

Tuesday, October 11, 2011 – 9:00 A.M. & 5:00 P.M.
County Administration Building
John R. "Jack" Durrance Auditorium
12 Southeast First Street
Gainesville, Florida

The Alachua County Commission met in regular session.

PRESENT: Chair Lee Pinkoson presiding, Vice Chair Paula M. DeLaney Commissioners Susan Baird, Mike Byerly, and Rodney J. Long

ALSO PRESENT: County Manager Randall Reid Assistant County Manager Richard Drummond, County Attorney David Wagner, Agenda Coordinator Darlene Ryon, Clerk of the Court Irby, Assistant Clerk/Finance Director Todd Hutchison, and Deputy Clerk Steve Donahey

The meeting was televised live on Cox Cable Channel 12.

Chair Pinkoson called the meeting to order at 9:00 A.M.

Invocation

1. Invocation by Pastor Samuel Jones of Harvest Field Ministries
Amount: N/A
Recommended Action: Hear Invocation by Pastor Samuel Jones, of Harvest Field Ministries.

Pledge of Allegiance

2. Pledge
Amount: N/A
Recommended Action: Hear Pledge

Approval of [Agenda](#)

3. Approve the Agenda
Amount: 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.

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County Manager Reid stated that Item #12, Child Sexual Predator Task Force Grant (CSPP) is to be moved to the Consent Agenda following Item #32. Mr. Reid further stated that Item #35, Request approval of recommendation to offer Retiree Group Medicare Advantage program be removed from consideration.

Commissioner DeLaney moved adoption of the agenda as amended. The motion carried 5-0.

Announcements

4. Announcements, Mark Sexton, Communications Coordinator

Amount: N/A

Recommended Action: Hear Announcements by Mark Sexton Communications Coordinator

Communications Coordinator Mark Sexton presented the following announcement:

1. Mr. Sexton stated that the County has issued a request to municipalities for Tourist Tax projects. The website has a link that will give the forms, statutes, and the requirements to apply. For further details contact Purchasing Manager Larry Sapp at (352) 374-2302. The deadline for submittals is 2:00 P.M. Friday October 28, 2011. Anything submitted after 2:00 P.M. will not be accepted.

Time Certain Items

Public Comments (9:30 AM)

5. A.M. Public Comments

Amount: N/A

Recommended Action: Hear Public Comments

Chair Pinkoson recognized Dian Deevey, Harold Saive, Debbie Martinez, Maria Parsons, Bob Palmer, Pollution Prevention Manager John Mousa, County Attorney David Wagner, and Clara Horton who presented comments to the Board.

Community Outreach Recognitions and Proclamations

6. [Length of Service Milestone Recipients](#)

Amount: N/A

Recommended Action: Recognize County Employees that have reached a Length of Service or Career Milestone in September, 2011.

Human Resources Supervisor Karen Gerding presented the above item.

7. [Proclamation: "Pink Heals Week" in Alachua County, Florida](#)

Amount: N/A

Recommended Action: Present a proclamation declaring "Pink Heals Week" in Alachua County Florida.

Chair Pinkoson read and presented the Proclamation to Kevin Rudapa who accepted it with gratitude.

Appointments

8. [Veteran Services Advisory Board Appointments](#)

Amount: N/A

Recommended Action: Appoint one citizen to the Citizen-at-large (Veteran) position on the Veteran Services Advisory Board, term ending August 2013.

Chair Pinkoson recognized John Gebhardt who expressed his desire to serve on the Veteran Services Advisory Board.

Clerk Irby called for each Commissioners nomination for the Citizen-at-Large Representative for the Veteran Services Advisory Board.

Commissioners Baird, DeLaney, and Pinkoson nominated John Gebhardt.

Commissioner Byerly nominated Eric Kegley.

Commissioner Long nominated Will G. May Jr.

Clerk Irby announced the results of the roll call.

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Commissioner DeLaney moved appointment of John Gebhardt as the Citizen-at-Large Representative to the Veteran Services Advisory Board to a term ending August 2013. The motion carried 5-0.

9. [Poverty Reduction Advisory Board Appointments](#)

Amount: N/A

Recommended Action: Confirm the nomination of one citizen to the Poverty Reduction Advisory Board, to the 'Representative - University of Florida' position, no term end date.

Commissioner DeLaney moved appointment of Randy Cantrell as the Representative of the University of Florida to the Poverty Reduction Advisory Board with no term limit. The motion carried 5-0.

County Attorney

14. [Proposed Stipulation in Nappy's of Florida Inc. vs. Alachua County et. al. \(Veterans Transitional Housing\)](#)

Amount: N/A

Recommended Action: Approve the Stipulation for Entry of Order in Nappy's of Florida vs. Alachua County et. al.

County Attorney David Wagner presented the above item.

Commissioner Long exited at 9:22 A.M.

Commissioner Baird moved to approve the Stipulation for Entry of Order in Nappy's of Florida vs. Alachua County et. al. The motion carried 4-0 with Commissioner Long out of the room.

Presentations

10. [Water Quality Study: Presentation by Archer Mayor Frank Ogborn](#)

Amount: N/A

Recommended Action: Hear a presentation on water quality by Archer Mayor Frank Ogborn.

City of Archer Mayor Frank, Engineering Consultant David Keen, and Roberta Lopez presented the above item.

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Commissioner Byerly moved the following:

1. Request the County Manager schedule a workshop early next year on the county's roll in waste water infrastructure and to establish a process.
2. Staff to work with the City of Archer on a letter of support for the Archer Sewer project to be placed on the agenda for Board consideration.

Commissioner Long moved the substitute motion to take \$76,000.00 from the reserves to fund the City of Archer water study. The motion carried 2-3 with Commissioner Byerly, DeLaney, and Pinkoson voting "Nay".

Chair Pinkoson stated that he will split the motion for the purposes of voting.

Commissioner Byerly moved the following:

1. Request the County Manager schedule a workshop early next year on the county's roll in waste water infrastructure and to establish a process.

The motion failed 2-3 with Commissioners Baird, Long, and Pinkoson voting "Nay".

2. Staff to work with the City of Archer on a letter of support for the Archer Sewer project to be placed on the agenda for Board consideration.

The motion carried 5-0.

11. [2012 Alachua County State Legislative Program](#)

Amount: N/A

Recommended Action: Adopt the 2012 Alachua County Legislative Program.

Legislative Affairs Director Rick Mills presented the above item.

Chair Pinkoson requested that Koppers and the State of Florida proposed changes regarding FRS contributions be added to the Legislative Agenda.

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Commissioner Byerly moved to accept the legislative agenda as amended. The motion carried 5-0.

Advisory Board and Committee Reports

13. [Presentation: Veteran Services Advisory Board Annual Report](#)
Amount: N/A
Recommended Action: Hear presentation by the Veteran Services Advisory Board of their Annual Report for 2010-2011 and their Work Plan for 2011-2012.

Veteran Services Director Major Stroupe presented the above item.

Chair Pinkoson recognized Don Sherry and Tax Collector Von Frazier who presented comments to the Board.

County Manager

15. [Fiscal Year 2011-2012 Executive Service, Non-Bargaining and Guardian Ad Litem Pay Plans.](#)
Amount: N/A
Recommended Action: 1. Approve the Fiscal Year 2011-2012 Executive Service, Non-Bargaining and Guardian Ad Litem Pay Plans. 2. Approve pay rates for employees appointed to Temporary and Unclassified Service to be set at the minimum rate of the appropriate salary range.

Commissioner Byerly moved the following:

1. Approve the Fiscal Year 2011-2012 Executive Service, Non-Bargaining and Guardian Ad Litem Pay Plans.
2. Approve pay rates for employees appointed to Temporary and Unclassified Service to be set at the minimum rate of the appropriate salary range.

The motion carried 5-0.

Community Planning Group

16. [Request to Advertise: Adoption of Revised County Commission Districts based on updated census data](#)
Amount: N/A

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Recommended Action: Provide direction to staff regarding updated County Commission district maps and approve the request to schedule and advertise a public hearing to adopt amended County Commission districts per Chapter 124.01 of the Florida Statutes.

Bobby Jensen, Computer Map Analyst, presented the above item.

Commissioner Long moved to use the maps as he proposed and approve the request to schedule and advertise a public hearing to adopt amended County Commission districts per Chapter 124.01 of the Florida Statutes. The motion carried 3-2 with Commissioners Baird and Pinkoson voting "Nay".

17. [City of Newberry Interlocal agreement for Nations Park](#)

Amount: N/A

Recommended Action: Do not modify the language in the interlocal agreement with the City of Newberry for Nations Park to allow for debt service payment prior to receiving certificate of occupancy.

John Pricher, Tourism Program Assistant, presented the above item.

Chair Pinkoson recognized City of Newberry Manager Keith Ashby and County Attorney David Wagner who presented comments to the Board.

Commissioner Long moved to approve the request by the City of Newberry and amend the Interlocal for the Nations Park Project. The motion carried 5-0.

Community Services Group

18. [Neighborhood Stabilization Program \(NSP\) 3 Agreement](#)

Amount: \$1,029,844.00

Recommended Action: Approve and authorize the Chair to sign three original documents of the Agreement, Attachment K, Civil Rights Compliance Assurance, Attachment L, Signature Authorization Form and additional documents and forms as deemed necessary by the State of Florida to supplement or amend the agreement. Copies of any documents signed to be included in the Board minutes.

Tom Webster, Housing Manager, presented the above item.

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Commissioner Long moved to approve and authorize the Chair to sign three original documents of the Agreement, Attachment K, Civil Rights Compliance Assurance, Attachment L, Signature Authorization Form and additional documents and forms as deemed necessary by the State of Florida to supplement or amend the agreement. Copies of any documents signed to be included in the Board minutes. The motion carried 4-1 with Commissioner Baird voting "Nay".

County Manager Reports

19. [County Manager's Report](#)

Amount: N/A

Recommended Action: Accept County Manager's Report

1. County Manager Reid submitted a summary of how he intends to reorganize the functions of his office after the loss of the Deputy County Manager's position.

Commissioner Long moved to approve the functional group assignments and that the Board have a workshop and receive an analysis from the Office of Equal Opportunity on the benefits and impacts if any on the County's equal opportunities policies and personal policies. The County Manager should report on the efficiency, savings, and functionality of the proposed reorganization. The County Attorney should provide an analysis of the impact the Board of County Commission Charter responsibilities of approving department heads that report directly to the County Manager.

Commissioner Long moved to defer to the next Board of County Commission meetings the reorganization and approve the functional groups at this time. The motion carried 5-0.

Closing Comments

Public Comments - 15 minutes

20. [Closing Comments from the Public](#)

Amount: N/A

Recommended Action: Hear Closing Comments from the Public

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

Commission Comments

21. Commission Comments

Amount: N/A

Recommended Action: Commission Comments

Commissioner Baird stated that she attended the GRU Biomass Plant meeting. There were many issues raised at the meeting and she stated that she is eagerly awaiting a response from GRU regarding the questions posed in the letter the County Commission sent.

Commissioner Baird further stated that she would like to separate portions of the fairgrounds as it is currently envisioned so that it could create more jobs and be a win win situation for everybody in the community.

Commissioner DeLaney stated that she had a meeting with Emily Tratoru who is trying to gather support for improving the freight rail infrastructure in the United States. The initiative could create jobs and spur economic development.

Chair Pinkoson stated that as demand for infrastructure grows the Board should consider a policy regarding the accepting of roads as public infrastructure. Many of these roads only serve the neighborhoods yet the County is obligated to maintain them. He requested that the County Manager look into changing the policy.

COMMISSION RECESSED AT: 1:22 P.M.

COMMISSION RECONVENED: 5:00 P.M.

Evening Community Outreach and Public Hearing (5:00 PM) Proclamations, Recognitions and Presentations

22. [Proclamation: "United Nations Day" in Alachua County, Florida](#)

Amount: N/A

Recommended Action: Present a proclamation declaring October 20, 2011 as "United Nations Day" in Alachua County, Florida.

Chair Pinkoson read and presented the Proclamation to Taraneh Darabi who accepted it with gratitude.

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**Public Hearings
Regular Matters**

25. [Public Hearing to Consider an Ordinance Authorizing Public-Private Partnerships and Create the Southwest Alachua County Transportation Improvement District](#)

Amount: n/a

Recommended Action: Approve the ordinance authorizing public-private partnerships and creating the Southwest Alachua County Transportation Improvement District and authorize the Chair to sign.

County Attorney Dave Wagner presented the above item.

Commissioner DeLaney moved to approve ordinance 11-15 authorizing public-private partnerships and creating the Southwest Alachua County Transportation Improvement District and authorize the Chair to sign.

Chair Pinkoson opened the Public Hearing at 5:10 P.M.

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

Chair Pinkoson closed the Public Hearing at 5:10 P.M.

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

**Quasi-Judicial/Zoning Items
Summary Items**

County Attorney David Wagner 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.

Mr. Wagner 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

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

26. [Bristol Harbor Planned Development, Replat of Lots 13 through 16](#)

Amount: N/A

Recommended Action: Approve the Replat of Lots 13 through 16 for Bristol Harbor Planned Development

Codes Enforcement Director Rick Wolf presented the above item.

Commissioner DeLaney moved to approve the Replat of Lots 13 through 16 for Bristol Harbor Planned Development.

Chair Pinkoson opened the Public Hearing at 5:16 P.M.

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

Chair Pinkoson closed the Public Hearing at 5:16 P.M.

The motion carried 5-0.

27. [ZOM-06-11: A request to amend an existing non-residential PD \(planned development\) district to allow spa services as a permitted use.](#)

Amount: N/A

Recommended Action: Staff recommends that the Board hear the item and adopt Resolution Z-15-11 to allow spa services.

Codes Enforcement Director Rick Wolf presented the above item.

Senior Planner Jerry Brewington presented the above item.

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Commissioner DeLaney moved that the Board hear the item and adopt Resolution Z-15-11 to allow spa services.

Chair Pinkoson opened the Public Hearing at 5:19 P.M.

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

Chair Pinkoson closed the Public Hearing at 5:19 P.M.

The motion carried 5-0.

New Business

28. [ZOS-08-11: A request for a minor special use permit for a borrow pit in an 'A' \(agriculture\) district](#)

Amount: N/A

Recommended Action: Staff recommends that the Board hear the item and adopt Resolution Z-16-11, A request for a minor special permit for a borrow pit in an agriculture district.

Senior Planner Jerry Brewington presented the above item.

Commissioner DeLaney moved that the Board hear the item and adopt Resolution Z-16-11, A request for a minor special permit for a borrow pit in an agriculture district.

Chair Pinkoson opened the Public Hearing at 5:23 P.M.

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

Chair Pinkoson closed the Public Hearing at 5:23 P.M.

The motion carried 5-0.

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ADDED ITEM:

Dr. Mousa read the proposed letter to send to the Federal EPA regarding the Koppers Superfund Site in Gainesville Florida. He requested the Board authorize the Chair to sign and transmit the letter.

Commissioner Byerly moved to approve the letter to Scott Miller of the EPA and authorize the Chair to sign.

Chair Pinkoson recognized Maria Parsons, Clara Horton, and Dr. John Mousa who presented comments to the Board.

Commissioner Baird moved the amended motion to amend the letter to take out the word several and replace maybe with are and replace Stephen Foster Neighborhood with surrounding area and authorize the letter to be transmitted to Mrs. Jackson.

The motion carried 5-0.

Public Comments - then resume Public Hearing (5:30 P.M.)

24. P.M. Public Comments

Amount: N/A

Recommended Action: Hear PM Public Comments

Chair Pinkoson recognized Rod Gonzalez, Bruce Nelson, Lloyd Bailey, Cecilia Norsmith, Alan Berkelhammer, Sally Hayes, Ray Washington, and John Martin who presented comments to the Board.

29. [ZOM-10-10 A request for a zoning change from A \(Agriculture\) to PD \(Planned Development\) at the SW corner of CR 232 and NW 290th Terrace.](#)

Amount: N/A

Recommended Action: Approve Resolution Z-17-11 amending the zoning on parcel numbers 01772-000-000, 01765-001-000, 01770-000-000, 01772-001-000 from A (Agriculture) to PD (Planned Development)

Senior Planner Missy Daniels presented the above item.

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Commissioner Long moved to approve Resolution Z-17-11 amending the zoning on parcel numbers 01772-000-000, 01765-001-000, 01770-000-000, 01772-001-000 from A(Agriculture) to PD(Planned Development) with condition #8 as amended and staff to provide the management plan to the Board when completed.

Chair Pinkoson opened the Public Hearing at 7:30 P.M.

Chair Pinkoson recognized David Coffee, Laura Dedenbach, and Dr. Mark Clark who presented comments to the Board.

Chair Pinkoson closed the Public Hearing at 7:30 P.M.

The motion carried 5-0.

23. [Second Public Workshop on the Unified Land Development Code Update 2011](#)

Amount: N/A

Recommended Action: Hold the public workshop and provide direction to staff on the Unified Land Development Code update.

Senior Planner Missy Daniels presented the above item.

County Attorney Dave Wagner stated that he recommends the Board move to recognize that a zoning change is occurring and authorize the County Attorney to advertise for an adoption hearing before the calendar year a six month moratorium on the processing of applications for Internet Cafes/Centers.

Commissioner DeLaney moved to recognize that a zoning change is occurring and authorize the County Attorney to advertise for an adoption hearing before the calendar year a six month moratorium on the processing of applications for Internet Cafes/Centers.

Chair Pinkoson recognized Bob Morrison and Growth Management Director Steve Lachnicht who presented comments to the Board.

The motion carried 5-0.

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Closing Comments

Public Comments - 15 minutes

30. P.M. Closing Comments from the Public

Amount: N/A

Recommended Action: Hear Closing Comments from the Public

Chair Pinkoson recognized Bruce Nelson who presented comments to the Board.

There being no further business before the Board the meeting was adjourned at 8:31 P.M.

Adjourn

CONSENT/Community Outreach

CONSENT/Governmental Units

Constitutional Officers/Other Governmental Units

12. [Child Sexual Predator Task Force Grant \(CSPP\)](#)

Amount: \$490,147.00

Recommended Action: Approve the Alachua County Sheriff's Office Child Sexual Predator Task Force grant award and authorize the Chair to sign all required documents to accept the award and implement the grant. Adopt the resolution and approve the budget amendment. Include all documents in the Board minutes.

31. [ACSO Administration Scanning and Electronic filing Project](#)

Amount: \$14,231.00

Recommended Action: Approve the Alachua County Sheriff's Office ACSO Administrative Project and authorize the Chair to sign all required documents to accept the award and implement the grant. Adopt the resolution and approve the budget amendment. Include all documents in the Board minutes.

32. [Board of County Commission Minutes for approval.](#)

Amount: N/A

Recommended Action: Approve the following Board of County Commission minutes: June 14, 2011, June 16, 2011

33. [Ratification of the Warrant List.](#)

Amount: N/A

Recommended Action: Ratify the warrant list.

Support Services Group

34. [TRANE: Fourth Amendment to the Agreement between Alachua County Board of County Commissioners and TRANE, A Division of American Standard, Inc. for Heating, Ventilation and Air Conditioning Services](#)
Amount: \$212,580.00
Recommended Action: Approve the Fourth Amendment to the Agreement between Alachua County Board of County Commissioners and TRANE, A Division of American Standard, Inc. for Heating, Ventilation and Air Conditioning Services in various County buildings.
- ~~35. [Request approval of recommendation to offer Retiree Group Medicare Advantage program](#)
Amount: N/A
Recommended Action: Approve the Self Insurance Committees recommendation and offer a group rated Medicare Advantage program to all retirees meeting eligibility requirements.~~
36. [Iron Container LLC: Finance Report to approve and award Bid 11-459: Purchase of Various Roll-off Containers.](#)
Amount: \$58,435.00
Recommended Action: That the Board approve the award of Bid #11-459: Purchase of Various Roll-off Containers and the issuance of Purchase Order #111621 to Iron Container, LLC, the amount of \$58,435.00, for the purchase of seven (7) 30 cy Roll-off Cardboard Recycling Containers and six (6) 30 cy Roll-off Mixed Paper Recycling Containers and authorize the Chairperson to sign the Purchase Order. Prices, terms and conditions are per bid #11-459: Purchase of Various Roll-off Containers.

Community Planning Group

37. [Rescind the Technical Advisory Committee Resolution](#)
Amount: N/A
Recommended Action: Adopt the Resolution rescinding the Technical Advisory Committee.
38. [Ingress-Egress Easement from Ameris Bank for an ingress-egress easement adjacent to a stormwater management facility in the Campo Verde subdivision](#)
Amount: N/A
Recommended Action: Accept the Ingress-Egress Easement from Ameris Bank

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39. ["Stop" Sign on SW 20th Avenue at Ventura Apartments](#)
Amount: \$100.00
Recommended Action: Approve STOP sign at the intersection of SW 20th Avenue at SW 42nd Way.
40. [Maintenance Map for SW 15 Avenue, located in the Jonesville area.](#)
Amount: N/A
Recommended Action: Approve the Maintenance Map for SW 15 Avenue in Jonesville
41. [Maintenance Map for NW 142 Avenue, located in the High Springs area.](#)
Amount: N/A
Recommended Action: Approve the Maintenance Map for NW 142 Avenue located in High Springs.

Community Services Group

42. [CHOICES Enrollment Update](#)
Amount: N/A
Recommended Action: Accept the CHOICES Health Services Program Enrollment Update
43. [Updating Authorized Signatures on Work Release Trust Fund Account](#)
Amount: N/A
Recommended Action: Adopt Resolution updating the list of personnel authorized to sign disbursement checks on the Work Release Trust Fund Account. Authorize the Chair to sign the Resolution updating the signature authority and the Wells Fargo Signature Amendment to the Commercial Account Authorization and Agreement.
44. [Annual Pharmacy Benefits Manager for Social Services: 12-41 Rebid](#)
Amount: N/A
Recommended Action: Approve the Finance Report to rank and award RFP 12-41 Rebid; Annual Pharmacy Benefits Manager for Social Services and authorize staff to negotiate agreements with the top ranked firms until agreements are reached.