

Draft

Board of County Commissioners
Regular Board Meeting
Monday, July 19, 2010

The Wakulla County Board of County Commissioners met for a Regular Scheduled Board Meeting on Monday, July 19, 2010 with Chairman Howard Kessler presiding. Present were Commissioners Mike Stewart, Lynn Artz, Alan Brock and George Green. Also, present were County Administrator Ben Pingree, County Attorney Heather Encinosa, and Deputy Clerk Evelyn Evans.

Invocation and Pledge of Allegiance provided by Commissioner Kessler

(CD4:00) CONFIDENTIAL COUNTY ATTORNEY-CLIENT MEETING

The Wakulla County Commission called an Attorney-Client Executive Session to order at 4:00p.m., Monday, July 19, 2010 in the County Commission Chambers located at 29 Arran Road, Suite 101, Crawfordville, Florida to discuss ongoing litigation.

The Board went into a closed session pursuant to Section 286.011(8), Florida Statutes. The subject matter of the executive session is to discuss litigation strategy and expenditures relating to the pending litigation of Ronald Crum v. Wakulla County, and potential settlement matters as to that matter.

The discussions in this session shall be confined to settlement negotiations and/or strategy relating to litigation expenditures. The session is being recorded by a certified court reporter. The meeting will last approximately 1 hour and in attendance are Chairman Howard Kessler, Commissioner Lynn Artz, Commissioner Alan Brock, Commissioner George Green, Commissioner Mike Stewart, Assistant County Administrator Lindsay Stevens, County Attorney Heather Encinosa, Assistant County Attorney Greg Stewart and a certified court reporter.

Following the closed session, the Board will reconvene in open session so that the Board may consider general issues relating to the pending litigation and the Chair may announce the termination of the executive session.

4:47 p.m. Meeting recessed and the public meeting will re-convene at 5:00 p.m.

APPROVAL OF AGENDA

(CD4:58) Commissioner Stewart moved to approve the Agenda with the following modifications:
Commissioner Artz – add (2) announcements under Award and Presentations, add (1) item under her discussion and pull item (17) from the Consent Agenda
Commissioner Kessler – add (1) item under Awards and Presentations
County Administrator – add phone system for County Administration and Building Department
Commissioner Stewart – add (1) item under his discussion and pull items (14) and (30) from the Consent Agenda
Second by Commissioner Green and the motion carried unanimously, 5/0.

PUBLIC HEARING

July 19, 2010

(CD5:02) 1. Request Board approval of acquisition of property necessary for Easements for the Wakulla Gardens Sewer and WWTP Upgrade Projects

Commissioner Stewart moved to conduct the public hearing and approve the acquisition of the parcels of land in Wakulla Gardens. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD5:08) 2. Request Board approval to conduct the first of two Public Hearings on the proposed revised Wetlands Protection Ordinance

Commissioner Artz moved to conduct the first of two Public Hearings on the proposed revised Wetlands Protection Ordinance. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD5:29) 3. Request Board approval to conduct the Public Hearing and adopt the proposed Ordinance Amending Ordinance No. 08-16 including the Wakulla County Purchasing Policy

Commissioner Brock moved to conduct the Public Hearing and adopt the proposed Ordinance amending Ordinance Number 08-16 including the Wakulla County Purchasing Policy, with direction for the County Attorney to make revisions as stated on the record and continue this Public Hearing to the August 2, 2010 Board Meeting. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD5:45) 4. Request Board approval to conduct the Public Hearing and adopt the proposed Ordinance Authorizing Waiver of the Mandatory Connection Requirement and extending the Sewer Connection Incentive Program; and request approval of the proposed Resolution Ratifying Board Action taken at the June 21, 2010 Board Meeting, Waiving Mandatory Connection Requirements for Specified Properties

Commissioner Brock moved to conduct the Public Hearing and adopt the Proposed Ordinance authorizing Waiver of the Mandatory Connection Requirement and extending the Sewer Connection Incentive Program; and adopt the proposed Resolution Ratifying Board Action taken at June 21, 2010 Board meeting Waiving Mandatory Connection Requirement for Specified Properties. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD5:50) Commissioner Kessler tabled item (28C) to next meeting and (28B) is a finance question only at this time

AWARDS AND PRESENTATIONS

(CD5:51) Update regarding the Deepwater Horizons Oil Spill – Scott Nelson, Emergency Management

(CD5:58) Introduction of Probation and Parole Officers by John Walkup, Circuit Administrator Circuit 2, DOC – Commissioner Kessler

(CD6:00) Announcement of upcoming input Meetings regarding the Crawfordville Overlay (Crawfordville Town Plan) – Melissa Corbett

(CD6:02) Dr. Riki Ott a Marine Biologist will be speaking at the Community Center on Friday, July 23, 2010 at 7:00 p.m.

(CD6:02) Commissioner Artz announced a back to school Shot Clinic on Thursday, July 22, 2010 from 1:00 – 7:00 p.m. at the Health Department

CONSENT AGENDA

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Commissioner Stewart moved to approve the Consent Agenda minus items 7, 14, 17, 30 that will be heard under Consent discussion and item 12 is tabled to the August 2, 2010 Board Meeting. Second by Commissioner Brock and the motion carried unanimously, 5/0.

5. Approval of Minutes – June 21, 2010 Regular Board Meeting
Approved

6. Approval of Minutes – June 10, 2010 Joint Workshop with City of St. Marks
Approved

8. Approval of Minutes – June 24, 2010 Workshop regarding the Wakulla County Community Center Programming, Management, and Community Forums
Approved

9. Approval of Payment of Bills and Vouchers Submitted for June 17, 2010 – July 14, 2010
Approved

10. Request Board approval of a Proclamation Supporting Probation and Parole Officers
Approved – Proclamation supporting Probation and Parole Officers

11. Request Board approval to waive Section 13.2 of the Purchasing Policy to surplus and sell Wakulla County's Mobile Dental Van
Approved – Waive Section 13.2 of the Purchasing Policy and approve the surplus and sale of the Mobile Dental Van to the Liberty County BOCC for \$60,000.00

12. Request Board approval to declare County Property Surplus for donation to Non-Profit Organization – tabled to the August 2, 2010 Board Meeting

13. Request Board ratification of the discussion that took place during the June 10, 2010 Joint Workshop between the City of St. Marks and Wakulla County
Approve – Ratification of the Joint Workshop discussion on June 10, 2010

15. Request Board acceptance of the Status Report on the 2010 Board Priorities Action Plans
Approve – Accept the 2010 Board Priorities Action Plans and direct staff to continue submitting quarterly updates on each priority issue

16. Request Board approval to advertise a Request for Proposals (RFP) for the Provision of Inspection and Pre-Test Services to the Wakulla County Weatherization Assistance Program (WAP) – Tabled to August 2, 2010 Board Meeting

CONSENT ITEMS PULLED FOR DISCUSSION

(CD6:05) 7. Approval of Minutes – June 24, 2010 Third Budget Workshop regarding the Development of the FY2010/11 Budget

Commissioner Stewart made a motion that we have a vote of confidence for Mr. Pingree, either we want to keep him or we don't, if we don't, we need to negotiate terms to release him. Second by Commissioner Brock and after lengthy discuss the motion and second was withdrawn.

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(CD7:09) Commissioner Brock moved to approve the minutes of the June 24, 2010 Third Budget Workshop regarding the development of the FY2010/2011 Budget. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:09) 14. Board update regarding Eastgate Subdivision

Commissioner Brock moved to accept the update regarding Eastgate Subdivision and direct Public Works staff to research the feasibility of connecting homes in Eastgate Subdivision to central sewer. Second by commissioner Artz and the motion carried unanimously, 5/0.

(CD7:12) 17. Request Board ratification of Bylaws and Procedures for the Wakulla County Dangerous Animals Appeal Board

Commissioner Artz moved to approve the Resolution clarifying terms of appointment of Members of the Dangerous Animals Appeal Board and approve the Bylaws and Procedures. Also, requesting staff to bring back an amended version at a later date with more specificity as to the membership and appointment process. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD7:14) 30. Request Board approval of payment for additional Tourist Development Council Director hours for grant funded projects

Commissioner Brock moved to approve payment for additional Tourist Development Council Director hours for implementation of Deepwater Horizon Oil Spill Media Plan. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

CITIZENS TO BE HEARD

(CD7:59) 1. Doug Quigg – unjust dismissal of his stepson John Nelson Taylor from County Employment. Mr. Quigg is alleging that a disgruntled contractor doing work with Weatherization obtained a criminal history from FDLE regarding Mr. Taylor’s past criminal history and Mr. Nelson was asked to resign his position. He is asking that the County reinstate Mr. Taylor to his former position.

(CD8:05) 2. Pam Portwood – County Administrator and staff are doing an outstanding job

(CD8:08) 3. Mark Mitchell – Reinstatement of John Nelson Taylor

(CD8:09) 4. Ray Hutton – Reinstatement of John Nelson Taylor

(CD8:12) 5. Darrell Taylor – Reinstatement of John Nelson Taylor

(CD8:13) 6. Jenny Brock – 3 candidates running for Commissioner Green’s seat with a speaking forum at the Library tomorrow night at 7:00 p.m.

(CD8:14) 7. Hugh Taylor – video presentation of an older Board Meeting regarding the adjournment of a meeting and limiting citizen input

(CD8:17) 8. Renee Calhoun – Felony record of County Employee and bad management of County Administration; Documents that she requested from Housing/Weatherization that revealed the applicants social security number and receiving documents that she did not request

(CD8:21) 9. Jared Walters – Reinstatement of John Nelson Taylor

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(CD8:21) 10. Larry Roberts – item 29 on the Agenda and citizens using the County video equipment at the Board Meetings, supports freedom of speech and public participation

(CD8:24) 11. Steve Fultz – decorum, censoring citizens and not allowing power points at Board Meetings

(CD8:28) 12. Sherry Quigg – Mother of John Taylor and investigation of Weatherization

(CD8:29) 13. David Damon – item 29 and citizens to be heard, power point presentations

(CD8:32) 14. Sue Damon – power point presentations, rules of procedures and silencing citizens

(CD8:34) 15. Dana Peck – item 29, muzzling the public and censorship

PLANNING AND ZONING

18. Application for Site Plan SP10-03

Request to construct a 5,000 square foot day care facility on a 2.0+/- acre parcel located on the north side of Shadeville Road, immediately west of Hale's Small Engine. The property owner is Lucy Ward and the agent is Hydra Engineering, LLC.

Commissioner Green moved to conduct the final Public Hearing and approve the Application for Site Plan SP10-03, based upon the Planning Departments recommendation, the recommendation of the Planning Commission and the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

GENERAL BUSINESS

(CD9:02) 19. Request Board approval of the Road Clean Action Plans (RCAP) Final Report

Commissioner Brock moved to accept the Final Report of the RCAP Committee and follow up with a workshop to further the actions and recommendations of the RCAP Committee. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD9:10) 20. Request Board approval of the Courthouse Renovation Loan Agreement (Hancock Bank)

Commissioner Brock moved to approve and authorize the Chairman to execute Resolutions for Loan A and Loan B, the notes pertaining thereto, as well as all other standard closing documents. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD9:12) 31. Request Board approval to temporary relocate the Courthouse Facilities and occupants to the Community Center

Commissioner Brock moved to approve the vacating of the present Courthouse during the abatement and renovation phase and temporarily relocating to the Wakulla County Community Center. In addition, the following steps will be taken: Temporary use Permit Application filed with the Planning & Zoning Office for relocation of Courthouse staff to the Community Center, placement of three or four portable classroom facilities for additional office space on premises. Placement will be east of Administrative Building. The addition of underground conduit for 100 pair phone lines for telecommunications for all offices. Painting and minor remodeling modifications to the buildings including the addition of doors and removal of the baptismal from the sanctuary. Second by Commissioner Green with Commissioners Brock, Green, Stewart and Kessler in favor, Commissioner Artz opposed and the motion carried, 4/1. *request for Mr. Thurmond to look into cost comparison for alternate space to house the State Attorney and Public Defender in lieu of portables at the Community Center site.

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(CD9:54) 21. Request Board approval of Change Orders 1 & 2 with Panacea Coastal Construction and approval of Task Order No. 10-18 with Preble-Rish for the Wakulla County Welcome Center Project
Commissioner Brock moved options one and two to approve Change Orders 1 & 2 with Panacea Coastal Construction and approve Task Order No. 18 with Preble-Rish for the Wakulla County Welcome Center project. Approve Budget Amendment to Fund Change Orders 1 & 2 with Panacea Coastal Construction and approve Task Order No. 10-18 with Preble-Rish. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD9:56) 22. Request Board approval of mechanisms to capture additional cost savings in FY2010/2011 Budget

Commissioner Artz moved to approve implementation of the cost reduction strategies. Second by Commissioner Green and the motion carried unanimously, 5/0.

23. Request Board ratification of the discussion held during the June 24, 2010 Workshop regarding the Wakulla County Community Center Programming, Management, and Community Forums – Tabled to August 2, 2010 Board Meeting

(CD10:18) 24. Request Board approval of an Amendment to the Initial Assessment Resolution for Solid Waste Management and Disposal

Commissioner Stewart moved to adopt the Amendment to the Initial Assessment Resolution for Solid Waste Management and Disposal Services. This includes moving the public hearing dates for the Fire Protection Assessment and Solid Waste Assessment to September 9, 2010 starting at 5:30 p.m. at the Community Center, with direction for the County Attorney to develop a Hardship Assistance Program for the Solid Waste Assessment. Second by Commissioner Brock and the motion carried unanimously, 5/0.

COMMISSIONER AGENDA ITEMS

25. COMMISSIONER ARTZ

(CD10:23) a. Enterprise Zone

Commissioner Artz moved to direct county staff to provide an update on refocusing the Enterprise Zone that includes information on the process and a timeline for completion. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD10:23) b. Infrastructure Committee

Commissioner Artz moved for the Infrastructure Committee to prioritize and choose some of the following tasks to work on. A Master plan for sewer and water, mandatory sewer hook-up, Crawfordville Town Plan with a focus on the infrastructure within the town (shared stormwater, facilities, parking, etc.) to make it more financially viable for businesses. To continue working on the Regional Management entity for the onsite treatment systems and to look into the Infrastructure of the future that may include Broadband as well as Green infrastructure, which gets into Master Park Planning. There are people working on Public Transit and Van Pool, but no locations established for Park & Ride. Leon County has natural gas and there is an interest in bringing natural gas into Wakulla County. In addition, for future planning there are not enough boat ramps or access for public swimming. Second by Commissioner Brock and the motion carried unanimously, 5/0.

28. COMMISSIONER KESSLER

(CD10:28) a. CRTPA budget considerations for 2010-2011 fiscal year

Commissioner Brock moved to vote to budget CRTPA dues in the Wakulla FY 2010-2011 budget. Second by Commissioner Artz with Commissioners Kessler, Brock, Green and Artz in favor, Commissioner Stewart opposed and the motion carried, 4/1.

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(CD10:34) b. Written responses of County Administrator – Mr. Barden will have the figures later this week

c. County Administrator interaction with Community – continue to next meeting

29. COMMISSIONER STEWART

(CD10:36) a. Request Board approval of an Amendment to Policy 07-01, Rules of Procedure for meetings of the Wakulla County Board of County Commissioners, replacing Section 9 of Policy 07-01

Commissioner Artz moved not to approve the Amendment to Policy 07-01, Rules of Procedure for meetings, replacing Section 9. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD10:45) Commissioner Brock moved to extend the meeting to 11:15 p.m. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

COUNTY ATTORNEY

(CD10:58) 26. Update on Building Moratorium in “The Park” Subdivision

Commissioner Artz moved to accept the report from the County Attorney and pursue discussions with “The Park” to determine willingness to perform a study of Hydrogeology and the Sinkhole study. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD11:02) 27. Report to the Board regarding the Scope and Price for Housing Review (MRT)

Commissioner Artz moved to accept the update regarding scope of the Housing Division Review and pursue an RFP for a Third Party Consultant to perform scope of work. Second by Commissioner Green and the motion carried unanimously, 5/0.

(CD11:08) Commissioner Brock moved to extend the meeting to 11:30 p.m. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD11:25) Commissioner Brock moved to extend the meeting to midnight. Second by Commissioner Artz and the motion carried unanimously, 5/0.

COUNTY ADMINISTRATOR

(CD11:26) Phone system at the Board Office struck by lightning

Commissioner Brock moved to approve the proposal, option 2, as presented by Inspired Technologies for replacing the phone system at the County Administration Office. This is for the purchase of 30 phones for \$18,265.00 at 0% financing for 36 months and is an emergency purchase due to lightning striking and eliminating the present phone system. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

DISCUSSION ISSUES BY COMMISSIONERS

COMMISSIONER STEWART

(CD11:48) a. EPA Federal Level

Wednesday, July 21, 2010 at 3:00 p.m. a conference call is scheduled regarding the Gulf Oil Spill with the EPA and the Obama Administration participating

COMMISSIONER KESSLER

a. Public records Policies and Procedures

b. Evaluation of County Administrator – forms will be provided to all Board Members

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(CD11:54) There being no further business to come before the Board, Commissioner Green moved to adjourn; second by Commissioner Brock and the motion carried unanimously, 5/0.

The meeting adjourned at 11:55 p.m.