

Draft

**Board of County Commissioners
Regular Board Meeting
Tuesday, May 19, 2009**

The Board of County Commissioners in and for Wakulla County met for a Regular Board Meeting on Tuesday, May 19, 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 provided by Commissioner Kessler

Pledge of Allegiance - Commissioner Stewart

APPROVAL OF AGENDA

(CD06:00) Commissioner Stewart made a motion to approve the Agenda with the following changes:

Commissioner Kessler requests under Awards and Presentations to add a CCOW announcement and a brief presentation regarding Wetlands and then under his discussion items add Wetlands, Clean Growth Committee and Old Bethel Road.

Under County Attorney add Report on the purchase of property at Upper Wakulla Bridge for Boat Ramp.

Second by Commissioner Green and the motion carried unanimously, 5/0.

PUBLIC HEARING

(CD6:06) 1. Request Board Consideration and Approval to Hold a Public Hearing to Adopt an Ordinance Repealing Ordinance 09-05 (Flood Hazard Areas)

Commissioner Brock made a motion to approve holding the Public Hearing and adopting the Ordinance repealing Ordinance 09-05. Second by Commissioner Green. Voting for: Green. Opposed: Brock, Kessler, Stewart and Artz. Motion Failed, 4/1.

AWARDS AND PRESENTATIONS

(CD6:31) Announcement of EMS Week and presenting of Statewide EMS Award to Fran Council

(CD6:30) CCOW is having their annual picnic meeting at Otter Lake Park on May 31, 2009

(CD6:34) Wetlands Ordinance

CONSENT AGENDA

(CD6:36) Commissioner Brock made a motion to approve the Consent Agenda in its entirety. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

2. Approval of Minutes – May 5, 2009 Regular Meeting

3. Approval of Minutes – April 27, Workshop 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.
5. Approval of payment of Bills and Vouchers submitted for April 30, 2009 – May 13, 2009
6. Request Board approval to apply for multiple “Assistance to Firefighters” Grants through FEMA
7. Request Board approval to fund a \$7,000.00 match requirement for assistance to Firefighters Grant through the Federal Emergency Management Agency (FEMA) awarded to the Sopchoppy Volunteer Fire Department
8. Request Board approval of the Wakulla County Tourist Development Council, January - March 2009 Quarterly Report
22. Request Board approval of a Proclamation declaring May 17-23, 2009 to be designated as Emergency Medical Services Week for Wakulla County

CITIZENS TO BE HEARD

- (CD6:37) 1. Bob Danzey – county spending
(CD6:41) 2. Tim Bozeman – Comments and clarification regarding Ordinance 09-05

GENERAL BUSINESS

(CD6:47) 9. Request Board Approval of the rankings for the RFP for Legal Services
Commissioner Brock made a motion to move the top four firms for Oral presentations.
Second by Commissioner Stewart and the motion carried unanimously, 5/0.

**Firms: Nabors, Giblin & Nickerson
Bryant, Miller & Olive
Messer, Caparello & Self
Penson, Ducheim & Davis

Commissioner Brock made a motion to hold a Workshop on Tuesday, June 2, 2009 at 3:00 p.m. for Oral presentations/interviews with the top four ranked legal firms. Each firm will have 10 minutes for presentation and 15 minutes for questions and answers. The Staff and County Attorney will develop a list of questions for the applicants. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD7:03) 10. Request Board approval of a Resolution and Loan Agreement to Purchase Financial Software

Commissioner Stewart made a motion to approve the Resolution and Loan Agreement with the noted concerns by the County Attorney to include (1) Lien should only be on

equipment that is being purchased and not on any and all personal property and equipment owned by the County (2) Appears for an assignment of 2009 Ad Valorem Taxes and this cannot be done without voter approval (3) Venue would have to be in Wakulla County and not Leon County (4) Different fees mentioned in the Contract and the Clerk's Office has a commitment from the bank that there will be no fees associated (5) add a non-appropriation clause subject to good faith requirements to appropriate funds otherwise the County can terminate. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD7:06) 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

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. Second by Commissioner Stewart. Voting for: Brock, Artz, Green and Stewart. Opposed: Kessler. Motion carried, 4/1.

(CD7:35) 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

Commissioner Brock made a motion to approve the Resolution for the Tax Collector's Office to operate as a budget office. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:38) 12. Request Board approval to purchase an Eagle Raptor 6000psi Compressor and Cascade Self Contained Breathing Apparatus (SCBA) Filling Station

Commissioner Brock made a motion to approve the purchase of an Eagle 6000psi SCBA filling station with an amendment to include a carbon monoxide monitor at an additional cost of \$2,500.00. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:41) 13. Request Board approval to Purchase a Tractor/Mower for ROW Mowing

Commissioner Stewart made a motion to approve the purchase of a tractor/mower. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD7:43) 21. Request Board approval to Purchase a Used 544J Loader with Grapple Rake

Commissioner Brock made a motion to approve the purchase of a used 544J Loader for \$86,000.00. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD7:44) 14. Request Board approval of the Industrial Waste Services & Disposal Agreement with Waste Management Inc.

Commissioner Brock made a motion to approve the Industrial Waste Services and Disposal Agreement with Waste Management of Leon County, Inc. Second by Commissioner Green and the motion carried unanimously, 5/0.

(CD7:44) 15. Request Board consideration of the Transportation Concurrency Management System Application Review Fees and Stormwater Review Fees
Commissioner Brock made a motion to approve the fees for both the Transportation Concurrency Review and Stormwater Review Applications as proposed by Staff. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:46) 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
Commissioner Brock made a motion to ratify the discussion of the Workshop held on April 27, 2009. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:53) Industrial Development Authority Board
Commissioner Brock made a motion to direct staff to bring an Agenda item back providing 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. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD8:00) 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.
Commissioner Stewart made a motion to ratify Board discussions held at the May 5, 2009 Workshop. Second by Commissioner Brock and the motion carried unanimously, 5/0.

Commissioner Stewart made a motion to approve the following: The BOCC and the Recreation Board personnel will be totally 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. The Board will 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 will bring back this lease document to the Board for approval prior to implementation on July 1st 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. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD8:11) 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
Commissioner Artz made a motion to refocus the phasing of the sewer project to put the plan expansion and upgrade to AWT as Phase 1. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD8:33) Commissioner Artz made a motion to pursue USDA-RD grant funding for phase 1. Motion dies for lack of second.

(CD8:44) Commissioner Bock made a motion to apply for USDA-RD grant funding for the entire project. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD8:50) Commissioner Artz made a motion for staff direction 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. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD8:50) Commissioner Brock made a motion for staff direction regarding pursuit of a reliable source of funding that could be utilized to service any additional debt service. Second by Commissioner Artz and the motion carried unanimously, 5/0.

COMMISSIONER AGENDA ITEMS

Commissioner Kessler

(CD8:52) 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 changes and bring it back to the Board for approval to advertise. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD8:59) Letter in opposition to SB360

b. Request Board approval of a Resolution concerning Growth Management Bill

Commissioner Brock made a motion to approve sending a letter to Governor Christ with the Chairman's signature opposing Senate Bill 360. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

Commissioner Artz

(CD9:00) 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, outline what its charges would be and the composition. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD9:08) Commissioner Stewart made a motion to appoint Commissioner Artz as the Wakulla Representation on the Public Transit Work Board. Second by Commissioner Brock and the motion carried unanimously, 5/0.

COUNTY ATTORNEY

(CD9:11) 1. Property on Shadeville Road /Upper Wakulla Bridge for a Boat Ramp
Commissioner Brock made a motion to move forward with an Appraisal and direction for staff to research this property and bring a report back on the next agenda. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

County Administrator

Discussion Issues by Commissioners

(CD9:24) Commissioner Brock

a. Rudloe family event in Panacea was a successful fundraiser

b. TDC/EDC – at the end of the fiscal year if funding is available he will ask the Board to give some money to help offset the cost of the website

Commissioner Kessler

a. Clean Road Committee – next meeting

b. Update on Old Bethel Road – will bring back a report on the one remaining property within the next couple of weeks

There being no further business to come before the Board, Commissioner Brock made a motion to adjourn, with a second by Commissioner Stewart and the motion carried unanimously, 5/0.

9:30 p.m. Adjourned.