

# Board of County Commissioners

**Date:** Wednesday, May 19, 2010  
**To:** Honorable Chairman and Members of the Board  
**From:** Benjamin H. Pingree, County Administrator  
**Subject:** Follow-Up to County Commission Meeting May 3, 2010

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## Invocation

Commissioner Green

## Pledge of Allegiance

Commissioner Kessler

## Approval of Agenda:

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

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

- **Commissioner Artz has two add-on presentations to be presented by Scott Nelson and Dr. Norman Griggs.**
- **Commissioner Kessler has an add-on item under his agenda items;**
- **County Attorney has an add-on item under her items.**

## 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 5:00pm, 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 the Public Hearing and Adopt the Master Capital Project and Service Assessment Ordinance  
(Heather Encinosa, County Attorney)  
**Commissioner Artz made a motion to conduct the public hearing and adopt the Master Capital Project and Service Assessment Ordinance; Commissioner Brock seconded and the motion passed 5/0.**
2. Request Board Approval to Conduct the Public Hearing and Adopt an Ordinance Amending Ordinance No. 2003-06, the Wakulla County Code Enforcement Board Ordinance  
(Heather Encinosa, County Attorney)  
**Commissioner Stewart made a motion to conduct the public hearing and adopt the proposed Ordinance amending Ordinance No. 2003-06, the Wakulla County Code Enforcement Board Ordinance; Commissioner Green seconded and the motion passed 5/0.**

**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).*

**Presentation by Scott Nelson, WCSO, Emergency Management Director –**

**Scott Nelson gave a brief update to the Board and citizens on the Deepwater Horizons oil spill. The County will be working closely with BP and the Department of Environmental Protection. Mr. Nelson along with DEP will be reviewing the contingency plan that list the County's protection areas. Mr. Nelson will continue to brief the Board as this development continues.**

**Presentation by Dr. Norman Griggs –**

**Dr. Norman Griggs expressed his concerns about the wildlife, marine mammals, and bird life that will be affected by the oil spill. Mr. Griggs will be working with TriState Organization to prepare for animal needs; and will continue to report to the Board as updates arise.**

**Presentation Regarding Housing Services Provided to Seafood Workers – Alfred Nelson**

**Alfred Nelson briefed the Board in regards to funding and housing services that has been provided to assist the seafood workers. The Housing Department using SHIP and LIHEAP funds has assisted 57 local seafood workers; \$24,000 assisted their mortgage bill, \$4,000 assisted with their utility costs, and \$14,000 assisted in rent.**

**Announcement of May 8<sup>th</sup> Green Living Expo – Pam Portwood**

**Pam Portwood announced the Green Living Expo will be held on Saturday, May 8, 2010 at Riversprings Middle School at 9:00a.m. – 4:00p.m. A variety of exhibitors will be on site and activities for all ages will be held. At 12:00p.m., please join the keynote speaker Dr. Pierce Jones to learn about water, energy and land development in Florida.**

**Board Recognition to Paul Clark, Wilderness Coast Public Libraries – Commissioner Stewart  
Commissioner Stewart acknowledged Paul Clark by way of Resolution for being a dedicated employee of Wilderness Coast Public Libraries and his undying service to Wakulla County Citizens through his efforts at the Legislature preserving library funding to the State Aid to Libraries Program at the full amount to maintain Florida Library's eligibility for Federal grants.**

**Blue Crab Festival Committee to Present Plaque to the Board – Paige Killeen/Sheree Posey-Miller  
Paige Killeen and Sheree Miller presented the Board with a plaque on behalf of the Blue Crab Festival Committee for helping and supporting the festival this year. In addition, a plaque was also presented to Ray Gray, Parks & Recreation Director for assisting in beautifying Woolley Park for the festival.**

(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. In the event a citizen requests to donate their 3 minutes to another citizen, the citizen must obtain approval from the Chairman prior to the date of the meeting and is at the Chairman's discretion).

**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 Tabs #6, #7, & #27 being pulled for discussion; Commissioner Stewart seconded and the motion passed 5/0.**

3. Approval of Minutes – April 19, 2010 Regular Board Meeting  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the April 19, 2010 Regular Board Meeting Minutes.**
4. Approval of Minutes – April 12, 2010 Workshop to Discuss the Talquin Wastewater Agreement  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the April 12, 2010 Workshop Minutes to Discuss the Talquin Wastewater Agreement.**
5. Approval of Payment of Bills and Vouchers Submitted for April 15, 2010 – April 28, 2010  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the payment of Bills & Vouchers submitted for April 15, 2010 – April 28, 2010.**
6. Request Board Approval to Schedule and Advertise a Public Hearing to Consider Adopting the Proposed Fire Inspection Ordinance  
(Heather Encinosa, County Attorney)  
**The Board pulled this item for discussion.**
7. Request Board Approval of Task Order No. 14 to Jones Edmunds to Conduct a Risk Assessment at the Lower Bridge Landfill  
(Cleve Fleming, Public Works Director)  
**The Board pulled this item for discussion.**
8. Request Board Approval to Purchase a Used 310G John Deere Backhoe for the Solid Waste Facility  
(Cleve Fleming, Public Works Director)  
**The Board approved Option #1 – Approve Public Works to purchase a used 310G John Deere backhoe for the solid waste facility.**
9. Request Board Approval of a Proclamation Declaring May 2010 as Being National Mental Health Month  
(Commissioner Artz)  
**The Board approved Option #1 – Approve the Proclamation declaring May 2010 as being National Mental Health Month in Wakulla County.**
27. Request Board Approval to Award Bid to Panacea Coastal Construction for Repairs to the Wakulla County Welcome Center and Authorize the Chairman to Execute the Contract  
(Timothy Barden, Assistant County Administrator)

**The Board pulled this item for discussion.**

29. Request Board Approval of a Resolution Honoring Paul Clark for Efforts in Saving the State Aid to Libraries Program Funding  
(Scott Joyner, Library Services Coordinator)

**The Board approved Option #1 – Adopt the Resolution honoring Paul Clark for his efforts in saving the State Aid to Libraries Program Funding.**

**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).*

6. Request Board Approval to Schedule and Advertise a Public Hearing to Consider Adopting the Proposed Fire Inspection Ordinance  
(Heather Encinosa, County Attorney)  
**After discussion, Commissioner Brock made a motion to direct staff to schedule a Workshop regarding the proposed Fire Inspection Ordinance; Commissioner Artz seconded and the motion passed 5/0.**  
*(Jessica Welch, Policy & Public Information Coordinator)*  
*(Heather Encinosa, County Attorney)*  
*(Scott McDermid, Public Safety Director)*
7. Request Board Approval of Task Order No. 14 to Jones Edmunds to Conduct a Risk Assessment at the Lower Bridge Landfill  
(Cleve Fleming, Public Works Director)  
**After discussion, Commissioner Brock made a motion to approve Task Order No. 14 to Jones Edmunds to conduct a Risk Assessment at the Lower Bridge Landfill which is required by the Florida Department of Environmental Protection; Commissioner Stewart seconded and the motion passed 5/0.**
27. Request Board Approval to Award Bid to Panacea Coastal Construction for Repairs to the Wakulla County Welcome Center and Authorize the Chairman to Execute the Contract  
(Timothy Barden, Assistant County Administrator)  
**Commissioner Stewart made a motion to award the bid to Panacea Coastal Construction for the repairs to the Wakulla County Welcome Center, authorize the Chairman to execute the Contract, and approve the Budget Amendment; Commissioner Brock seconded and the motion passed 5/0.**

**Citizens to be Heard**

*(Citizens will be heard between 6:30p.m. and 7:00p.m., or if the meeting concludes prior to 6:30p.m. or 7:00p.m. citizens will then be heard at the end of the meeting where applicable. Three (3) minute time limit; non-discussion by Commission; there shall be no debate and no action by the Commission).*

**Sue Damon addressed the Board on several issues regarding the Talquin Agreement and discount for 107 homes in Shell Point; discussed the oil spill and the need to save Wakulla County; and discussed the wetlands setbacks and issues with variances.**

**Ron Piasecki on behalf of Friends of Wakulla Springs State Park announced a jazz event to be held at the Wakulla Springs Lodge on Saturday, May 8<sup>th</sup> at 7:00 p.m. Mr. Piasecki also discussed the oil spill and the need to protect the manatees and the coast.**

**Planning and Zoning – “Please see the Supplemental Book for Items 10 – 18”**

*(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. “In accordance with Sec. 24.01 of County Code, for all quasi-judicial proceedings each Commission member must disclose all contact received from interested parties and/or their representatives, lobbyists, or any other third parties concerning any application and any personal investigation or knowledge being relied upon during the consideration of any quasi-judicial planning and zoning matters”.)*

**John Sewell of Kimley-Horn and Associates, Inc. provided a brief presentation on the timeline of the EAR based amendments. After discussion, Commissioner Brock made a motion to continue the final Public Hearings for Tabs #10 - #16 to the May 17, 2010 Board Meeting at 5:00 p.m. in the Commission Boardroom; Commissioner Artz seconded and the motion passed 5/0.**

10. Adoption of Comprehensive Plan Text Amendment CP09-02  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Continue to May 17, 2010 Board Meeting.**
11. Adoption of Comprehensive Plan Text Amendment CP09-03  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Continue to May 17, 2010 Board Meeting.**
12. Adoption of Comprehensive Plan Text Amendment CP09-04  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Continue to May 17, 2010 Board Meeting.**
13. Adoption of Comprehensive Plan Text Amendment CP09-05  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Continue to May 17, 2010 Board Meeting.**
14. Adoption of Comprehensive Plan Text Amendment CP09-06  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Continue to May 17, 2010 Board Meeting.**
15. Adoption of Comprehensive Plan Text Amendment CP09-07  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Continue to May 17, 2010 Board Meeting.**
16. Adoption of Comprehensive Plan Text Amendment CP09-08  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Continue to May 17, 2010 Board Meeting.**

17. Request Board Consideration and Acceptance of the Updated Residential Needs Analysis (Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Brock made a motion to consider and accept the updated Residential Land Use Needs Analysis as data and support for the EAR Amendments to the Wakulla County Comprehensive Plan; Commissioner Artz seconded and the motion passed 4/1.**
18. Request Board Consideration and Acceptance of the Updated Commercial Needs Analysis (Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Brock made a motion to consider and accept the updated Commercial Land Use Needs Analysis as data and support for the EAR Amendments to the Wakulla County Comprehensive Plan; Commissioner Artz seconded and the motion passed 5/0.**

### **General Business**

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

19. Request Board Approval of the Agreement for Wastewater Services Between Wakulla County and Talquin Electric Cooperative, Inc.  
(Heather Encinosa, County Attorney)  
**Commissioner Stewart made a motion to approve the Agreement for Wastewater Services between Wakulla County and Talquin Electric Cooperative, Inc.; Commissioner Brock seconded and the motion passed 4/1.**
20. Request Board Acceptance of the Staff Report on the Communication Services Tax (CST)  
(Tim Barden, Assistant County Administrator)  
**Commissioner Brock made a motion to accept the staff report on the Communication Services Tax; Commissioner Artz seconded and the motion passed 5/0.**
21. Request Board Approval to Amend the Director of the Tourist Development Council's Employment Contract to Provide Access to Health Insurance Coverage  
(Tim Barden, Assistant County Administrator)  
**Commissioner Artz made a motion to approve amending the Director of the Tourist Development Council's employment contract to provide access to health insurance coverage; Commissioner Brock seconded and the motion passed 4/1.**  
*(Debbie DuBose, OMB Coordinator)*
22. Board Update and Timeline of the Wakulla County Community Center Opening for Summer Activities  
(Doug Jones, Public Services Director)  
**Commissioner Artz made a motion to accept the update of the Wakulla County Community Center; approve the schedule of upcoming events and activities, and survey; and direct staff to schedule a Workshop on and at the Community Center on Thursday, June 17, 2010 at 6:30p.m.; Commissioner Brock seconded and the motion passed 5/0.**  
*(Jessica Welch, Policy & Public Information Coordinator)*  
*(Doug Jones, Public Services Director)*

28. Request Board Approval of Government Services Group for Consultant Services to Prepare a Stormwater MSBU for Wakulla Gardens and to Update Fire Services MSBU  
(Timothy Barden, Assistant County Administrator)  
**Commissioner Brock made a motion to approve Government Services Group as the Consultant to prepare a stormwater MSBU for Wakulla Gardens and to update the Fire Services MSBU; Commissioner Stewart seconded and the motion passed 5/0.**

### **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).*

23. Commissioner Artz –  
a. Update to the Board on Committee Assignments  
**Commissioner Artz made a motion to ratify her committee assignments update to the Board; Commissioner Brock seconded and the motion passed 5/0.**
24. Commissioner Kessler –  
a. Wakulla County Energy District to Reduce Energy and Provide Job Opportunities  
**Commissioner Artz made a motion to direct staff and the County Attorney to draft an Ordinance creating the County an Energy Conservation District; Commissioner Brock seconded and the motion passed 5/0.**  
*(Heather Encinosa, County Attorney)*  
*(Melissa Corbett, Planner II)*

### **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).*

25. Request Board Direction Regarding County of Monroe, Florida v. Priceline.com Inc. et al., Case No. 09-10004-CIV-MOORE/SIMONTON and other Tourist Development Tax Lawsuits  
**Commissioner Artz made a motion electing to opt out of the Monroe County Class Action and to join the Leon County lawsuit; Commissioner Green seconded and the motion passed 5/0.**
26. Request Board Direction Regarding Florida Department of Environmental Protection's Intent to Issue NPDES Permit No. FL0025526 to the City of Tallahassee for the Sam O. Purdom Generating Station  
**Commissioner Brock made a motion to accept the County Attorney's recommendation and do not file a formal petition for administrative hearing concerning Permit No.FL0025526 to the City of Tallahassee for the Sam O. Purdom Generating Station; Commissioner Stewart seconded and the motion passed 5/0.**

**Add-On Item - The County Attorney requested Board direction regarding a fence on County existing Right of Way at 154 Mt. Beasor Road. After discussion, Commissioner Brock made a motion to authorize the County Attorney to seek an injunction at the end of this business week to force the property owner, Mr. Sites to remove his fence off existing County right of way. In the interim, the County Attorney will contact the Sites Attorney to try to resolve the issue and if they cannot come to an agreement that is agreeable to all parties, the County Attorney is to proceed forward in the injunction process; Commissioner Artz seconded and the motion passed 4/1.**

### **County Administrator**

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

**The County Administrator reminded the Board and its citizens of the series of Workshops being held on Thursday, May 6<sup>th</sup> beginning at 5:00p.m.**

### **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 Kessler discussed the Deepwater Horizons oil spill. After discussion, Commissioner Artz made a motion to declare a State of Emergency relating to the oil spill in the gulf; Commissioner Brock seconded and the motion passed 5/0.**

**Commissioner Kessler announced that the Florida Wildlife Federation is placing an oil drilling prohibition on the ballot this year. After discussion, Commissioner Artz made a motion for the Board's support by sending a letter to the Governor supporting the position of the Florida Wildlife Federation and to attach the Board's Resolution against drilling; Commissioner Brock seconded and the motion passed 5/0.**

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

**Commissioner Brock expressed his thanks to all of the volunteers for cleaning trash up on the beach during this past weekend.**

### **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 10:10p.m.**

*The next Board of County Commissioners Meeting is scheduled for*

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*Monday, May 17, 2010 at 5:00 p.m.*

Regular Board Meeting and Holiday Schedule  
 January 2010 – December 2010

January 2010						
S	M	T	W	Th	F	Sa
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31						

February 2010						
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March 2010						
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April 2010						
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June 2010						
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July 2010						
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August 2010						
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November 2010						
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December 2010						
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 Regular Board Meeting  
 Special Meeting  
 Holiday

 Workshops

**PUBLIC NOTICE**  
**2010 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 2010</b>	Monday 5	5:00 P.M.	Regular Board Meeting
	Monday 12	4:00 P.M. – 6:00 P.M.	Workshop: To Discuss the Wastewater Agreement with Talquin
	Monday 19	5:00 P.M.	Regular Board Meeting
<b>May 2010</b>	Monday 3	5:00 P.M.	Regular Board Meeting
	<i>TBA</i>	<i>TBA</i>	<i>Proposed Workshop: To Discuss Land Quality and Land Designations (date may be subject to change)</i>
	Thursday 6	5:00 P.M.	Workshop: 2 <sup>nd</sup> Budget Development & Legislative Update
	Thursday 6	6:00 P.M.	Workshop: To Discuss the Solid Waste Disposal Special Assessment
	Thursday 6	7:00 P.M.	Workshop: To Discuss the Proposed Draft Wetlands Ordinance
	Monday 17	5:00 P.M.	Regular Board Meeting
<b>June 2010</b>	Monday 7	5:00 P.M.	Regular Board Meeting
	Thursday 17	5:00 P.M.	Workshop: 3 <sup>rd</sup> Budget Development, Legislative Update, Mid-Year Report and Recommended Adjustments
	Monday 21	5:00 P.M.	Regular Board Meeting
<b>July 2010</b>	Monday 19	5:00 P.M.	Regular Board Meeting