

MARION COUNTY BOARD OF COUNTY COMMISSIONERS



Dist 1 – Mike Amsden
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
March 3, 2009

*****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 documentation or presentation to the Board must be provided to the Deputy Clerk for recordation purposes.**

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"

Value Adjustment Board

8:45 a.m.

- **INVOCATION AND PLEDGE OF ALLEGIANCE**
 - **9:00AM – CALL TO ORDER**
 - **ROLL CALL**
- 1. PROCLAMATIONS/PRESENTATIONS/RESOLUTIONS:**
- 1A.** Presentation of Employee Service Awards to Officially Recognize County Employees for their Length of Service and Dedication to the Marion County Board of County Commissioners (*Approval and Presentation*)
 - 1B.** Proclamation – “Purchasing Month” (*Approval and Presentation*)
 - 1C.** Proclamation – “Springs Awareness Week” (*Approval and Presentation*)
 - 1D.** Proclamation – “Gardening Month” (*Approval and Presentation*)
 - 1E.** Proclamation – “Eagle Scout Kevin H. Hicks” (*Approval Only*)
 - 1F.** Proclamation – “Eagle Scout Matthew F. Gray” (*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.** Presentation – The Metro Area Impact of Home Building in Marion County, Florida (*Presented by Elliot F. Eisenberg, Ph.D, National Association of Home Builders*)
 - 2B.** Bill Glass – Taxation
 - 2C.** General Public Comment (Limited to 2 Minutes Each Speaker):

3. ADOPT THE FOLLOWING MINUTES: (9 sets)

- [3A.](#) January 21, 2009 (A)
- [3B.](#) January 21, 2009 (B)
- [3C.](#) January 21, 2009 (C)
- [3D.](#) January 27, 2009
- [3E.](#) January 28, 2009
- [3F.](#) February 2, 2009 (A)
- [3G.](#) February 2, 2009 (B)
- [3H.](#) February 3, 2009
- [3J.](#) February 4, 2009

4. CONSTITUTIONAL OFFICERS / ELECTED OFFICIALS: NONE**5. CLERK OF THE CIRCUIT COURT:**

- 5A.** Request Adoption of the Following Budget Amendment Resolutions:
 - [5A1.](#) General Fund - Mental Health Court - \$28,374
 - [5A2.](#) General Fund - Veterans Service Office - \$800
 - [5A3.](#) General Fund - Community Services/CDBG - \$267,716
 - [5A4.](#) Criminal Justice Court Costs Fund - Juvenile Alt. Programs - Juvenile Drug Court - \$28,374
 - [5A5.](#) Law Enforcement Trust Fund - MSTU for Law Enforcement - \$72,095
 - [5A6.](#) MSTU for Law Enforcement - Sheriff - Patrol & CID - \$72,095
 - [5A7.](#) Tourist Development Tax - Tourist Development Tax Department - \$6,717
 - [5A8.](#) Lake Tropicana MSTU for Road Improvements - Lake Tropicana Road Improvements - \$37,177
 - [5A9.](#) Series 2008B Capital Project Fund - Improvements 2008B - \$37,177
 - [5A10.](#) Solid Waste Disposal Fund - Solid Waste Disposal - \$61,200
 - [5A11.](#) Solid Waste Disposal Fund - Hazardous Waste Disposal - \$3,500
 - [5A12.](#) Solid Waste Disposal Fund - Litter Control - \$13,400
 - [5A13.](#) Marion County Utilities Fund - Customer Service - \$2,500
 - [5A14.](#) Marion County Utilities Fund - Wastewater - \$1,745
 - [5A15.](#) Marion County Utilities Fund - Customer Service - \$532,000
- 5B.** Request approval of County Attorney's recommendation to approve claims for overbid monies from Tax Deed Sale Nos. 283852, 284584, 284633, 284737 (3), 284779 (2); and deny claims from Tax Deed Sale Nos. 283789, and 284710 (2). (*)
- 5C.** Request approval of Public Official Bond for Commissioner Amsden and Continuation Certificates for Commissioner McClain, Property Appraiser Villie M. Smith and Tax Collector George J. Albright, III. (*)

- 5D.** Presentation of Annual Investment Performance Review Fiscal Year Ended September 30, 2008 by Steven Alexander, PFM Asset Management, LLC.
- 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** – To Consider Adoption of the Remedial Plan Amendment for the 2006 “Not-In-Compliance” Land Use Amendments
- 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.
- 7A. Community Council Against Substance Abuse:**
- 7A1.** Request Approval of Change in Project Scope and Budget for the U.S. Justice Department Byrne JAG Program for FY 2006, 2007 and 2008 for the Marion County Court Administration Grant Portion (*Budget Impact – None*)
- 7A2.** Request Approval of 2008-2009 Agreement for Professional Services With Boys and Girls Club of Marion County to Operate the Smart Moves Grant (FDLE Anti-Drug Abuse Grant 09-JAGC-MARI-3-T7-117) (*Budget Impact – None*)
- 7A3.** Request Approval of 2009 Agreement for Professional Services with Silver River Mentoring and Instruction to Operate the Project Kickstart Grant (FDLE Anti-Drug Abuse Grant 09-JAGC-MARI-1-T7-143)
- 7B. Marion County Sheriff’s Office:**
- 7B1.** Request Approval of 2009-2010 Agreement for Traffic Enforcement – Palm Cay (*Budget Impact – Funds Utilized through Sheriff’s Office Special Detail Program*)
- 7C. MSTU:**
- 7C1.** Request Approval to Accept Construction of the Improvements – Road Assessment Projects (*Budget Impact – None*)
- 7C2.** Request Approval to Accept Petitions for Proposed Road Assessment Project – Kingsland Country Estates Unit 22, Plat Book “L”, Page 058 (*Budget Impact – None*)

7D. Parks and Recreation:

- 7D1.** Request Approval of Florida Boater Improvement Program (FBIP) Grant Resolution (*Budget Impact – Approximate Grant Amount of \$400,000*)
- 7D2.** Request Approval of Acquisition of Park Properties (*Budget Impact – See Attached*)

7E. Purchasing:

- 7E1.** Request Approval of RFQ Results – Selection Committee Recommendation 09Q-013 – Additional Construction Manager (*Budget Impact – None*)
- 7E2.** Request Approval of Exemption for Purchase Orders for SHIP Bid Awards (*Budget Impact – None*)
- 7E3.** Request Approval of Recommendation to Terminate Architect/Engineering Contract Under 05Q-037 – Continuing Architectural Services – Vitetta Group, Inc. (*Budget Impact – None*)
- 7E4.** Request Approval of Project Amendment 05Q-036-PA-72 – Construction Manager Services for Various County Projects – Ethridge Construction of Marion County, Inc. – Weirsdale Recycling Center Construction (*Budget Impact – Not to Exceed \$355,274.40*)
- 7E5.** Request Approval of Project Amendment 05Q-036-PA-73 – 05Q-036 – Construction Manager Services for Various County Projects – Phase 1 – Communication Center – Moss & Associates, LLC (*Budget Impact – Not to Exceed \$465,223*)
- 7E6.** Request Approval of Limit Increase for Open Purchase Orders for Fuel (*Budget Impact – See attached*)
- 7E7.** Request Approval of Service and Equipment Agreement – Embarq (*Budget Impact – \$1,230 Per month with a Non-Recurring Service Fee of \$82*)
- 7E8.** Request Approval of First Contract Amendment – 08B-040 – Marion Oaks MSBU Road Overlay – Counts Construction Company, Inc. (*Budget Impact – Not to Exceed \$375,905.81*)
- 7E9.** Request Approval of First Contract Amendment – 08B-074 – Lake Tropicana Ranchettes Road Assessment Program – Counts Construction Company, Inc. (*Budget Impact – Not to Exceed \$175,000*)
- 7E10.** Request Approval of Second Contract Amendment – 08B-018 – Guardrail Installation, Maintenance and Repair to Marion County – RJP Enterprises, Inc. (*Budget Impact – \$150,000*)

- 7E11. Request Approval to Piggyback – Request Utilization of Lake County Contract #CT070811A5 – Fire Equipment and Supplies – Fischer Scientific Company, LLC – Piggyback# 09PB-048 Jaws of Life for RLE Fire Department (*Budget Impact – \$18,368.25*)
- 7E12. Request Approval of Termination of Contracts – 07Q-002 – Construction Manager Services – Wharton Smith, Inc. and Encore Construction Company (*Budget Impact – None*)
- 7E13. Purchase Orders \$10,000 and Over

8. COUNTY ATTORNEY:

- 8A. Request Approval of Resolutions Authorizing Condemnation of Property for C.R. 200-A Between U.S. 441 to 2,000 Feet North of N.E. 35th Street in Marion County, Florida
- 8B. Consider the Recommendation of the Code Enforcement Board in Regards to Marion County's Lien Against Cheryl Marie Miller
- 8C. Request Authorization to Schedule and Advertise a Public Hearing Regarding Ordinance Relating to Pine Run Estates MSTU for Road Improvements **on Tuesday, March 17, 2009, at 10:00 a.m.**
- 8D. Request Authorization to Schedule and Advertise a Public Hearing Regarding Ordinance Relating to the Tourist Development Tax – Amending Section 10-382, Exhibit A Tourist Development Plan **on Tuesday, March 17, 2009, at 10:00 a.m.**
- 8E. Request Authorization to Schedule and Advertise Public Hearing Regarding Ordinance – Building Permit Moratorium – Rainbow Park Subdivision **on Tuesday, March 17, 2009 at 10:00 a.m.**
- 8F. Request to Approve a Mediated Settlement and a Proposed Stipulated Order of Taking and Final Judgment Associated with an Eminent Domain Property Owner's Settlement for S.E. 31st Street Extension Project, Parcel 3, Owners – Louis V. Stewart, Jr. and Nancy Y. Stewart
- 8G. Request to Approve a Mediated Settlement and a Proposed Stipulated Order of Taking and Final Judgment Associated with an Eminent Domain Property Owner's Settlement for S.E. 31st Street Extension Project, Parcel 5, Owners – Huey Lee Ketcham and Vicki Jo Ketcham

8H. Request to Approve a Mediated Settlement and a Proposed Stipulated Order of Taking and Final Judgment Associated with an Eminent Domain Property Owner's Settlement for S.E. 31st Street Extension Project, Parcel 39, Owners – Robert J. Lewis and Anita D. Lewis

8J. Request to Approve a Mediated Settlement and a Proposed Stipulated Order of Taking and Final Judgment Associated with an Eminent Domain Property Owner's Settlement for S.E. 31st Street Extension Project, Parcel 46, Owners – David C. Welsh and Judith H. Welsh

9. COUNTY ADMINISTRATOR:

9A. Presentation and Report from Farm Outreach Coordinator – Jamie Cohen

10. COMMITTEE ITEMS: NONE

11. NOTATION FOR ACTION:

11A. Request to Schedule Workshop Dates for Public Education Efforts, Stormwater Ordinance, and Update Preliminary Engineering Report for the NE 35th Street Project **on Tuesday, March 10, 2009 at 9:00 a.m.**

11B. Request to Schedule Workshop for Presentations from the Two Vendors that Responded to the Request for Information on Collection, Processing and Marketing of Recyclables

Suggested Dates as Follows:

- **Tuesday, March 10, 2009 at 10:00 a.m.**
- **Friday, March 27, 2009 at 10:00 a.m.**

11C. (1) Request to Schedule Public Hearing to Execute the Stipulated Settlement Agreement for the 2007 "Not-In-Compliance" Land Use Amendments **on Tuesday, March 17, 2009 at 10:00 a.m.**

(2) Request to Schedule Public Hearing to Adopt the Remedial Plan Amendment Language **on Tuesday, April 7, 2009 at 10:00 a.m.**

11D. Request to Schedule a Growth Management Workshop.

Suggested Dates as Follows:

- **Wednesday, April 8, 2009 at 10:00 a.m.**
- **Tuesday, April 14, 2009 at 9:00 a.m.**

12. COMMISSIONER ITEMS:

12A. Commission Calendar

13. NOTATION FOR RECORD:**13A.** County Administrator Informational Items:**13A1.** Old Business**13A2.** Solid Waste Operations, Monthly Litter Control and Community Service Weekend Program Summary Reports – January 2009**13B.** Present Notices Dated February 5, 2009, from Florida Department of Environmental Protection Regarding Fund Approvals for Construction of Wastewater Facilities Project – Stonecrest Subregional Area; and, Up-Grade Wastewater Treatment Plant, Eliminate Septic Tanks – Transmission, Treatment and Reuse**13C.** Present Notice Dated February 5, 2009 from U.S. Department of Housing and Urban Development Regarding Annual Community Assessment – Community Development Programs 2007**Clerk of Court****13D.** Present parcel of homestead property which the County may purchase (within 90 days from 2/18/09) for the opening bid amount, pursuant to Chapter 197.502(6)(c), Florida Statutes.**13E.** Present the Acquisition or Disposition of Property forms authorizing changes in status. (*)**13F.** Present Consolidated Financial Statements (With Independent Auditors' Report Thereon) and Statements of Revenues, Expenditures and Changes in Net Assets, September 30, 2008 and 2007 prepared by KPMG LLP, Certified Public Accountants, for Munroe Regional Health System, Inc. d/b/a Munroe Regional Medical Center for the Account of Marion County Hospital District.**13G.** Present regular Report of Utilization of Reserve for Contingencies received from Budget Director Tomich.**13H.** Present for information and record, minutes and notices received from the following committees and agencies:**13H1.** Code Enforcement Board - January 28, 2009.**13H2.** Development Review Committee - February 2 and 9, 2009.**13H3.** Land Development Regulation Commission (LDRC) - February 5 and 12, 2009**13H4.** License Review Board (LRB) - November 12, 2008 and January 13, 2009.**13H5.** Parks & Recreation Advisory Council (PRAC) - January 21, 2009.

- 13H6.** Southwest Florida Water Management District (SWFWMD) - visit the website at <http://www.WaterMatters.org> for minutes and agendas. (*)
- 13H7.** St. Johns River Water Management District (SJRWMD) - 2009 Consolidated Annual Report (visit the website at <http://www.sjrwmd.com> for the Annual Report, minutes and agendas). (*)
- 13H8.** Tourist Development Council - January 7, and 14, 2009.
- 13H9.** TPO - February 12, 2009 Agenda and Notice of Cancellation of the February 24, 2009 TPO meeting (visit the website at <http://www.ocalamariontpo.org>).
- 13H10.** Zoning Commission - January 26, 2009.