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The Marion County Board of County Commissioners met in a regular session in Commission chambers at 9:02 a.m. on Tuesday, March 6, 2007 at the Marion County Governmental Complex located in Ocala, Florida.

The meeting opened with invocation by Chairman McClain and the Pledge of Allegiance to the Flag of Our Country.

Upon roll call the following members were present: Chairman Stan McClain, District 3; Vice-Chairman Charlie Stone, District 5; Commissioner Andy Kesselring, District 1; Commissioner Jim Payton, District 2; and Commissioner Barbara Fitos, District 4. Also present were Clerk David R. Ellspermann, Deputy Clerk Debbie Windberg, County Attorney Thomas L. Wright, County Administrator Pat Howard, a representative of the Sheriff's Office and a member of the news media.

County Employees - The Board welcomed sixteen new County employees who were observing the meeting.

Proclamations/Projects & Programs/Resolutions/Roads, Miscellaneous - (1.A. through F.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Stone, the Board approved the following:

- A. Proclamation designating the week of March 12, through 18, 2007 as "Brain Awareness Week" and March 15, 2007 as "Pilot Club of Ocala Brain Awareness Day".
- B. Proclamation designating the month of March 2007 as "Gardening Month".
- C. Proclamation designating March 15, 2007 as "Florida Agriculture Literacy Day".
- D. Proclamation designating the month of March 2007 as "Purchasing Month".
- E. Proclamation congratulating Sean Daniel Seckinger upon attaining the status of Eagle Scout in the Boy Scouts of America organization.
- F. Ratified Certificate of Recognition in relation to dedicated service of the full-time African-American employees of Central Florida Community College (CFCC) in celebration of Black History Month and CFCC's 50<sup>th</sup> Anniversary.

Proclamations - (1.C.) - The Board presented the Proclamation designating March 15, 2007 as "Florida Agriculture Literacy Day" to Cooperative Extension Director David Holmes and Kelly Hofer, Marion County Farm Bureau.

Ms. Hofer thanked the Board on behalf of the Marion County Farm Bureau and stated the book chosen for this year's event was "Oh Say Can You Seed" by Dr. Suess. She encouraged those interested in reading the book to any Marion County school children to visit the website at [www.marioncountyfarmbureau.org](http://www.marioncountyfarmbureau.org) to sign up, and the Farm Bureau would send out all the supplies necessary to citizens wishing to participate in the event.

Proclamations - (1.B.) - The Board presented the Proclamation designating the

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month of March 2007 as "Gardening Month" to Cooperative Extension Director David Holmes and Phyllis Williams, Master Gardeners of Marion County.

Commissioner Kesselring advised that he had the opportunity to visit the organization several times, noting there was no better topic to discuss than this years "Using Water Wisely".

Ms. Williams thanked the Board for its support and invited all to the 2007 Spring Festival to be held on Saturday, March 10, 2007 from 8:00 a.m. to 4:00 p.m. and Sunday, March 11, 2007 from 9:00 a.m. to 4:00 p.m. She stated there were 106 commercial booths participating in the festival, which was 32 more than last year.

Ms. Williams stated the main entrance to the Agricultural Building would be closed off but there would be signs directing citizens to the large parking area adjacent to the Southeastern Livestock Pavilion with Trams provided by the Marion County Sheriff's Office. She advised that educational seminars would be held on how to use water wisely. Ms. Williams provided the Board with the 2007 Master Gardener Gardening Guide Calender.

Proclamations - (1.A.) - The Board presented the Proclamation designating the week of March 12, through 18, 2007 as "Brain Awareness Week" and March 15, 2007 as "Pilot Club of Ocala Brain Awareness Day" to Susan Saunders, Pilot Club of Ocala.

Ms. Saunders advised that the Pilot Club would be holding a special program entitled "An Evening with Your Brain" at the Hospice Education Building on March 15, 2007 at 6:30 p.m. She noted that seating would be limited and anyone interested in attending should contact her at (352) 351-2674. Ms. Saunders advised that some of the topics would include "what's in my brain anyway", suggestions on how to keep the brain healthy and how to laugh away your stress, noting there would also be information on yoga postures.

Hospitals - (2.A.) - Steve Purves, President & CEO, Munroe Regional Medical Center (MRMC), appeared and presented the following spiral bound documents: "MRMC Community Benefits Summary" and "MRMC Community Report". He presented an update and brief overview of the activities in regard to MRMC and introduced Colonel Ed Johnson, Chairman of the Board of Directors, MRMC.

Colonel Johnson, on behalf of the Board of Directors, expressed his appreciation to the Board of County Commissioners for taking the time to listen to the State of the Hospital Report by Mr. Purves. He advised that the hospital was a critical community asset that would touch most of the community during the course of all citizens lives, which was why it was important for the community to be updated periodically about the roles and mission effectiveness.

Mr. Purves recognized the volunteers in the community who donated their valuable time to the Medical Center in its fiduciary role as Board members. He further recognized the MRMC Foundation members, some of whom were present at today's meeting.

Mr. Purves commented on the hospitals responsibility to the citizens of Marion County and those in the surrounding areas who came to MRMC for medical care. He advised that the hospital recognized its responsibilities that sprung from an Act of the Legislature in 1965 and stated the hospitals number one responsibility was patient safety and quality of care. Mr. Purves explained that in 1965 the State Legislature created the Marion County Hospital District which was developed as a dependant taxing authority extended only through the County Commission. He stated it was created to operate a

healthcare facility to ensure services were available to all citizens of Marion County and was also authorized to participate in related activities, such as education. Mr. Purves noted other responsibilities included: 1) accountability; 2) stewardship (paying attention to quality patient care in a manner that was mindful of the fact there was limited resources to provide services); and 3) transparency.

Mr. Purves provided a PowerPoint presentation (MRMC Community Report was a paper copy of the PowerPoint presentation) which included graphs to show the number of patients served on an annual basis, advising that in the fiscal year (FY) 2006 there was an increase in the number of admissions and in FY 2007 the hospital had already exceeded its projections, noting the month of February 2007 saw an increase of 12% in patient admissions compared to February 2006. He explained that outpatient care had become increasingly predominant, noting more and more patient care was being performed outside the hospital walls on an outpatient basis. Mr. Purves commented on the challenges, tribulations and capacity issues in regard to the Emergency Room (ER) Department, noting there were major issues in terms of access to care, not only at MRMC, but throughout the State and nation. He stated there was a tremendous responsibility to the individuals who financed healthcare today, noting over 72% of the resources used for the delivery of patient care was received from government sources, either from Medicare or Medicaid programs.

Mr. Purves expressed pride in the hard work by the 2,400 associates, 350-400 Physicians and the volunteer Board members who wanted to see MRMC be second to none in the delivery of patient care and was proud of the recent accolades, awards and accomplishments the hospital had received. He stated the bottom line was how each individual patient and their family was treated and cared for in the hospital. Mr. Purves explained the "Press Ganey" patient satisfaction scores and how well the hospital was fulfilling its responsibility for stewardship and patient safety in the hospital. He stated there were approximately 1,000 hospitals in the nation that participated in Press Ganey, which was the leading patient survey organization in the nation. Mr. Purves advised that every month MRMC sent out patient questionnaires to a sample of patients, then compared the results with the other participating hospitals throughout the nation. He noted in 2006 MRMC scored in the top 10% of all hospitals in overall patient satisfaction with a "Likelihood to Recommend" score of 91%. Mr. Purves commented on the ER Department, which was a critical place that was sometimes described as "controlled chaos", particularly when there were more patients waiting to be seen in the ER than could be treated in a reasonable period of time. He noted in 2006 the ER received a percentile score of 53% which was better than half of the hospitals throughout the nation.

Mr. Purves commented on Florida as a progressive State when it came to reporting clinical outcome data on hospitals and publishing the information on the website, noting Florida was the first State to publicly report infection rates and mortality rates in hospitals. He stated Florida would also be the first State in the nation to publicly report pediatric quality of care data. Mr. Purves advised that in the coming year, the Agency for Healthcare Administration (AHCA) would be placing on its website comparative data on hospitals mortality rates, infection rates and other outcome data so that the public could see how an individual hospital stacked up against other hospitals in the State. He noted MRMC had just received the 2005 report of clinical data, noting the length of stay was below the statewide average and the risk adjusted average charge was \$18,798 compared to the average statewide charge of \$27,863. Mr Purves stated MRMC was very proud of how well the hospital was performing.

Richard Mutarelli, Executive Vice President & Chief Financial Officer, MRMC, provided a brief overview of the finances, community involvement and benefits. He advised that the quantifiable benefits included charity cost (care provided to individuals who were unable to pay based upon family size and income) according to Federal Poverty Guidelines Sliding Scales and bad debt. Mr. Mutarelli noted the format was used by the American Hospital Association (AHA) and would be included in the hospitals annual filing with the Internal Revenue Service (IRS).

Mr. Mutarelli stated the hospital also provided \$1,689,486 in unfunded Medicaid care, which was the difference between the actual cost of the care provided to Medicaid patients and the amount the hospital received. He advised that the hospital also provided \$2,438,462 in community benefit programs, which included the ambulance partnership through Emergency Medical Service Alliance (EMSA) of \$1,387,000, Hospice (\$35,000) and other Special Health Care Projects (SHCP) in the amount of \$500,000 to benefit the community at large. Mr. Mutarelli noted in the last two years the Board had decided to use those dollars to fund Physician Subspecialists for the care of patients treated in the ER who were either unfunded or under-funded. He stated the hospital provided 50% of the short fall at Community Health Services (indigent health clinic) and provided almost \$200,000 in direct support for patient needs in the form of medications, transportation and other services, noting the total value of quantifiable benefits provided to the community was \$16,841,938.

Mr. Mutarelli stated the FY 2006 Financial Summary showed the hospital exceeded its budget; provided for necessary equipment, building, modernization and renovations; maintained cash and investments at "A" rated level; reduced debt; comparative metrics favorable versus like hospitals; and confirmed Bond ratings. He advised that from an audit standpoint, MRMC had an exceptional audit and stated the report had been filed at the Clerk's Office. Mr. Mutarelli commented on the MRMC Board of Directors, noting the Board was very involved and took its stewardship role seriously.

Mr. Purves advised that there were still many challenges ahead including: 1) quality workforce shortage (MRMC currently had 85 open registered nurse positions); 2) access to capital; and 3) employment of technology.

Mr. Purves stated economic prosperity in Marion County was extremely important but demographics show with the average age of the population and growth, it would be a challenge for the hospital to access the capital needed to make sure it stayed ahead to serve the growing population.

Commissioner Payton thanked Messrs. Purves and Mutarelli for their Report. He questioned whether the hospital pension plan was fully funded at this time. Mr. Purves stated MRMC had a defined contribution plan that was very well managed by the Pension Committee, but noted the cost continued to rise. Commissioner Payton questioned if the difference between what was billed for services and what was paid by insurance companies was included in the "bad debt" overview. Mr. Purves stated what Commissioner Payton was referring to was called "contractual adjustment", noting bad debt represented the amount of money that was due to the hospital that was not collected for a variety of reasons (refusal to pay, etc.). In response to Commissioner Payton, Mr. Purves stated MRMC was an institution that had public accountability, with all the obligations of a public entity and yet there was no official status in regard to a sovereignly immune organization which would help in regard to protection from frivolous lawsuits.

Budgets/Projects & Programs - (2.F.) - Roy Carmichael, NE 14<sup>th</sup> Street, appeared and commented on taxes. He advised that some taxpayers were opposed to the tax package that was being used as an incentive for Emergency One and presented a 2 page document entitled "E One Corporate Welfare and Extortion". Mr. Carmichael spoke in regard to the citizens of Marion County who voted down the One Cent Sales Tax for roads, noting taxpayers needed to better communicate with their elected Officials.

Projects & Programs - (2.B.) - Gene Diamond, Kingdom of the Sun Chapter of Military Officers of America Association, 2007 Chairman of "Operation Stuff the Bus", appeared and presented DVD's of the 2006 campaign to each Commissioner along with a photograph album to County Administrator Howard. He showed a short movie (DVD) of last year's "Super Tuesday" event. Mr. Diamond emphasized that 2007 would be a year round program for Operation Stuff the Bus, noting in the month of March the organization would be in the gated communities of Rolling Greens, Stonecrest and Spruce Creek Golf & Country Club. He stated the organization had a storage facility whereby the Homeless Children Program, the Liaison Officer and Guidance Counselor's from the schools would issue school supplies, clothing and personal hygiene products throughout the entire school year. Mr. Diamond thanked the Board of County Commissioners for its support of the program. He commented on the County and City Administrations, Public Library, Board of Realtors, Home Builders Association, Marion County Dental Association and the Marion County Fire Department contributions to the program, noting the Fire Department received a plaque for collecting the most items in dollar value. Mr. Diamond advised that it was the 7<sup>th</sup> year the program had been in operation.

Budgets/Districts - (2.C.) - Mildred Musho, Incorporation Study Committee, Marion Oaks Civic Association Chairperson, appeared and addressed the Feasibility Study for Marion Oaks. She advised that she had previously met with each Commissioner individually and had presented a packet of information at that time. Ms. Musho stated this was her third time before the Board requesting financial assistance in regard to an Amendment in the Budget to pay for the Feasibility Study for Marion Oaks. She advised that the study would cost a maximum of \$30,000, which came to 10 cents per Marion County resident. Ms. Musho stated Marion Oaks had a growth potential of 4 times its current population, noting there were 4 investors looking to establish services in Marion Oaks, which had a strong economic impact on the welfare of the County. She commented on the Marion Oaks Master Plan which showed the community was already a planned City. Ms. Musho advised that once the Feasibility Study and Charter were approved and the community became a sustainable, self-governing City it would then relieve the County of many service responsibilities it was now expected to provide.

A motion was made by Commissioner Kesselring, seconded by Commissioner Payton, to include in next year's budget a matching fund of up to \$15,000. The motion was approved by the Board by a vote of 3-2, with Chairman McClain and Commissioner Stone voting nay.

Budgets/Ordinances - (2.D.) - Kenneth L. Edwards, 110<sup>th</sup> Place, Dunnellon, appeared on behalf of Dorothy Washington in regard to Code Enforcement Lien No. 388511JB for junk and litter in the amount of \$815.00. He commended the Commissioners and Law Enforcement for their support within the community of Chatmire over the last two

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years. Mr. Edwards stated he had served 22 years in the United States Navy, noting when he returned home from service that he along with Ms. Washington and Sylvia Baker started a community based program to help clean up the town. He advised that in 2003, Ms. Washington was assessed \$340 by Code Enforcement for junk and litter, which had now rolled over to \$815. He noted the property was originally her sisters estate and there was confusion in regard to payment of the fine, which resulted in the lien. Mr. Edwards advised that Ms. Washington was a senior citizen who could not afford to pay the lien, and had cleaned up the property.

Commissioner Payton commented on the challenges that had faced the Chatmire community, noting Mr. Edwards and Ms. Baker had worked tirelessly to make improvements to the community and worked without compensation. He stated although the Board needed to be firm in regard to Code Enforcement lien collections, it should consider forgiveness of the lien based on compensation for the free work Mr. Edwards and Ms. Baker had done to make Chatmire a better community.

A motion was made by Commissioner Payton, seconded by Commissioner Kesselring, to forgive the Code Enforcement lien, case No. 388511JB. The motion was approved by the Board by a vote of 4-1, with Commissioner Stone voting nay.

Garbage/Resolutions - (9.A.) - Deputy Clerk Windberg presented Proof of Publication No. A000284793 entitled "Notice of Public Hearing to Award a Construction and Demolition Debris Collection Service Franchise" published in the Star Banner newspaper on February 14, 2007. The Notice stated the Board would consider an application by Metro Waste Services.

Solid Waste Director Ken Whitehead stated the application was reviewed and found to be in order. He advised that staff recommended approval of the application and stated the applicant was present to answer any questions the Board may have.

There was no public comment.

A motion was made by Commissioner Kesselring, seconded by Commissioner Payton, to adopt Resolution 07-R-80 awarding a Construction and Demolition (C&D) Debris Collection Service Franchise to Metro Waste Services in accordance with the Marion County Code, Chapter 16 Solid Waste, Article II, Division 2 Commercial Residential, and Construction and Demolition Debris Collection Service Franchises, Section 16-30. The motion was unanimously approved by the Board.

In response to Commissioner Stone, Mr. Whitehead stated the new proposed Ordinance (to be drafted before October 1, 2007) the County would have a commercial per parcel assessment that would replace the franchise fee. He stated the County would still franchise haulers but there would not be a 10% franchise fee associated with any hauling.

County Property/Resolutions/Utilities - (9.B.) - Deputy Clerk Windberg presented Proof of Publication No. A000288270 entitled "Notice of Public Hearing" published in the Star Banner newspaper on February 23, 2007. The Notice stated the Board would consider a land exchange with 103<sup>rd</sup> Street Partners in exchange for a grant to the County of a permanent utility easement over real property owned by 103<sup>rd</sup> Street Partnership.

The Board considered the following recommendation of Utilities Director Andrew Neff in regard to the land exchange:

Description/Background: Pursuant to Board action on February 20, 2007, a public hearing has been advertised to consider the request to swap land between the 103<sup>rd</sup>

Street Partners and Marion County.

The utility easement will allow the SR 200 Force Main to continue into Oak Run along the SW 80<sup>th</sup> Avenue alignment on the south side of 103<sup>rd</sup> Street. We have evaluated the appraisal for this swap and determined that the land values are equivalent. Therefore, we are requesting that the Board approve our request.

Budget Impact: N/A.

Recommended Action: The Board is requested to conduct the Public Hearing, receive public comment regarding the land exchange, and at the end of the Public Hearing, approve a motion to authorize the Chairman to approve the above request.

Construction Manager Flip Mellinger, Utilities Department, presented a one page handout entitled, "Marion County Utilities 103<sup>rd</sup> Street Land Swap" and stated staff was requesting the Board consider its request for approval to exchange an excess property owned by the County for a 75 foot wide Utility Easement across approximately 484 feet of property owned by 103<sup>rd</sup> Street Partners. He advised that Marion County Utilities had been granted certain State funding and had entered into various Developer's Agreements in an effort to construct the regional wastewater force main that would provide service to the Utilities north of the SR 200 service area. Mr. Mellinger stated the force main design had been placed to the maximum extent possible in the public right of way (ROW) and the final route would require the Utility Department transit to private property owned by 103<sup>rd</sup> Street Partners. He referred to the handout, noting the easement was a continuation of what was once the SW 80<sup>th</sup> Avenue alignment. He stated Marion County Utilities had offered an abandoned Wastewater Treatment Plant (WWTP) site as an even trade for the easement. Mr. Mellinger noted the appraisals for both properties had been completed and discussion between both parties and the consulting property appraiser resulted in agreement that it was a satisfactory exchange of property as it related to the value. He stated with the Boards approval, staff would like to move forward with the exchange agreement in hopes of closing on the property by March 31, 2007.

In response to Commissioner Stone, Mr. Mellinger advised that the County had owned the 75 foot easement when it was part of the SW 80<sup>th</sup> Avenue extension, but it was now owned by the 103<sup>rd</sup> Street partners. He stated the consulting appraiser, Steve Albright, appraised the County's property at \$55,000 more in value than the 75 foot easement, but noted the 103<sup>rd</sup> Street Partners made a compelling argument that the appraisal was made on current conditions of the land and if considered as potential Commercial property the developed value was worth \$142,750 more than the County's. Mr. Mellinger stated the 103<sup>rd</sup> Street Partners wanted the County to pay the difference, noting staff would not agree to that proposal and agreed to make an even trade.

Planning Director Dwight Ganoe clarified that the County had never owned the strip of ROW (easement). He advised that it was outside of the plat of Palm Cay and was never acquired by the County.

Commissioner Kesselring questioned if by acquiring the easement it would give the County any additional rights other than installing the Utility line. Mr. Mellinger advised that the easement was only for Utilities to place the force main through, then would install a Reuse Transmission Main and Water Main. In response to Commissioner Kesselring, Mr. Mellinger advised that 103<sup>rd</sup> Street Partners would be paving on a portion of the easement.

There was no public comment.

Commissioner Payton stated the County's property was substantially worth more than the easement, noting if the County installed the force main under the easement it

would improve the value of the surrounding property. He questioned whether the County could require the property owner install the force main without having to purchase the easement. Mr. Mellinger advised that the Utilities Department needed the force main to support the Regional Facility that was being extended and was a Department priority. Commissioner Kesselring stated it may be an acceptable way to finish off a Utility system that the County needed. Commissioner Stone stated he did not understand what the 103<sup>rd</sup> Street Partners were giving up, noting they would still be able to use the 75 foot property. Chairman McClain advised that the easement was on property that was zoned Commercial which added to its value. Commissioner Payton pointed out property owners in the area had requested to change the Land Use and Zoning from Commercial to Residential. In response to Commissioner Payton, Mr. Mellinger stated it was the last piece of property needed to install the force main, noting staff had been in negotiations with the property owners for the last four months.

A motion was made by Commissioner Kesselring, seconded by Commissioner Fitos, to adopt Resolution 07-R-81 approving and authorizing the exchange of real property with 103<sup>rd</sup> Street Partners. The motion was approved by the Board by a vote of 4-1, with Commissioner Stone voting nay.

Budgets/Ordinances - (2.E.) - Patricia Mannone, NE 10<sup>th</sup> Street, appeared and requested a waiver in relation to the interest accrued on Code Enforcement Lien against Tracy-Ann George, Case No. 394758JB. She advised that in 2003 her husband Carl, now deceased, had entered into a verbal agreement with Code Enforcement Officer Ball to remove two condemned trailers and trash from her daughter's (Tracy-Ann George) property for \$3,545. Ms. Mannone stated the agreement included a stipulation that as long as the \$100 payments were made before the fifth of each month there would be no interest and that there would be no lien, however, if the payment was not received by the fifth a lien would be filed. She contacted Code Enforcement in November 2006 to verify the payoff amount( which should have been a little over \$100) and was informed that the amount was over \$800 because of interest charged to the account. Ms. Mannone advised that she had made all the payments by the fifth of each month and was unaware that interest had accrued.

In response to Commissioner Kesselring, Ms. Mannone stated the County cleaned up the property and even removed a vehicle that should not have been removed and the full fine was paid (minus/less interest).

A motion was made by Commissioner Kesselring, seconded by Commissioner Fitos, to remove the Code Enforcement Lien against Tracy-Ann George in regard to Case No. 394758JB.

In response to Commissioner Stone, Ms. Mannone advised that she had never received an amortization schedule from Code Enforcement, but noted when her husband passed away in September 2005 she did receive a letter from the County showing the balance due and did not show interest was being charged.

Code Enforcement Director Sammie Luckey advised that Ms. Mannone had made her payments in good faith, noting that normally a Promissary Note with interest included would be drawn up by the County Attorney's Office. He stated in this case a Promissary Note was drawn up and sent to Ms. Mannone but it had not been signed and returned to Code Enforcement. Mr. Luckey noted it was not discovered that interest had not been charged to the account until the second to the last payment was due.

In response to Commissioner Stone, Senior Assistant County Attorney MacNamara advised that Promissary Note agreements were drawn up by Legal staff at the request of Code Enforcement and were executed by the County Administrator, which did not have to come before the Board. He stated the Promissary Note had not been executed because it had not been returned to the Legal Department, noting the County would only enter into an Agreement (with interest) if the payoff would be in 2 years or less.

Commissioner Payton stated this was an abatement not just a Code Enforcement action, noting the resident was not compliant and the County had to spend its resources to clean the property up. Commissioner Kesselring advised that it was a unique situation and did not believe it would happen again, noting his priority was that the property was cleaned up and except for the interest, costs had been recovered. Commissioner Stone stated he normally voted against forgiving Code Enforcement Liens but agreed this was a unique situation where the County had "dropped the ball" in regard to allowing the property owner to make payments without an executed Promissary Note.

The motion was approved by the Board by a vote of 4-1, with Commissioner Payton voting nay.

Budgets/Projects & Programs - (2.G.) - Jude Hagin, Executive Director, Ocala Film Commission, appeared and addressed funding issues. She requested another workshop to readdress funding for the Film Commission. Ms. Hagin commented on the joint Film Commission/Marion Theater fund raiser for the John Travolta movie "Wild Hogs" which premiered in Ocala on Friday, March 2, 2007. She stated money was raised through the joint effort for both Organizations, including \$15,000 for a motorcycle ride which was matched by John Travolta and his wife Kelly Preston-Travolta. Ms. Hagin noted the Ocala Star Banner ran a nine day exclusive/extensive coverage leading up to the event, noting Mr. Travolta had been interviewed and commented on film production possibilities not only in the State of Florida, but in Marion County. She advised that Marion County residents could read about the event by going to [www.Ocala.com](http://www.Ocala.com), noting the event was nationally and internationally broadcasted which benefited Marion County. Ms. Hagin commented on the enormous success of the opening weekend for the film, which made \$38,000,000. She advised that she was requesting the workshop for the Board to consider a public/private partnership between the County and the Ocala Film Commission. Ms. Hagin commented on the possibility of several movies being made in the County including "Dallas" and the remake of the movie "Creature from the Black Lagoon".

Commissioner Stone noted a Film Commission workshop was held in February 2007 and recommended the matter be addressed at the County budget hearings in June when the Board addressed its support for outside Agencies. Commissioner Fitos disagreed, stating the Board was not able to discuss local issues at the previous workshop as the presentation by the State Film Commission Representative, while informative, took up most of the 30 minutes set aside for the workshop. She stated there were some issues that the Board (individually) had been reviewing in terms of finding a vehicle within the County for possible funding sources for the Film Commission, noting one of the avenues she had explored was funding through the Tourist Development Tax. Commissioner Fitos noted the County Attorney had performed preliminary research into the Statute that created the Tax, that the Board was guided by, to determine the possibility of utilizing it as a funding source. She stated she was pleased with Ms. Hagin's comments about a public/private partnership, noting previous concern that the County would be asked to fund the entire project.

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Commissioner Payton advised that he sat on the Tourist Development Council Board and to his knowledge the request for funding of the Ocala Film Commission had never been brought before its Board. He stated the Board of Directors of the Tourist Development Council should be the one to bring it before the Board of County Commissioners through its Budget requests. Ms. Hagin advised that she would address the issue with the Tourist Development Council.

Garbage/Landfills - (2.H.) - Sonny Muckey, NW 32<sup>nd</sup> Street, appeared to address solid waste issues and presented a 4 page article published in the March 2007 Popular Science magazine entitled, "The Prophet". He stated the article was in reference to eliminating solid waste through a procedure called "Plasma Conversion", developed by Startech Trash Converters. Mr. Muckey advised the system would take trash and convert it into either a gas composed mainly of hydrogen and carbon monoxide (which could be converted to fuel) or a solid product (similar to glass) which could be used as a road additive in asphalt, noting the system created more electricity than it consumed. He stated the Plasma Conversion system was expensive but noted the County may be able to receive funding from the Federal Government since it did benefit the environment. Mr. Muckey advised that the Board could visit the website at [www.Popsci.com](http://www.Popsci.com) for more information on Plasma Conversion technology

Mr. Muckey spoke in regard to recycling, noting the County should become more actively involved in recycling issues. He commented on privatizing the landfill and recycling centers and stated he was against it, noting he had lived in another State where a private company had taken over garbage matters for the County and raised its fees astronomically.

Commissioner Stone advised that he had previous conversations with Mr. Muckey and was familiar with the Plasma Conversion system. He commented on a visit by Public Works Bureau Chief Larry Thacker to a County in the State of Florida that had considered purchasing the system and questioned if the new system had been purchased and whether it was up and running. Mr. Thacker stated he and Solid Waste Director Ken Whitehead had traveled to St. Lucie County, which was still in the process of reviewing the system. He advised that St. Lucie County was not as enthusiastic as it had originally been because of the cost involved in purchasing the system which was approximately \$400,000,000. Mr. Whitehead stated there were also concerns as to whether the solid product (glass) emitted was a contaminated product.

Commissioner Payton stated the technology was available theoretically, but had not yet "matured". He noted the Florida Thoroughbred Breeders Association (FTBA) had hoped to use the technology as a solution to its waste issues, but could not get the system to convert enough waste. Commissioner Stone stated that system was not the same as the one in St. Lucie County.

Chairman McClain advised that he would contact Commissioner Davis from St. Lucie County for more information.

Comprehensive Plan - (2.H.) - Dominic Martelli, SR 40, appeared and stated he owned a 700 acre farm known as Classic Mile. He advised that he was requesting a zoning change for 500 acres of his property. Mr. Martelli stated he had missed the 2007 application deadline in regard to Comprehensive Plan Amendments and was requesting a waiver from the Board.

Commissioner Stone advised that there were parameters and guidelines the Board

had to work within, noting if an exception was made in this case, the Board would have to make exceptions for everyone. He advised Mr. Martelli to apply next year.

Resolutions/Zoning - (2.H.) - Belinda Thompson, SE 84<sup>th</sup> Avenue, appeared to address the C&K Investments, Inc. sand mine. She questioned if the Board had given the C&K sand mine a permit for C&D construction/demolition debris to be dumped on the property. Ms. Thompson advised that she had spoken to Growth Management Bureau Chief Mike May and explained what was going on over at the sand mine. She stated Mr. May informed her that he and Code Enforcement Director Luckey had gone out to the sand mine and had the company remove the debris. Ms. Thompson noted the surface debris was removed, but questioned what was going to be done with the debris used to build the berm. She stated the debris was a contaminate and would eventually contaminate other property. Ms. Thompson requested the Board look into the matter.

Commissioner Kesselring requested County Administrator Howard look into the situation and present written information from Department Heads to the Board as to what exactly the situation was at the C&K sand mine.

Minutes - (3.A. through G.) - Upon motion of Commissioner Stone, seconded by Commissioner Fitos, the Board adopted meeting minutes of January 18 (2 sets), 23, 25 (2 sets), February 6, and 7, 2007.

Budgets/County Employees/Insurance - (4.A.) - Clerk Ellspermann addressed health insurance issues. He advised that his responsibilities were established in the Florida Constitution and Florida Statute and as the duties were addressed part of his responsibility was to be the checks and balances within the operation of government. Clerk Ellspermann stated in addition to his responsibilities to the citizens of Marion County he also had an obligation to Clerk employees. He noted it was his duty to provide a professional, efficient, effective and safe environment for employees. Clerk Ellspermann requested the Board and the Risk Management Committee address and consider a Request for Information (RFI) for health insurance for Clerk employees, Constitutional Officers and Board employees by an independent Insurance Consultant to determine whether or not a quality cost in value of health insurance was provided to its staff. He stated he understood that the cost of health insurance had increased, noting the current cost was projected to increase by approximately 18%, and for the Clerks Office alone would increase coverage costs by \$1,000 per employee annually.

Clerk Ellspermann advised that his duties of the Court had been separated by the State of Florida, however he was still responsible in regard to Clerk employee health insurance. He stated he had made a request to break the Clerk employees out through Blue Cross/Blue Shield (BC/BS), noting Risk Management would be providing information to him for consideration of removing the 130 Clerk employees. Clerk Ellspermann noted he had spoken to Hospital Management in regard to what insurance company it used to determine whether or not its network was matchable to what was in place at this time. He advised that he had spoken to County Administrator Howard who reminded him that the same situation occurred several years ago. Clerk Ellsperman noted that insurance costs had also risen by approximately 18% last year and he wanted to bring this information to the Boards attention.

Commissioner Payton stated he understood what Clerk Ellspermann was saying and

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believed the only way to ensure competitive pressure on the providers was to do it Countywide, including all Constitutional Officer's as well as the School Board if possible. He commented that insurance prices were becoming astronomical and the only other option would be to start taking benefits away from employees, noting the Board and the Clerk did not want to use that option. Commissioner Payton suggested the Clerk proceed on behalf of the Board.

In response to Commissioner Stone, Clerk Ellspermann advised that he had not had an opportunity to speak with other Constitutional Officer's. Clerk Ellspermann noted one-third of his employees made less than \$25,000.

Commissioner Kesselring stated the last time the Board issued an RFI, it did not receive much response, but noted it would be worthwhile to keep trying. He agreed with Commissioner Payton that it would be good to include the School Board employees if possible. Clerk Ellspermann stated it was important to remember when other organizations were brought in so were their liabilities.

Commissioner Stone questioned if the current contract was renewed every year or after several years. Risk Management Director Dalke advised that the contract was renewed annually with the current provider, which was BC/BS. He noted originally the increase was estimated at 30%, but had not received definite renewal quotes. He noted there were 30 high dollar claims (over \$50,000) last year which was a driving factor of the health insurance premiums. He stated the County also included (by State law) its retirees which was also a driving factor. Mr. Dalke advised that Risk Management was currently reviewing two other agencies providing health insurance in Marion County. He stated BC/BS was able to provide some of the best contractual discounts from medical providers. Mr. Dalke noted matching the plan to the School Board plan could prove difficult. He stated it would be approximately 2 months before Risk Management would receive its first firm renewal number from BC/BS and would then schedule a workshop to present its findings.

Commissioner Kesselring requested Risk Management staff bring back to the Board, in a timely fashion, all the options from the providers. Commissioner Fitos questioned if a Request for Proposal (RFP) should be drafted for the Insurance Agents that provide the information, noting it was one Agent providing information on insurance carriers.

Commissioner Stone out at 11:15 a.m.

Mr. Dalke noted several years ago it was requested that the Board approve an Agent of record, noting Risk Management found an Independent Agent to provide insurance services who was able to go out and look at all of the individual markets. He noted when the County issued the RFP various agents throughout the State of Florida submitted bids. Mr. Dalke advised that at the next workshop he would like to present for Board review plan design ideas, noting there were currently three plans in place, which gave the employees choices.

In response to Commissioner Fitos, Mr. Dalke stated there was not a prescribed time-line for the Agent of Record in terms at how long he or she continued to be the Agent. Commissioner Fitos noted there were two separate issues: 1) was the Board receiving all of the options it could possibly consider from utilizing only one Agent of Record or 2) were there other potential agents who could present other options the Board may not otherwise receive for insurance purposes. Mr. Dalke advised that Risk Management did have discussions with other agents, not only the Agent on Record, but noted claims were what drove up costs no matter who the agent.

Commissioner Stone returned at 11:17 a.m.

Commissioner Payton clarified what he understood the Clerk to say was that because of his Constitutional status that if he so chose, his group (as an independent group) could be covered more economically than as part of the "pool" and may choose to opt out. Clerk Ellspermann stated it was an option that he did not want to choose. Commissioner Payton commented that he had personally been satisfied by the work performed by Risk Management and Combined Insurance Group but he, like the Clerk, would like to discuss the options.

Chairman McClain passed the gavel to Commissioner Stone who assumed the Chair.

Chairman McClain out at 11:20 a.m.

Commissioner Kesselring requested County Administrator Howard coordinate with Risk Management and schedule a workshop in regard to Health Insurance options.

Commissioner McClain returned at 11:21 a.m. and resumed the Chair.

Budgets/Resolutions - (5.A.1. through 8.) - Upon motion of Commissioner Stone, seconded by Commissioner Fitos, the Board adopted the following Budget Amendment Resolutions presented by Clerk Ellspermann:

1. 07-R-81 transferring \$5,500 within the General Fund for the MSTU/ Assessments Department.
2. 07-R-82 transferring \$29,267 within the General Fund for the Code Enforcement Department.
3. 07-R-83 transferring \$18,000 within the General Fund for Legislation.
4. 07-R-84 transferring \$5,832 within the General Fund for the Division of Forestry - Fire Control.
5. 07-R-85 transferring \$1,050,000 within the General Fund for the Marion County Library System.
6. 07-R-86 transferring \$112,400 within the Silver Springs Shores Special Tax District Department.
7. 07-R-87 transferring \$6,600 within the Marion County Utilities Fund for the Customer Services.

Surplus Property - (5.B.) - Upon motion of Commissioner Stone, seconded by Commissioner Kesselring, the Board approved the Acquisition or Disposition of Property forms changing the status of the following items of property: 16924, 16930, 21776, 24832, 30655, 31096, 33765, 36421, 36767, 37475, 38180, 38847, 40706.

Clerk - (4.D.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Stone, the Board accepted recommendations of the County Attorney's office regarding the following claims for overbid monies from Tax Deed Sales:

1. Granted claim from International Locator Service, Inc., on behalf of Nancy M. Hardin, as Executrix of the Estate of Irelle Hutchens McCollough regarding Tax Deed Sale No. 282404.
2. Granted claim from Norman S. Moss, on behalf of Eileen R. Edwards regarding Tax Deed Sale No. 282737.
3. Granted claim from International Locator Service, Inc., on behalf of William P. Carey regarding Tax Deed Sale No. 282796.
4. Granted claim from Norman S. Moss, on behalf of Mildred Irene Greenwood,

5. Janice Still and Sherman Syfrett, Jr. regarding Tax Deed Sale No. 282841. Denied claim from Prime Option Financial Services, LLC, on behalf of Dennis Allan and Don Allan regarding Tax Deed Sale No. 283328.
6. Denied claim from Prime Option Financial Services, LLC, on behalf of Nancy C. Moore regarding Tax Deed Sale No. 283337.
7. Denied claim from Prime Option Financial Services, LLC, on behalf of Mozzla Nelson regarding Tax Deed Sale No. 283361.
8. Denied claim from Prime Option Financial Services, LLC, on behalf of Lynette Freneire regarding Tax Deed Sale No. 283763.
9. Denied claim from Prime Option Financial Services, LLC, on behalf of Dorothy Partanen regarding Tax Deed Sale No. 283798.

Budgets/Clerk - (4.D.) - Clerk Ellspermann presented the Annual Investment Performance Review Fiscal Year Ending September 30, 2006. He introduced Steven Alexander, Public Financial Management (PFM) Asset Management, LLC who provided a brief overview of the County's investment portfolio.

Mr. Alexander advised that each year he worked closely with Clerk Ellspermann and his staff to make sure the investments were handled properly. He noted under State guidelines his first priority was to ensure the investments were safe and provided liquidities so that all the County's obligations were paid and then try to make the best use of taxpayers funds while under the Boards control. Mr. Alexander referred to page B.2. of the portfolio, which addressed the strategies put into place and the results of those strategies. He noted two years ago PFM redesigned the Marion County Investment Portfolio, which allowed the breakdown of the overall cash investments from both short term and long term. Mr. Alexander stated the short term obligations were investments that were invested between one day and one year and long term was between one to five years. He advised that over the last two years the long term portion of the portfolio, which had an established benchmark pursuant to the investment policy out-performed the benchmark by 86 basis points and for the last four years the strategies had out performed the State Board of Administration (SBA) by 75 basis points. Mr. Alexander noted short term rates were actually higher than long term rates, but because the County had investments in both situations rates could move in either direction.

Commissioner Payton commented on a meeting last year where the Clerk requested the Board reallocate a portion of the short term investments from a Government backed pool into an Agency pool instrumented by SunTrust Bank, which had some market sensitivity and questioned if there was any depreciation in the asset value. Clerk Ellspermann explained there had been some depreciation, but through his negotiation with SunTrust Bank they had made the account whole of what it would have earned with SBA because of the volatility of the market, noting he performed a month to month evaluation.

In response to Commissioner Stone, Mr. Alexander stated the Merrill Lynch Index was done on a total return basis, which was a different calculation from a yield basis with the SBA, so short term investments had a different yield calculation than long term. He advised that in the future, because the benchmark was different for short term and long term, PFM would bifurcate the two investments to compare short term results (having a short term benchmark) and long term results (having a long term benchmark).

In response to Commissioner Kesselring, Mr. Alexander advised that since inception four years ago approximately \$2.3 million dollars was earned above the SBA. Clerk

Ellspermann and the Board thanked Mr. Alexander for the presentation.

A motion was made by Commissioner Stone, seconded by Commissioner Kesselring, to accept the Annual Investment Performance Review Fiscal Year Report. The motion was unanimously approved by the Board.

Upon motion of Commissioner Stone, seconded by Commissioner Kesselring, the Board acted on the Consent Agenda for County Administration item 6.A.1., County Attorney items 6.B.1. and 2., Human Resources Department items 6.C.1. and 2., Library items 6.D.1. and 2., Marion County Sheriff's Office items 6.E.1. through 3., Planning Department item 6.F.1., Purchasing Department items 6.G.1. through 7., and Transportation Department items 6.H.1. through 4., as follows:

Budgets/Grants/Projects & Programs - (6.A.1.) - Accepted the following recommendation of County Administrator Howard in regard to grant funding for the Emergency Operations Center (EOC):

Description/Background: The Department of Community Affairs, Division of Emergency Management has requested a letter of acceptance from the County Commission for the award of \$1,186,081 and HGMP package of \$845,801 to construct a new Emergency Operations Center.

Budget Impact: \$1,186,081 grant funding from the State of Florida. Requesting up to \$845,801 in HMGP funding, amount to be determined.

Recommended Action: Motion to authorize the Chairman to sign letter accepting the award from the State.

Budgets/Ordinances - (6.B.1.) - Accepted recommendation of Chief Assistant County Attorney Thomas D. MacNamara to approve the recommendation of the Code Enforcement Board to execute the Release of Code Enforcement Lien against Cherryl D. Jensen and Wayne Morin in regard to Case No. 418896BP.

Budgets/Ordinances - (6.B.2.) - The Board considered the recommendation of Chief Assistant County Attorney MacNamara in relation to Release of Code Enforcement Lien against John J. and Elizabeth Baillie in regard to Case No. 1018-96RJ.

Commissioner Stone noted the reduction in the lien from \$27,650 to \$1,000 and questioned if it was a common practice for the Code Enforcement Board. Mr. MacNamara advised that Chapter 162 (Florida Statute) gave the Code Enforcement Board and the Board of County Commissioners authority to reduce Code Enforcement liens. He stated since the decision was made by the Code Enforcement Board there had been an opinion by the Attorney Generals Office that took the authority of the Code Enforcement Board to be "prerecording" of the lien, noting once the lien was recorded it no longer had authority and only the Board of County Commissioners could impose a reduction.

A motion was made by Commissioner Stone, seconded by Commissioner Kesselring, to approve and execute the Release of Code Enforcement Lien against John J. and Elizabeth Baillie. The motion was unanimously approved by the Board.

County Employees/Resolutions/Utilities - (6.C.1.) - Accepted the following recommendation of Human Resources Director Drew Adams to adopt Resolution 07-R-89 reclassifying one (1) position of Water/Wastewater (W/WW) Plant Operator Trainee to

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W/WW Plant Operator C, effective March 6, 2007:

Description/Background: The Utilities Director has requested reclassification of one (1) position in the Department. There is currently an existing position of W/WW Plant Operator Trainee in the Utilities Water budget. We request reclassification of this position from the W/WW Plant Operator Trainee to that of W/WW Plant Operator C. During the budget preparation of fiscal year 2006-07 there were a total of four (4) trainee positions established in the budget. At the time the department requested the positions it was undetermined if any of the incumbents would be successful in completion of all that is required to pass and become a licensed C Operator during this fiscal year. However one of the employees in the position has successfully completed all that was required by the State and has become a licensed operator. With the issuance of his C license no provision is available for the department to reclassify this trainee position into a regular position of W/WW Plant Operator C. Therefore we are requesting the ability to reclassify the trainee position to a regular W/WW Plant Operator C with corresponding pay. This will be a benefit to the county to make use of the obtained license immediately.

We therefore, respectfully request the reclassification of one (1) position of W/WW Plant Operator Trainee to the position of W/WW Plant Operator C with a job description and pay grade of the position as set forth in Exhibit "A" and the ability to reclassify the remaining three (3) positions at the time the state issues the C operator license.

Budget Impact: Salary and benefits total \$4,490 however, funds are available within the Department to cover the increase.

Recommended Action: Board motion to adopt the attached Resolution which approves the reclassification.

County Employees/Resolutions - (6.C.2.) - The Board considered the following recommendation of Human Resources Director Adams relating to the Information System Analyst Job Description:

Description/Background: Exhibit "A" is a new job description with associated pay grade to establish an additional position of Information System Analyst pay grade 20 to the Public Defender Department. This position is pursuant to provisions provided in sections 29.008 and 28.24, Florida Statutes requiring Marion County provide judicial employees to the Fifth Judicial Circuit in and for Marion County.

Exhibit "A" is to present this position title and pay grade for your review and approval as all job descriptions must be presented.

Exhibit "B" is an agreement associated with the transfer of a current employee.

Budget Impact: Salary and benefits in the amount of \$32,063 will be required to fund the position for the remainder of the year.

Recommended Action: Board motion to adopt resolution and approve job description and the associated pay grade for addition to the Classification and Pay Plan.

Commissioner Stone noted the request was to fund the position for the remainder of the year and questioned the total annual salary involved with the new job description for the next budget year. Drew Adams, Human Resource Director, advised that the total salary would range from \$44,116 to \$70,241. Commissioner Stone noted as of December 31, 2006 the Information Technology (IT) fund in Marion County had a balance of \$1,424,250 and questioned why the money was sitting in an account. Mr. Adams stated the fund was

monies generated by fees through the Court that helped fund the positions needed within the Information Systems. County Administrator Howard explained the monies were from the Public Defender's Office Budget and the Board managed the fund.

Barbara Noeker, Public Defender's Office stated after Article V of the Florida Statutes was created it allowed \$4 from every filing fee to be collected and applied to be used only for IT equipment, services staff and support staff for the Public Defender's Court Administration, the Courts and the State Attorney's Office.

Commissioner Payton expressed concern with each division having its own System Analysts (i.e. Public Defender, State Attorney, Clerk of Court, etc.), noting they all worked for the same constituents and believed one department of System Analysts could work for all the Departments.

A motion was made by Commissioner Stone, seconded by Commissioner Fitos, to adopt Resolution 07-R-90 adding one (1) Information System Analyst Job Description effective immediately. The motion was unanimously approved by the Board.

Grants/Libraries - (6.D.1.) - Accepted the following recommendation of Library Director Julia Sieg to execute a grant application for the Library Services and Technology Act Grant Application entitled "Traveling Tales":

Description/Background: The Marion County Public Library System is seeking approval to apply for a Library Services & Technology Act (LSTA) Grant to fund a program called *Traveling Tales*. LSTA, the major federal grant program for libraries, was passed September 30, 1996. Administered by the Institute of Museum and Library Services, it:

- is a state-based program;
- has purposes which focus on information access through technology and information empowerment through special services;
- emphasizes public libraries, but encourages interlibrary cooperation and partnerships among all types of libraries;
- increases emphasis on accountability and evaluation.

There are two grant categories available:

- Access for Persons Having Difficulty Using Libraries
- Library Technology Connectivity and Services

The *Traveling Tales* program falls into the first category by increasing access to library materials to the very young as well as the elderly. *Traveling Tales* will provide programming and deposit collections which will be delivered via a *Traveling Tales Storytime Van* to the following target groups: Families residing in low-income housing developments, certified childcare providers in family home settings, and elderly care facilities. This program complies with the following objectives in the library's Long Range Plan:

Objective 1.2 Outreach: "There will be access to circulating library materials to residents in care centers through a limited number of deposit collections."

Objective 4.3 Offsite Children's and Young Adults Programs: "Library staff will provide youth-oriented programming in Marion County."

This LSTA grant will help Child Caregivers to facilitate learning readiness, and the development of cognitive, social, and emotional skills, motor skills and language comprehension; promote effective parenting; develop linkages among early learning programs within our community and between early learning programs and health

care services for young children; and remove ancillary barriers to early learning, including transportation difficulties. Elderly care residents will benefit from easy access to library materials and Activity Directors will be able to use library resources to provide programming that will contribute to the educational and entertainment needs of the residents.

The *Traveling Tales Program* encourages collaboration between community partners such as the Early Learning Coalition of Marion County, United Way's Success By 6, Childhood Development Services, Marion County Continuity of Care Council, and individual elder care center facilities.

Via LSTA dollars, the Marion County Public Library System will purchase a van that will be modified and outfitted to accommodate library and programming materials. These materials will be delivered on a regular schedule by a librarian to the target groups outlined above. Storytime programs will be offered at low-income housing developments and deposit collections will be delivered to certified family-setting childcare providers and elder care facilities.

An additional educational component incorporates the training of Library employees, as well as the staff of partner agencies and Activity Directors of elder care facilities. These sessions will offer participants insight into some of the challenges and opportunities faced by the target audiences. One of the public library's goals is to stimulate and encourage an interest in reading and learning among the young and support the lifelong learning interests among adults.

The LSTA grant application has a deadline of March 15, 2007 for submission. Approvals are granted in July, 2007 for implementation starting in October, 2007.

Budget Impact: All LSTA grant applications over \$10,000 must provide local matching funds that equal a minimum of 1/3 of the amount of federal funds requested or awarded. The amount of LSTA funds requested in this grant application is over \$123,000 with matching local funds of almost \$52,000 which are reflected in the allocation of a portion of existing staff salaries for administration and implementation of this program and fuel and vehicle maintenance as well as contributions from partners.

The partners will provide support services to the target population. In addition, the Friends of the Ocala Public Library are contributing funds, Early Learning Coalition of Marion County and United Way Success By 6 are contributing books and program support, Marion County Continuity of Care Council will assist with elder care collaboration, and the Marion County Public Library System is providing existing staff time.

Recommended Action: The Board is requested to grant approval for the Marion County Public Library System to proceed with the *Traveling Tales* LSTA grant application.

Grants/Libraries - (6.D.2.) - Accepted the following recommendation of Library Director Sieg to execute a grant application for the Library Services and Technology Act Grant Application entitled "Relatives as Parents Program (RAPP)":

Description/Background: The Marion County Public Library System is seeking approval to apply for a Library Services & Technology Act (LSTA) Grant to fund a program entitled *Relatives as Parents Program (RAPP)*. LSTA, the major federal grant program for libraries, was passed September 30, 1996. Administered by the

Institute of Museum and Library Services, it:

- is a state-based. program;
- has purposes which focus on information access through technology and information empowerment through special services;
- emphasizes public libraries, but encourages interlibrary cooperation and partnerships among all types of libraries;
- increases emphasis on accountability and evaluation.

There are two grant categories available:

- Access for Persons Having Difficulty Using Libraries
- Library Technology Connectivity and Services

The *Relatives as Parents Program (RAPP)* falls into the first category. *RAPP* provides educational and networking groups for grandparents raising grandchildren as well as other relatives who have taken on the responsibility of caring for a relative's child. By helping the relative caregivers access the resources available, we will enable them to be more effective as their child's first teacher. This program conforms to the following Goals and Objectives within the Marion County Public Library's Long Range Plan:

"Goal 2: The Marion County Community will find resources and services at the Public Library which nurture personal growth and lifelong learning.

Objective 2.1 Programs, training classes, and interest group meetings at library facilities will continue to be available to the community

Objective 2.8 The library will have an ongoing program to develop partnerships with at least five local agencies and organizations to provide assistance or learning opportunities for library users.

Goal 4: Marion County youth will find resources and services at the Public Library which stimulate and encourage their interest in reading and learning."

This LSTA grant will supplement funds approved by the Brookdale foundation for a seed grant to develop a *Relatives as Parents Program* in Marion County. The Brookdale Foundation has provided \$10,000 over two years to initiate this program. The community need, success of the program and the community support has prompted the library to refine and enhance our current efforts.

The *Relatives as Parents Program* encourages collaboration among healthcare providers, community service agencies, local public libraries, and the Marion County Public School System. *RAPP* activities originated in 2003 as part of the existing Born to Read Program and the Marion County Public Library System plans to include many of its existing Born to Read partnerships in *RAPP*, including United Way's Success by Six program, the Marion County Health Department, Childhood Development Services' Head Start/Early Head Start Program, Early Learning Coalition of Marion County, Marion County Public Schools and the Friends of the Library. We have also developed a strong relationship with Kids Central, Inc., that holds a contract from the Department of Children & Families to provide services in District 13.

Via LSTA dollars, the Marion County Public Library System will provide mid-week educational networking group meetings once per month; morning and evening. Kids Central and Childhood Development Services will provide childcare services so that the adults can participate in the sessions uninterrupted. In addition, a monthly intergenerational meeting will be held on Saturdays to help the relative caregivers

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work on projects with their children which will help them learn how to enhance caregiver-child relationships. Some educational field trips will also be offered as a way to allow those who can not afford such trips to have a fun day with their children while learning.

An additional educational component incorporates the training of Library employees, as well as the staff of partner agencies, daycare providers and other organizations who work with children, and parent/caregivers. These sessions will enable those working with relative caregivers to have better insight into the challenges faced by relative caregivers.

The LSTA grant application has a deadline of March 15, 2007 for submission. Approvals are granted in July, 2007 for implementation starting in October, 2007. Budget Impact: All LSTA grant applications over \$10,000 must provide local matching funds that equal a minimum of 1/3 of the amount of federal funds requested or awarded. The amount of LSTA funds requested in this grant application is over \$35,000. The matching local funds are over \$62,000 and are reflected in the allocation of a portion of existing staff salaries for administration and implementation of this program as well as contributions from partners.

The partners will provide counseling and childcare services to the target population. In addition, the Friends of the Ocala Public Library are contributing funds, Early Learning Coalition of Marion County and United Way Success By 6 are contributing books and program support, Kids Central and Childhood Development Services are providing childcare services, and the Marion County Public Library System is providing existing staff time.

Recommended Action: The Board is requested to grant approval for the Marion County Public Library System to proceed with a *Relatives as Parents Program* LSTA grant application.

Contracts & Agreements/Sheriff/Traffic Control - (6.E.1.) - Accepted recommendation of Sheriff Ed Dean to execute the Agreement with Stonecrest Property Owner Association, Inc. and the Sheriff to provide additional traffic enforcement service over private roads or roads located within the Stonecrest Subdivision from March 1, 2007 through February 29, 2008.

Grants/Sheriff - (6.E.2.) - Approved request from Coordinator Tom Goforth, Division of Emergency Management, Sheriff's Department, to execute the sub-grant application for Department of Community Affairs, Division of Emergency Management funding for fiscal year 2007 in relation to the Citizen Corps program.

Grants/Sheriff - (6.E.3.) - Approved request from Coordinator Tom Goforth, Division of Emergency Management, Sheriff's Department, to execute a sub-grant application to request Federal Emergency Management Agency funding for Fiscal Year 2007 for the Community Emergency Response Team (CERT) program.

County Planning/Projects & Programs - (6.F.1.) - The Board considered the following recommendation of Planning Director Dwight Ganoë in relation to creating a list of County owned parcels for consideration as appropriate for affordable housing:

Description/Background: Chapter 125.379, Florida Statutes provides that by July 1,

2007, and every 3 years thereafter, each County must prepare an inventory list of all County owned real property which is appropriate for use as affordable housing. The statute further provides that the Board must review the list at a public hearing and may revise the list at the conclusion of the hearing. Following the public hearing, the Board must adopt a resolution that includes the inventory list. Properties identified on the list may then be: 1) offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government funds earmarked for affordable housing; 2) sold with a restriction that requires the development of the property as permanent affordable housing; 3) donated to a non profit housing organization for the construction of permanent affordable housing; or 4) otherwise made available for use for the production and preservation of permanent affordable housing. Marion County has in recent years donated several parcels for "affordable housing" use. As recent as March 2006, the County approved the conveyance of 29 parcels to Habitat for Humanity of Marion County. The majority of County owned land that was not purchased or obtained for a specific use came under County ownership due to failure to pay taxes. In most instances, these parcels are small lots, typically located in unrecorded or older recorded subdivisions, which have little or no infrastructure in place (unpaved and/or unmaintained roads; no WRA's or stormwater systems; no central water or sewer available). Since there has been some recent discussion related to County surplus land and whether or not the County should encourage development on these types of parcels prior to at least some minimal infrastructure being in place, staff would like direction as to what general criteria a parcel should meet in order to be considered as being "appropriate for use as affordable housing." A list of parcels meeting the minimum criteria could then be created to comply with the statutory requirement. The below recommended action lists six (6) potential minimum criteria with the "least" criteria being that the parcel must be buildable (having sufficient area to meet minimum building requirements). I would anticipate the majority of the potential surplus parcels owned by the County falling under Number 1.

Budget Impact: None.

Recommended Action: Motion to direct staff to create a list of County owned parcels which may be considered as appropriate for affordable housing, said list to include parcels which were not obtained or have not been designated or reserved for other public use, and which meet the following minimum criteria:

(Select one of the following)

- 1) A buildable parcel (sufficient area to meet minimum building requirements).
- 2) A buildable parcel within a subdivision having dedicated WRA's.
- 3) Number 2 plus access to existing road (unpaved and unmaintained by County).
- 4) Number 2 plus access to existing paved or County maintained road.
- 5) Number 2 plus access to existing road with central water available.
- 6) Number 2 plus access to existing road with central water and central sewer available.

Commissioner Stone advised that because the recommended action was requesting staff direction only, he did not feel it needed to be on the Consent Agenda.

Chairman McClain questioned the criteria that was used the previous year. Planning Director Dwight Ganoe advised that at the last property sale (proceeds used to purchase

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land for affordable housing) the minimum criteria stated the property had to have access on a paved roadway. Chairman McClain questioned the criteria for the property that had been donated to Habitat for Humanity. Mr. Ganoe advised that staff from Habitat ran its own request list, noting a majority of the property was inside the City of Ocala and had access to paved roadways. Commissioner Stone stated he believed staff was asking for the Board to decide what type of infrastructure it wanted to require for affordable housing locations.

In response to Commissioner Kesselring, Mr. Ganoe stated the County had approximately 100 to 200 small parcels with little if any infrastructure (unpaved and/or unmaintained roads, no stormwater systems, no central water or sewer available etc.) and Statute required the Board to determine what general criteria a parcel should meet in order to be considered as being appropriate for use as affordable housing. Commissioner Kesselring recommended Option 4 as a minimum requirement. Commissioner Stone stated Option 1 would provide far more available parcels, noting if the Board restricted it too much the number of qualifying parcels would be limited. He expressed concern with allowing homes to be built without the proper infrastructure already in place. Commissioner Payton advised that many of the parcels were less than 1/4 acre, noting the Board had many discussions in regard to not allowing septic tanks to be installed and now had to consider allowing homes to be built that would need septic tanks.

In response to Commissioner Stone, Mr. Ganoe stated it was a new Statute which required that every three years the Board must prepare an inventory of all County owned real property that was appropriate for use as affordable housing. He noted at any point in time the Board could decide if it wanted to convey a piece of property to an organization whether or not it was on the list. Commissioner Fitos suggested staff bring forward a full scope of what properties met which Options so that the Board could determine if it wanted to make exceptions to Option 4.

A motion was made by Commissioner Kesselring, seconded by Commissioner Stone, to approve Option 4: A buildable parcel within a subdivision having dedicated WRA's, plus access to existing paved or County maintained road. The motion was unanimously approved by the Board.

Contracts & Agreements/Vehicles - (6.G.1.) - Accepted recommendation of Purchasing Director Diane Tucker to reject all proposals and re-advertise the project for a Hydraulic Excavator (track hoe), as requested by the Fleet Maintenance Department for Facilities Management Department pursuant to RFP No. 07P-036.

Contracts & Agreements/Roads, Miscellaneous - (6.G.2.) - The Board considered the recommendation of Purchasing Director Tucker in relation to roadside tree trimming and County-wide tree removal services, as requested by the Transportation Department/ Roads Division pursuant to Bid No. 07B-023.

Commissioner Payton questioned whether there was a breakdown of the companies who offered this service, their ratings, whether the County had conducted business with the companies before and if any were local companies. County Engineer Mounir Bouyounes advised All Florida Tree & Landscape Inc. was not local and the County had not conducted business with them before, but had received excellent references. He stated the contract had received a total of 9 bids, some from local businesses, but All Florida Tree & Landscape Inc. was the lowest bid. In response to Commissioner Kesselring, Mr.

Bouyounes stated the contract was for normal roadside tree trimming and tree removal services not emergency debris removal. Commissioner Kesselring suggested the Board should set aside time at a later date to discuss local presence in regard to contracts for emergency debris removals. Mr. Bouyounes advised that during an emergency situation the County had four contracts with 4 local contractors for the first emergency operation and debris removal.

In response to Commissioner Stone, Mr. Bouyounes stated the quote of \$147,336 was the total cost for 88 miles of tree trimming/stump grinding services. Commissioner Stone expressed concern with the winning bid being drastically lower than other bids. Commissioner Payton agreed, but noted the Board had some obligation to accept the lowest bid. In response to Commissioner Payton, Management Bureau Services Chief/Purchasing Director Tucker advised that the County did not Bond this service. In response to Commissioner Kesselring, Mr. Bouyounes advised that it was a one year renewable contract.

A motion was made by Commissioner Kesselring, seconded by Commissioner Fitos, to approve and execute contract with All Florida Tree & Landscape, Inc. and authorize staff to issue a Purchase Order for roadside tree trimming and County-wide tree removal services. Commissioner Stone requested the motion include a six month status report. Commissioner Kesselring amended his motion to stipulate that staff would provide a six month status report and the contract must be presented to the Board for review before renewal. The motion was approved by the Board by a vote of 4-1, with Commissioner Payton voting nay.

In response to Commissioner Payton, Ms. Tucker advised that a company financial statement was not a requirement of the bid, but noted staff had reviewed the company's equipment list.

Contracts & Agreements/Landfills - (6.G.3.) - The Board considered the recommendation of Purchasing Director Tucker to reject all proposals received in relation to operating, maintaining and servicing Marion County Recycling Centers and Collection Sites, as requested by the Solid Waste Department pursuant to 07P-026.

Commissioner Stone advised that at the request of the Board, staff was directed to issue a Request for Proposal (RFP) in regard to operations for the Marion County Recycling Centers collection sites. He expressed concern in regard to the breakdown in costs, noting the calculations reflected the same operating cost for Marion County over a six year period and did not reflect cost of living increases. Solid Waste Director Ken Whitehead advised that the cost of living increases would have to be added to all the bid sheets, which would reflect that the County could still provide the service cheaper. He advised that all bids reflected the first year cost, noting after the first year there would be a Consumer Price Index (CPI) increase each year (not to exceed 3-1/2% per year). Mr. Whitehead noted the contract stipulated there would be no fuel increase adjustment.

In response to Commissioner Stone, Mr. Whitehead stated the Recycling Coordinator and the Account Specialist positions were not strictly related to Recycling Centers, noting they provided other services to the County. He advised that if the County chose to privatize the recycling centers, the Solid Waste Department would need to fill two full time Supervisor positions to follow-up and ensure the recycling center sites were operating properly. In response to Commissioner Stone, Ms. Tucker stated staff determined it would better serve the RFP if the Selection Committee was comprised of members who

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understood what the operation (currently in place) involved. She stated staff could provide a copy of the proposals if the Board wished to review them.

Mr. Whitehead advised that it was \$661,693 cheaper for the County to maintain the recycling centers than it would be to privatize. Commissioner Payton stated Government could not do anything as good as the private sector. Commissioner Kesselring noted the direction the Board gave to staff was to compare “apples to apples” which was provided. Mr. Whitehead noted both the Public Works Bureau Chief and the Solid Waste Director had previously worked in the private sector. He advised that in the last four years the Solid Waste Department had increased its total facilities by 50% while reducing staff by 9 members. Ms. Tucker noted when one of the local vendors was questioned why it did not bid, the response was “they knew it could not meet or beat the County price and still maintain the level of service the County provided. Chairman McClain agreed the County had a feature rich department and the only way to save money would be to cut down on the services provided.

A motion was made by Commissioner Kesselring, seconded by Commissioner Stone, to reject all proposals received in relation to operating, maintaining and servicing Marion County Recycling Centers and Collection Sites. The motion was unanimously approved by the Board.

Contracts & Agreements/Landfills - (6.G.4.) - The Board considered the recommendation of Purchasing Director Tucker regarding the contract amendment with S2Li Incorporated for assistance with future Solid Waste Planning/Alternatives Projects, as requested by the Solid Waste Department pursuant to 04Q-088.

Commissioner Fitos thanked Ms. Tucker for her help in clarifying the idea of selecting consultants for future projects. She questioned the contract language terms of the services it would be providing and the description of work regarding “under development by other County Consultants”. Mr. Whitehead advised that it referred to the contract the Board approved on February 20, 2007 with Attorney David Dee from the law office of Young Van Assenderp, Tallahassee, as outside counsel to draft a new Solid Waste Ordinance.

A motion was made by Commissioner Fitos, seconded by Commissioner Kesselring, to approve and execute contract amendment with S2Li Incorporated. The motion was unanimously approved by the Board.

Buildings & Grounds/Districts/Purchasing - (6.G.5.) - The Board considered the recommendation of Purchasing Director Tucker relating to a Change Order on Purchase Order Number 0700999 with London Engineering for an additional \$25,000, as requested by the Facilities Management/Fleet Maintenance Departments.

Commissioner Fitos questioned if the request was an amendment to an amendment and what caused the escalation in the dollar amount. Andy Race, Facilities Management Director, advised that the project originally started out as a fleet design, then Fire Services added in the option of adding EMS Alliance (EMSA) on the same site, which changed the Scope of Work to be performed by the engineering company.

Commissioner Stone questioned the time line in regard to the fuel site upgrade. Roger Walters, Fleet Management Director, advised that he and Mr. Race had been meeting with the architect. He stated the project was on track and believed it would meet the time line for Department of Environmental Protection (DEP) compliance.

A motion was made by Commissioner Fitos, seconded by Commissioner Stone, to approve and execute Change Order on Purchase Order Number 0700999 with London Engineering. The motion was unanimously approved by the Board.

Contracts & Agreements/Utilities - (6.G.6.) - Accepted recommendation of Purchasing Director Tucker to approve and execute contracts with Boyle Engineering, Post Buckley Schuh & Jernigan (PBS&J), and Metzger & Willard for consulting engineering services, as requested by the Utilities Department pursuant to RFQ No. 06Q-052.

Purchasing - (6.G.7.) - The Board approved Purchase Orders over \$10,000 as listed on schedule dated today, except Purchase Order No. 0700978 in relation to a bucket truck.

Commissioner Stone questioned which Department needed the bucket truck. Mr. Race advised that the truck was being requested by the Transportation Department as an addition to its fleet to be used for tree trimming. Mr. Bouyounes clarified the truck had already been included in the budget as a replacement vehicle. He stated the department performed contract tree trimming on a regular basis, noting the vehicle would also be used on an emergency basis. In response to Commissioner Stone, Mr. Bouyounes stated the contract the Board had just approved with All Florida Tree & Landscape, Inc. (Item 6.G.2.) covered only one quadrant in the County. Commissioner Stone expressed concern with the need for an additional bucket truck for tree trimming.

Commissioner Kesselring advised that Marion County was a large County, noting there were two separate issues involved: 1) did the County need another bucket truck and 2) how did the cost of the truck compare to contracting out the service. Mr. Bouyounes commented on severe weather conditions (hurricanes, tornados, etc.), noting those vehicles were the first ones on the roads and without dependable trucks the work would not be accomplished.

Larry Thacker, Public Works Bureau Chief, advised that in the current fiscal year (FY) the County had purchased or was in the process of purchasing 130 pieces of equipment. He noted for the next FY budget, the number would be significantly less (approximately 35) because it had been replaced this year. Mr. Thacker commended the Fleet Department for performing an excellent job ensuring the equipment was treated properly and replaced when necessary.

Commissioner Payton noted the Board was getting too close to “micro-managing”, noting the importance of having a dependable, insured tree trimmer who would be able to respond in a timely manner when times were flushed and he would rather defer to management and supervisors to recommend what was needed. In response to Chairman McClain, Mr. Bouyounes advised there were 6 to 8 employees on a crew for the bucket truck and the chipper.

A motion was made by Commissioner Kesselring, seconded by Commissioner Stone, to defer the matter for two weeks. The motion was unanimously approved by the Board.

Contracts & Agreements/Transportation - (6.H.1.) - Accepted the following recommendation of County Engineer Bouyounes for replacement of the Westport High School Sidewalk project with the Marion Oaks Sidewalk project in the Florida Department of Transportation (FDOT) 5 Year Work Program with scheduling and funding limits to

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remain as currently programmed:

Description/Background: In February of 2003 sidewalk project candidates were prioritized and submitted to FDOT for Local Agency Program (LAP) funding of the planning, design and construction phases. The number one priority project in the vicinity of Westport High School and the Ocala Sportsplex was selected by FDOT for funding. Since that time it has become obvious from pedestrian observation that the anticipated usage of the Sportsplex by the high school and corresponding pedestrian traffic has not materialized. The Marion County Transportation Department staff with the support of the TPO and the FDOT Special Projects Section is requesting that the Westport High School Sidewalk project be deleted and that the Marion Oaks Sidewalk project (the number two priority in the original 2003 funding request list) be substituted as its replacement in FDOT's current 5 Year Work Program. The Marion Oaks Sidewalk project serves both the Sunrise Elementary School (largest enrollment school in the County) and the Marion Oaks community at large.

Budget Impact: No impact due to 100% funding by FDOT. FDOT has budgeted \$285,000 to fund the Westport High School Sidewalk project. The Marion Oaks Sidewalk project is estimated to cost \$449,593.00. The Marion Oaks Sidewalk project will be significantly decreased in scope in order to meet the current funding constraints.

Recommended Action: Motion to approve and request replacement of the Westport High School Sidewalk project with the Marion Oaks Sidewalk project in FDOT's 5 Year Work Program with scheduling and funding limits to remain as currently programmed.

Contracts & Agreements/Railroads - (6.H.2.) - Accepted recommendation of County Engineer Bouyounes to authorize the Chairman to execute three Construction Agreements with CSX Transportation, Inc. for installation of new concrete crossing surfaces at SE 62<sup>nd</sup> Street, SE 80<sup>th</sup> Street (Santos Road), and NE 97<sup>th</sup> Street (Burbank Road).

Contracts & Agreements/Road Improvements - (6.H.3.) - Accepted recommendation of County Engineer Bouyounes, Transportation Department, to execute Purchase Agreement with Munroe Regional Health System, Inc. in the amount of \$9,800 for Parcel No. 37550-000-00 to acquire necessary right of way for the CR 464 Road Improvement Project, Phase I.

Airports/Contracts & Agreement/Drainage - (6.H.4.) - Accepted recommendation of County Engineer Bouyounes to approve and authorize execution of the Agreement to Use County Owned Water Retention Area with Larry Morrow at the Dunnellon Airport.

Commissioners/Districts/Suits Affecting County - (7.A.) - County Attorney Thomas L. Wright presented a request to hold a closed meeting pursuant to F. S. 286.011(8). It was noted the purpose of the meeting was to discuss settlement negotiations and/or litigation strategy in the case of John Quinones versus Marion County.

It was the general consensus of the board to schedule a closed meeting on Tuesday, March 20, 2007 at 8:00 a.m.

Districts/Licenses & Permits/Utilities - (7.B.) - County Attorney Wright presented the following memorandum in regard to the Consumptive Use Permit (CUP) No. 97106, Black Sink Property:

Description/Background: As background, on January 9, 2007, Administrative Law Judge J. Lawrence Johnston issued a 38 page recommended order to the St. Johns River Water Management District (SJRWMD) recommending issuance of the CUP. The District is currently rescheduled to consider "legal exceptions" (attached) to the recommended order on March 13, 2007 and adopt a final order. Appeal of the Final Order is to the Fifth District Court of Appeals within 30 days of the date of the Order. Budget Impact: None.

Recommended Action: The Board is requested to provide direction concerning appeal of this Final Order.

A motion was made by Commissioner Payton, seconded by Commissioner Kesselring, to authorize Legal staff to file an appeal of the Consumptive Use Permit (CUP) issued by the SJRWMD. The motion was unanimously approved by the Board.

Budgets/Contracts & Agreements - (8.A.) - County Administrator Howard presented the following recommendation from Deputy County Administrator Gisela Salas in relation to negotiating a citizen telephone survey with the University of Central Florida (UCF):

Description/Background: At the direction of the Board of County Commissioners, County Administration researched a phone survey to obtain citizen opinions. Staff is recommending that the county utilize the services of the University of Central Florida who have experience in performing statistically valid and relevant surveys for local governments in Central Florida.

Budget Impact: \$6,000 to \$18,000 based on the number of questions desired by the Board during the survey. A budget amendment for \$18,000 is included in this agenda.

Recommended Action: Motion to authorize the County Administrator to negotiate an agreement with UCF for a phone survey.

Deputy County Administrator Salas introduced Dr. James Wright, University of Central Florida, noting he was a distinguished research Professor who had experience with numerous surveys.

Dr. Wright advised that he ran a research shop at the University which had performed telephone surveys, focus groups and related methodologies for City and County Government, as well as non-profit organizations for the last 3-1/2 years. He stated he had been working with Ms. Salas to develop a survey for Marion County, noting he was present today to answer any questions the Board may have in regard to the survey.

Commissioner Kesselring advised that if the Board was going to move forward with the survey it was important to receive good information from the residents of Marion County in order to help the Board develop Policy decisions.

Commissioner Payton out at 12:40 p.m.

Dr. Wright stated the research shop was primarily for educational purposes, noting it was a training opportunity to teach graduates and PhD level students how this type of work was performed. He noted he would be happy to provide the Board with a list of references of other County and City Governments he had worked with, noting the Commissioners could visit his website at [jwright@mail.ucf.edu](mailto:jwright@mail.ucf.edu) and review all of the reports. Dr. Wright advised that he would negotiate with County Administration in regard to sample

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size and questionnaire length, noting he did not have to make money on the surveys because it was an educational enterprise, therefore he did not have to worry about profit margins, etc.

Commissioner Stone questioned if Dr. Wright's organization performed work for private industries or strictly government agencies. Dr. Wright advised that the closest he came to private industry work was performed for Metro-plan Orlando which was an organization that handled transportation planning for the Tri-County Orlando region. Commissioner Stone questioned what the time line would be to perform the survey.

Commissioner Payton returned at 12:42 p.m.

Dr. Wright stated from the time the County gave its approval for the research to begin, it would take approximately 2 or 3 weeks to develop the strategy, questionnaire, Institutions Review Board approval, etc., another week to recruit and train the students, approximately 2 to 4 weeks to gather the data and another 2 weeks to analyze the data gathered and prepare the Report for a total of approximately 7 to 9 weeks.

In response to Commissioner Stone, Dr. Wright stated the information gathered was considered County property and it would be up to the County to determine what it wanted to do with the information. Commissioner Stone questioned whether the documentation was public record and if the general public could demand a copy of the full survey report, what numbers were called, etc. Dr. Wright stated that was correct. Mr. Howard noted the same was true once the Board received the information. Dr. Wright stated the one thing that would not be public record was the specific telephone numbers that were called, which was governed by the confidentiality agreement that his office had with the Institutional Review Board.

In response to Commissioner Kesselring, Dr. Wright advised that the Board would have input in regard to the questions that it wanted on the survey. Commissioner Kesselring questioned if Dr. Wright had ever performed web based surveys as opposed to telephone surveys. Dr. Wright explained he had taken part in web base surveys, but was not totally satisfied with the results, noting it could be done in a combination web base/telephone survey. He advised that he had performed a web based survey for Cape Canaveral because it was requested that all citizens be allowed an opportunity to participate in the survey and the County had posted the survey on its website.

Commissioner Fitos noted the follow-up Strategic Planning workshop was tentatively scheduled for May 9, 2007 and questioned if the results from the survey was something the Board would like to have prior to the workshop and if so the workshop would need to be postponed. Commissioner Payton agreed with Commissioner Fitos, noting he would like to have the information before scheduling the workshop.

Commissioner Kesselring requested Commissioner Fitos coordinate with Dr. Wright and Ms. Salas in order to reschedule the workshop to include the results of the survey.

A motion was made by Commissioner Kesselring, seconded by Commissioner Stone, to authorize County Administration to negotiate a citizen telephone survey with UCF and appointed Commissioner Fitos as the liaison to coordinate the scheduling of the Strategic Planning workshop.

Commissioner Kesselring questioned if there was a consensus from the Board to include a web based survey in conjunction with the telephone survey. Dr. Wright noted the Cape Canaveral web survey was similar to the phone survey and did not differ in the results. The motion was unanimously approved by the Board.

In response to Commissioner Stone, Chairman McClain stated the funding would

come from the Legislative Fund.

Comprehensive Plan/County Planning - (8.B.) - County Administrator Howard presented the following recommendation of Planning Director Dwight Ganoe in relation to acceptance of the SR 326 Corridor Study Area Master Plan and 2007 Text Amendment to the Comprehensive Plan:

Description/Background: At a public workshop last November, staff presented to the Board a draft of the SR 326 Corridor Study Area Recommended Master Plan. Based on comments made at the workshop, minor revisions have been made and staff is now recommending that the Board accept the recommended plan as revised. In addition to the recommendations included within the Master Plan, attached is a list of additional general recommendations (Attachment 1). Also, although not specifically discussed in the Master Plan, staff is recommending that the Board authorize staff to propose a Comprehensive Plan text amendment to consider raising the Level of Service (LOS) Standard for portions of the following roads located within the Study Area and lying north of SR 326: West Anthony Road; NE 58<sup>th</sup> Avenue, NE 97<sup>th</sup> Street Road and NE 90<sup>th</sup> Street Road. The existing LOS for these roadway segments is LOS "D" (LOS capacity of 13,800 AADT). All of the subject roads have a current traffic count of less than 4000 (see Attachment 2). Staff recommendation would be to consider raising the LOS on those specific portions to a LOS "C" (LOS capacity of 8600 AADT). This recommendation is being made based on consideration of various factors, including the purchase of the Avatar property by the State as well as the residential land use densities anticipated under the master plan for the areas within the vicinity of these roadways (Low Density Residential, Very Low Density Residential and Rural Lands). The proposed LOS revisions would be included with the proposed 2007 text amendment to revised various roadway LOS in the NW quadrant of the County as previously directed by the Board.

Budget Impact: None.

Recommended Action:

1. Motion to accept the staff recommended map (Map 5) as the SR 326 Corridor Study Area Master Plan and approve the staff recommendations contained within the plan along with the attached additional recommendations (Attachment 1).
2. Motion to authorize staff to propose as a 2007 Text Amendment to the Comprehensive Plan, raising the LOS for those roads as identified in Attachment 2.

A motion was made by Commissioner Kesselring, seconded by Commissioner Stone, for discussion purposes, to accept the staff recommended map (Map 5) as the SR 326 Corridor Study Area Master Plan and recommendations contained within the Plan along with the attached additional recommendations; and to authorize staff to propose raising the LOS for roads identified in Attachment 2, as a 2007 Text Amendment to the Comprehensive Plan.

Commissioner Stone addressed previous concern (at the workshop) in regard to the recommended map and questioned if the issue was resolved. Commissioner Kesselring stated the concern was in regard to the long term medium density limit and after discussion with staff it had been resolved.

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Commissioner Fitos noted there had been a divergence between staff recommendation versus what the consensus seemed to be from the community meetings and questioned what was the major impedance for the divergence. Mr. Ganoe stated there were two community consensus maps, one from the meeting and one from the survey. He advised that at the time, the community was not sure what direction the Avatar project was heading, noting there was some density changes in the area between I-75 and US Highway 441.

The motion was unanimously approved by the Board.

Advisory Committees/Districts/Grants - (10.A.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Fitos, the Board approved the request of the Rainbow Lakes Estates Municipal Service District (RLE MSD) Advisory Committee to apply for a maximum of two 100% grants per year for the Rainbow Lakes Estates Volunteer Fire Department.

Advisory Committees/Districts/Grants - (10.B.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Fitos, the Board approved the request of the Rainbow Lakes Estates Municipal Service District (RLE MSD) Advisory Committee to apply for a 5% matching grant to purchase a 4,000 gallon water tanker for the Rainbow Lakes Estates Volunteer Fire Department.

Commissioner Stone commented on the expense involved to purchase a new water tanker as opposed to a used tanker.

Advisory Committees/Districts - (10.C.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Stone, the Board approved the appointment of Inga Carbone to the Silver Springs Shores Special Tax District Advisory Council.

Advisory Committees/Districts - (10.D.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Fitos, the Board accepted the resignation of Deanna C. Collins from the Silver Springs Shores Special Tax District Advisory Council and approved execution of the letter of appreciation.

Advisory Committees/Ordinances - (10.E.) - Upon motion of Commissioner Stone, seconded by Commissioner Fitos, the Board approved execution of the letter of appreciation to Daniel Hicks, P.A., who declined to seek reappointment to the Board of Adjustment.

Advisory Committees/Ordinances - (10.F.) - Upon motion of Commissioner Stone, seconded by Commissioner Fitos, the Board approved the removal of Lorone L. Porter from the Code Enforcement Board due to nonattendance, approved execution of the letter of appreciation and advertising of the vacancy.

Advisory Committees/Ordinances - (10.G.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Stone, the Board appointed Jack J. Matlock and reappointed Brad Nimmo as members to the Marion County Housing Finance Authority, with terms commencing April 2007.

Clerk Ellspermann advised that both applicants had received the appropriate votes.

Advisory Committees/Ordinances - (10.H.) - Clerk Ellspermann announced the results of the Commissioners' ballots for the Board of Adjustment.

Upon motion of Commissioner Stone, seconded by Commissioner Kesselring, the Board appointed Jacqueline Porter and reappointed Robert L. Renner as members of the Board of Adjustment, for 3 year terms commencing April 2007.

Advisory Committees/Licenses & Permits - (10.I.) - Clerk Ellspermann announced the results of the Commissioners' ballots for the License Review Board/Construction Board of Adjustments and Appeals.

Upon motion of Commissioner Stone, seconded by Commissioner Fitos, the Board appointed Edward J. Ferrentino as an alternate member and reappointed William Lee Mann as a member of the Board of Adjustment, with terms expiring September 2010.

Advisory Committees/Districts - (10.J.) - Upon motion of Commissioner Stone, seconded by Commissioner Fitos, the Board reappointed Harry Mooney as a member of the Golden Hills Turf & Country Club MSTU Advisory Council, with a term expiring April 2010.

Animal Control/Buildings & Grounds - (11.A.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Stone, the Board established Friday, March 16, 2007 at 11:00 a.m. as the Grand Opening and Ribbon Cutting Ceremony for the completion of renovations and construction of the Animal Center lobby and kennel wings located on Baseline/SE 66<sup>th</sup> Street.

Comprehensive Plan - (11.B.) - Upon motion of Commissioner Stone, seconded by Commissioner Fitos, the Board scheduled an adoption public hearing on Thursday, April 12, 2007 at 9:00 a.m. to consider adoption of the 2004 and 2005 mediated land use amendments.

Road Improvements - (11.C.) - Upon motion of Commissioner Kesselring, seconded by Commissioner Fitos, the Board scheduled a workshop on Wednesday, April 11, 2007 at 9:00 a.m. to discuss the 5 Year Transportation Improvement Program (TIP).

Road Improvements - (Walk-on) - County Administrator Howard presented a request to the Board in regard to scheduling the public hearing to reconsider the Larry Griggs Improvement Area.

Upon motion of Commissioner Fitos, seconded by Commissioner Payton, the Board scheduled the public hearing on Wednesday, April 4, 2007 at 9:00 a.m. to reconsider the Larry Griggs Improvement Area.

(Ed. Note: This item was reconsidered later in the meeting.)

Garbage/Landfills - (12.A.) - Commissioner Stone addressed tipping fees owed by AWS Corporation, noting it had become apparent there were charges placed against the company primarily based on hauling heavy loads of residential solid waste disposed of at the landfill. He advised that at the solid waste workshop the Board acknowledged there were problems with the tipping fee system and had previously directed staff to move

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forward with trying to correct the problem, noting the Board would be adopting an Ordinance to resolve the problem. Commissioner Stone expressed concern that the hauler felt he was not liable for the tipping fees because of the way the County's credit system was calculated. He stated he knew it would cost the County money to defend its position and recommended the Board determine a way to off-set the fees without going through the litigation process.

Commissioner Payton stated he could not support the request, noting the hauler had the opportunity through due diligence to make his computations and the necessary decisions that needed to be made in a business deal. He noted it was not up to the Board to ensure good business deals. Commissioner Stone disagreed and stated he believed the problem was due to a faulty credit system and was not comfortable that the Board could win its case.

Chairman McClain stated he was in favor of settling the case, noting he had concern with asking one hauler to subsidize the County assessment and believed it was double taxing for residential garbage pickup. Commissioner Payton disagreed and stated that even though the pleas of the hauler were compelling, he did not believe that was the case. He noted when a different hauler had the same "book of business" he did not come before the Board and state he was not liable for the tipping fees. Commissioner Payton advised that the hauler had a contractual obligation to pay his debt, noting once the Board capitulated to this hauler, every hauler in the County would come forward making a claim for overages that they had been charged.

Commissioner Stone stated it was a matter of whether the County could legally defend the credit system that was in effect. Commissioner Fitos noted both arguments were compelling, but it was a consistency issue. She urged the Board to obtain assurances from staff that it was specific to this one hauler and directed Mr. Whitehead and Dr. Thacker to work with the County Attorney and review all of the elements of what had been raised by the hauler as to whether or not the credit system was applicable under the terms of the contract with the County. Commissioner Fitos recommended staff come to an agreement and present a recommendation to the Board to settle the issue at the next Board meeting.

Commissioner Stone stated he understood Commissioner Payton's point of view, but noted if the County lost in litigation the rest of the haulers would come before the Board stating they too had been overcharged.

A motion was made by Commissioner Fitos, seconded by Commissioner Kesselring, to direct staff to review the elements of the case and present its recommendation to the Board prior to the next regular meeting. The motion was approved by the Board by a vote of 4-1, with Commissioner Stone voting nay.

Chairman McClain suggested Mr. Whitehead meet with Mr. Lourenco to determine if they could come to an equitable solution.

Projects & Programs/Refunds - (12.B.) - Commissioner Kesselring presented a 13 page document entitled, "Industrial/Manufacturing Tax Abatement". He stated if industrial and manufacturing facilities were desirable for the community at large, how would the Board promote those uses that apply fairly and consistently to as many individuals as possible. Commissioner Kesselring noted included in the packet were the definitions for industrial manufacturing (as defined in the Code). He advised that in land use studies it was determined that industrial manufacturing properties were net contributors to the tax base

and for every dollar spent in property taxes they only demanded .37 cents in services. Commissioner Kesselring stated in effect they subsidized other land uses. He advised that the changes would have a minimal impact on the Countywide budget, noting in 2006 the total property tax from industrial was \$2.8 million dollars or 3.9% of the property tax value. Commissioner Kesselring proposed the County develop a program that would apply to any new or existing facility with a minimum number of employees (e.g.10) that made at least 115% of the average median wage. He stated the firm would have to make an annual application and certification to verify that it met the minimum requirements to receive a 50% reduction in County property taxes, if located in the unincorporated areas of Marion County or a 100% reduction in County property taxes if located inside a municipality. Commissioner Kesselring noted this was basically a tax cut proposal that would promote Industrial and Manufacturing, would apply to new, existing, large, small (across the board) and would help with growth management issues.

It was the general consensus of the Board to recess the Board meeting until after the 2:00 p.m. workshop to continue the Industrial and Manufacturing Tax Abatements discussion.

Road Improvements - (Walk-on) County Administrator Howard advised of a scheduling conflict of the public hearing to reconsider the Larry Griggs Improvement Area heard earlier in the meeting.

Upon motion of Commissioner Payton, seconded by Commissioner Stone, the Board agreed to reconsider earlier action to schedule a public hearing on Wednesday, April 4, 2007 at 9:00 a.m. regarding the Larry Griggs Improvement Area.

Upon motion of Commissioner Kesselring, seconded by Commissioner Fitos, the Board rescheduled the public hearing on Wednesday, April 4, 2007 at 8:30 a.m. to reconsider the Larry Griggs Improvement Area.

Communications - (13.) - For information and record, the Chairman acknowledged receipt of the following Notation for Record correspondence, items A and B from County Administrator Howard, and items C through F from Clerk Ellspermann:

County Administrator:

- A. Informational Items:
  - 1. Old Business.
  - 2. Solid Waste Department Operations Report and Litter Control Report for January 2007.
- B. Commissioner Calendar.
- C. Present Notice of Public Hearings – The Florida Department of Environmental Protection Office of Greenways and Trails – For the Marjorie Harris Carr Cross Florida Greenway.
- D. Present Marion County Public Schools Educational Television Advisory Committee Minutes of February 21, 2007 and Notice of Advisory Committee Meeting for May 16, 2007 at 3:30 p.m.

Clerk of Court:

- E. Report of activity in the Drug Abuse Trust Fund for period ending January 2007.
- F. Florida Department of Health, Volunteer Health Services Program 2005-2006 Annual Report.

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- G. Financial Report for Pine Run, LLC for the period 1/1/06-12/31-06.
- H. 2006 Annual Financial Report in accordance to Ordinance 00-20 received from LPA, Inc. (Palm Cay Subdivision).
- I. Regular Report of Utilization of Reserve for Contingencies received from Budget Director Tomich.
- J. For information and record, minutes and notices received from the following committees and agencies:
  - 1. Code Enforcement Board - February 7, 2007.
  - 2. License Review Board - January 9, 2007.
  - 3. Marion County Hospital District Board of Trustees - December 11, 2006.
  - 4. Parks and Recreation Advisory Council - January 17, 2007.
  - 5. PSC - Amendatory Order re: Ocala Springs Utilities Inc.; Notice of Commission Service Hearing and Pre-hearing re: Progress Energy Florida, Inc. and revised Notice of Commission Service Hearing and Pre-hearing re: Progress Energy Florida, Inc.
  - 6. Silver Springs Shores Special Tax District Advisory Council - January 4 and 11, 2007.
  - 7. Southwest Florida Water Management District - February 27, 2007 Agenda; and November 30, 2006 Approved Minutes. (visit the website at [www.WaterMatters.org](http://www.WaterMatters.org)).
  - 8. TPO - February 27, 2007 Agenda.

There being no further business to come before the Board, the meeting thereupon recessed at 1:33 p.m. to March 6, 2007 at 3:30 p.m.

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Stan McClain, Chairman

Attest:

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David R. Ellspermann, Clerk

Adopted by the Board of County Commissioners on Tuesday, May 1, 2007.