

# Board of County Commissioners

**Date:** Monday, April 27, 2009  
**To:** Honorable Chairman and Members of the Board  
**From:** Benjamin H. Pingree, County Administrator  
**Subject:** Follow-up to County Commission Meeting April 21, 2009

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## Invocation

Commissioner Stewart

## Pledge of Allegiance

Commissioner Brock

## Approval of Agenda:

*(The Chairman and members of the Board will approve and/or modify the official agenda at this time).*

**Commissioner Stewart made a motion to approve the Agenda with the following changes and add-on items; Commissioner Brock seconded and the motion passed 5/0:**

- **Commissioner Artz has a add-on under Awards & Presentations and her discussion items;**
- **Commissioner Stewart has two add-ons under his discussion items;**
- **Commissioner Kessler pulled his agenda item, Tab #13.**

## Public Hearing

*(Public Hearings are held as required to receive public comments on matters of special importance or as prescribed by law. Public Hearings shall be heard at 6:00pm, or soon thereafter. Individual speakers are encouraged to adhere to a three (3) minute time limit. The Chairman has the discretion to either extend or reduce time limits, based on the number of speakers).*

1. Request Board Approval to Hold a Public Hearing to Adopt the Proposed Comprehensive Sewer Ordinance

(Dale Dransfield, Eutaw Consultant)

**Commissioner Stewart made a motion to hold the public hearing and adopt the Comprehensive Sewer Ordinance; Commissioner Brock seconded for discussion. After much discussion, the motion carried 5/0 with the following amendments to the Ordinance:**

- **Amended the requirement for an establishment with an estimated sewage flow exceeding 1,000 gallons per day, a sewer line, force main, or lift station exists in a public easement or establishment or is within 300 feet of the property line of the establishment as accessed via existing rights-of-way or easement.**
- **Amended the Variance to Connect to Central Sewer System section to read, County staff will issue a variance for connection to the central sewer system at no cost to the homeowner.**
- **Deleted the section regarding Undeveloped Properties; Readiness to Serve Fee.**

### **Awards and Presentations**

*(Members of the Board will have the opportunity to acknowledge members of the community or commendable efforts at this time. Presentations will be made from individuals concerning issue of importance).*

FACT - Ken Moneghan and Commissioner Chuck Lockey to Present the Board with a Member Appreciation Plaque

**Ken Moneghan with Florida Association of Counties Trust (FACT) presented the Board with a Member Appreciation Plaque. FACT is a non profit liability insurance pool owned and managed by the member counties. Mr. Moneghan thanked Wakulla for being a part of their program and for the assistance of making it successful.**

VolunteerWakulla 2<sup>nd</sup> Annual Make A Difference Day and Proclamation – Scott Jackson  
**Scott Jackson announced VolunteerWAKULLA's 2<sup>nd</sup> Annual Make A Difference Day event to be held on April 25, 2009 at Hudson Park at 8:00am. Mr. Jackson encouraged all citizens to participate by participating in planned events or by registering a specific event at [www.volunteerwakulla.org](http://www.volunteerwakulla.org). Planned events will include clean-up, and improvement efforts beginning at 9:00am at Hickory Park, Hudson Park, Azalea Park, YMCA Camp Indian Springs, Keep Wakulla Beautiful – Apalachicola National Forest, the Wakulla County Library, and several other venues.**

**Commissioner Artz announced the Thermal Solar Hot Water Heating Training information. The training will be held May 11, 2009 – May 21, 2009 at 6:00p.m. – 10:00p.m. at the TCC Wakulla Center. The cost of the training is \$109, however scholarships are available if you are a Wakulla Chamber of Commerce member. To register for the course, please call 850-201-8760 or e-mail [trades@tcc.fl.edu](mailto:trades@tcc.fl.edu)**

(To ensure fairness and encourage participation, citizens who would like to speak on any item will need to fill out a speaker's card and turn in to Ms. Welch prior to the beginning of discussion on that particular item. Citizens are allowed a maximum of 3 minutes to speak.)

### **Consent**

*(All items contained herein may be voted on with one motion. Consent items are considered to be routine in nature, are typically non-controversial and do not deviate from past Board direction or policy. However, any Commissioner, the County Administrator, or the County Attorney may withdraw an item from the consent agenda, either in writing prior to the meeting, or at the beginning of the meeting and it shall then be voted on individually. Every effort shall be made to provide such a request to the Chairman at least 24 hours before the meeting).*

**Commissioner Brock made a motion to approve the Consent Agenda with Tab #2 being pulled for discussion; Commissioner Stewart seconded and the motion passed 5/0.**

2. Approval of Minutes – April 7, 2009 Regular Meeting  
(Brent X. Thurmond, Clerk of Court)

**This item was pulled for discussion.**

3. Approval of Minutes – April 7, 2009 Workshop for the Proposed Panacea Special Overlay District Ordinances and Code Language  
(Brent X. Thurmond, Clerk of Court)

**The Board approved Option #1 – Approved the April 7, 2009 Workshop Minutes for the Proposed Panacea Special Overlay District Ordinances and Code Language.**

4. Approval of Payment of Bills and Vouchers Submitted for April 2, 2009 – April 15, 2009  
(Brent X. Thurmond, Clerk of Court)

**The Board approved Option #1 – Approve the payment of Bills and Vouchers submitted for April 2, 2009 – April 15, 2009.**

5. Request Board Approval of a Proclamation Declaring April 25, 2009 as Make A Difference Day in Wakulla County  
(Scott Jackson, Extension Director & Volunteer WAKULLA President)

**The Board approved Option #1 – Approve the Proclamation declaring April 25, 2009 at Make A Difference Day in Wakulla County.**

**Consent Items Pulled for Discussion**

*(Members requesting further information on items placed under “Consent Agenda,” may withdraw those items and place them here, for further discussion).*

2. Approval of Minutes – April 7, 2009 Regular Meeting  
(Brent X. Thurmond, Clerk of Court)

**Commissioner Brock made a motion to approve the April 7, 2009 Regular Board Meeting Minutes with the amendment on Item #31 from the April 7, 2009 Board Meeting to reflect that Commissioner Artz abstained from the vote; therefore, the motion will be recorded as 4/0; Commissioner Stewart seconded and the motion passed 5/0.**

**Citizens to be Heard**

*(Three (3) minute limit; non-discussion by Commission; there shall be no debate and no action by the Commission).*

**Bob Teal addressed the Board regarding water flooding his property in Wakulla Gardens and asked for assistance from the County.**

**Lee Vause addressed the Board regarding the County Budget and asked the Board to look at the core responsibilities closer.**

**Walt Dickson invited the Board to the PAWS Board Meeting, Thursday, April 23, 2009 at 7:00am at Poseys to discuss terminating the agreement with the County on the collection of sewer fees.**

**Mitch McElroy addressed the Board with issues of road flooding on Sanders Cemetery Road and the need for assistance from the County to put culverts in.**

**Martin Carvallo addressed the Board asking for assistance to lower the speed limit on dirt roads in Wakulla Gardens.**

**Larry Roberts addressed the Board regarding people with limited resources and paying Ad Valorem Taxes.**

**Dana Peck addressed the Board to apologize for the mathematical error she made at the April 7<sup>th</sup> Board Meeting regarding County spending and asked about the Upper River Bridge Property.**

### **Planning and Zoning**

*(Members will be provided with planning and zoning amendment requests five (5) business days prior to the scheduled meeting. To the maximum extent possible, all support information and documentation for P&Z items shall be made available through a variety of means including the County website that will provide the public with the greatest opportunity to review documentation at the date of advertisement pursuant to Resolution No. 04-43).*

### **General Business**

*(General Business items are items of a general nature that require Board directions or pertain to Board policy).*

6. Request for Board Approval To Purchase Financial Software  
(Brent X. Thurmond, Clerk of Court)  
**Commissioner Stewart made a motion to approve with noted changes submitted by the Clerk for Purchase of Financial Software, to also include noted concerns stated on record by the County Attorney that are necessary for negotiation purposes, financing for 12 months at a low interest loan and approval to execute the necessary documents. The Sheriff's Department is also a part of the recommendation with their portion coming out of the Housing Trust Fund, subject to approval of purchase by the Sheriff; Commissioner Artz seconded and the motion passed 5/0.**
7. Board Directed Staff Report Regarding the Hidden Meadows Subdivision  
(Lindsay Stevens, Assistant County Administrator)  
**Commissioner Artz made a motion to accept the staff report regarding Hidden Meadows Subdivision and direct the County Attorney to obtain expert analysis and advice (hydrologist, engineer or other professional) on the Hidden Meadows Subdivision, contact the Developer to discuss potential remedies or pursue injunctive or other legal relief as deemed necessary by the Board; Commissioner Brock seconded. After discussion, the motion failed 2/3.**
8. Request Board Approval for Final Ownership and Acceptance of Maintenance of the Roadway Infrastructure within The Gardens of Saralan Subdivision, Phase 1  
(Cleve Fleming, Public Works Director)  
**Commissioner Artz made a motion to approve and accept ownership and maintenance of the roadway infrastructure within The Gardens of Saralan Subdivision, Phase 1; Commissioner Brock seconded and the motion passed 5/0.**
9. Request Board Consideration and Approval of a Resolution to Accept the Weatherization Assistance Program (WAP) Contract and Funds for \$51,800.00  
(Alfred Nelson, Housing Director)  
**Commissioner Brock made a motion to approve the Resolution accepting the Weatherization Assistance Program (WAP) Contract and Funds for \$51,800.00 and authorize the Chairman to execute the contract; Commissioner Artz seconded and the motion passed 5/0.**

10. Request Board Approval of the Architectural and Engineering Services Request for Qualifications and to Advertise for Quotes to Perform Preliminary Site Work  
(Ray Gray, Parks & Recreation Director)  
**Commissioner Brock made a motion to approve the Request for Qualifications for Architectural & Engineering Services for the Community Center Project and approve staff to bid out the boundary survey, topographical survey and core samplings, not to exceed \$5,000 and advertise for quotes with LEED and Energy Star Standards and include in the cost breakdown; Commissioner Green seconded and the motion passed 5/0.**
11. Request Board Approval of Potential Projects to Submit to the Florida Communities Trust for Consideration of an Upcoming Grant Cycle Opportunity  
(Eva Thorpe, Grants Coordinator & Ray Gray, Parks & Recreation Director)  
**Commissioner Stewart made a motion to select the Medart-US Highway 319 and Floyd Gray Road Project for staff to submit for grant funding to Florida Communities Trust, Florida Forever Program; Commissioner Green seconded and the motion passed 4/0.**
12. Request Board Ratification of the Workshop Held on April 21, 2009 Discussing Proposals for the Acceptance of the ARRA Funding Related to the Weatherization Assistance Program  
(Alfred Nelson, Housing Director)  
**Commissioner Stewart made a motion to ratify the Board discussion during the April 21, 2009 Workshop accepting the American Recovery and Reinvestment Act (ARRA) of 2009 Weatherization Assistance Program (WAP) grant funding and approving the following; Commissioner Brock seconded and the motion passed 5/0:**
- **Accept the ARRA Funding and direct staff to bring forth appropriate documentation for Board ratification once received;**
  - **Approve to hire additional staff to provide increased services to Wakulla County:**
    - **Two Weatherization Program Assistants,**
    - **One Office Assistant,**
    - **One State Housing Initiative Partnership (SHIP) Coordinator/Section 8 Inspector. The additional positions within the Housing Division will be filled in Other Personnel Services (OPS) utilizing the ARRA grant funds;**
  - **Approve to purchase two 4WD pickup trucks for transportation of personnel and equipment utilizing the ARRA grant funds in the form of fee for services from the ARRA in the amount of \$26,000.00 for each vehicle;**
  - **To include a space needs analysis.**
17. Request Board Approval for the WCSO to Apply for Grant Assistance from the COPS Hiring Recovery Program for Six Law Enforcement Positions  
(Mary Dean Barwick, WCSO)  
**Commissioner Brock made a motion to approve the Wakulla County Sheriff's Office to submit the 2009 COPS Hiring Recovery Program Application for grant assistance for six law enforcement positions; Commissioner Stewart seconded and the motion passed 3/2.**

### **Commissioner Agenda Items**

*(Items with supporting documentation shall be provided by a Commissioner to the County Administrator three (3) business days prior to the scheduled meeting. Items that are agendaed by Commissioners and fail to gain approval may not be replaced on the agenda by a Commissioner on the non-prevailing side for a period of six (6) months without approval of the Chairman unless there is substantive new information to present).*

13. Commissioner Kessler
- a. Letter from The Wakulla County Board of County Commission to Leon County BOCC to Be Made Part of Record for the Upcoming Workshop Addressing Septic/Sewer  
**This item was pulled.**
14. Commissioner Artz
- a. Request Board Approval of Amended Action Plans to Address the Board's Priorities for 2008/2009  
**Commissioner Artz made a motion to approve the two amended action plans for Water and Energy Quality with some flexibility for revision of completion dates/assignments as is continued to be needed; Commissioner Brock seconded for discussion. After discussion, the motion passed 3/2.**
- Commissioner Kessler made a motion to reconsider the previous motion; Commissioner Stewart seconded and the motion to reconsider the previous motion passed 4/1.**
- Commissioner Stewart made a motion to not approve the two amended action plans for Water and Energy Quality for the Board's Priorities for 2008/2009; Commissioner Brock seconded and the motion passed 3/2.**
15. Commissioner Green
- a. Requests Board Approval to Rescind/Reconsider the Adopted Text Changes to Ordinance 06-28  
**Commissioner Green made a motion to rescind the action taken from the March 17, 2009 Board Meeting regarding the adopted text changes to Ordinance 06-28; Commissioner Stewart seconded and the motion passed 3/2. In addition, Commissioner Stewart made a motion to direct staff to re-advertise the public hearing at a future Board meeting to reconsider or rescind the text changes to Ordinance 06-28; Commissioner Green seconded and the motion passed 3/2.**  
*(Jessica Welch, Policy & Public Information Coordinator)*

**County Attorney**

*(County Attorney items are items of a legal nature that require Board direction or represent general information to Board Members, staff or the public).*

Request for Confidential County Attorney Meeting with the Board to commence at the regular scheduled Board Meeting on May 5, 2009 at 6:00p.m. regarding the Snyder/Division Street Litigation

**Commissioner Stewart made a motion to approve scheduling the Confidential County Attorney Meeting with the Board at the regular scheduled Board Meeting on May 5, 2009 at 6:00p.m. regarding the Snyder/Division Street Litigation, Case #07-70-CA; Commissioner Brock seconded and the motion passed 5/0.**

**County Administrator**

*(County Administrator items are items that require Board direction or represent general information to Board Members, staff or the public).*

16. Board Update on American Recovery & Reinvestment Act Funding Opportunities  
(Jennifer Langston, Special Projects Coordinator)  
**Commissioner Artz made a motion to accept the update regarding the American Reinvestment & Recovery Act (ARRA) funding opportunities for Wakulla County Projects; Commissioner Stewart seconded and the motion passed 5/0.**
18. Board Consideration to Direct Staff to Amend Certain Provisions Within Chapter 32, of the *Wakulla County Code* (commonly referred to as the “Wetlands Ordinance”)  
(Lindsay Stevens, Assistant County Administrator)  
**Commissioner Artz made a motion to direct staff to begin research and construct language for the Board’s consideration at a Public Hearing at a later date to do listed as follows; Commissioner Stewart seconded and the motion passed 5/0:**
- **Clarify that the Ordinance applies only to those new clearing activities within the wetlands and the required seventy-five foot buffer areas that occur after the effective date of the Ordinance May 1, 2006;**
  - **Provide for the Board to either review Conditional Uses approved by the Planning Commission or all Conditional Uses must be approved by the Board;**
  - **Establish stronger penalties and increased fines for violations of the Wetlands Ordinance;**
  - **Direct Public Works to make an Application for Conditional Use for continuing maintenance of all existing right-of-way and drainage facilities within wetlands and the required seventy-five foot buffer area throughout Wakulla County;**
  - **Direct the Parks & Recreation Department to make an Application for Conditional Use for continued maintenance of all the public park areas within wetlands and the required seventy-five foot buffer area throughout Wakulla County**
- (Lindsay Stevens, Assistant County Administrator)*

**Discussion Issues by Commissioners**

*(The purpose of this section is for Commissioners to request staff action on various issues, including scheduling of a future agenda item for later Board action, based on the approval of a majority of the Board. No assignments or request for agenda items shall be given to the County Administrator or County Attorney without the express approval of the majority of the Board. The Board shall take no policy action without an agenda item unless such is accomplished through a unanimous vote of the Board. The remarks of each Commissioner during his or her “discussion items” time shall be limited to no more than three (3) minutes, unless the Chairman extends the time, and all comments shall adhere to Robert Rules of Order, for proper decorum and civility as enforced by the Chairman.*

**Commissioner Artz directed staff to bring back a budget amendment for approximately \$12,000 (from the Building Departments balance) to assist Code Enforcement in three public safety situations.**  
*(Jaime Baze, Code Enforcement Director)*  
*(Tim Barden, Assistant County Administrator)*

**Commissioner Stewart made a motion to direct staff to work on sun setting (suggested 18 months) policy for platted subdivisions and bring back a report to the May 19, 2009 Board Meeting with options; Commissioner Brock seconded and the motion passed 5/0.**

*(Lindsay Stevens, Assistant County Administrator)*

**Commissioner Stewart directed staff to obtain eminent domain for paving of Old Bethel Road. Commissioner Kessler asked staff to first allow himself to speak with the residents of Old Bethel Road prior to going after eminent domain. Commissioner Kessler will report to the Board at the next Board Meeting after speaking to the residents.**

*(Cleve Fleming, Public Works Director)*

*(Lindsay Stevens, Assistant County Administrator)*

**Commissioner Stewart directed staff to consider having Planning & Zoning (land use items) items on a different night other than regular scheduled Board Meeting nights once a month.**

*(Lindsay Stevens, Assistant County Administrator)*

*(Jennifer Langston, Special Projects Coordinator)*

*(Jessica Welch, Policy & Public Information Coordinator)*

**Commissioner Kessler directed staff to investigate what the situation is as it applies to lot sizes and road paving in Wakulla Gardens regarding the septic tanks presently in the ground or that will be going in the ground, and for staff to bring back a report to the Board on their findings.**

*(Lindsay Stevens, Assistant County Administrator)*

*(Cleve Fleming, Public Works Director)*

**Commissioner Kessler advised the Board that staff is looking into collaborating with the Universities in Tallahassee in utilizing students for County projects.**

### **Adjourn**

*(Any departure from the order of business set forth in the official agenda shall be made only upon majority vote of the members of the Commission present at the meeting).*

**The Board adjourned at 11:30p.m.**

*The next Board of County Commissioners Meeting is scheduled for  
Tuesday, May 5, 2009 at 6:00 p.m.*

Regular Board Meeting and Holiday Schedule  
 January 2009 – December 2009

January 2009						
S	M	T	W	Th	F	Sa
				1	2	3
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February 2009						
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March 2009						
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April 2009						
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May 2009						
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31						

June 2009						
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July 2009						
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August 2009						
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September 2009						
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October 2009						
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November 2009						
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29	30					

December 2009						
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27	28	29	30	31		

 Regular Board Meeting and/or Workshop  
 Special Meeting  
 Holiday

**PUBLIC NOTICE**  
**2009 Tentative Schedule**

**All Workshops, Meetings, and Public Hearings are subject to change**

All sessions are held in the Commission Chambers, 29 Arran Road, Suite 101, Crawfordville, FL.  
 Workshops are scheduled as needed.

<b>Month</b>	<b>Day</b>	<b>Time</b>	<b>Meeting Type</b>
<b>April 2009</b>	Monday 20	5:00 P.M.	Septic Tank Educational Workshop
	Tuesday 21	5:00 P.M.	Workshop: To Discuss a Proposal for the Acceptance of the American Recovery & Reinvestment Act of 2009 Weatherization Assistance Program Grant Funding
	Tuesday 21	6:00 P.M.	Regular Board
	Tuesday 21	6:00 P.M.	Public Hearing: To Adopt the Comprehensive Sewer Ordinance
	Monday 27	5:00 P.M. – 7:00 P.M.	Workshop with the EDC & TDC
	Tuesday 28	10:00 A.M. – 2:30 P.M.	Regional Government Springshed Meeting – Wakulla Springs Lodge/Edward Ball Conf. Rm.
<b>May 2009</b>	Tuesday 5	5:00 P.M.	Workshop: To Facilitate Discussion with the Parks & Recreation Board
	Tuesday 5	6:00 P.M.	Regular Board
	<i>Monday 18</i>	<i>5:00 P.M.</i>	<i>Proposed Workshop: To Discuss the Proposal for a Faith-Based Publicly Funded Project (Leon-Wakulla Development Corp)</i>
	Tuesday 19	5:00 P.M.	2 <sup>nd</sup> Budget Development Workshop
	Tuesday 19	6:00 P.M.	Regular Board
	Thursday 28	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Senior Citizens Office
<b>June 2009</b>	Tuesday 2	5:00 P.M.	Workshop to Discuss Hurricane Preparedness
	Tuesday 2	6:00 P.M.	Regular Board
	Tuesday 9	5:00 P.M. – 8:00 P.M.	3 <sup>rd</sup> Budget Development Workshop-Operating Budget
	Tuesday 16	6:00 P.M.	Regular Board
	Tuesday 23	5:00 P.M. – 8:00 P.M.	4 <sup>th</sup> Budget Development Workshop-Capital Improvement Budget
<b>July 2009</b>	Tuesday 21	6:00 P.M.	Regular Board
	Thursday 30	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Panacea Welcome Center

<b>Month</b>	<b>Day</b>	<b>Time</b>	<b>Meeting Type</b>
<b>August 2009</b>	Tuesday 4	5:00 P.M.	5 <sup>th</sup> Budget Development Workshop
	Tuesday 4	6:00 P.M.	Regular Board
	Tuesday 18	6:00 P.M.	Regular Board
<b>September 2009</b>	Tuesday 8	6:00 P.M.	Regular Board
	Tuesday 22	6:00 P.M.	Regular Board
<b>October 2009</b>	Thursday 1	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Sopchoppy City Hall
	Tuesday 6	6:00 P.M.	Regular Board
	Tuesday 20	6:00 P.M.	Regular Board
<b>November 2009</b>	Tuesday 3	6:00 P.M.	Regular Board
	Tuesday 17	6:00 P.M.	Regular Board
<b>December 2009</b>	Tuesday 8	6:00 P.M.	Regular Board