

# Board of County Commissioners

**Date:** Tuesday, May 26, 2009  
**To:** Honorable Chairman and Members of the Board  
**From:** Benjamin H. Pingree, County Administrator  
**Subject:** Follow-up to County Commission Meeting May 19, 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 add-on items and changes; Commissioner Green seconded and the motion passed 5/0:**

- **Commissioner Kessler has an add-on under Awards & Presentations;**
- **Commissioner Kessler has two add-on discussion items;**
- **County Attorney has a add-on under his time regarding the purchase of property at Upper Wakulla Bridge for Boat Ramp**

## 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 Consideration and Approval to Hold a Public Hearing to Adopt an Ordinance Repealing Ordinance 09-05 (Flood Hazard Areas)  
(Lindsay Stevens, Assistant County Administrator)  
**Commissioner Brock made a motion to approve holding the public hearing and adopting an Ordinance repealing Ordinance 09-05; Commissioner Green seconded. After some discussion between the Board and citizens, the motion failed 4/1.**

## 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 EMS Week and Presenting of Statewide EMS Award to Fran Council –  
Scott McDermid, Public Safety Director

**Scott McDermid, Public Safety Director presented Fran Council with the Marilyn Crook EMS Pioneer Award. Ms. Council was nominated by Scott McDermid and was the single recipient for the State of Florida.**

**Commissioner Kessler announced the Concerned Citizens of Wakulla's (CCOW) Annual Picnic Meeting, to be held on May 31, 2009 at Otter Lake Park. All citizens are encouraged and welcome to attend.**

**County Wetlands Ordinance – Commissioner Kessler  
Commissioner Kessler commented on the County's Wetlands Ordinance and the importance to follow the Ordinance. The County Attorney pointed out that he has met with and will continue to meet with staff on several pending cases.**

(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; Commissioner Stewart seconded and the motion passed 5/0.**

2. Approval of Minutes – May 5, 2009 Regular Meeting  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the May 5, 2009 Regular Board Meeting Minutes.**
3. Approval of Minutes – April 27, Workshop Regarding Ways for EDC/TDC to Explore Ideas To promote Wakulla County Businesses  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the April 27, 2009 Workshop Minutes Regarding Ways for EDC/TDC to Explore Ideas to Promote Wakulla County Businesses.**
4. Approval of Minutes – May 5, 2009 Workshop Regarding a Working Relationship Between Wakulla County Commission and Wakulla Recreation Association, Inc.  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the May 5, 2009 Workshop Minutes regarding a Working Relationship between Wakulla County Commission and Wakulla Recreation Association, Inc.**

5. Approval of Payment of Bills and Vouchers Submitted for April 30, 2009 – May 13, 2009  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the Bills & Vouchers submitted for April 30, 2009 – May 13, 2009.**
  
6. Request Board Approval to Apply for Multiple “Assistance to Firefighters” Grants through FEMA  
(Scott McDermid, Public Safety Director)  
**The Board approved Option #1 – Approve the eligible Volunteer and County Departments to apply for the Assistance to Firefighters Grants offered this year by FEMA.**
  
7. Request Board Approval to Fund a \$7,000.00 Match Requirement for an Assistance to Firefighters Grant Through the Federal Emergency Management Agency (FEMA) Awarded to the Sopchoppy Volunteer Fire Department  
(Louis Lamarche, Interim Fire Chief)  
**The Board approved Option #1 – Approve the funding of a \$7,000.00 match requirement for an Assistance to Firefighters Grant through FEMA awarded to the Sopchoppy Volunteer Fire Department.**
  
8. Request Board Approval of the Wakulla County Tourist Development Council January – March 2009 Quarterly Report  
(Pam Portwood, TDC Director)  
**The Board approved Option #1 – Approve the Wakulla County TDC Quarterly Report for the January-March 2009 reporting period.**
  
22. Request Board Approval of a Proclamation Declaring May 17-23, 2009 to be Designated as Emergency Medical Services Week for Wakulla County  
(Fran Council, EMS Director)  
**The Board approved Option #1 – Approve the Proclamation declaring May 17-23, 2009 to be designated as Emergency Medical Services Week for 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).*

#### **Citizens to be Heard**

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

**Bob Danzey addressed the Board regarding budget concerns.**

**Tim Bozeman addressed the Board regarding Flood Hazard Ordinance 09-05.**

**Vic Lambou addressed the Board regarding the Wetland Ordinance.**

**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 Rankings for the RFP for Legal Services  
(Tim Barden, Assistant County Administrator)

**Commissioner Brock made a motion to review the evaluation ratings and approve the first four firms; Nabors, Giblin & Nickerson; Bryant, Miller & Olive; Messer, Caparello & Self, P.A.; and Penson, Duchemin & Davis, P.A. to give oral presentations at a scheduled Workshop; Commissioner Stewart seconded and the motion passed 5/0.**

**Commissioner Brock made another motion to direct staff to schedule interviews for 25 minutes each, beginning at 3:00p.m. – 5:00p.m. at a Workshop on June 2, 2009 and for staff to draft a list of questions for the applicants; Commissioner Stewart seconded and the motion passed 5/0.**

*(Tim Barden, Assistant County Administrator)  
(Debbie DuBose, HR & Purchasing Coordinator)*

10. Request Board Approval of a Resolution and Loan Agreement to Purchase Financial Software  
(Brent X. Thurmond, Clerk of Court)

**Commissioner Stewart made a motion to approve the Resolution and Loan Agreement to purchase financial software with the noted concerns by the County Attorney to include the following:**

- **Lien should only be on equipment that is being purchased and not on any and all personal property and equipment owned by the County;**
- **Appears for an assignment of 2009 Ad Valorem Taxes and this cannot be done without voter approval;**
- **Venue would have to be in Wakulla County and not Leon County;**
- **Different fees mentioned in the Contract and the Clerk's Office has a commitment from the bank that there will be no fees associated;**
- **Add a non-appropriation clause subject to good faith requirements to appropriate funds otherwise the County can terminate.**

**Commissioner Brock seconded and the motion passed 5/0.**

*(Tim Barden, Assistant County Administrator)  
(Debbie DuBose, HR & Purchasing Coordinator)*

23. Request Board Approval of the Revised Exclusive Agency Agreement and the Management Plan with Florida Foresight, Incorporated for the Development of the Big Bend Maritime Center  
(Tim Barden, Assistant County Administrator)

**Commissioner Artz made a motion to approve the Florida Communities Trust required revisions to the Exclusive Agency Agreement and the Management Plan with Florida**

**Foresight, Inc. for the management of the proposed Big Bend Maritime Center; Commissioner Stewart seconded and the motion passed 4/1. In addition, the Board directed staff to look at a cost analysis for this project if the grant is not awarded.**  
*(Tim Barden, Assistant County Administrator)*

11. Request Board Approval of a Resolution for the Tax Collector's Office to Operate as a Budget Office for the Current Term of Tax Collector  
(Cheryll Olah, Tax Collector)  
**Commissioner Brock made a motion to approve the Resolution for the Tax Collector's Office to operate as Budget Office; Commissioner Artz seconded and the motion passed 5/0.**
12. Request Board Approval to Purchase an Eagle Raptor 6000psi Compressor and Cascade Self Contained Breathing Apparatus (SCBA) Filling Station  
(Louis Lamarche, Interim Fire Chief)  
**Commissioner Brock made a motion to approve the purchase of an Eagle Raptor 6000psi Compressor and Cascade SCBA filling station; Commissioner Artz seconded for discussion. After discussion, the motion was amended to approve purchase of the Eagle Raptor 6000psi Compressor and Cascade SCBA filling station, and to include purchase of a carbon monoxide monitoring system; the motion passed 5/0.**
13. Request Board Approval to Purchase a Mower for ROW Mowing  
(Cleve Fleming, Public Works Director)  
**Commissioner Stewart made a motion to approve the purchase of a tractor/mower for right-away mowing; Commissioner Brock seconded and the motion passed 5/0.**
21. Request Board Approval to Purchase a Used 544J Loader With Grapple Rake  
(Cleve Fleming, Public Works Director)  
**Commissioner Brock made a motion to approve the purchase of a used 544J Loader with grapple rake; Commissioner Artz seconded and the motion passed 5/0.**
14. Request Board Approval of the Industrial Waste Services & Disposal Agreement with Waste Management Inc.  
(Cleve Fleming, Public Works Director)  
**Commissioner Brock made a motion to approve the Industrial Waste Service & Disposal Agreement with Water Management of Leon County, Inc.; Commissioner Green seconded and the motion passed 5/0.**
15. Request Board Consideration of the Transportation Concurrency Management System Application Review Fees and Stormwater Review Fees  
(Lindsay Stevens, Assistant County Administrator)  
**Commissioner Brock made a motion to approve the fees for both the Transportation Concurrency Review and Stormwater Review Applications; Commissioner Artz seconded and the motion passed 5/0.**
16. Request Ratification of Board Discussion During the April 27, 2009 Workshop Regarding Ways for the EDC & TDC to Explore Ideas to Promote Wakulla County Businesses  
(Jennifer Langston, Special Projects Coordinator)

**Commissioner Brock made a motion to ratify the Board discussion during the April 27, 2009 Workshop regarding ways for the EDC & TDC to explore ideas to promote Wakulla County Businesses; Commissioner Artz seconded and the motion passed 5/0.**

**In addition, Commissioner Brock made a motion to direct staff to bring an Agenda item back regarding the Industrial Development Authority Board; to provide the Board with an update, analysis, history of the Authority, how it was established, State Law, where it stands today, and options of where it can go, Commissioner Artz seconded and the motion passed 5/0.**  
*(Jennifer Langston, Special Projects Coordinator)*

17. Request Ratification of Board Discussion During the May 5, 2009 Workshop Regarding Developing a Working Relationship Between Wakulla County Commission and the Wakulla Recreation Association, Inc.

*(Ray Gray, Parks & Recreation Director)*

**Commissioner Stewart made a motion to ratify the Board discussion held during the May 5, 2009 Workshop; Commissioner Brock seconded and the motion passed 5/0.**

**In addition, Commissioner Stewart made a motion to approve the following:**

- **The BOCC and the Recreation Board personnel will be separate entities. No intermingling of funds or personnel.**
- **The recreation Board will have a booster account in which they will fund raise for and keep their own books.**
- **Direct staff and the County Attorney to generate a short term lease document for leasing out each of the four (4) concession stands within Medart Recreation Park. Any local group, including the Recreation Board will be able to take charge of the concession stands as a fund raising mechanism for a minimal fee to be determined. Staff to bring back this lease document to the Board for approval prior to implementation on July 1<sup>st</sup> of this year. All funds generated by the concession stands or any other fund raiser will be kept by the leasing entity, Recreation Board or other, in their separate booster account. The only County responsibility/involvement in concession activities will be the general maintenance of the kiosk facilities to acceptable use levels.**
- **In the event any child can't afford to pay entry fees into any activity the Recreation Board can pay for that child to play by submitting a check from their booster account to the Wakulla County Parks and Recreation Department and the funds will be deposited into the Parks and Recreation budget. As stated previously, the County will create a separate and distinct fund to capture all Parks and Recreation activity funds beginning with next years budget.**
- **In the event the Recreation Board recognizes a need at the Recreation Park that they would like to see addressed they are welcome to purchase said item and turn it over to the Wakulla County Parks and Recreation Department to become property of the County.**
- **Any funds that are not expended during the course of the budget year from the Parks and Recreation budget shall be rolled over into the funds balance at the close of that fiscal year for expenditure in following years as approved by the Board of County Commissioners during each budget cycle (and with the advisory input of the Recreation Board).**

- **Mrs. Noreen Britt will be required to remove herself from the Recreation Board and will serve as an employee of the Parks and Recreation Department; this will only apply for as long as she is an employee of the Parks and Recreation Department.**
- **All recreation programs related revenues and expenditures, for the complete operation and maintenance of all Wakulla County Recreation Programs, will be captured by Wakulla County and expended by the County and their staff at the budgetary and policy direction of the Board of County Commissioners.**

**Commissioner Brock seconded and the motion passed 5/0.**

*(Tim Barden, Assistant County Administrator)*

*(Ray Gray, Parks & Recreation Director)*

18. Request Board Approval to Apply for the USDA-RD Grant to Secure Stimulus Funding Rather Than the State Revolving Loan Fund and Seek Board Direction on the Prioritization of the Entire Sewer Project Moving Forward

*(Tim Barden, Assistant County Administrator)*

**Commissioner Artz made a motion to refocus the phasing of the sewer project to place the plant expansion and upgrade to AWT as the Phase 1 with expansion of the system to Wakulla Gardens as Phase 2; Commissioner Stewart seconded and the motion passed 5/0.**

**In addition, Commissioner Artz made another motion to pursue USDA-RD grant funding for Phase 1 priority; the motion died for lack of a second. Commissioner Brock made a motion to move forward to apply for USDA-RD grant funding for entire Sewer Project; Commissioner Stewart seconded and the motion passed 5/0.**

**Commissioner Artz made a motion to direct staff to begin the bid process for the water re-use line from the Plant to the Golf Course and utilize available grant and legislative funding for the entire project; Commissioner Brock seconded and the motion passed 5/0.**

**Commissioner Brock made a motion to direct staff to look into going forward regarding pursuit of a reliable source of funding that could be utilized to service any additional debt service; Commissioner Artz seconded and the motion passed 5/0.**

*(Tim Barden, Assistant County Administrator)*

### **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).*

19. Commissioner Kessler
- a. Ordinance Requiring a Supermajority Vote on Large-Scale Comprehensive Amendments to The Comprehensive Plan

**Commissioner Green made a motion to direct staff to create an Ordinance that would require a supermajority vote for large-scale comprehensive amendments; Commissioner Artz seconded and the motion passed 3/2.**

*(Lindsay Stevens, Assistant County Administrator)*

- b. Request Board Approval of a Resolution Concerning Growth Management Bill  
**Commissioner Brock made a motion to approve the letter of support to Governor Crist in opposition to SB 360 concerning the Growth Management Bill; Commissioner Stewart seconded and the motion passed 5/0.**

20. Commissioner Artz

- a. Request Board Approval to Form a Public Transit Work Group  
**Commissioner Artz made a motion to approve the formation of a Public Transit Work Group; Commissioner Stewart seconded and the motion passed 5/0. In addition, Commissioner Stewart made a motion to appoint Commissioner Artz to represent the Board on this group; Commissioner Brock seconded and the motion passed 5/0.**  
*(Lindsay Stevens, Assistant County Administrator)*

**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).*

**The County Attorney gave a status of the purchase of property at the Upper River Bridge. Commissioner Brock made a motion to move forward with an Appraisal and directed staff and County Attorney to research and look at assessment of the property, and bring a report back to the Board at a future Board Meeting; Commissioner Stewart seconded and the motion passed 5/0.**

*(Ron Mowrey, County Attorney)*

*(Tim Barden, Assistant County Administrator)*

**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.*

**Commissioner Brock announced the successful fundraiser event held by the Rudloe family in Panacea.**

**Commissioner Brock announced he will ask the Board at the end of the fiscal year to give some money to the TDC/EDC to help offset the cost of their new website if funding is available.**

**Commissioner Kessler asked the Board to submit nominees to serve on the Roads Clean Action Plan Committee and to submit nominees to staff prior to the June 2<sup>nd</sup> Board Meeting; as a agenda item is being prepared for the June 2<sup>nd</sup> Agenda.**

*(Jennifer Langston, Special Projects Coordinator)*

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

**Commissioner Kessler gave a brief update on his ability to obtain right-of-way on Old Bethel Road. There is one remaining property to contact; Commissioner Kessler asked the Board for two weeks to able him to meet with the property owner to try to resolve the issue to eliminate the use of eminent domain.**

**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 9:30p.m.**

*The next Board of County Commissioners Meeting is scheduled for  
Tuesday, June 2, 2009 at 6:00 p.m.*

Regular Board Meeting and Holiday Schedule  
 January 2009 – December 2009

January 2009						
S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
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February 2009						
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March 2009						
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April 2009						
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May 2009						
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31						

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

December 2009						
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27	28	29	30	31		

 Regular Board Meeting and/or Workshop
  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
<b>May 2009</b>	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
<b>June 2009</b>	Tuesday 2	3:00 P.M. – 5:00 P.M.	Workshop: To Allow Selected Firms to Provide Oral Presentations in Response to the Legal Services Request for Proposal
	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 <sup>rd</sup> and 4 <sup>th</sup> Budget Development Workshop- Operating Budget/Capital Improvement Budget
<b>July 2009</b>	Tuesday 21	5:00 P.M.	Regular Board
	Thursday 30	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Panacea Welcome Center
<b>August 2009</b>	Tuesday 4	5:00 P.M.	Regular Board
	Tuesday 18	5:00 P.M.	Regular Board
	Thursday 20	4:00 P.M.	5 <sup>th</sup> Budget Development Workshop
<b>September 2009</b>	Tuesday 8	5:00 P.M.	Regular Board
	Tuesday 22	5:00 P.M.	Regular Board
<b>October 2009</b>	Thursday 1	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Sopchoppy City Hall
	Tuesday 6	5:00 P.M.	Regular Board
	Tuesday 20	5:00 P.M.	Regular Board
<b>November 2009</b>	Tuesday 3	5:00 P.M.	Regular Board
	Tuesday 17	5:00 P.M.	Regular Board

<b>Month</b>	<b>Day</b>	<b>Time</b>	<b>Meeting Type</b>
December 2009	Tuesday 8	5:00 P.M.	Regular Board