

# Board of County Commissioners

**Date:** Friday, June 4, 2010  
**To:** Honorable Chairman and Members of the Board  
**From:** Benjamin H. Pingree, County Administrator  
**Subject:** Follow-Up to County Commission Meeting May 17, 2010

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## Invocation

Commissioner Kessler

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

- **Commissioner Brock announced Evelin Ramirez is not able to attend meeting and he will give a brief announcement on her behalf regarding the 2010 Census;**
- **Commissioner Kessler requested to move his item (Tab #22a) to the Consent Agenda, and requested to move Tab #31 to the beginning of the Agenda.**

31. Update to the Board Regarding the Status of Wakulla County Efforts for the Deepwater Horizons Oil Spill

(Scott McDermid, Public Safety Director)

**Scott Nelson presented the Board with an update on the Deepwater Horizons Oil Spill and gave a status as to the efforts being completed by the County. Mr. Nelson encouraged citizens who were interested in becoming a volunteer to contact Workforce Plus at (850) 926-0980. In addition, Mark White, Program Manager with WRS Compass, is the assigned Environmental Consultant through the State of Florida's Emergency Operations Center was presented and discussed the Proposed Coastal Protection Plan that has been submitted to the State for approval. It is staff's intention to provide these updates, with associated opportunities for input, regularly throughout this incident during each regular Board meeting**

## 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 Proposed Ordinance Amending Ordinance No. 08-10 and Requiring Licensing for Kennels Operating in Wakulla County

(Heather Encinosa, County Attorney)

**Commissioner Artz made a motion to approve to conduct the Public Hearing and adopt the Ordinance amending Wakulla County Ordinance No. 08-10, requiring licensing for kennels operating in Wakulla County; Commissioner Brock seconded. After discussion between the Board and hearing from citizens, Commissioner Artz withdrew her motion. Commissioner Artz made a motion to direct staff to schedule a workshop to further discuss the proposed Ordinance and for staff to provide the Board with alternatives and options during the workshop; Commissioner Brock seconded and the motion passed 5/0. Staff will determine a date and time for the workshop and will bring back for approval at the June 7, 2010 Meeting.**

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

*(Scott McDermid, Public Safety Director)*

**“Please see the Supplemental Book for Items #2 – 8”**

2. Adoption of Comprehensive Plan Text Amendment CP09-02  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Stewart made a motion to conduct the final public hearing and adopt the proposed EAR-based Text Amendment to the Future Land Use Element of the Comprehensive Plan; Commissioner Artz seconded and the motion passed 5/0.**
3. Adoption of Comprehensive Plan Text Amendment CP09-03  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Brock made a motion to conduct the final public hearing and adopt the proposed EAR-based Text Amendment to the Capital Improvements Element and the Infrastructure Element of the Comprehensive Plan; Commissioner Artz seconded and the motion passed 4/1.**
4. Adoption of Comprehensive Plan Text Amendment CP09-04  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Brock made a motion to conduct the final public hearing and adopt the proposed EAR-based Text Amendment to the Intergovernmental Coordination Element and the Public School Facilities Element of the Comprehensive Plan; Commissioner Artz seconded and the motion passed 5/0.**
5. Adoption of Comprehensive Plan Text Amendment CP09-05  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Artz made a motion to conduct the final public hearing and adopt the proposed EAR-based Text Amendment to the Conservation Element of the Comprehensive Plan; Commissioner Stewart seconded and the motion passed 5/0.**
6. Adoption of Comprehensive Plan Text Amendment CP09-06  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Artz made a motion to conduct the final public hearing and adopt the proposed EAR-based Text Amendments to the Concurrency Management System Element and the Traffic Element of the Comprehensive Plan; Commissioner Green seconded and the motion passed 3/2.**

7. Adoption of Comprehensive Plan Text Amendment CP09-07  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Brock made a motion to conduct the final public hearing and adopt the proposed EAR-based Text Amendments to the Housing Element and the Economic Development Element of the Comprehensive Plan; Commissioner Stewart seconded and the motion passed 5/0.**
  
8. Adoption of Comprehensive Plan Text Amendment CP09-08  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
**Commissioner Brock made a motion to conduct the final public hearing and adopt the proposed EAR-based Text Amendments to the Coastal Management Element and the Recreation and Open Space Element of the Comprehensive Plan; Commissioner Artz 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).*

**Laurie Langston addressed the Board regarding her opinion with the Chairman presented the Proclamation to declare Civility Month in Wakulla County.**

**Steve Calhoun addressed the Board regarding his concerns with the management of taxpayer's money issued through the Weatherization Program and the inflated costs by out of town contractors, and the County not utilizing local contractors.**

**Steve Fultz presented the Board with a PowerPoint Presentation regarding the County Budget and Transparency.**

**Bob Danzey addressed the Board regarding the metal detector that has recently been placed in the Boardroom lobby and the need for citizens to be aware of the rules for entering the Board Meeting room once the scanner is operational.**

**Stan Derzypolski addressed the Board regarding the Oyster Bay Boat Ramp and asked the Board to advise him whether it is a public or private ramp.**

### **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).*

**Announcement of Stroke Awareness Community Outreach Training – Dylan Jones, Paramedic Scott McDermid, Public Safety Director, announced the importance of stroke awareness. Wakulla County EMS is holding community trainings for anyone interested in learning the early warning signs of a stroke and to ensure a better quality of life following a stroke. Wakulla County Emergency Medical Services requests that any church, community or civic**

**groups, or any other organizations, interested in learning more about stroke awareness and training, to please contact the Department of Public Safety at (850) 745-8697.**

Announcement of Boating Safety Week – Coast Guard Auxiliary

**The Coast Guard Auxiliary announced Boating Safety Week beginning the third week in May. Commissioner Kessler presented the Coast Guard Auxiliary with a Proclamation declaring the third week in May 2010 as Boating Safety Week in Wakulla County.**

Announcement of Information Regarding the Census – Evelin Ramirez, US Census Bureau

**Commissioner Brock encouraged citizens to assist the US Census workers who are knocking on doors of those citizens who have not mailed in their census forms.**

Announcement of Civility Month – Commissioner Kessler

**Commissioner Kessler announced the importance of Civility in Wakulla County and announced the agenda item being proposed for the Board to adopt a Proclamation declaring the month of May as Civility Month in Wakulla County.**

(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 Stewart made a motion to approve the Consent Agenda with Tab #28 being pulled for discussion and moving Tab #22a to the Consent Agenda; Commissioner Brock seconded and the motion passed 5/0.**

9. Approval of Minutes – May 3, 2010 Regular Board Meeting  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the May 3, 2010 Regular Board Meeting minutes.**
10. Approval of Payment of Bills and Vouchers Submitted for April 29, 2010 – May 12, 2010  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve payment of Bills and Vouchers submitted for April 29, 2010 – May 12, 2010.**
11. Request Board Approval of a Resolution Amending Resolution #09-50, Adding Additional Members to the Parks Advisory Committee and Approve the Amended Committee Bylaws  
(Ray Gray, Parks & Recreation Director)  
**The Board approved Option #1 – Approve the Resolution amending Resolution #09-50, adding additional members to the Parks Advisory Committee and approving the amended Bylaws.**

13. Request Board Approval to Apply for Construction Funding for the Ochlocknee Bay Bike Trail Phase II  
(Timothy Barden, Assistant County Administrator)  
**The Board approved Option #1 – Approve to submit application for Phase II construction funding of Ochlocknee Bay Bike Trail.**
14. Request Board Approval of a Proclamation Declaring May as Civility Month in Wakulla County  
(Commissioner Kessler)  
**The Board approved Option #1 – Approve the Proclamation declaring May as Civility Month in Wakulla County.**
28. Request Board Acceptance of \$19,300 in Grant Funds and Authorization for the Chairman to Execute the Contract and Resolution for the Division of Forestry Reforestation Grant and Request Approval of Budget Amendment  
(Timothy Barden, Assistant County Administrator)  
**The Board pulled this item for discussion.**
29. Request Board Acceptance of \$459,261 in Grant Funds and Authorization for the Chairman to Execute the Contract and Resolution for The Department of Community Affairs, CDBG Disaster Recovery Grant and Request Approval of Budget Amendment  
(Timothy Barden, Assistant County Administrator)  
**The Board approved Option #1 – Accept \$459,261 in grant funds and authorize the Chairman to execute the Contract and Resolution for The Department of Community Affairs, CDBG Disaster Recovery Grant, and approve the budget amendment.**
- 22a. Request Board Approval of a Proclamation Declaring the Third Week in May 2010 as Boating Safety Week  
(Commissioner Kessler)  
**The Board approved Option #1 – Approve the Proclamation declaring the third week in May 2010 as Boating Safety Week.**

**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).*

28. Request Board Acceptance of \$19,300 in Grant Funds and Authorization for the Chairman to Execute the Contract and Resolution for the Division of Forestry Reforestation Grant and Request Approval of Budget Amendment  
(Timothy Barden, Assistant County Administrator)  
**After discussion, Commissioner Brock made a motion to accept \$19,300.00 in grant funds, authorize the Chairman to execute the Grant Contract documents as amended per the County Attorney, and approve the Resolution and Budget Amendment; Commissioner Artz seconded and the motion passed 5/0.**

### **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. "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".)*

### **General Business**

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

15. Request Board Approval of Phase One Courthouse Project Bids and GMP Option, and Authorize the Chairman to Execute  
(Brent X. Thurmond, Clerk of Court)  
**Commissioner Brock made a motion approve the Phase One Courthouse Project Bids and Guaranteed Maximum Price (GMP) Option, and authorize the Chairman to execute the documents; Commissioner Stewart seconded and the motion passed 5/0. In addition, the Clerk will provide the Board with a cost analysis at the next Board meeting.**  
*(Brent Thurmond, Clerk of Court)*
16. Request Board Approval of the Proposed Corrective Action Plan and Authorize Staff to Submit to the State Fire Marshall's Office  
(Scott McDermid, Public Safety Director)  
**Commissioner Brock made a motion to approve the Proposed Correction Action Plan and authorize staff to submit the plan to the State Fire Marshall's Office; Commissioner Stewart seconded and the motion passed 5/0.**
17. Request Board Ratification of the Selection and Appointment of Mark Lundberg to the Administrator Position for the Wakulla County Health Department  
(Benjamin H. Pingree, County Administrator)  
**Commissioner Brock made a motion to ratify Mark Lundberg to the Administrator Position for the Wakulla County Health Department; Commissioner Artz seconded and the motion passed 5/0.**
18. Request Board Consideration of Deeming Panacea Park Baptist Church a Hardship in Order to Apply for the 10-Year Wastewater Financing Agreement with the County  
(Cleve Fleming, Public Works Director)  
**This Item was tabled to a future Board Meeting.**
19. Request Board Consideration of the Draft Rock Landing Boat Slip Lease Agreement and the Rules and Regulations, and Board Authorization to Install Pilings  
(Doug Jones, Public Services Director)  
**Commissioner Brock made a motion to allow the Board an opportunity to review the Draft Boat Slip Lease Agreement and the Rules and Regulations and provide comments to staff prior to the June 7, 2010 Board Meeting, and approve staff to acquire pricing for installation of 11 pilings with approval to proceed if cost is under \$10,000 and the funds to come from the Boating Improvement Fund; Commissioner Stewart seconded and the motion passed 5/0.**

20. Request Board Approval of the Letter Agreement for Information Exchange Between Wakulla County and Talquin Electric Cooperative, Inc.  
(Heather Encinosa, County Attorney)  
**Commissioner Brock made a motion to approve the Letter of Agreement for information exchange between Wakulla County and Talquin Electric Cooperative, Inc., striking paragraph number 4 on page 3 of the letter; Commissioner Artz seconded and the motion passed 5/0.**
21. Request Board Ratification of the May 6, 2010 Wetlands Workshop and Request Board Approval to Schedule and Advertise a Public Hearing to Consider Adopting the Proposed Wetlands Ordinance  
(Heather Encinosa, County Attorney)  
**Commissioner Brock made a motion to ratify the May 5, 2010 Wetlands Protection Ordinance Workshop and approve modifications made by staff and the County Attorney, approve to refer the Ordinance to the Planning and Zoning Commission for a public hearing, and approve staff to advertise for a public hearing before the Board of County Commissioners upon receipt of Planning and Zoning Commissions recommendations; Commissioner Artz seconded and the motion passed 4/1.**  
*(Lindsay Stevens, Assistant County Administrator)*  
*(Jessica Welch, Policy & Public Information Coordinator)*
12. Request Board Approval to Adopt a State Housing Initiative Partnership (SHIP) Program Funds Recapture Settlement Agreement for \$9950.00  
(Alfred Nelson, Housing Director)  
**Commissioner Brock made a motion to approve the proposed State Housing Initiative Partnership (SHIP) Program Funds Recapture Settlement Agreement for \$9,950.00; Commissioner Stewart seconded and the motion passed 5/0.**
25. Request Board Approval to Make an Exception to the Purchasing Policy and Utilize Current Vendors to Perform Weatherization Services for the Wakulla County Housing Division  
(Alfred Nelson, Housing Services Director)  
**Commissioner Stewart made a motion to accept the bids and approve the contracts with each vendor to perform weatherization services for the Wakulla County Housing Division in the amount not exceeding \$15,000 per bid; and authorize future bids to be released and accepted by the County Administrator in blocks of 3 to 5 homes in a total amount per block not to exceed \$25,000 per block and delegate authority to the County Administrator to approve future contacts with those vendors on the County's pre-approved vendor list and in accordance with the terms of the standard Contractual Services Agreement; Commissioner Artz seconded and the motion passed 4/1. In addition, staff will provide an end of month report on this project to include what was done and how it was done.**  
*(Alfred Nelson, Housing Director)*
26. Request Board Ratification of May 6, 2010 Workshop Regarding the Solid Waste Disposal Assessment and Transfer Station Project and Requests Board Direction  
(Timothy Barden, Assistant County Administrator)  
**Commissioner Stewart made a motion to ratify the May 6, 2010 Workshop and approve the following actions:**
- **Staff to move forward with the Solid Waste Assessment in accordance with the Critical Events Schedule;**

- **Staff to move forward with Solid Waste Licensing program and Ordinance which will include the following Components:**
  - a. **Provide minimum LOS standards, insurance requirements, reporting.**
  - b. **Require all haulers to obtain an annual license for hauling waste within the County.**
  - c. **Require all solid waste be disposed of at the County Transfer Station.**
  - d. **Require offset from monthly contracts for the disposal assessment.**
  - e. **Optional license fee set at a percentage of gross revenues.**

**Commissioner Green seconded and the motion passed 5/0. In addition, Commissioner Brock requested staff to consider the options and cost of curbside pick-up to be presented at the July 22, 2010 Board Workshop.**

*(Tim Barden, Assistant County Administrator)  
(Cleve Fleming, Public Works Director)*

27. Request Board Ratification of May 6, 2010 Workshop on the 2<sup>nd</sup> Budget Development and Request Board Direction  
(Timothy Barden, Assistant County Administrator)

**Commissioner Brock made a motion to ratify the May 6, 2010 2<sup>nd</sup> Budget Development Workshop and approve the Summary of Requests for Board Action, and provide any direction on the Communication Services Tax issue for direction in the development of the FY2010/2011 Budget; Commissioner Artz seconded. After discussion, Commissioner Brock and Artz withdrew their motion.**

**Commissioner Stewart made a motion to ratify the May 6, 2010 2<sup>nd</sup> Budget Development Workshop and approve the following actions; Commissioner Green seconded and the motion passed 4/1:**

- **Direct staff to prepare the FY2010/11 tentative budget utilizing Plan Recommendations 1, 2, and 3 as outlined in this ratification item;**
- **Works towards decreasing the General Fund Cash Forward Revenue by \$150,000;**
- **Address the Communications Service Tax and use additional revenue to further decrease the millage rate;**
- **Any millage rate reduction should not exceed 7.6252, the 2007 level needed to maintain current Fiscally Constrained Funding.**

**Commissioner Brock moved to extend the meeting until 11:30p.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 Kessler –
- b. Request Board Approval to Adopt a Resolution Opposing the Proposed Buckeye Pipe to the Gulf

**Commissioner Stewart made a motion to adopt the Resolution opposing the permitting to allow a pipeline to dump Buckeye pollutants into our nearby Gulf waters; Commissioner Brock seconded and the motion passed 5/0.**

30. Commissioner Stewart –
- a. Request Board Consideration and Approval to Re-Schedule the June 17, 2010 Workshops to June 24, 2010.  
**Commissioner Stewart made a motion to direct staff to re-schedule the June 17, 2010 Board Workshops to June 24, 2010; Commissioner Brock seconded and the motion passed 5/0.**  
*(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).*

23. Litigation Update  
**Greg Stewart with Nabors law firm gave an overview of the following outstanding pending litigation:**
- **Ronald Fred Crum, et al. v. Wakulla County, et. al.**
  - **Charles Harvey v. Wakulla County**
  - **Log Creek, L.L.C. v. Wakulla County, et. al.**
  - **Cathy and Wallace Bailey v. Wakulla County, et. al.**
  - **Wakulla County v. John Sites**
  - **Randolph Nelson et. al. v. Wakulla County**
  - **Wakulla County v. Randolph Nelson, et. al.**
24. Update to the Board Regarding the Oyster Bay Boat Ramp  
**Commissioner Stewart made a motion to table this item to the June 7, 2010 Board Meeting; 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).*

### **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.*

**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 11:19p.m.**

*The next Board of County Commissioners Meeting is scheduled for  
**Monday, June 7, 2010 at 5:00 p.m.***

Regular Board Meeting and Holiday Schedule  
 January 2010 – December 2010

January 2010						
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February 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>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
	Thursday 17	6:30 P.M.	Workshop: To Discuss the Community Center Visioning Plans (Workshop will be held at the Community Center Site, New Life Church)
	Monday 21	5:00 P.M.	Regular Board Meeting
<b>July 2010</b>	Monday 19	5:00 P.M.	Regular Board Meeting
	Thursday 22	5:00 P.M.	Workshop: 2 <sup>nd</sup> Community Workshop to Discuss the Solid Waste Disposal Special Assessment Project