

# Board of County Commissioners

**Date:** Friday, October 9, 2009  
**To:** Honorable Chairman and Members of the Board  
**From:** Benjamin H. Pingree, County Administrator  
**Subject:** Follow-Up to County Commission Meeting October 6, 2009

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## Invocation

Commissioner Stewart

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

- **Commissioner Artz has an announcement under Presentations;**
- **Commissioner Kessler has three add-on items under his discussion time.**

## 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. Application to Close/Abandon a portion of Oak Street in Spring Creek  
(Harry F. and Frances Hermann, Applicant)  
(Lindsay Stevens, Assistant County Administrator)

**Commissioner Artz made a motion to approve conducting the public hearing and approve the closing/abandonment of a portion of Oak Street in Spring Creek; Commissioner Brock seconded and the motion passed 5/0.**

2. Request Board Approval to Conduct the Public Hearing and Re-Adopt an Ordinance of Wakulla County, Florida Providing for the Protection of Wetlands Within the Unincorporated Area of Wakulla County; Establishing Application and Processing Procedures; Providing Design Standards and Administration Procedures; Establishing Fines and Penalties; and Providing for an Effective Date  
(Lindsay Stevens, Assistant County Administrator)

**Commissioner Artz made a motion to conduct the public hearing and re-adopt an Ordinance of Wakulla County, Florida providing for the protection of wetlands within the unincorporated area of Wakulla County; establishing application and processing procedures;**

**providing design standards and administration procedures; establishing fines and penalties; and providing for an effective date; Commissioner Brock seconded. After much discussion, the item failed 4/1. Pursuant to Section 1-7 of the existing Land Development Regulations, this item came before the Board without a favorable recommendation from the Planning Commission and therefore required a unanimous vote by the Board for passage.**

### **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 Lynn Reynolds Regarding St. Marks Refuge Butterfly Garden Project/WHS Environmental Class Partnership

**Lynn Reynolds gave a brief presentation of the St. Marks Refuge Butterfly Garden Projects. Ms. Reynolds thanked the Wakulla High School Environmental Class for partnering with the St. Marks Refuge. The projects are geared to kick off the Monarch Butterfly Festival.**

October 8, 2009 Event: "SMART LIVING -- Save Energy, Save Money"

**Shelley Swenson, UF IFAS Extension Office, announced a Countywide event presented by Sustainable Big Bend on smart living, saving energy, and saving money. The event is featuring keynote speaker E. Leon Jacobs, Jr. and will be held on October 8, 2009 at 6:30pm – 8:30pm at the Extension Office. All citizens are welcome to attend; childcare and refreshments will be provided.**

Announcement of Public Transit Work Group Meeting - Lynn Artz

**Commissioner Artz announced the Public Transit Work Group will hold it's first meeting on October 19, 2009 at 6:00pm in the Commission Chambers. Volunteers and citizen input is needed for this work group; all citizens interested in public transit are encouraged to attend.**

Announcement by Commissioner Kessler Regarding Capital City to the Sea Loop

**Robin Turner and Jena Brooks, Office of Greenways & Trails presented a brief presentation on Capital City to the Sea Loop. The presentation included information on Florida visitors, trails as destinations and transportation, and the opportunities to advance the eco-tourism industry in Wakulla County.**

**Commissioner Artz announced Hazardous Waste Day on behalf of Keep Wakulla County Beautiful. The next Hazardous Waste Day will be held on October 17, 2009 from 8:00am – 1:00pm at Public Works, 340 Trice Lane. All household items will be accepted, including paints, fertilizers and chemicals, computer parts, etc. and please NO TIRES.**

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

3. Approval of Minutes – September 22, 2009 Regular Board Meeting  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the September 22, 2009 Regular Board Meeting Minutes.**
4. Approval of Payment of Bills and Vouchers Submitted for September 17, 2009 – September 30, 2009  
(Brent X. Thurmond, Clerk of Court)  
**The Board approved Option #1 – Approve the Bills & Vouchers submitted for September 17, 2009 – September 30, 2009.**
5. Request Board Approval of a Dual Certification In Order to Prepare Tax Bills  
(Cheryll Olah, Tax Collector)  
**The Board approved Option #1 – Approve the Resolution to allow tax rolls to be prepared and issued by the Tax Collector by November 1, 2009.**
6. Request Board Approval of the 2010 Board Meeting Calendar  
(Jessica Welch, Policy & Public Information Coordinator)  
**This item was pulled for discussion.**
7. Request Board Approval to: Award Bid to the Lowest Bidder for Construction of a Reuse Force Main Pipe; Authorize Chairman to Execute Contract; Approve Work Authorization with Eutaw Utilities, Inc. for Technical Services During Construction  
(Dale Dransfield, Eutaw Consultant)  
**This item was pulled for discussion.**
8. Update the Board on the Value Adjustment Board Organizational Meeting held on September 18, 2009 and Authorize Chairman to Execute Addendum to Existing Agreement with Bryant Miller Olive as approved by the Value Adjustment Board  
(Jennifer Langston, Special Projects Coordinator)  
**The Board approved Option #1 – Approve the update on the Value Adjustment Board Organizational Meeting and authorize the Chairman to execute Addendum 1 to existing agreement with Bryant Miller Olive.**
9. Request Board Approval to Award Bid for the Road Striping RFP #2009-015 for the Projects Funded by The American Recovery & Reinvestment Act and Authorize the County Administrator to Execute Agreement  
(Jennifer Langston, Special Projects Coordinator)

**The Board approved Option #1 – Approve to award Bid for the Road Striping RFP #2009-015 to Roadscape North Florida and authorize the County Administrator to execute Agreement.**

10. Request Board Approval to Schedule and Advertise a Public Hearing to Approve Placement of Traffic Calming Devices for Zion Hill Rd.

(Cleve Fleming, Public Works Director)

**The Board approved Option #1 – Approve to schedule and advertise a public hearing on November 17, 2009 at 5:00pm to approve placement of traffic calming devices on Zion Hill Rd. (Jessica Welch, Policy & Public Information Coordinator)  
(Cleve Fleming, Public Works Director)**

### **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 of the 2010 Board Meeting Calendar

(Jessica Welch, Policy & Public Information Coordinator)

**Commissioner Artz made a motion to direct staff to re-visit the 2010 Board Meeting Calendar and bring back alternative meeting dates, especially looking at the second and fourth Tuesdays of the month; Commissioner Stewart seconded and the motion passed 5/0.**

7. Request Board Approval to: Award Bid to the Lowest Bidder for Construction of a Reuse Force Main Pipe; Authorize Chairman to Execute Contract; Approve Work Authorization with Eutaw Utilities, Inc. for Technical Services During Construction

(Dale Dransfield, Eutaw Consultant)

**After discussion, Commissioner Green made a motion to award the Bid to Dowdy Plumbing Corporation and authorize the Chairman to execute the Contract with Dowdy and the Work Authorization with Eutaw Utilities, Inc. in the amount of \$13,000.00, contingent on agreed changes to the Grant Agreement with Northwest Florida Water Management District (NFWFMD). The revised Grant Agreement with NFWFMD will be brought back to the Board for approval. Commissioner Brock 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).*

11. Application For Comprehensive Plan Map Amendment CP09-01

(Presbytery of Florida, Inc. successor in interest to Wakulla Presbyterian Church, Inc., owner; Robert Routa, agent)

**Commissioner Stewart made a motion to conduct the second of two public hearings and adopt the proposed Ordinance amending the Comprehensive Plan Future Land Use Map, amending the Future Land Use Map designation from Agriculture (Primary Agriculture) land use to Commercial (Non-Urban) land use; Commissioner Brock seconded and the motion passed 3/2.**

12. Application For Change of Zoning R09-03  
(Presbytery of Florida, Inc. successor in interest to Wakulla Presbyterian Church, Inc., owner;  
Robert Routa, agent)  
**Commissioner Stewart made a motion to conduct the second of two public hearings and adopt the proposed Ordinance amending the official zoning atlas, amending the zoning district from RR-5 (Rural Residential) to C-2 (General Commercial); Commissioner Brock 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).*

13. Request Board Consideration and Approval to Hire Counsel to Represent County Code Enforcement and Planning Staff During Code Enforcement and Planning Board Hearings on an As-Needed Basis  
(Heather Encinosa, County Attorney)  
**Commissioner Brock made a motion to approve Ard, Shirley & Rudolph, P.A. to provide legal services to County Code Enforcement and Planning staff on an as-needed basis and authorize the County Attorney to execute a subcontract with Ard, Shirley & Rudolph, P.A. that is consistent with the proposal; Commissioner Artz 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).*

**Jack Rudloe addressed the Board with his opinions on the Wetlands Ordinance and would like the Board to consider placing the Wetlands Ordinance on the Ballot.**

**Rusty McKeithen addressed the Board regarding a County bid for the Roofing Contractor on Property Appraiser/Supervisor of Elections Office and the policy on receiving of bids.**

**Richard VanMunster addressed the Board in regards to Commercial Fishermen fishing with nets over 2" mesh. Mr. VanMunster asked the Board to support local fishermen by way of Resolution and partnering with other counties.**

**Dave Lansford addressed the Board with his concerns of migrating sand out of stormwater facility at Rock Landing Dock.**

### **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).*

14. Commissioner Kessler –
- a. Capital City to the Sea Loop  
**Commissioner Artz made a motion to approve a Resolution supporting the concept of the Capital to the Sea Bicycle Loop; Commissioner Brock seconded and the motion passed 5/0. In addition, Commissioner Brock made a motion to schedule a Workshop on this subject to include the Forestry Department and all other interested parties to discuss the concept; Commissioner Green seconded and the motion passed 5/0.**  
*(Jennifer Langston, Special Projects Coordinator)*  
*(Virginia Dekle, Office of Management & Budget)*  
*(Jessica Welch, Policy & Public Information Coordinator)*
  - b. Forest Highway 13  
**Commissioner Artz made a motion to direct staff to schedule a Workshop to discuss the paving of Forest Road 13 and other possible alternatives to assist Smith Creek citizens with EMS; Commissioner Stewart seconded and the motion passed 5/0. Invites should also include the Forestry Service and Department of Transportation.**  
*(Jennifer Langston, Special Projects Coordinator)*
15. Commissioner Brock
- a. Request Board Clarification Regarding Old Courthouse Contractual Agreement  
**Commissioner Brock made a motion to approve re-visiting and updating the Lease/Management Agreement with the Chamber of Commerce regarding the Old Courthouse; Commissioner Artz seconded. After discussion, Commissioner Artz withdrew her motion. Commissioner Brock made a motion to direct staff to schedule a Workshop in regards to the Management Agreement; Commissioner Artz seconded and the motion passed 5/0.**  
*(Tim Barden, 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).*

16. Request Authorization to Develop a County Policy Regarding Defense of Civil Actions Against Public Officer, Employees, or Agents in accordance with Section 111.07, Florida Statutes  
**Commissioner Artz made a motion to provide an immediate defense for Commissioner Kessler in regards to the pending matter of Log Creek, L.L.C., et al. v. Howard Kessler, et al., Case No. 09-397-CA; Commissioner Green seconded and the motion passed 4/0.**

**In addition, Commissioner Artz made a motion to authorize the County Attorney to develop a County Policy regarding defense of civil actions against public officers, employees, or agents in accordance with Section 111.07, Florida Statutes; Commissioner Stewart seconded and the motion passed 5/0.**

*(Heather Encinosa, County Attorney)*  
*(Debbie DuBose, HR & Purchasing Coordinator)*

17. Request Board Approval of an Amendment to Resolution#09-30 for the DEP-State Revolving Loan Fund Program for the Wakulla County Sewer Project  
**Commissioner Brock made a motion to approve the Amendment to Resolution #09-30 for the Department of Environmental Protection State Revolving Loan Fund Program for the Wakulla County Sewer Project; Commissioner Stewart seconded and the motion passed 5/0.**

County Attorney Discussion Items:

- Sunshine and Public Records Training Session  
**County Attorney discussed optional sunshine, public records, and ethics training sessions. After discussing with the Board it was determined the County Attorney will discuss with each individual Commissioner as needed.**

County Administrator

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

**County Administrator reminded citizens of the next two Workshops scheduled for October 15, 2009, commencing at 4:00pm to discuss re-establishing the Industrial Development Authority, to be followed by the 5:00pm Workshop to review proposed revisions to the Comprehensive Plan.**

**County Administrator applauded and welcomed County Attorney Heather Encinosa to the team.**

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 announced he will bring back a Resolution on water quality protection at the October 20, 2009 Board Meeting.**

**Commissioner Kessler asked the Board to consider a Workshop for future Development and land quality based on the Comprehensive Plan.**

**Commissioner Brock made a motion to direct staff to look at the Commercial and Residential needs analysis and bring back options to the Board; Commissioner Stewart seconded and the motion passed 5/0.**

*(Lindsay Stevens, Assistant County Administrator)*

**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 9:35p.m.**

*The next Board of County Commissioners Meeting is scheduled for  
**Tuesday, October 20, 2009 at 5:00 p.m.***

## Regular Board Meeting and Holiday Schedule January 2009 – December 2009

January 2009						
S	M	T	W	Th	F	Sa
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4	5	6	7	8	9	10
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February 2009						
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March 2009						
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29	30	31				

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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30	31					

September 2009						
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27	28	29	30			

October 2009						
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25	26	27	28	29	30	31

November 2009						
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29	30					

December 2009						
S	M	T	W	Th	F	Sa
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20	21	22	23	24	25	26
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.

<b>Month</b>	<b>Day</b>	<b>Time</b>	<b>Meeting Type</b>
<b>September 2009</b>	Tuesday 22	5:00 P.M.	Regular Board
	Tuesday 22	5:00 P.M.	Public Hearing: To Adopt the Final Budget and Millage Rate
	Monday 28	5:00 P.M.	Public Meeting to Review Proposed Revisions to the Comprehensive Plan – Senior Citizens Center
<b>October 2009</b>	Thursday 1	6:00 P.M. – 7:00 P.M.	Town Hall Meeting – Sopchoppy Gymnasium
	Tuesday 6	5:00 P.M.	Regular Board
	Tuesday 6	5:00 P.M.	Public Hearing: To Consider to Re-Adopt an Wetlands Ordinance #06-27of Wakulla County, Florida
	Thursday 15	4:00 P.M.	Workshop: To Discuss Re-Establishing the Industrial Development Authority
	Thursday 15	5:00 P.M. – 9:00 P.M.	Workshop: To Review Proposed Revisions to the Comprehensive Plan
	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>December 2009</b>	Tuesday 8	5:00 P.M.	Regular Board