

# Board of County Commissioners

**Date:** Thursday, March 19, 2009  
**To:** Honorable Chairman and Members of the Board  
**From:** Benjamin H. Pingree, County Administrator  
**Subject:** Follow-up to County Commission Meeting March 17, 2009

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## **Invocation**

Commissioner Kessler

## **Pledge of Allegiance**

Commissioner Stewart

## **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-ons; Commissioner Green seconded and the motion passed 5/0.**

- **Commissioner Stewart requested to move the Presentation regarding Jim Tartt to the beginning of the meeting; prior to the Public Hearing;**
- **Commissioner Stewart has two add-on items under his discussion time;**
- **The County Administrator requested to table Tab #13 to the April 21, 2008 Board Meeting;**
- **The County Attorney has two add-on items under his items.**

## **CONFIDENTIAL COUNTY ATTORNEY-CLIENT MEETING**

### **Item Was Pulled**

In accordance with Chapter 286.011(8), Florida Statutes, the Board of County Commissioners will hold a confidential meeting commencing at approximately 6:00 p.m. on March 17, 2009 for approximately thirty (30) minutes, to discuss the below described pending litigation. Those in attendance will be each member of the Board of County Commissioners, Chairman Howard Kessler, Vice Chairman George Green, Commissioner Lynn Artz, Commissioner Mike Stewart, Commissioner Alan Brock, County Attorney Ronald A. Mowrey and Stephen E. Mitchell of Mowrey & Mitchell, P.A., County Administrator Ben Pingree and an official Court Reporter.

**Wakulla County Circuit Court Case #07-70-CA; *ROBERT D. SNYDER, M.D., P.A., Plaintiff, v. WAKULLA COUNTY, FLORIDA (a political subdivision of the State of Florida), Defendant***

### **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 Conduct a Public Hearing to Consider Adopting Text Changes to Ordinance 06-28 Which Establishes and Amends Flood Hazard Areas in Certain Specific Subdivisions, Establishes Building Elevations in Specific Flood Hazard Areas and Regulates Fill in Specific Flood Hazard Areas

(Luther Council, Building Official)

**Commissioner Green made a motion to conduct the public hearing and adopt the proposed amendments to Ordinance 06-28, which establishes and amends flood hazard areas in certain specific subdivisions, establishes building elevations in specific flood hazard areas and regulates fill in specific flood hazard areas; Commissioner Artz seconded. After discussion, Commissioner Green made a motion to amend his prior motion and adopt the proposed amendments to Ordinance 06-28 with amending the proposed Ordinance to include 29 Datum Vertical Height Data; Commissioner Artz seconded and the motion passed 3/2.**

### **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).*

Recognition of Florida Football Player Jim Tartt – Commissioner Kessler

**Commissioner Kessler presented a brief PowerPoint Presentation honoring Jim Tartt and his accomplishments at the University of Florida. In addition, Commissioner Stewart made a motion to approve a Proclamation declaring May 19<sup>th</sup> as Jim Tartt Day in Wakulla County; Commissioner Artz seconded and the motion passed 5/0. Jim Tartt was present and thanked the citizens for supporting him.**

Green Living Expo – Commissioner Artz

**Commissioner Artz announced the Green Living Energy Expo & Education Fair to be held on Saturday, March 21, 2009 at 9:00am – 4:00pm at Riversprings Middle School, 800 Spring Creek Hwy. At the Expo citizens can learn ways to save money and experience a simpler, more sustainable life. Several Workshops will be held throughout the day, local farmer's tent will be on site, children's activities and local entertainment; all citizens are invited to attend.**

(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 Green made a motion to approve the Consent Agenda; Commissioner Brock seconded and the motion passed 5/0.**

2. Approval of Minutes – March 3, 2009 Regular Meeting  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the March 3, 2009 Regular Board Meeting Minutes.**
3. Approval of Minutes – February 23, 2009 Workshop Regarding the Tourist Development Council  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the February 23, 2009 Workshop Minutes regarding the Tourist Development Council.**
4. Approval of Minutes – March 3, 2009 Workshop to Discuss Whether to Form Additional Citizen Advisory Committees or Working Groups  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the March 3, 2009 Workshop Minutes to discuss whether to form additional citizen advisory committees or working groups.**
5. Approval of Payment of Bills and Vouchers Submitted for February 26, 2009 – March 11, 2009  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the payment of Bills & Vouchers submitted for February 26, 2009 – March 11, 2009.**
6. Request Board Ratification of Actions Taken at the February 23, 2009 Workshop Regarding the Tourist Development Council  
(Jennifer Langston, Special Projects Coordinator)  
**The Board approved Option #1 – Ratify the Board discussion taken during the February 23, 2009 Workshop regarding the Tourist Development Council.**
7. Request for Ratification of Board Discussion Taken During the February 17, 2009 Workshop to Discuss Ways to Increase Citizen Information, Input, & Involvement in County Government  
(Jessica Welch, Policy & Public Information Coordinator)  
**The Board approved Option #1 – Ratify the Board discussion taken at the February 17, 2009 Workshop to discuss ways to increase citizen information, input, and involvement in County Government.**
8. Request Board Approval to Schedule a Workshop on May 5, 2009 at 5:00pm to Facilitate Discussion with the Parks & Recreation Board  
(Jessica Welch, Policy & Public Information Coordinator)  
**The Board approved Option #1 – Approve to schedule a Workshop on May 5, 2009 at 5:00p.m. to facilitate Board discussion with the Parks & Recreation Board.**

**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).*

**Citizens to be Heard**

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

**Julia Knight addressed the Board for support of a 4H Club in the Panacea area for members of the Panacea Marine Biologist Club.**

**Steve Brown addressed the Board regarding the letter the Chairman wrote to the Governor in regards to the Sheriff Harvey accident.**

**Ralph Thomas addressed the Board regarding the Commissioners and staff that attended the National Association of Counties Conference in Washington, DC.**

**Victor Spencer addressed the Board on behalf of the 4H Group and requested support from the Board to designate a building for the Panacea 4H Marine Biologist Club.**

**Cypres Rudloe addressed the Board requesting support of the 4H Marine Biologist Club in order to designate a building for the Club to continue.**

**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).*

9. Request Board Approval of the Coast Guard Auxiliary to Use Space at the Wakulla Station Fire Department and Memorandum of Understanding  
(Louis Lamarche, Interim Fire Chief)  
**Commissioner Brock made a motion to approve the Coast Guard Auxiliary to use space at the Wakulla County Fire Department Station 2 (Wakulla Station) and approve the Memorandum of Understanding; Commissioner Artz seconded and the motion passed 5/0.**
  
10. Request for Ratification of Board Actions Taken at the February 17, 2009 First Budget Workshop Regarding the Development of the FY2009/2010 Budget  
(Tim Barden, Assistant County Administrator)  
**Commissioner Brock made a motion to ratify the Board actions taken at the February 17, 2009 First Budget Workshop regarding the development of the FY2009/2010 Budget; Commissioner Green seconded and the motion passed 5/0. In addition, the Board directed staff to consider the alternative revenue options (Special Assessments, Public Service Tax (PST), Solid Waste Licensing Fee and Utility Regulation) and bring back for discussion during the next scheduled Budget Workshop.  
(Tim Barden, Assistant County Administrator)**

11. Request Board Approval of the Final Draft of the Exclusive Agency Agreement and the Final Draft Management Plan with Florida Foresight, Incorporated for the Development of the Big Bend Maritime Center and Authorization for the Chairman to Sign the Option Agreements  
(Tim Barden, Assistant County Administrator)  
**Commissioner Brock made a motion to approve the final draft Exclusive Agency Agreement and the final draft of the Management Plan with Florida Foresight, Inc. for the management of the proposed Big Bend Maritime Center and authorize the Chairman to execute the Option Agreements for the purchase of the properties; Commissioner Artz seconded and the motion passed 5/0. In addition, Pam Portwood, President of Florida Foresight, Inc. invited the Board to assign an appointee for a seat on the Board for Florida Foresight, Inc.**
  
12. Request Board Approval to Authorize the Chairman to Sign the Professional Services Agreement with Golden Construction for Spring Creek/Shell Point Channel Markers and to Approve Payment  
(Ray Gray, Parks & Recreation Director)  
**Commissioner Artz made a motion to authorize the Chairman to execute the Professional Services Agreement with Golden Construction for \$22,050 for the Spring Creek/Shell Point Channel Markers project and authorize payment; Commissioner Stewart seconded and the motion passed 5/0.**
  
13. Request Board Consideration of Staff Research and Update Regarding Hidden Meadows Subdivision  
(Lindsay Stevens, Assistant County Administrator)  
**This item was tabled to the April 21, 2009 Board Meeting.**
  
14. Request Board Consideration to Collect Upon Three (3) Irrevocable Letters of Credit and Proceed with the Completion of Paving, Sidewalk and Other Infrastructure Improvements within the Hidden Meadows Subdivision  
(Lindsay Stevens, Assistant County Administrator)  
**Commissioner Brock made a motion to direct the County Attorney to draw upon all available Letters of Credit related to the Hidden Meadows Subdivision and direct staff to provide the Board with a plan to complete the required infrastructure improvements for the Hidden Meadows Subdivision; Commissioner Stewart seconded and the motion passed 5/0.**  
*(Lindsay Stevens, Assistant County Administrator)*  
*(Ron Mowrey, County Attorney)*
  
15. Request Board Approval of the Memorandum of Understanding Between Wakulla County and Leon County for the Use of the Leon County Transfer Station  
(Cleve Fleming, Public Works Director)  
**Commissioner Artz made a motion to approve the Memorandum of Understanding between Wakulla County and Leon County for the use of the Leon County Transfer Station; Commissioner Brock seconded and the motion passed 5/0.**
  
18. Request Board Approval to Apply for a Grant Through the Florida Department of Emergency Management Hazard Mitigation Grant Program (HMGP)  
(Tim Barden, Assistant County Administrator)  
**Commissioner Artz made a motion to authorize staff to apply for a Grant through the Florida Department of Emergency Management Hazard Mitigation Grant Program for a multi-phase project that would include a stormwater study, the purchase of flood prone lots, and a**

**stormwater solution implementation in the Wakulla Gardens Subdivision; Commissioner Brock seconded and the motion passed 5/0.**

19. Request Board Consideration of Staff Analysis Regarding In-House Versus Contracted County Attorney Functions  
(Debbie DuBose, HR & Purchasing Coordinator)  
**Commissioner Stewart made a motion to approve the Request For Proposal (RFP) and directed staff to advertise and formally bid the outsourcing of legal services for the FY 2009/2010; Commissioner Green seconded and the motion passed 5/0. After discussion and hearing from citizens, Commissioner Kessler made a motion to reconsider the prior action; Commissioner Artz seconded, however the motion failed 3/2. In addition, County Administrator clarified that staff will confirm with the County Attorney that the language in the RFP is legal and will bring back an agenda item at a May 2009 Board Meeting.**  
*(Debbie DuBose, HR & Purchasing Coordinator)*  
*(Tim Barden, Assistant County Administrator)*
20. Board Consideration to Utilize the Existing State Contract Lobbying Firm to Lobby Relevant State and Federal Governmental Entities to Leverage Economic Stimulus Funding on Behalf of Wakulla County  
(Jennifer Langston, Special Projects Coordinator)  
**Commissioner Artz made a motion to authorize Governance Services to lobby for economic stimulus funding on behalf of Wakulla County and authorize the Chairman to execute an Agreement for Services funded for \$17,000; Commissioner Brock seconded and the motion passed 4/1.**

**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).*

16. Commissioner Artz
- a. Request Board Approval to Direct Staff to Identify Ways to Increase Demand for Installation of Solar Hot Water Heaters in Wakulla County  
**Commissioner Artz made a motion to direct staff to identify ways to increase local demand for solar thermal; Commissioner Brock seconded and the motion passed 5/0. In addition, Commissioner Artz announced that Tallahassee Community College (TCC) is willing to offer a course on Solar Thermal at the TCC-Wakulla Center with the condition of having at least 10 students enroll at the cost of \$109 per student. The Chamber of Commerce has agreed to pay for the cost of any Chamber member requesting to attend. The course will be advertised and is expected to be in late Spring.**  
*(Ray Gray, Parks & Recreation Director)*  
*(Tim Barden, Assistant County Administrator)*
- b. Request Board Approval of Amended Action Plans to Address the Board's Priorities for 2008/2009  
**Item was pulled and will come back at a future Board Meeting.**

17. Commissioner Kessler
- a. Request Board Approval to Direct Staff to Develop an Expansion to the Memorandum of Understanding between Wakulla County and University of Florida Cooperative Extension Service  
**Commissioner Stewart made a motion to direct staff to develop an expansion to the Memorandum of Understanding presently existing between Wakulla County and the University of Florida Cooperative Extension Service for a County owned building and possible out building at the northeast corner of Clark Drive and Walker Street in Panacea; Commissioner Brock seconded and the motion passed 5/0.**  
*(Tim Barden, Assistant County Administrator)*  
*(Scott Jackson, Extension Director)*
  - b. Request Board Approval of a Proclamation Designating March 31, 2009 as Children's Day in Wakulla County and April 5, 2009 as Parents and Children's Day in Wakulla County  
(Commissioner Kessler)  
**Commissioner Kessler made a motion to approve a Proclamation designating March 31, 2009 as Children's Day in Wakulla County and April 5, 2009 as Parents and Children's Day in Wakulla County; Commissioner Artz seconded and the motion passed 5/0.**

#### **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).*

**County Attorney requested Board approval to go forth with foreclosure on 5 recorded liens on behalf of the Code Enforcement Board in order for funds to be replenished and to allow Code Enforcement to continue their work. After discussion, Commissioner Stewart made a motion to approve foreclosing on the 5 recorded liens; Commissioner Brock seconded and the motion passed 5/0.**

**County Attorney requested the Board appointee a representative to meet for an informal mitigation meeting with the County Attorney and Snyder's Attorney regarding the Snyder Case #07-70-CA; to attempt to resolve the case. After the mitigation meeting the County Attorney will bring a report back to the Board. Commissioner Stewart made a motion to appointee Commissioner Artz as the Board's representative to meet with the County Attorney and the Snyder's Attorney regarding Case #07-70CA; Commissioner Green 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).*

**County Administrator reminded the citizens of the County's first Town Hall Meeting to be held on Wednesday, March 25, 2009 at the Wakulla Springs Lodge-Dogwood Conference Room at 6:00pm. All citizens are invited and encouraged to attend.**

**County Administrator updated the Board on the Ochlocknee Bay Trail issues and the loss of \$1.3 million in funding. Mr. Pingree assured the Board that Governance Services will reach out to the State Agency level to make certain we receive this funding back.**

**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 Stewart requested Board approval to allow the Community Traffic Safety Team (CTST) to apply for a grant through the Florida Department of Transportation, to provide sidewalks on Trice Ln., Wakulla Arran Rd. from Hwy. 319 east to Cajer Posey Rd., Wakulla Arran Rd. from Hwy. 319 west to Redwood Ln., and on Hwy. 98 from Wakulla High School to the intersection of Hwy. 319 and Hwy. 98. In addition, Commissioner Stewart requested the Chairman to write a letter in support of the grant. Commissioner Brock made a motion to approve the CTST to apply for funding; Commissioner Artz seconded and the motion passed 5/0.**

**Commissioner Stewart requested Board direction regarding the Upper River Bridge issues in regards to closing the boat ramp due to it being a "safety issue" or to go after a grant to purchase property to maintain the boat ramp, parking and restrooms. After discussion, Commissioner Brock made a motion to approve supporting the Community Traffic Safety Team (CTST) to apply for a grant to purchase property to maintain the boat ramp, parking and restrooms; Commissioner Artz seconded and the motion passed 5/0.**

**Commissioner Stewart requested Board approval to travel to Chipley, FL with the Community Traffic Safety Team (CTST) to attend a meeting on behalf of the CTST and the Board regarding the Upper River Bridge and possible funding. Commissioner Brock made a motion to approve Commissioner Stewart's travel; Commissioner Artz seconded and the motion passed 5/0.**

**Commissioner Brock directed the County Attorney to review a Resolution passed by Franklin County regarding fishing nets to see if more enforced language could be added.  
(Ron Mowrey, County Attorney)**

**Commissioner Brock announced to citizens that were interested in amending the County Charter regarding the 30% threshold, that the same way citizens can collect petitions, they can also hire people to collect petitions to amend the Charter. Commissioner Brock advised as the number is lower, it would be easier for people to hire and collect signatures in a quick pattern to make amendments.**

**Commissioner Brock wished everyone a Happy St. Patrick's Day.**

**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 meeting adjourned at 10:25p.m.**

*The next Board of County Commissioners Meeting is scheduled for  
Tuesday, April 7, 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
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February 2009						
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March 2009						
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April 2009						
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June 2009						
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July 2009						
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September 2009						
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November 2009						
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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>March 2009</b>	Monday 16	5:00 P.M. – 7:00 P.M.	Workshop: To Discuss the Comprehensive Sewer Ordinance
	Tuesday 17	5:00 P.M.	“Cancelled” Workshop – To Discuss the Proposal for a Faith-Based Publicly Funded Project (Leon-Wakulla Development Corp)
	Tuesday 17	6:00 P.M.	Regular Board
	Tuesday 17	6:00 P.M.	Public Hearing: To Adopt Amended Changes to Ordinance 06-28, which Establishes & Amends Flood Hazard Areas in Certain Subdivisions, Establishes Building Elevations in Specific Flood Hazard Areas, & Regulates Fill in Specific Flood Hazard Areas
	Wednesday 25	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Wakulla Springs Lodge
<b>April 2009</b>	Tuesday 7	5:00 P.M.	Workshop: For the Proposed Panacea Special Overlay District Ordinances and Code Language
	Tuesday 7	6:00 P.M.	Regular Board
	Tuesday 21	6:00 P.M.	Regular Board
	Monday 27	5:00 P.M. – 7:00 P.M.	Workshop with the EDC & TDC
<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
	Tuesday 19	6:00 P.M.	Regular Board
	Wednesday 27	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Old Courthouse/Chamber