

Tuesday, April 25, 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, presiding, Vice-Chair Lee Pinkoson, Commissioners Charles S. "Chuck" Chestnut, IV and Robert "Hutch" Hutchinson

**ABSENT:** Commissioner Mike Byerly due to illness

**ALSO PRESENT:** Deputy County Manager James Harriott, County Attorney Michele Lieberman, Assistant County Manager Tommy Crosby, Assistant County Manager Carl Smart, and 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 Public Hearing Agenda**

1. Approve the Agenda

**Fiscal Consideration:** N/A

**Recommended Action:** A Motion to Approve the Agenda: (a) approves any amendments to the Public Hearing Agenda; and (b) adopts the Public Hearing Agenda.

Chair Cornell requested that the agenda be modified to hear items 6 through 9 first in order to accommodate the families present.

**Commissioner Hutchinson moved** adoption of the agenda, moving items 6 through 9 to the beginning of the agenda. **The motion carried 3-0** with Commissioner Pinkoson out of the room.

### **Proclamations and Presentations**

6. 2017 "Saving My Alachua" Environmental Art Contest Winners Recognition

**Fiscal Consideration:** N/A

**Recommended Action:** Recognize the winners of the 2017 "Saving My Alachua" Environmental Art Contest and Calendar.

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Chair Cornell and Environmental Protection Director Chris Bird presented the above item.

Commissioner Pinkoson entered the room at 5:11 P.M.

7. Approval of a Proclamation Declaring April 25th, 2017 as "UF Health Pediatric Heart Transplant Program Day" in Alachua County, FL  
**Fiscal Consideration:** N/A  
**Recommended Action:** Proclaim April 25th, 2017 as "UF Health Pediatric Heart Transplant Program Day" in Alachua County, FL.

Chair Cornell read and presented the Proclamation to Dr. Mark Bleiweis who accepted it with gratitude.

Chair Cornell recognized Dr. Mark Bleiweis who presented comments to the Board.

8. Approval of a Proclamation Declaring May 1st through May 7th, 2017 as "Corrections/Detention Employees Appreciation Week" in Alachua County, FL  
**Fiscal Consideration:** N/A  
**Recommended Action:** Proclaim May 1st through May 7th, 2017 as "Corrections/Detention Employees Appreciation Week" in Alachua County, FL.

Commissioner Chestnut read and presented the Proclamation to Sheriff Sadie Darnell, Major Jeffrey Cloutier, Assistant Court Services Director Joe Lipsey, and Court Services Director Peria Duncan.

Chair Cornell recognized Sheriff Sadie Darnell who presented comments to the Board.

9. Approval of a proclamation declaring April 2017 as "Sexual Assault Awareness Month" in Alachua County, FL  
**Fiscal Consideration:** N/A  
**Recommended Action:** Proclaim April 2017 as "Sexual Assault Awareness Month" in Alachua County, FL.

Commissioner Hutchinson read and presented the Proclamation to Sheriff Sadie Darnell, Victim Services and Rape Crisis Center Director Laura Kalt, and Community Support Services Director Claudia Tuck, who accepted it with gratitude.

Chair Cornell recognized Victim Services and Rape Crisis Center Director Laura Kalt who presented comments to the Board.

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**PUBLIC COMMENTS (the earlier of 5:30PM or at the conclusion of the agenda)**

5. Public Comments

**Fiscal Consideration:** N/A

**Recommended Action:** Hear Public Comments.

Chair Cornell recognized Jim Konish, Alan Gee, Sean Sanford, Gerald Mobley, Jimmy Smith, and Sheriff Sadie Darnell, who presented comments to the Board.

Chair Cornell requested to know whether the County had received notice of any groups requesting the use of County facilities for Confederate Memorial Day.

Chair Cornell recognized County Attorney Michele Lieberman who stated that no permits had been applied for but that individuals might apply with the City of Gainesville.

Chair Cornell stated that a discussion on the Confederate statue would be held in May.

Chair Cornell requested to know if there was any action the Board could take with regards to Mr. Mobley's foreclosure.

Chair Cornell recognized County Attorney Michele Lieberman who stated that it was a matter for the Courts and that she cannot provide legal advice to private citizens as she represents the Board of County Commissioners.

Commissioner Hutchinson requested to know which appellate Court a Circuit Court decision would be reviewed by and whether there were filing deadlines.

Chair Cornell recognized County Attorney Michele Lieberman who stated the review would go to the First District Court of Appeal and that there are filing deadlines.

Commissioner Hutchinson requested to know what the County's response to replica or functioning firearms during protests or demonstrations on County property would be.

Chair Cornell recognized County Attorney Michele Lieberman who stated that she had requested that staff inform Gainesville Police and the Alachua County Sheriff's Office. She further stated that demonstrators have been told to stay on the sidewalk and not block access to the County Administration Building during business hours.

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## Public Hearings

2. Public Hearing to Amend the Fiscal Year 2017 Budget for Midyear Adjustments  
**Fiscal Consideration:** Adopt the resolutions and approve budget amendments. Budgeted fund balance, revenues and expenditures will be adjusted for all budget changes.  
**Recommended Action:** Authorize the advertisement of a Public Hearing to be held April 25, 2017 to amend the FY17 budget. Appropriations and related sources will be amended for the requested budget changes.

Assistant County Manager Tommy Crosby presented the above item.

42. **Commissioner Pinkoson moved** adoption of Resolutions 17-38 through 17-

Chair Cornell opened the Public Hearing at 5:58 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 5:58 P.M.

**The motion carried 4-0.**

**Commissioner Chestnut moved** approval of the budget amendments attached to Resolutions 17-38 through 17-42. **The motion carried 4-0.**

3. Consider Approval of an Ordinance Amending Open Container Restrictions  
**Fiscal Consideration:** N/A  
**Recommended Action:** Consider and adopt an ordinance amending Chapter 63, section 63.01 of the Alachua County Code of Ordinances.

**Commissioner Hutchinson moved** adoption of Ordinance 17-01 amending Chapter 63, section 63.01 of the Alachua County Code of Ordinances.

Chair Cornell opened the Public Hearing at 5:59 P.M.

Chair Cornell recognized Jonathan Paul who presented comments to the Board.

Chair Cornell closed the Public Hearing at 6:00 P.M.

**The motion carried 4-0.**

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4. Public Hearing to consider an ordinance repealing Section 30.01 of the County Code

**Fiscal Consideration:** N/A

**Recommended Action:** Approve the ordinance repealing Section 30.01 of the County Code.

**Commissioner Chestnut moved** adoption of Ordinance 17-02 repealing Section 30.01 of the County Code.

Chair Cornell opened the Public Hearing at 6:00 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 6:00 P.M.

**The motion carried 4-0.**

#### **CLOSING COMMENTS**

10. Closing Comments from the Public

**Fiscal Consideration:** N/A

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

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

11. Commissioner Comments

**Commissioner Hutchinson moved** to ratify Resolution 17-46. **The motion carried 4-0.**

Commissioner Pinkoson requested to know where the documents handed out by Mr. Mobley should go.

Chair Cornell recognized County Attorney Michele Lieberman who stated the documents are a public record.

Commissioners Hutchinson and Pinkoson gave the Deputy Clerk their copies.

Chair Cornell reminded Commissioners that there would be a General Policy Discussion May 2, 2017. He further stated that he will present comments at the Gainesville City Commission meeting on May 4, 2017 regarding citizen comments on the Gainesville Renewable Energy Center purchase.

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Commissioner Hutchinson requested to know if the Board would wish to present comments to the State Constitutional Revision Commission.

Chair Cornell recognized County Attorney Michele Lieberman who stated that the State Constitutional Revision Commission would meet in Gainesville at 5 P.M. on April 26, 2017 at the Philips Center, 3201 Hull Road.

Commissioner Hutchinson stated that the Board should consider drafting a letter to the Constitutional Revision Commission. He further stated that his topics for review would be restoration of voting rights for convicted felons and to restrict the use of State trust funds for other items.

Chair Cornell requested that staff schedule an agenda item to discuss Constitutional Amendments at the May 16, 2017 General Policy Discussion.

Commissioner Hutchinson requested that the Board consider scheduling an item at a future public hearing to allow the citizens to recommend Constitutional amendments.

Chair Cornell recognized County Attorney Michele Lieberman who stated that the Board cannot advocate on ballot referenda but can make County Policy.

Chair Cornell stated that restoration of rights and home rule authority are his top items for consideration.

Without objection, the Board directed staff to schedule an agenda item to discuss Constitutional Amendments at the May 16, 2017 General Policy Discussion.

## **Adjourn**

There being no further business before the Board the meeting was adjourned at 6:04 P.M.

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