continued from November 20, 2007 BCC Zoning Meeting)

14B2. 071202SU Juan & Ida Pedraja, Special Use Permit in A-2,
2.23 Acres