

John R. "Jack" Durrance Auditorium
County Administration Building
12 Southeast First Street
Gainesville, Florida



Board of County Commission Minutes

Tuesday, October 23, 2018

5:00 P.M.

Board of County Commissioners

District 1 Commissioner Mike Byerly

District 2 Chair Lee Pinkoson

District 3 Robert "Hutch" Hutchinson

District 4 Commissioner Ken Cornell

District 5 Vice-Chair Charles
"Chuck" Chestnut

County Manager

Michele Lieberman

County Attorney

Sylvia Torres

Approval of 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 Public Hearing Agenda; and (b) adopt the Public Hearing Agenda.

Chair Pinkoson stated that there is a modification to the agenda regarding a Proclamation for "Hunger Awareness Month" to be added to the Agenda as Item 4a.

County Manager Lieberman stated that Item 22, Purchase and Installation of Hurricane Shutters for the Community Support Services/Health Department Building BID 18-824, from the 9am meeting would be added to the Consent Agenda.

Items Added to Consent Agenda

22. Purchase and Installation of Hurricane Shutters for the Community Support Services /Health Department Building BID 18-824: Award/Approve Contract

Fiscal Consideration: \$87,626 Bid amount - Grant Funded.

Recommended Action: Approve the agreement.

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

Proclamations and Presentations

2. Recognition of the Alachua County 4H Forest Ecology Team

Fiscal Consideration: N/A

Recommended Action: Recognize the Alachua County 4H Forest Ecology Team.

Emily Eubanks presented the above item.

3. Approval of a Proclamation Declaring October 2018 as "White Cane Safety Awareness Month" in Alachua County, FL

Fiscal Consideration: N/A

Recommended Action: Proclaim October 2018 as "White Cane Awareness Month" in Alachua County, FL.

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Chair Pinkoson read and presented the Proclamation Declaring October 2018 as "White Cane Safety Awareness Month" in Alachua County, FL to Spencer Morton who accepted it with gratitude.

Commissioner Byerly entered the room at 5:05 PM

4. Approval of a Proclamation Declaring November 2018 as "Hospice and Palliative Care Month" in Alachua County, FL
Fiscal Consideration: N/A
Recommended Action: Proclaim November 2018 as "Hospice and Palliative Care Month" in Alachua County, FL.

Commissioner Cornell read and presented the Proclamation Declaring November 2018 as "Hospice and Palliative Care Month" in Alachua County, FL to Christina Coffield who accepted it with gratitude.

- 4a. Approval of a Proclamation Declaring November 2018 as "Hunger Awareness Month" in Alachua County, FL.
Fiscal Consideration: N/A
Recommended Action: Proclaim November 2018 as "Hunger Awareness Month" in Alachua County, FL.

Vice-Chair Chestnut read and presented the Proclamation Declaring November 2018 as "Hunger Awareness Month" in Alachua County, FL to Dianne McGraw who accepted it with gratitude.

5. Presentation by City of Newberry Mayor, Jordan Marlowe, Regarding the Opioid Epidemic
Fiscal Consideration: N/A
Recommended Action: Hear presentation.

City of Newberry Mayor Jordan Marlowe presented the above item.

Commissioner Hutchinson, Commissioner Cornell, Commissioner Byerly and Commissioner Cornell presented comments.

Public Comments (The earlier of 5:30PM or at the conclusion of the agenda)

6. Public comments
Fiscal Consideration: N/A
Recommended Action: Hear Public Comments.

Beverly Craig, Craig Carter, Art Stockwell and Chris Rose presented comments.

Regular Items

7. Request Approval of Purchase and Sale Agreement for Canterbury Equestrian Facility

Fiscal Consideration: Provide direction to staff on which funding source will be utilized to purchase the property (i.e. Tourist Development Tax, Wild Spaces Public Places, or General Fund)

Recommended Action: Request Approval of Purchase and Sale Agreement for Canterbury Equestrian Facility and authorize the Chair and Clerk to sign. Provide direction to staff on which funding source will be utilized to purchase the property (i.e. Tourist Development Tax, Wild Spaces Public Places, or General Fund).

County Manager Lieberman presented the above item.

Commissioner Hutchinson, County Manager Lieberman, Commissioner Byerly, County Manager Lieberman, Deputy County Manager Harriot, Chair Pinkoson, Commissioner Byerly, Commissioner Cornell, Assistant County Attorney Dave Forziano, County Manager Lieberman, Commissioner Cornell, Assistant County Manager Crosby, Commissioner Cornell, Assistant County Manager Lieberman, Chair Pinkoson and Commissioner Byerly presented comments.

Commissioner Cornell moved to defer item 7 for another discussion and to direct Staff to contact and work with UF/IFAS, the City of Newberry, and the County's local legislative delegation to bring back options to the Board to consider during the first meeting in December, 2018. In addition Staff will present the options along with the City of Newberry's offer and conditions to the Tourist Development Board during the month of November. Further, to direct Staff to agenda this item for the County Commission Meeting for the Board to come back with things they would like to include in a counter offer at the November 13th, 2018 Regular meeting.

County Manager Lieberman, Commissioner Byerly, Commissioner Hutchinson, Vice-Chair Chestnut, City of Newberry Mayor Marlowe, Vice-Chair Chestnut, Chair Pinkoson, City of Newberry Mayor Marlowe, City of Newberry Manager Mike New, Commissioner Byerly, County Manager Lieberman, City of Newberry Manager Mike New, Commissioner Byerly City of Newberry Manager Mike New, Commissioner Cornell, Chair Pinkoson, Vice-Chair Chestnut, County Manager Lieberman, Commissioner Hutchinson and County Manager Lieberman presented comments.

Commissioner Hutchinson moved a substitute motion to approve the Purchase and Sale Agreement for Canterbury Equestrian Facility contingent on the final details of the revised offer from the City of Newberry that is acceptable to the County Manager and County Attorney in terms of form and availability of funds with the

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following modifications and to bring the revised Partnership Agreement back to the Board at the November 6, 2018 Special Meeting at 5:00 PM:

Offer:

- 1) \$1 million towards acquisition of Canterbury Equestrian Center (~~this value may decrease if City develops Easton Newberry Sports Complex to host Alachua County Fair~~).
- 2) 5 acres of property adjoining Canterbury Equestrian Center to be ~~used~~ available for development of the Alachua's County Agricultural Extension offices. Newberry will retain ownership of the property and lease it to the County long-term at a nominal rate (\$1 per year). Property is valued at \$300,000 (\$60,000 per acre) plus cost for land transaction (survey, title search, develop legal instrument, etc.).
- 3) Funding for connection of Canterbury Equestrian Center to the City of Newberry's central water and wastewater system. Funding shall include capacity charges, meters, costs to extend the City's infrastructure to the property, and costs to connect the existing onsite water and wastewater infrastructure. The County recognizes that some infrastructure (i.e. backflow preventer and onsite piping) will be conveyed to County for ownership/maintenance. (Estimated value is \$138,000).
- 4) Waive building permit fees. Permit Alachua County Building Staff to permit and inspect facilities. (Estimated value is \$60,000).

Conditions:

- 1) Newberry recognizes County owns and operates the County Fairgrounds facility.
- 2) Inclusion of Alachua County Cooperative Extension office in the project.

Refer condition number 3 to Tourist Development Council and the County Attorney for recommendations for specific language:

- 3) County may not change the primary use of the site without express approval from the City of Newberry
- 4) In a partnership agreement to detail the priorities of usage by the County, UF/IFAS, the City of Newberry, and other parties.

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- ~~5) Newberry reserves use of the County Fairgrounds facility, at no cost to the City, four (4) times annually totally not more than 10 days annually. City's position for priority shall be third behind UF/IFAS and Alachua County. For additional uses during the year, City may reserve use of the facility at 50% of regular rates, on a first come, first serve basis.~~
- ~~6) Newberry reserves use of the conference center portion of the County Agricultural Cooperative Extension offices, at no cost to the City, four times annually, totaling not more than 4 days. City's position for priority shall be third behind UF/IFAS and Alachua County. For additional uses during the year, City may reserve use of the conference center at 50% regular rates, on a first come, first serve basis.~~
- ~~7) County Agricultural Cooperative Extension Office architectural style utilizes use agricultural themes consistent with those planned for Newberry Agri-tech innovation Park.~~
- ~~8) Newberry requests opportunity to review and comment on County's proposed site and improvement plans.~~
- 9) Canterbury Equestrian Facility and Cooperative Extension Offices must connect to central water and wastewater system
- ~~10) County transfers ownership of existing Canterbury well to City of Newberry.~~
- 11) Acknowledge in a partnership agreement that the County will comply with the City's or County's development standards, whichever is most protective of adjacent landowners.
- ~~12) County agrees to provide black vinyl coating on chain link fencing utilized along site perimeter. This condition does not apply if chain link fencing is not utilized for perimeter fencing.~~
- ~~13) Installation of a 50 ft. wide, high density vegetative buffer along northern property line and western property line adjacent to residential development regulations for vegetative buffers.~~
- ~~14) Limit area where carnival, or midway, activities are conducted to south of the main arena adjacent to State Road 26 (see shaded area on map below).~~
- ~~15) Limit evening operating hours to 10pm Sunday – Thursday, and 11pm (or 12am) Friday and Saturday.~~

- 16) ~~Limit area lighting such that no lighting adversely impacts residential areas north and west of site.~~
- 17) ~~Limit noise generated by activities such that site and activities comply with City ordinances.~~

Chair Pinkoson, Commissioner Hutchinson, County Manager Lieberman Senior Assistant County Attorney David Forziano and Chair Pinkoson presented comments.

Public Comment

Ted Cartwright, Buford Roland, Carly Evans, Allen Evans, Guy Hail and Chris Rose presented comments.

The motion carried 4-1 with Commissioner Byerly voting “Nay”.

Public Hearing

- 8. Adoption Hearing for Amendments to the Alachua County Stormwater Quality Code

Fiscal Consideration: N/A

Recommended Action: Adopt the Amendments to the Water Quality Code.

EPD Shane Williams presented the above item.

Commissioner Byerly moved the following:

- 1. To approve Staff’s recommendation.

<p>Water Quality Code Changes</p> <ul style="list-style-type: none"> • Article I. <u>Water Quality</u>-no proposed changes • Article II. <u>Wetlands</u>-minor definition changes • Article III. <u>Stormwater Treatment</u>-new, proposed Countywide • Article IV. <u>Landscape Fertilizer</u>-relocate existing requirements as new Article IV, with new retail sales sign requirements 	<p>Article II. Wetland Protection Code</p> <p>Clarify terminology in Wetlands Protection Code:</p> <ul style="list-style-type: none"> • <u>Alteration</u> Development activity means any dredging, filling, excavation, construction of new structures, expansion of existing structures, installation of utilities, roads, personal wireless service facilities, stormwater management systems, septic tanks, bulkheading, land clearing, tree cutting, mechanized vegetation removal, and the disposal of solid or liquid waste. • <u>Avoidance and Minimization</u> Mitigation and Monitoring 	<p>Stormwater Code Changes from Previous Draft</p> <p>[1] Sec. 77.03. - Definitions.</p> <ul style="list-style-type: none"> • <u>Sensitive Karst Areas (SKAs)</u> means the areas designated as “<u>Unconfined</u>” or “<u>Perforated</u>” “<u>high vulnerability</u>” or “<u>vulnerable</u>” zones of the Floridan Aquifer as defined by the Alachua County Stormwater Treatment Manual, and with soil types classified as “<u>excessively drained</u>”, “<u>somewhat excessively drained</u>”, or “<u>well drained</u>” as defined by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic (SSURGO) Database for Florida. • Previous terms referred to a map no longer in use. New terms are from the adopted Ansuifer High Recharge Area Map.
<p>Article IV. Landscape Fertilizer</p> <ul style="list-style-type: none"> • Relocate existing Fertilizer Standards and Management Practices requirements from Chapter 78 to Chapter 77 of the County Code • Intention is to consolidate all of the County Charter authorized Countywide Water Quality Requirements into Chapter 77 of the County Code 	<p>Fertilizer Standards and Management Practices</p> <ul style="list-style-type: none"> • Add a new requirement for consumer notice signage at retail landscape fertilizer sales: <p>Persons, firms, corporations, franchises, and commercial establishments selling fertilizers containing nitrogen or phosphorus shall post a notice stating that the use of lawn and landscape fertilizers in Alachua County is restricted in accordance with this article. Signage will be provided by Alachua County and shall be displayed in a location that is clearly visible to consumers.</p>	<p>Proposed Implementation Timeline</p> <ul style="list-style-type: none"> • Article II. Wetland and Article IV. Fertilizer requirements become effective immediately upon Board adoption. • Article III. Stormwater Treatment effective date 2019 <ul style="list-style-type: none"> – Establishment of Self-Certification process – Development of tracking system for verification of LID/Best Practices compliance – Provide additional training for design engineers for stormwater treatment train load calculations

The motion carried 5-0.

- 2. To implement the Alachua County Stormwater Quality Code County wide.

The motion carried 3-2 with Chair Pinkoson and Vice-Chair Chestnut voting “Nay”.

3. To direct Staff to return to the Board at the next available opportunity with a recommendation implementation of a research program to get the engineered soiled question back before the Board as soon as possible.

The motion carried 5-0.

Closing Comments

9. Closing comments from the public

Fiscal Consideration: N/A

Recommended Action: Hear closing comments from the public.

City Commissioner David Arreola and Todd Chase presented comments.

10. Closing comments from Commissioners

Fiscal Consideration: N/A

Recommended Action: Hear closing comments from Commissioners.

Commissioner Hutchinson moved to extend the deadline to Children’s Trust Board until 2 weeks after the election. **The motion carried 5-0.**

Commissioner Hutchison inquired about the draft for an ordinance regarding conversion therapy.

County Attorney Torres stated that she asked for a draft ordinance to be developed for the November 13th, 2018 meeting for a request to advertise.

Commissioner Hutchison acknowledged Chair Pinkoson for his dedication to the County Commission and to the Children’s Trust.

Commissioner Cornell thanked Chair Pinkoson for his time spent on the County Commission.

Commissioner Byerly presented comments.

Deputy County Manager Harriot discussed the approval of the grant for hurricane shutters for the community support services and health department building but the County Commission did not approve the ranking of the bid. Further, Staff needs an approval on this to move forward.

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Commissioner Hutchinson moved the approval of the ranking of the bid, the low bid being the Florida contract automated shading in Newberry, Florida, for \$87,627. **The motion carried 5-0.**

Commissioner Hutchinson asked if the November 6th, 2018, 5 PM meeting is going affect the Canvassing Board.

Count Manager Lieberman stated that the meeting will affect the Canvassing Board.

Commissioner Byerly stated that the Canvassing Board only needs two people present during any given time and that he would step out to be in attendance for the Commission meeting.

Chair Pinkoson presented comments.

Adjourn

There being no further business before the Board, the meeting was adjourned at 8:25 P.M.