



Marion County Board of County Commissioners

McPherson Governmental Complex
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Dist 1 – Mike Amsden, Commissioner
Dist 2 – Kathy Bryant, Vice Chair
Dist 3 – Stan McClain, Commissioner
Dist 4 – Carl Zalak, Commissioner
Dist 5 – Charlie Stone, Chairman

AGENDA

Date: October 16, 2012

The Marion County Board of County Commissioners welcomes you to its regularly scheduled meeting held the first and third Tuesday of each month at 9 a.m. unless otherwise noted. The zoning portion of the meeting is held on the third Tuesday of each month at 2 p.m. All commission and zoning meetings are open to the public.

To encourage participation, ensure equal access to all participants and foster mutual respect, please follow these guidelines.

- **As a courtesy to others, silence your cell phones and other electronic devices before entering the auditorium.** If you need to take a call, please step outside.
- If you want to address Commissioners, you may do so at the beginning or at the end of the meeting as part of the “General Public Items” and “Additional Public Comment” sections.
- When you step up to the podium, state your name and address for the record. You must provide any documentation to the Deputy Clerk. Also, any information you provide will become part of the official public record.
- Please keep comments to no more than two minutes, focus on specific issues and refrain from making sales pitches or personal remarks directed at staff or commissioners.

General public items, public hearings, consent agenda items and other items that the board is expected to discuss are posted on Marion County’s website, <http://www.marioncountyfl.org>, by the Friday before each board meeting. Click the “Agendas” link on the homepage to download the agenda packet and back-up documentation.

Anyone requiring accommodations due to a disability or physical impairment should contact the Office of the County Administrator at 352-438-2300 at least two days before a meeting.

The Marion County Clerk of Court keeps the official minutes and audio recordings of commission meetings, workshops and public hearings. To request a copy of these materials, contact the Clerk’s Office at 352-671-5622. The Marion County Office of Public Information also offers video recordings of most board meetings, workshops and public hearings (when applicable). For more information about video recordings, call the Marion County Office of Public Information at 352-438-2300.

“Meeting Needs by Exceeding Expectations”

- [CALL TO ORDER](#)
 - [INVOCATION AND PLEDGE OF ALLEGIANCE](#)
 - [9:00 AM ROLL CALL](#)
 - [ANNOUNCEMENTS](#)
1. [PROCLAMATIONS/PRESENTATIONS/RESOLUTIONS:](#)
 - 1A. [PROCLAMATION - "4-H Week in Marion County" - Xiomara Diaz and 4-H Members \(Approval and Presentation\)](#)
 - 1B. [PROCLAMATION - "Healthcare Quality Week" - Diane Coleman, Diana Stadmueller and Tisha Howard, MRMC \(Approval and Presentation\)](#)
 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 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.**
 - 2A. [James L. McKinon - Landlocked Issue - Code Enforcement Case #571574](#)
 - 2B. [Jim Scarmardo - Agenda 21](#)
 - 2C. [David Akaji - Silver Springs Shores Resource Center](#)
 - 2D. [General Public Comment \(Limited to 2 Minutes Each Speaker\):](#)
 3. [ADOPT THE FOLLOWING MINUTES: \(4 sets\)](#)
 - 3A. [September 4, 2012](#)
 - 3B. [September 18, 2012](#)
 - 3C. [September 20, 2012 A](#)
 - 3D. [September 20, 2012 B](#)
 4. **CONSTITUTIONAL OFFICERS / ELECTED OFFICIALS:**
 - 4A. [Fifth Judicial Circuit Court Administration - Request Approval that the Marion County Veterans Treatment Court be Designated the Recipient of Funds Currently Deposited in the Drug Abuse Treatment Fund and any Future Funds Collected Pursuant to County Ordinance 92-47](#)
 5. **CLERK OF THE CIRCUIT COURT:**
 - 5A. [Request Adoption of the Following Budget Amendment Resolutions:](#)
 - 5A1. [General Fund - Public Safety Communications - \\$209,993](#)
 - 5A2. [General Fund - Office of Economic and Small Business Development - \\$49,200](#)
 - 5A3. [General Fund - MSTU/Assessments - \\$1,350](#)
 - 5A4. [Marion Oaks General Services - Marion Oaks General Services - \\$3,934](#)
 - 5A5. [Medical Examiner Fund - Medical Examiner - \\$10,110](#)
 - 5A6. [MSTU for Emergency Medical Transportation Services - Emergency Medical Services - \\$250,000](#)

- 5A7. [MSBU for Fire Protection and Rescue Services - Fire/Rescue Services - \\$10,000](#)
 - 5A8. [Other Recreation Programs – Parks and Recreation - \\$3,000](#)
 - 5A9. [Series 2013A Capital Projects Fund - Improvements 2013A - \\$349,652](#)
 - 5A10. [General Fund - Sheriff Emergency Management - \\$6,750](#)
 - 5A11. [General Fund - Sheriff Emergency Management - \\$5,392](#)
 - 5A12. [General Fund - Sheriff Emergency Management - \\$83,066](#)
 - 5A13. [General Fund - Sheriff Emergency Management - \\$81,114](#)
 - 5A14. [General Fund - Sheriff Jail - \\$18,039](#)
 - 5A15. [General Fund - Sheriff Jail - \\$1,124](#)
 - 5A16. [MSTU for Law Enforcement - Sheriff Patrol & CID - \\$30,034](#)
 - 5A17. [MSTU for Law Enforcement - Sheriff Patrol & CID - \\$5,000](#)
 - 5B. [Request Approval of County Attorney's Recommendation to Approve Claims for Overbid Monies from Tax Deed Sale No. 286632 and Deny Claims from Tax Deed Sale Nos. 286352 and 285184](#)
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. NONE**
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. **MSTU:**
 - 7A1. [Request Approval to Accept Construction of Improvements and Begin Warranty Period - MSTU Project Rolling Hills Phase II \(Budget Impact - None\)](#)
 - 7B. **Parks and Recreation:**
 - 7B1. [Request Approval to Allow the Rotary Sportsplex Board to Oversee Construction of Score Tower and Pavilion \(Budget Impact - \\$50,000 as approved in FY 12/13 Budget\)](#)
 - 7C. **Procurement Services:**
 - 7C1. [Request Approval of Selection Committee Recommendation/Contract: 12P-170, First Push for Disaster Debris - DRC Emergency Services, LLC, Mobile, AL; Hamlet Construction Company, Ocala, FL \(Budget Impact - None\)](#)
 - 7C2. [Request Approval of Project Amendment for Construction Manager Services: 05Q-036-PA-109, Lynne Fire Station Renovation - Ethridge Construction of Marion County, Inc., Ocala, FL \(Budget Impact - Neutral; expenditure of \\$929,748.14 as approved in FY 12/13 budget\)](#)
 - 7C3. [Request Approval of Contract Renewal: 11C-041, Medical Director for Emergency Medical Services - Dr. Frank Fraunfelter, Ocala, FL \(Budget Impact - Neutral; expenditure of \\$90,000 as approved in FY 12/13 budget\)](#)

- 7C4. [Request Approval of Contract Amendment: 11P-123, NSP \(3\) - Fabian Dinkins Construction, Inc., Ocala, FL \(Budget Impact - None\)](#)
- 7C5. [Request Approval of Contract: 13C-045, Appraisal Services NW/NE 35th St., Ocala, FL \(Budget Impact \\$67,200 as approved in FY 12/13 Budget\)](#)
- 7C6. [Request Approval of Additional Purchase: 11B-212 , Brush Truck Skid Units - Hall-Mark Fire Apparatus, Ocala,FL \(Budget Impact - Neutral; expenditure of \\$195,024.68 as approved in FY 12/13 budget\)](#)
- 7C7. [Request Approval of Purchases \\$50,000 and Over](#)
- 7D. **Risk and Benefit Services:**
- 7D1. [Request Approval to Piggy-back on Polk County RFP 11-073, Discount Prescription Drug Card Program; Financial Marketing Concepts, Inc., Coast2Coast RX Card \(Budget Impact - None\)](#)
- 7E. **Transportation - County Engineer:**
- 7E1. [Request Approval of a Sale and Purchase Agreement Between Marion County and Lavon Tindell for the Old Fort McCoy Fire Station Site PID #10381-001-00 \(Budget Impact - Revenue of \\$37,150\)](#)
- 7E2. [Request Approval of an FDOT Local Agency Program \(LAP\) Agreement and Resolution for the Construction of the CR 314A Paved Shoulder Project, from NE 6th Street to NE 30th Lane \(Budget Impact - Neutral\)](#)
8. **COUNTY ATTORNEY:**
- 8A. [Request Approval to Adopt Initial Assessment Resolutions for the Thoroughbred Acres/Thoroughbred 1st Addition Improvement Area, Fort King Forest Improvement Area and Country Estates Southeast Improvement Area](#)
- 8B. [Request Approval of Resolution Delegating Authority to, and Directing the MSTU Director to comply with the Satisfaction of Lien Requirements](#)
- 8C. [Request Approval of the Attached Florida Governmental Utility Authority Resolution](#)
9. **COUNTY ADMINISTRATOR: NONE**
10. **COMMITTEE ITEMS: NONE**
11. **NOTATION FOR ACTION:**
- 11A. [Request Approval to Schedule a Ribbon Cutting Ceremony for the SW 42nd Street Flyover project on Tuesday, November 27, 2012 at 11:00 am or Thursday, December 6, 2012 at 11:00 am](#)
- 11B. [Request Approval to Schedule a Workshop for the Purpose of Discussing the Maintenance of Shocker Park on Tuesday, December 4, 2012 at 3:00 p.m. or Immediately Following the MSTU Department's Public Hearing](#)
- 11C. [Request Approval to Schedule a Workshop to Discuss the Renewal of the 1st Local Option Fuel Tax \(6 Cents\) to be held in the BCC Auditorium on Tuesday, December 4, 2012 at 4:00 p.m. or Immediately Following the Requested Workshop by Parks and Recreation](#)
- 11D. [Request Approval of the Regulatory Review Advisory Board Request to the Marion County Board of County Commissioners to Send a Recommendation to Representative Dennis Baxley Regarding Reusable Shopping Bags in Florida](#)

- 11E.** [Request Approval for the Regulatory Review Advisory Board to Review the Scenic Roads Ordinance](#)

12. COMMISSIONER ITEMS:

- 12A.** [Commission Comments](#)

- 12B.** [Commission Calendar](#)

- 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.](#)

13. NOTATION FOR RECORD:

- 13A.** County Administrator Informational Items:

- 13A1.** [Present Growth Services Department Monthly Report for September 2012](#)

- 13B.** General Informational Items:

- 13B1.** [Present Outside Counsel Fees](#)

- 13B2.** [Present the Florida Department of Environmental Protection \(FDEP\) District Boundaries](#)

- 13B3.** [Present Southwest Florida Water Management District Notification of Adopted Budget for FY 2012-13 to Governor Rick Scott](#)

- 13B4.** Marion County Health Department – For the Latest Edition of 'Marion Scripts', Visit the Website at <http://www.doh.state.fl.us/chdMarion/services/newsletters.html>

- 13C.** Clerk of the Court:

- 13C1.** [Present Internal Audit Report 2012-06 Regarding EDFIG Compliance Review of IHMC](#)

- 13C2.** [Present Parcels of Homestead Property which the County may Purchase \(Within 90 Days from 08/29/12\) for the Opening Bid Amount, Pursuant to Chapter 197.502\(6\)\(c\), Florida Statutes](#)

- 13C3.** [For the Month Ended September 30, 2012, a List of Checks Drawn on Commission Accounts, Pursuant to Chapter 136.06, Florida Statutes, are Located at the Following Website Address: <http://www.marioncountyclerk.org/public/index.cfm?Pg=boardcheckregisters>](#)

- 13C4.** [Present Parcels of Homestead Property which the County may Purchase \(Within 90 Days from 09/12/12\) for the Opening Bid Amount, Pursuant to Chapter 197.502\(6\)\(c\), Florida Statutes](#)

- 13C5.** [Present Parcels of Homestead Property which the County may Purchase \(Within 90 Days from 09/26/12\) for the Opening Bid Amount, Pursuant to Chapter 197.502\(6\)\(c\), Florida Statutes](#)

- 13C6.** [Present Letter Received from Secretary of State's Office Advising that Ordinance 12-22 \(Zoning\) was Filed](#)

- 13C7.** [Present Regular Report of Utilization for Reserve for Contingencies](#)

- 13C8.** [Present Monthly Report for the Building Department Budget and Actual](#)

- 13D.** Present for information and record, minutes and notices received from the following committees and agencies:
- 13D1.** [Board of Adjustment \(BOA\) - September 10, 2012](#)
 - 13D2.** [Development Review Committee \(DRC\) - September 17 and 24, 2012](#)
 - 13D3.** [Land Development Regulation Commission \(LDRC\) - September 12, 2012](#)
 - 13D4.** [Marion County Hospital District Board of Trustees \(MCHD\) - August 13 and 27, 2012](#)
 - 13D5.** [Marion Oaks MSTU for General Services Advisory Council - September 26, 2012 newspaper write-up](#)
 - 13D6.** [Marion Oaks MSTU Advisory Council - January 10, February 14, March 13, April 10, May 8, June 12 and August 14, 2012](#)
 - 13D7.** [Parks and Recreation Advisory Council \(PRAC\) - August 15, 2012](#)
 - 13D8.** [Rainbow Lakes Estates \(RLE\) Advisory Committee - August 2 and 16, 2012](#)
 - 13D9.** [Rainbow Lakes Estates Municipal Service District \(RLE MSD\) Advisory Committee - July 27 and August 15, 2012](#)
 - 13D10.** [Regulatory Review Advisory Board \(RRAB\) - August 7 and September 4, 2012](#)
 - 13D11.** [Silver Springs Shores Special Tax District Advisory Council - June 14 and July 12, 2012](#)
 - 13D12.** [Southwest Florida Water Management District \(SWFWMD\) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>](#)
 - 13D13.** [St. Johns River Water Management District \(SJRWMD\) - For Minutes and Agendas, Visit the Website at <http://www.floridaswater.com>](#)
 - 13D14.** [Transportation Planning Organization \(TPO\) - For Minutes and Agendas, Visit the Website at <http://www.ocalafl.org/tpo>](#)
 - 13D15.** [Withlacoochee Regional Water Supply Authority \(WRWSA\) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>](#)
 - 13D16.** [Zoning Commission - August 27, 2012](#)

- 14. ZONING AND DRC WAIVER REQUESTS (AT 2:00PM):**
- 14A. Zoning Consent Items:**
- 14A1. 121003SU - Javier and Paola Gamboa, Special Use Permit in R-4, 0.3 Acres**
- 14A2. 121010SU - SonShine Ministries Church, Special Use Permit in B-1, 1.72 Acres**
- 14B. Individual DRC Waiver Requests for Consideration:**
- 14B1. Request Approval of Landscape Irrigation Waiver for Spruce Creek Preserve Subdivision Identified as Parcel #4076-000-103, Project #1999007035, Application #9314, Spruce Creek Preserve Home Owners Association**
- 14B2. Request Approval of an Easement Over and Across Tract 'C' of Bridle Ridge Subdivision for Parcel #12501-000-00 (Budget Impact - Revenue of \$350)**
- 14C. Zoning Items for Individual Consideration:**
- 14C1. 121006SU - Duane T. and Abigail L. Conder, Special Use Permit in A-1, 11.89 Acres**
- 14C2. 121009SU - Luis and Mindi Licha, Special Use Permit in A-1, 2.3 Acres**
- 14C3. 121002SU - Diana Hammond, Special Use Permit in A-1, 3 Acres**
- 14C4. 121007SU - Fernando Alzate, Special Use Permit in A-1, 1.84 Acres**
- 14C5. 121004SU - Lewis and Mark Beldock, Special Use Permit in B-2, 1.92 Acres**
- 14C6. 121001Z - Lynn E. Carico, R-1 to A-1, 10 Acres**
- 14C7. 121005SU - Eaton's Beach Restoration Group, LLC, Special Use Permit in A-1, 0.15 Acres**
- 14C8. 121008SU - Stracuzzi Family Trust, Special Use Permit in A-1, 1.25 Acres**
- 14D. Adoption of Ordinance**