

Tuesday, October 1, 2019 - 1:30 P.M.
Grace Knight Conference Room
County Administration Building
12 Southeast First Street
Gainesville, Florida

The Alachua County Board of County Commissioners met for the Special Meeting.

PRESENT: Chair Charles "Chuck" Chestnut, Vice Chair Robert "Hutch" Hutchinson,
Commissioners Ken Cornell, Mike Byerly and Marihelen Wheeler

ALSO PRESENT: County Manager Michele Lieberman, County Attorney Sylvia Torres,
Deputy Clerk Steve Donahey

CALL TO ORDER at 1:30 P.M.

ADOPTION OF THE AGENDA

Commissioner Hutchinson moved adoption of the agenda.

Chair Chestnut recognized Jim Konish and Deputy County Manager Harriot who presented comments.

The motion carried 5-0.

1. Open Space Unified Land Development Code Board Workshop [19-0418](#)
Fiscal Consideration: NA
Recommended Action: Hear the presentation and offer direction on the policy components of the ULDC Open Space revisions.

Transportation Planning Manager Jeff Hays and Environmental Programs Supervisor Stephen Hofstetter presented the above item.

Commissioner Byerly, Commissioner Cornell, Commissioner Wheeler, Ronald Hall, Sergio Reyes, Stephanie Sutton, and Commissioner Cornell presented comments.

Closing Comments

3. Public Comment [19-0477](#)
Fiscal Consideration: N/A
Recommended Action: Hear public comment.

There was no one present who wished to address the Board.

4. Commission Comments **19-0415**

Fiscal Consideration: N/A

Recommended Action: Present comments and hear reports.

Gainesville City Commission Meeting

County Manager Lieberman advised that based on what the City of Gainesville did at their meeting regarding GRACE Marketplace funding County staff will not be bring a budget amendment forward. The Board has \$500,000.00 budgeted for GRACE Marketplace. The funding for the closing of Dignity Village has been set aside but no payments will be made till the Interlocal Agreement is in place detailing the plan and expenses.

Charter Review Commission (CRC)

County Manager Lieberman advised the Board that the Chair of the Charter Review Commission has requested a full time staff position to meet their request. There may be an opportunity to use a vacant FTE to fulfill this request. She

Commissioner Cornell moved to request the Charter Review Committee (CRC) make request by motion of their committee and then the Board will consider the matter.

Commissioner Byerly, Commissioner Hutchinson, County Manager Lieberman, Assistant County Manager Crosby, and Commissioner Cornell presented comments.

The motion carried 5-0.

Commissioner Wheeler stated that she received an email from one of the applicants for the CRC that they had not been informed of the Board's selection of members. Mrs. Wheeler feels the County needs to make an effort to inform each applicant if they were appointed or not.

Commissioner Hutchison moved that all applicants for advisory boards who are not selected be sent an email or a letter from the Chair thanking them for applying and encouraging them to stay involved. The motion carried 5-0.

Board Meetings

County Manager Lieberman advised that it is becoming difficult to schedule items for meetings due to the volume of projects that staff is working on by Board direction. She stated that meetings are booked till January at the moment. She advised that more special meetings could be scheduled or we could increase the meeting length of the Regular Meetings to address more items.

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Commissioner Cornell stated that his preference would be to increase the time of the Regular Meetings.

Commissioner Hutchinson encouraged each Commissioner to meet with staff regarding items on the agenda prior to the meeting to reduce the time spent at the meeting learning about the subject. He feels the Commission should come to the meeting prepared having already discussed areas of concern with staff.

County Manager Lieberman advised that staff will try to request to come back at a future meeting with an updated presentation if the discussion at the meeting starts to head in a different direction.

Deputy County Manager Harriot staff scheduled a September 29, 2019 meeting to discuss the surtax and climate change discussion. The surtax had a 60 day time limit and the climate change discussion was supposed to be heard in August per Board direction. Because of the scheduling issues that time frame was not met and staff has scheduled the 5th Tuesday meeting in an effort to get the items before the Board.

By consensus, the Board directed that both the topics scheduled for September 29, 2019 Regular Meeting.

Commissioner Hutchinson stated that when staff provides a decision tree with an item it is very helpful in keeping the Board focused.

Commissioner Cornell, Environmental Programs Manager Stephen Hofstetter, and Commissioner Cornell presented comments.

Risk Management of Trees

Commissioner Hutchinson stated that the County needs someone traveling the roads and checking trees for dead and dangerous trees that are posing extreme hazards of falling in the road.

Deputy County Manager Harriot stated that he knows some trees have been proactively removed for safety concerns. He is not sure about the process by which that took place.

County Manager Lieberman stated that she would like to present to the Board the actions the County does take by email and further discussion can be scheduled on the matter if needed.

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Haile Plantation Bike Path

Commissioner Hutchinson inquired if tree root maintenance is being performed on the Haile Plantation bike trail per Board direction. It is vital that the tree root maintenance is performed so that the trail is not damaged.

County Manager Lieberman stated that she look into the matter.

Barr Hammock

Commissioner Byerly stated that he received by email the response to Mr. Pastore regarding Barr Hammock. He stated that he felt the response from staff is appropriate but noticed Mr. Pastore was not copied on the email and wanted to make sure that he receives the response.

Phosphate Mine

Commissioner Hutchinson stated that he attended the most recent meeting and that it was more of a sharing of information by the parties involved more than a meeting to give direction.

County Attorney Torres stated that the experts hired by the County are scheduled for December 10, 2019 regarding the tentative application that was filed with the Florida Department of Environmental Protection. In the meantime appointments are being made with the various involved agencies and work is moving forward.

Weyerhaeuser Lawsuit

Commissioner Wheeler discussed the lawsuit filed by Weyerhaeuser against the City of Gainesville. She hoped staff is monitoring this matter as it will affect the County.

County Manager Lieberman stated that the lawsuit is alleging the City has failed to respond to the application in a timely manner. The City response is that they have had staff turnover and requested additional information.

Nestle Water Bottling

Commissioner Wheeler inquired if the County is an affected party in Nestle Water Bottling Application based on the County's Poe Springs Park.

County Attorney Torres advised that staff has looked into the matter and any claim of affected party status would be unlikely.

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Animal Services

Commissioner Cornell stated that he has received a number of calls from animal services volunteers and the quarantine situation.

County Manager Lieberman advised that because of the quarantine situation under the recommendation of the Veterinary staff the Fairgrounds has been used as a make shift facility while the Animal Services facility received a thorough cleaning. Operating the two facilities has strained staff and volunteers.

Commissioner Wheeler stated that she read the evaluation and it was very helpful in understanding the situation.

Newnans Lake

Commissioner Hutchinson stated that on October 10, 2019 the Legislative Delegation is visiting the Newnans Lake proposed water cleanup site. There may be the need for an additional boat and he inquired if Commissioner Cornell would be willing to make his boat available.

Commissioner Cornell advised that if staff needs the boat they can contact him and he can make it available for use.

ULDC Code on Open Space

By consensus, the Board agreed to advertise the item for Public Hearing.

The meeting recessed at 3:30 P.M.

The meeting reconvened at 4:00 P.M.

2. 4:00 PM - Recess the Special Meeting in order to hold a closed-to-the-public attorney-client litigation session. [19-0476](#)

Fiscal Consideration: N/A

Recommended Action: Commence the meeting immediately.

Chair Chestnut announced that a Shade Meeting will be held in accordance with Section 286.011(8) of the Florida Statutes, concerning litigation in the case styled Alachua County v. Sadie Darnell, in her official capacity as Sheriff of Alachua County, Florida, Florida 1st District of Appeal case #1D18-3367.

County Attorney Torres advised that the Chair will recess the Special Meeting, and the participants will move to the County Attorney's Conference Room to commence the session. At the conclusion of the session, the participants will return to the Grace Knight Conference Room. The Chair will reopen the Meeting and announce the

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termination of the session. If the Special Meeting needs to continue, the Chair will announce the resumption of the Special Meeting.

Commissioner Hutchinson moved to recess the meeting 4:03 PM. The motion carried 5-0.

Chair Chestnut announced the following participants will now move to the Attorney's Conference Room for the Shade Meeting:

Commissioner Charles S. Chestnut IV, Chair
Commissioner Robert Hutchinson, Vice Chair
Commissioner Mike Byerly
Commissioner Ken Cornell
Commissioner Marihelen Wheeler
County Manager Michele Lieberman
County Attorney Sylvia Torres
Senior Assistant County Attorney Bob Swain
A Certified Court Reporter

Commissioner Wheeler moved to adjourn the Shade Meeting at 4:35 P.M. The motion carried 5-0.

Sheriff Budget

The Board discussed the budget process for the Sheriff's Office moving forward and the following persons presented comments.

Commissioner Hutchinson, Commissioner Cornell, Commissioner Byerly, Commissioner Wheeler, Commissioner Cornell, Commissioner Hutchinson, Commissioner Byerly, County Attorney Torres, Commissioner Cornell, Commissioner Hutchinson, and Commissioner Byerly presented comments.

There being no further business before the Board the meeting was adjourned at 4:55 P.M.