

Draft

**Board of County Commissioners
Regular Board Meeting
Tuesday, February 3, 2009**

The Board of County Commissioners in and for Wakulla County met in regular session on Tuesday, February 3, 2009 with Chairman Howard Kessler presiding. Present were Commissioners George Green, Lynn Artz, Alan Brock and Mike Stewart. Also present were County Administrator Ben Pingree, County Attorney Ron Mowrey and Deputy Clerk Evelyn Evans.

Invocation by Commissioner Kessler

Pledge of Allegiance led by Commissioner Artz

APPROVAL OF AGENDA

(CD6:01) Commissioner Green made a motion to approve the Agenda with the following changes, under the Regular Agenda item 10 has been pulled; Commissioner Artz requests to add under Awards and Presentations Kim Tucker from the Health Department to speak about Quit and Win a smoking cessation program; under Commissioner Artz discussion items add Letter of Support for Big Bend Scenic Byway, Request from Congressman Boyd for a county proposal for earmark funding, Request from Health Care Task Force for a county proposal for earmark funding, Comcast coverage for the Impact Fee Workshop on February 10th, Food Bank initiative in the County, Citizen initiative threshold Charter Co., Request for employees to participate in smoking class during work hours, Discussion regarding Stormwater in Hidden Meadows and Revell Sink; under County Attorney add Muir Woods hearing. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

AWARDS AND PRESENTATIONS

(CD6:05) Presentation on the St. Marks Bike Trail – Todd McGee, Construction Projects Manager and Rick Halverson, Regional Trails Manager

(CD6:42) Commissioner Kessler – Announcement Regarding Cover Florida – Health Insurance Coverage (www.CoverFloridaHealthCare.com)

(CD6:46) Kim Tucker – Smoking Cessation, Quit and Win

(CD6:49) ***CONSENT AGENDA***

Commissioner Brock made a motion to approve the Consent Agenda in its entirety. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

1. Approval of Minutes – January 20, 2009 Regular Meeting

2. Approval of Payment of Bills and Vouchers Submitted for January 15, 2009 – January 28, 2009

3. Request for Road Closure for the St. Patrick's Day Parade on Saturday, March 14, 2009

CITIZENS TO BE HEARD

(CD6:50) 1. Lea Bowman – St. Marks Trail

PLANNING AND ZONING

(CD6:55) 4. Application for Variance: V08-04

Request for a wetland setback variance to construct a single-family dwelling on a 2.19+/- acre lot located in River Plantation Estates. This property is located on the west side of River Court. The property owners are Jerome and Carina Todd.

Commissioner Stewart made a motion to approve Application for Variance V08-04, subject to conditions. The proposed site plan meets the standard setbacks for the RR-1 zoning district. The proposal meets the requirements of the Wakulla County Code and the Comprehensive Plan, with the exception of meeting the buffer requirements for wetlands. Staff recommends the following conditions be place: The variance will expire two (2) years from the date of approval. A plan for protecting the wetlands during construction activities must be submitted and approved during the Development Permit Application (DPA) process. For example, silt fencing and hay bales. Utilizing the Best Management Practices for protection of wetlands on the Subject Property. Second by Commissioner Brock. Motion carried unanimously, 5/0.

(CD7:05) 5. Application for Rezoning: R08-18

Application R08-18 is a request for rezoning approval from AG to RR-2. The subject parcel is located off Aaron Strickland Rd. The subject property has two sets of owners. Frank and Carolyn Deweese own 3.68 +/- acres of the subject property. Michael and Jaime Baze own the remaining 1.73 +/- acres of the subject property.

Commissioner Brock made a motion to conduct the second of two public hearings and approve the Application for Change of Zoning R08-18 based upon the findings of fact and conclusions of law made by the Board and any evidence submitted at the hearing hereon. Second by Commissioner Stewart. Voting for: Stewart and Brock. Opposed: Green, Artz and Kessler. Motion Fails, 2/3.

(CD7:05) 6. Application for Request for Variance: V08-29

Application V08-29 is a request for Variance to allow a 1.73 +/- acre tract in the requested RR-2 zoning district per Application R08-18. This application is in conjunction with Rezoning Application R08-18. The subject parcel is located off Aaron Strickland Rd. Michael and Jaime Baze are the owners of the 1.73 +/- acres requesting the variance.

**Failed, see item 5

GENERAL BUSINESS

(CD8:57) 21. Request Board consideration and approval to implement Flex Staff Positions for the Wakulla Fire Department.

Commissioner Brock moved for approval for Wakulla County Fire Department to implement Flex Staff Positions. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD8:58) 7. Request Board authorization to advertise for a Public Hearing on March 3, 2009 to adopt an ordinance clarifying that Citizens who install and maintain a Performance Based Septic System will not be required to hook onto sewer (as authorized under state law).

Commissioner Brock moved to approve staff advertising for a Public Hearing on March 3, 2009 to adopt an Ordinance clarifying that citizens who install and maintain a performance based septic system will not be required to hook onto sewer. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD9:02) 8. Request Board adoption of a Resolution requiring the Sheriff, the Clerk of the Circuit Court, Supervisor of Elections, Property Appraiser (optional), Judiciary (optional) and Tax Collector Constitutional Officers to submit their Tentative Budgets by May 1st of Each Year

Commissioner Brock made a motion to adopt a Resolution requiring the Sheriff, the Clerk of the Circuit Court, Supervisor of Elections, Property Appraiser (optional), Judiciary (optional) and Tax Collector Constitutional Officers to submit their Tentative budgets by May 1st of each year. Second by Commissioner Artz. Motion carried unanimously, 5/0.

(CD9:03) 9. Request Board approval to schedule a Public Hearing for February 17, 2009 at 6:00 p.m. to adopt an Ordinance establishing the Wakulla County Administrative Code as directed in the County Charter Ordinance No. 2008-14

Commissioner Brock made a motion to approve setting a Public Hearing for February 17, 2009 at 6:00 p.m. to adopt an Ordinance establishing the Wakulla County Administrative Code as directed in the County Charter Ordinance No. 2008-14. Second by Commissioner Artz. Motion carried unanimously, 5/0.

10. Request Board approval for the Chairman to Execute an Employment Contract for the Executive Director of Tourist Development Council - pulled

(CD9:03) 11. Request for Board consideration of Proposed Text Changes to Ordinance 06-28, which establishes and amends Flood Hazard Areas in Certain Specific Subdivisions, Establishes Building Elevations in Specific Flood Hazard Areas, and Regulates Fill in Specific Flood Hazard Areas, and Approval to Advertise for a Public Hearing on March 17, 2009

Commissioner Artz made a motion to accept the amended Ordinance 06-28 as drafted and direct staff to advertise for a public hearing on March 17, 2009. Second by Commissioner Brock. Motion carried unanimously, 5/0.

(CD9:20) 12. Request Board approval to Award Bid #2009-001 to Martin Marietta for the County Road Base Contract

Commissioner Brock made a motion for approval to award the low bid to Martin Marietta for the County Road Base Contract. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

**This is a two-year contract

(CD9:21) 13. Request Board approval to Award Bid #2009-002 to Ernie Jaworski Trucking for the Material-Hauling Contract

Commissioner Brock made a motion for approval to award the low bid to Ernie Jaworski Trucking for the Material-Hauling Contract. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD9:22) 14. Request Board approval to Award Bid #2009-003 to Ernie Jaworski Trucking for the Road Striping Contract
Commissioner Stewart made a motion to re-bid the Road Striping Contract. Second by Commissioner Brock. Motion carried unanimously, 5/0.

*This is a two-year contract

(CD9:22) 15. Requests Board approval to authorize the scheduling of County Town Hall Meetings held throughout Wakulla County During 2009
Commissioner Brock made a motion to approve the recommended County Town Hall Meeting dates and locations. Second by Commissioner Stewart. Motion carried unanimously, 5/0. *dates/times listed below

March 25, 2009 at 6:00 p.m.-7:00 p.m. at Wakulla Springs (District 1&2)

May 27, 2009 at 6:00 p.m.-7:00 p.m. at the Old Courthouse/Chamber (District 3)

July 29, 2009 at 6:00 p.m.-7:00 p.m. at the Panacea Welcome Center (District 4)

September 30, 2009 at 6:00 p.m.-7:00 p.m. at the Sopchoppy City Hall (District 5)

(CD9:23) 16. Request for Board Ratification of the 2009 Board Priorities Action Plans
Commissioner Brock made a motion to table to next meeting Agenda. Second by Commissioner Artz. Motion carried unanimously, 5/0.

COMMISSIONER AGENDA ITEMS

17. COMMISSIONER KESSLER

(CD9:30) a. Conveyance and Restrictions for Wakulla Gardens

Commissioner Brock made a motion to direct the County Attorney to give a legal opinion as to the status of such restrictive documents and what authority, if any, such restrictive documents may have. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

18. COMMISSIONER GREEN

(CD9:33) a. Request Board approval of a Resolution to Observe the Month of February as Black History Month

Commissioner Brock made a motion to adopt a Resolution observing February as Black History Month. Second by Commissioner Artz. Motion carried unanimously, 5/0.

19. COMMISSIONER BROCK

(CD9:51) a. Retro fitting county building lights with LED Lights

Commissioner Brock made a motion to direct staff to gather further information regarding this service provider and bring it back before the board for further action and more details regarding the contractual obligations. Second by Commissioner Artz. Motion carried unanimously, 5/0.

(CD9:37) b. Workshop presentation from tourist development council and economic development council, and explore idea to promote Wakulla businesses

Commissioner Brock made a motion to direct staff to move forward with the scheduling of a Workshop with the Economic Development Council and Tourist Development Council on Monday, April 13, 2009 from 5:00p.m. to 7:00 p.m. Second by Commissioner Artz. Motion carried unanimously, 5/0.

COUNTY ATTORNEY

(CD10:06) a. Muir Woods

Commissioner Brock made a motion to reschedule the Muir Woods public hearing to the April 7, 2009 Board Meeting. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

COUNTY ADMINISTRATOR

(CD10:08) 20. Request Board ratification of County Administrators Drawing upon Irrevocable Letter of Credit - #265, Tallahassee State Bank, Southern Realty & Development Company, LLC for the Flowers Subdivision Phase I

Commissioner Stewart made a motion to ratify the County Administrator's drawing upon Letter of Credit #265, Tallahassee State Bank, Southern Realty & Development Co., Letter of Credit for the Flowers Subdivision Phase I. Second by Commissioner Green. Motion carried unanimously, 5/0.

DISCUSSION ISSUES BY COMMISSIONERS

Commissioner Artz

- a. Big Bend Scenic Byway Letter of Support
 - b. Request from Congressman Boyd for a county proposal for earmark funding
 - c. Comcast coverage for the Impact Fee Workshop on February 10th
 - d. Discussion regarding stormwater in Hidden Meadows and Revell Sink
- Commissioner Stewart requested that the Board reconsider the Scenic Byway Letter of Support.

Commissioner Stewart made a motion for the Board to sign the letter of support for the Big Bend Scenic Byway. Second by Commissioner Brock. Voting for: Artz, Brock, Green and Stewart. Opposed: Kessler. Motion Failed, 1/4.

Commissioner Kessler – Airboat Ordinance for a later Agenda

There being no further business to come before the Board, the meeting was adjourned at 11:00 p.m.