

Board of County Commissioners

Date: Thursday, May 7, 2009
To: Honorable Chairman and Members of the Board
From: Benjamin H. Pingree, County Administrator
Subject: Follow-up to County Commission Meeting May 5, 2009

Invocation

Commissioner Kessler

Pledge of Allegiance

Commissioner Green

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 add-on items and changes; Commissioner Green seconded and the motion passed 5/0:

- **County Attorney has 2 add-on discussion items;**
- **County Administrator added on a Presentation by DOH Regarding the Swine Flu;**
- **Commissioner Artz requested to pull Tab #2 from the Consent Agenda for discussion;**
- **Commissioner Artz requested to move Tab #13 to be considered after Tab #10;**
- **Commissioner Artz requested to Table Tab #23 to the May 19, 2009 BOCC Mtg.;**
- **Commissioner Artz has an add-on item under her discussion time;**
- **Commissioner Stewart has two add-on discussion items;**
- **Commissioner Kessler requested to move Tab #6 and Tab #24 to be considered prior to the Planning & Zoning Items;**
- **Commissioner Green has an add-on discussion item.**

CONFIDENTIAL COUNTY ATTORNEY-CLIENT MEETING

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 May 5, 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 associate Rhonda Divagno and Steve Mitchell, 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*

The Board, County Attorney and County Administrator met at 6:00p.m. to discuss pending litigation for 30 minutes in closed session.

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).

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).

Red-Cockaded Woodpecker, Banding Expedition, May 16, 2009 at 8:30am, CCOW Field Trip
Led by Chuck Hess, Wildlife Biologist

Chuck Hess invited everyone to join him in the Red-cockaded Woodpecker Banding Expedition on May 16, 2009 at 8:30am. During this expedition you will learn more about these endangered birds, spot their nest cavities, see the nestlings before they fledge and observe the banding process. To make a reservation for this field trip, send an e-mail to ccowrcwtrip@gmail.com

Solar Thermal Course – Commissioner Artz

Commissioner Artz announced the Intro to Thermal Solar Hot Water Heating Course. The Course will be held May 11-21, 2009 from 6:00pm – 10:00pm at the TCC Wakulla Center. The cost of the Course is \$109; however, there are scholarships available through the Chamber of Commerce.

Boating Safety Month – Chuck Hickman, Coast Guard Auxiliary

Chuck Hickman, Coast Guard Auxiliary announced the Flotilla 12 St. Marks and Flotilla 13 Shell Point-District 8 Coastal Region of the United States Coast Guard Auxiliary supports safe boating and provides safety programs for the general public which result in our waterways having a safer and almost accident free record.

Kris Whitten, LPN, Wakulla County Health Department gave a brief update regarding the H1N1/Swine Flu. The Wakulla County Health Department is working closely with all of our community partners as we respond to this virus, i.e., physicians, media, etc. WCHD is working in conjunction with the Office of Emergency Management at the Wakulla County Sheriffs Office as well.

(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 Green seconded and the motion passed 5/0.

1. Approval of Minutes – April 21, 2009 Regular Meeting
(Brent X. Thurmond, Clerk of Court)
The Board approved Option #1 – Approve the April 21, 2009 Regular Board Meeting Minutes.
2. Approval of Minutes – April 20, 2009 Educational Workshop on Sewer/Septic
(Brent X. Thurmond, Clerk of Court)
This item was pulled for discussion.
3. Approval of Minutes – April 21, 2009 Workshop to Discuss a Proposal for the Acceptance of the American Recovery & Reinvestment Act of 2009 Weatherization Assistance Program Grant Funding
(Brent X. Thurmond, Clerk of Court)
The Board approved Option #1 – Approve the April 21, 2009 Workshop Minutes to Discuss a Proposal for the Acceptance of the American Recovery & Reinvestment Act of 2009 Weatherization Assistance Program Grant Funding.
4. Approval of Payment of Bills and Vouchers Submitted for April 16, 2009 – April 29, 2009
(Brent X. Thurmond, Clerk of Court)
The Board approved Option #1 – Approve the payment of Bills & Vouchers submitted for April 16, 2009 – April 29, 2009.
5. Request Retroactive Approval of the 2009-10 VISIT FLORIDA Grant Application by the Tourist Development Council
(Pam Portwood, TDC Director)
The Board approved Option #1 – Retroactively approve the TDC's 2009-10 Visit Florida Grant Application by the Tourist Development Council.
7. Request Board Approval of a Proclamation Declaring May 2009 as Boating Safety Month in Wakulla County
(Commissioner Kessler)
The Board approved Option #1 – Approve the Proclamation Declaring May 2009 as Boating Safety Month 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 20, 2009 Educational Workshop on Sewer/Septic (Brent X. Thurmond, Clerk of Court)
After discussion, Commissioner Artz made a motion to approve the April 20, 2009 Minutes of the Educational Workshop on Sewer/Septic with the amendment that the minutes include that the ideas on alternative solutions that Commissioner Artz provided could be implemented in the other units of Wakulla Gardens, and that Commissioner Artz will bring some information back to the Board to look at for a possible mailing with the TRIM Notices; 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).

Vic Lambou addressed the Board regarding the process of the Comprehensive Plan Amendments.

Billy Pigott addressed the Board regarding the issues at the Wakulla River/Upper River Bridge and thanked the Board for considering the purchase of property next to the present boat landing.

Hugh Taylor addressed the Board regarding transparency.

Larry Roberts addressed the Board regarding development and the need for more law enforcement when more development is occurring.

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).

8. Application for Change of Zoning R09-01 and Application for Preliminary Plat PP09-01 Request to rezone a 0.93+/- acre parcel from R-3 (Multi Family Residential) to PUD (Planned Unit Development) and create an 8 lot residential subdivision, to be known as Dispenette Village. This parcel is located on the northeast corner of Dispenette Drive and Shadeville Road. The Property Owners are Pam and Terry Hodges and the Agent is Edwin Brown and Associates.
Commissioner Brock made a motion to conduct the final public hearing and approve the Application for Change of Zoning R09-01 and Application for Preliminary Plat PP09-01; Commissioner Stewart seconded. After discussion, the motion was amended to include a condition of trees being planted on the subject property (Work with Planning & Zoning Office regarding the planting of trees). Commissioner Stewart withdrew his motion; Commissioner Artz seconded the motion with amended condition and the motion passed 4/1.

9. Application for Final Plat FP09-01
Request for final plat approval to finalize an 8 lot residential subdivision, known as Dispenette Village. This parcel is located on the northeast corner of Dispenette Drive and Shadeville Road. The Property Owner is Pam and Terry Hodges and the Agent is Edwin Brown and Associates.
Commissioner Brock made a motion to conduct the final public hearing and approve the Application for Final Plat FP0901 with a condition that the Final Plat will not be signed until the trees are planted; Commissioner Artz seconded and the motion passed 4/1.

10. Application for Final Plat FP09-02
Request for final plat approval to finalize a 46 lot residential subdivision, known as Magnolia Park. This property is located on the south side of Harvey Mill Road, west of Cynthia Street. The Property Owner is Citizens' Bank-Wakulla d.b.a. Ameris Bank and the Agenda is Moore Bass.
Commissioner Stewart made a motion to conduct the final public hearing and approve Application for Final Plat FP09-02; Commissioner Green seconded and the motion passed 5/0.

11. Adoption of Comprehensive Plan Map Amendment CP07-11
This agenda item provides the Board with an Application for a Large Scale Comprehensive Plan Map Amendment from Rural 2 to Commercial and Rural 3, on a parcel located at 3771 Crawfordville Highway. The Property Owner is Big Bend, LLC and the Agent is Robert Routa.
Commissioner Brock made a motion to conduct the final public hearing and adopt the Proposed Comprehensive Plan Map Amendment CP07-11, amending from Rural 2 to Commercial and Rural 3; Commissioner Stewart seconded for discussion. After discussion, the motion failed 2/3.

12. Adoption of Comprehensive Plan Map and Text Amendment CP07-12
This agenda item provides the Board with an Application for a Large Scale Comprehensive Plan Map Amendment from Agriculture to Rural 1, on a parcel located on Sand Lake Road. In addition, the Application contains a Comprehensive Plan Text Amendment to FLUE Policy 1.2.3, Rural 1 Land Use, which restricts the number of residential homes allowed on the property and requires that all of these homes be energy efficient. The Property Owner is Spring Creek Farms, LLC and the Agent is Robert Routa.
Commissioner Brock made a motion to conduct the final public hearing and adopt the proposed Comprehensive Plan Map and Text Amendment CP07-12, amending from Agriculture to Rural 1 and adopting the proposed text amendment to FLUE Policy 1.2.3; Commissioner Stewart seconded for discussion. After discussion, the motion failed 1/4.

13. Adoption of Comprehensive Plan Map Amendment CP07-13
This agenda item provides the Board with an Application for a Large Scale Comprehensive Plan Map Amendment from Agriculture to Rural 1, on a parcel located at 196 Thornwood Road. The Property Owners are John and Janna Richardson and the Agent is Robert Routa.
Commissioner Brock made a motion to conduct a public hearing and adopt the proposed Comprehensive Plan Map Amendment CP07-13, amending from Agriculture to Rural 1; Commissioner Artz seconded and the motion passed 5/0.

14. Adoption of Comprehensive Plan Map and Text Amendment CP07-17
This agenda item provides the Board with an Application for a Large Scale Comprehensive Plan Map Amendment from Rural 1 and Rural 2 to Commercial and Rural 3, on a parcel located off of Crawfordville Highway. In addition, the Application contains a Comprehensive Plan Text Amendment to FLUE Policy 1.2.7, Commercial Land Use, to place a maximum commercial square footage on the property. The Property Owners are S.A. and Linda Coxwell and the Agent is Robert Rounta.
Commissioner Stewart made a motion to conduct a public hearing and adopt the proposed Comprehensive Plan Map Amendment and Text Amendment CP07-17, amending from Rural 1 and Rural 2 to Commercial and Rural 3; Commissioner Brock seconded for discussion and the motion passed 3/2.

General Business

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

6. Request Board Approval of the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation and Approval to Use the Grant Funds to Purchase Patrol Vehicles
(Mary Dean Barwick, WCSO)
Commissioner Brock made a motion to approve using the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to purchase patrol vehicles; Commissioner Stewart seconded and the motion passed 5/0.
15. Request Ratification of Board Actions from the April 7, 2009 Workshop on the Proposed Panacea Special Overlay District Ordinances and Code Language
(Lindsay Stevens, Assistant County Administrator)
Commissioner Stewart made a motion to ratify the Board actions from the April 7, 2009 Workshop on the Proposed Panacea Special Overlay District Ordinances and Code Language and approve staff to proceed with the refinement of the proposed ordinances and LDC text. The Board agreed on the following revisions:
- **Voluntary Review Board Membership:** To maintain the current makeup of the Voluntary Review Board with 2 residential property owners from the District and 3 commercial property owners from the District.
 - **Nomination of Voluntary Review Board Members:** The nominations should come from the Panacea Waterfronts Florida Committee.
 - **Height Restriction:** Directed staff to include a prohibition on administrative variances for height restrictions.
- Commissioner Brock seconded and the motion passed 4/1.**
(Lindsay Stevens, Assistant County Administrator)
16. Request Board Consideration and Approval of a Scope of Work and Related Grant Agreement Between Wakulla County and the Northwest Florida Water Management District (NFWFMD) for a Water Quality and Stormwater Control Project Within the Wakulla Gardens Subdivision
(Lindsay Stevens, Assistant County Administrator)
Commissioner Brock made a motion to approve the Grant Agreement between Wakulla County and NFWFMD, authorize the Chairman to execute the Agreement, direct staff to negotiate a Task Order with a consultant for the Scope of Work not to exceed the amount of the NFWFMD Grant and further direct the County Attorney to

draft a Resolution to adopt a construction moratorium within Wakulla Gardens for consideration at a future Board meeting; Commissioner Stewart seconded and the motion passed 5/0.

(Lindsay Stevens, Assistant County Administrator)
(Ron Mowrey, County Attorney)

17. Request for Extension to the Community Development Block Grant Contract and Modification of Participating Party Agreement for the Med System Ready Pharmacy
(Tim Barden, Assistant County Administrator)
Commissioner Brock made a motion to approve and authorize the Chairman to execute Modification #4 Documents and Letter of Justification to the Florida Department of Community Affairs for an extension to the Community Development Block Grant Contract and modification of Participating Party Agreement for the Med System Ready Pharmacy; Commissioner Stewart seconded and the motion passed 5/0.
18. Request Board Approval of Resolution(s) Required by the Florida Wildlife Conservation (FWC) for Grant Applications
(Tim Barden, Assistant County Administrator)
Commissioner Stewart made a motion to approve the Resolution required by the FWC, authorizing that the Project Manager has the authority to apply for and administer the Grant on behalf of the County; Commissioner Brock seconded and the motion passed 5/0.
19. Request Board Authorization to Advertise an RFP for County Rural Road Safety Improvements & Markings
(Jennifer Langston, Special Projects Coordinator)
Commissioner Artz made a motion to approve four eligible roads that meet the State and Federal requirements as part of the American Recovery and Reinvestment Act Funding to be re-striped. The four roads are Curtis Mills, Railroad Avenue, Oak Park, and Persimmon Road. Commissioner Stewart seconded and the motion passed 5/0.
20. Request Board Acceptance of Status Report on 2009 Board Retreat Priorities & Provide the Board with an Update on Current Staff Taskings Directed by the Board
(Jessica Welch, Policy & Public Information Coordinator)
Commissioner Stewart made a motion to accept the status report on the 2009 Board Retreat Priorities and directed staff to schedule Workshops on the 3rd Thursday of the Month to begin at 4:00p.m., Board Meetings will still be held the first and third Tuesdays to begin at 5:00p.m.; which will all take place beginning in June; Commissioner Artz seconded and the motion passed 5/0. In addition, the Board directed staff to consider moving the Citizens To Be Heard section to a certain time on the Agenda outline.
(Jessica Welch, Policy & Public Information Coordinator)
21. Request Board Approval to Re-Schedule the Workshop to Discuss the Proposal for a Faith-Based Publicly Funded Project by the Leon-Wakulla Development Corporation
(Jessica Welch, Policy & Public Information Coordinator)
Commissioner Brock made a motion to re-schedule the Workshop to discuss the proposal for a faith-based publicly funded project by the Leon-Wakulla Development Corporation to June 18, 2009 at 4:00p.m.; 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).

22. Commissioner Green
- a. Request Board Approval of a Proclamation Declaring May 9-17, 2009 as National Tourism Week in Wakulla County
Commissioner Green made a motion to approve the Proclamation declaring May 9-17, 2009 as National Tourism Week in Wakulla County; Commissioner Brock seconded and the motion passed 5/0.
23. Commissioner Artz
- a. Request Board Approval to Form a Public Transit Work Group
Commissioner Artz tabled this item to the May 19, 2009 Board Meeting.
24. Commissioner Kessler
- a. Request Board Approval of Speed Reductions and the Placement of Signage in Unit 2 of Wakulla Gardens
Commissioner Stewart made a motion to approve reducing the speed limit in Unit 2 of Wakulla Gardens to 15mph and approve the placement of new signs designating the new speed limit of 15mph; Commissioner Artz seconded and the motion passed 5/0.
(Cleve Fleming, Public Works Director)

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 advised the Board of two issues:

- 1. Tarpine Easement Agreement has been resolved.**
- 2. County Attorney will be bringing back an agenda item requesting to advertise the Wetlands Ordinance for a Public Hearing.**

County Administrator

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

Discussion Regarding Sewer/Sewer Application Funding

County Administrator discussed the sewer loan application and advised the Board an agenda item will be coming back to the Board to review the grant application.

County Administrator advised the Board that the Clerk's Office Audit will be available in June for review.

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 made a motion to direct staff to work with the County Health Department to address the immediate issue regarding Mosquito Control and for staff to look into part time help to drive mosquito spray trucks and report back to the Board; Commissioner Green seconded and the motion passed 5/0. Public Works will look into any assistance that they can provide to Wakulla County Health Department's Mosquito Control Program.

*(Pad Juarez, Environmental Health, WCHD)
(Cleve Fleming, Public Works Director)*

Commissioner Stewart will report back to the Board at the May 19, 2009 Board Meeting regarding Hwy. 319.

Commissioner Green asked the Board when the Repealing of Ordinance 09-05 was coming back. Staff advised that the Public Hearing was advertised to come back on May 19, 2009.

Commissioner Kessler directed staff to address the issue of retro-fitting mobile units and report back to the Board with their findings.

*(Lindsay Stevens, Assistant County Administrator)
(Luther Council, Building Official)*

Commissioner Artz asked the Board if they would be in support of a Letter of Support on behalf of the Board regarding the grant project for the Heritage Project.

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 10:50p.m.

*The next Board of County Commissioners Meeting is scheduled for
Tuesday, May 19, 2009 at 6:00 p.m.*

Regular Board Meeting and Holiday Schedule
 January 2009 – December 2009

January 2009						
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February 2009						
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June 2009						
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November 2009						
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December 2009						
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 Regular Board Meeting and/or Workshop
  Town Hall Meetings
 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.

Month	Day	Time	Meeting Type
May 2009	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	5:00 P.M.	2 nd Budget Development Workshop
	Tuesday 19	6:00 P.M.	Regular Board
	Tuesday 19	6:00 P.M.	Public Hearing: Consider Adopting an Ordinance Repealing Ordinance 09-05 (Flood Hazard Areas)
	Thursday 28	7:00 P.M. – 8:00 P.M.	Town Hall Meeting – Senior Citizens Center
June 2009	Tuesday 2	5:00 P.M.	Regular Board
	Tuesday 16	5:00 P.M.	Regular Board
	Thursday 18	4:00 P.M.	Workshop: To Discuss the Proposal for a Faith-Based Publicly Funded Project (Leon-Wakulla Development Corp)
	Thursday 18	5:00 P.M.	Workshop to Discuss Hurricane Preparedness
	Thursday 18	6:00 P.M. – 9:00 P.M.	3 rd and 4 th Budget Development Workshop- Operating Budget/Capital Improvement Budget
July 2009	Tuesday 21	5:00 P.M.	Regular Board
	Thursday 30	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Panacea Welcome Center
August 2009	Tuesday 4	5:00 P.M.	Regular Board
	Tuesday 18	5:00 P.M.	Regular Board
	Thursday 20	4:00 P.M.	5 th Budget Development Workshop
September 2009	Tuesday 8	5:00 P.M.	Regular Board
	Tuesday 22	5:00 P.M.	Regular Board
October 2009	Thursday 1	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Sopchoppy City Hall
	Tuesday 6	5:00 P.M.	Regular Board
	Tuesday 20	5:00 P.M.	Regular Board
November 2009	Tuesday 3	5:00 P.M.	Regular Board
	Tuesday 17	5:00 P.M.	Regular Board
December 2009	Tuesday 8	5:00 P.M.	Regular Board

