

Tuesday, March 14, 2017 – 5:00 P.M.  
John R. "Jack" Durrance Auditorium  
County Administration Building  
12 Southeast First Street  
Gainesville, Florida

The Alachua County Board of County Commissioners met for a Public Hearing.

**PRESENT:** Chair Ken Cornell, Vice-Chair Lee Pinkoson, Commissioners Mike Byerly, Charles S. "Chuck" Chestnut, IV, and Robert "Hutch" Hutchinson

**ALSO PRESENT:** County Manager Dr. Lee Niblock, County Attorney Michele Lieberman, Assistant County Manager Gina Peebles, Deputy Clerk Bob Decker

The meeting was televised on Cox Cable Channel 12.

Chair Cornell opened the meeting at 5:00 P.M.

### **Approval of the Public Hearing Agenda**

1. Approve the agenda

**Fiscal Consideration:** N/A

**Recommended Action:** A Motion to Approve the Agenda: (a) approve any amendments to the Regular and Consent Agenda; (b) adopt the Regular Agenda; and (c) approve all items on the Consent Agenda.

**Commissioner Pinkoson moved** approval of the agenda. The motion carried 4-0 with Commissioner Byerly out of the room.

Commissioner Byerly entered the room at 5:01 P.M.

Without objection, Commissioner Pinkoson withdrew his motion from the previous meeting to transmit a letter to the legislative delegation supporting House Bill 335.

### **Proclamations**

2. Approval of a Proclamation Declaring March 2017 as "Social Work Month" in Alachua County, FL

**Fiscal Consideration:** N/A

**Recommended Action:** Proclaim March 2017 as "Social Work Month" in Alachua County, FL

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Chair Cornell read and presented the Proclamation to Heather Parks, MSW, who accepted it with gratitude.

Chair Cornell recognized Heather Parks who presented comments to the Board.

### **Public Comments (immediately following Public Hearing(s) or at 5:01)**

3. Public Comments

**Fiscal Consideration:** N/A

**Recommended Action:** Hear Public Comments

There were no citizens present who wished to provide comments to the Board.

### **Quasi-Judicial/Zoning Items**

Assistant County Attorney Sylvia Torres stated that while the Board welcomes comments from all persons with an interest in this proceeding, Florida law requires that the County Commission's decision in a quasi-judicial action be supported by competent substantial evidence presented to the Commission during the hearing on the application. Competent substantial evidence is such evidence, as a reasonable mind would accept as adequate to support a conclusion. There must be a factual basis in the record to support opinion testimony from both expert and non-expert witnesses. Persons presenting testimony may rely on factual information that they present, that is presented by County staff, that the applicant presented, or on factual information included in the County staff report to support their testimony.

Ms. Torres further stated that all persons wishing to participate and speak on an issue at the public hearing would be sworn in prior to speaking during this proceeding. All persons will have the right, through the Chair, to ask questions, seek clarification of comments made and to respond to the comments or presentations of staff or other speakers; or to refute or respond to any ex-parte communication. All persons who present written materials to Commissioners for consideration must ensure that a copy of such materials is provided to the Clerk for inclusion in the Board's record of proceedings and official minutes.

Deputy Clerk Bob Decker asked if any Commissioner had received oral or written communication regarding the items. Mr. Decker requested that Commissioners disclose the substance of the communication and identify the person(s) making the communications(s).

There was no ex-parte communication disclosed.

Deputy Clerk Bob Decker SWORE each person present who wished to provide evidence regarding item 4.

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4. Preliminary development plan Ramirez single family home impact to wetland buffer

**Fiscal Consideration:** Estimated maximum fee in lieu mitigation is \$2,690. Fund number will be 261.55.5521.381

**Recommended Action:** Staff recommends approval of the Preliminary Development Plan and Wetland Mitigation Plan

Planner Leslie McClendon presented the above item.

Chair Cornell recognized Planner Michael Drummond and Mr. Michael Ramirez who presented comments to the Board.

**Commissioner Pinkoson moved** approval of the Preliminary Development Plan and Wetland Mitigation Plan with a \$50 fee in lieu mitigation.

Chair Cornell recognized Planner Michael Drummond who presented comments to the Board.

**Commissioner Byerly moved the substitute motion** to approve the Preliminary Development Plan and Wetland Mitigation Plan.

Chair Cornell opened the Public Hearing at 5:27 P.M.

There were no citizens present who wished to speak on behalf of or in opposition to the above item.

Chair Cornell closed the Public Hearing at 5:27 P.M.

**The substitute motion carried 4-1** with Commissioner Pinkoson voting nay.

**Commissioner Hutchinson moved** to direct staff to schedule a workshop to discuss mitigation fees.

Chair Cornell recognized Growth Management Director Steve Lachnicht who presented comments to the Board.

**Commissioner Hutchinson withdrew his motion.**

Chair Cornell recognized Planner Michael Drummond who presented comments to the Board.

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## **CLOSING COMMENTS**

5. Closing comments from the public

**Fiscal Consideration:** N/A

**Recommended Action:** Hear closing comments from the public.

Deputy County Manager Jim Harriott stated that the scheduled Policy Discussion for March 21, 2017 at 10:00 A.M. has no items scheduled for discussion.

**Commissioner Byerly moved** to reschedule the March 23 meeting.

**Commissioner Byerly moved the substitute motion** to cancel the March 21, 2017 Policy Discussion meeting. The motion carried 5-0.

## **Adjourn**

There being no further business the meeting was adjourned at 5:35 P.M.

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Jesse K. Irby, II, Clerk to the Board  
of County Commissioners