

Draft

**BOARD OF COUNTY COMMISSIONERS
REGULAR BOARD MEETING
MONDAY, AUGUST 16, 2010**

The Board of County Commissioners in and for Wakulla County met for a Regular Scheduled Board Meeting on Monday, August 16, 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 by Commissioner George Green

Pledge of Allegiance led by Commissioner Howard Kessler

APPROVAL OF AGENDA

(CD4:59) Commissioner Brock moved to approve the Agenda with the following modifications:

County Attorney – pull item (11) from the Consent Agenda

Commissioner Stewart – add County Administrator under his discussion items

Commissioner Artz – add (1) announcement and pull items (7), (8), & (9) from the Consent Agenda for discussion

Commissioner Brock – add (1) announcement

Commissioner Kessler – pull items (3) & (15) from the Consent Agenda for discussion

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

PUBLIC HEARING

(CD5:03) 1. Request Board approval to conduct the Second and Final Public Hearing and Adopt the Proposed Revised Wetlands Protection Ordinance

Commissioner Artz moved to conduct the second and final public hearing and adopt the proposed Revised Wetlands Ordinance. Second by Commissioner Green and the motion carried unanimously, 5/0.

AWARDS AND PRESENTATIONS

(CD5:14) Public Safety – CTST (Community Traffic Safety Team)

Certificate of Appreciation plaque presented to Pat Jones

(CD5:17) Presentation by Keith McCarron of the Apalachee Regional Planning Council regarding the FDOT Five Year Work Program – slide presentation

(CD5:28) Commissioner Brock announced early voting this week at the Supervisor of Elections Office from 9:00 a.m. to 5:00 p.m.

(CD5:29) Commissioner Kessler announced that there are three workshops on Thursday this week and Ovarian Cancer Month set for September 2010

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(CD5:30) Commissioner Artz – Survey for Mental Health and Substance Abuse from now to September 10, 2010 with encouragement for citizens to complete this survey

CONSENT AGENDA

(CD5:33) Commissioner Stewart moved to approve the Consent Agenda minus items 3, 7,8,9,11,15, and 16 that are pulled for discussion. Second by Commissioner Brock and the motion carried unanimously, 5/0.

2. Approval of Minutes – August 2, 2010 Regular Board Meeting
Approved

4. Approval of Payment of Bills and Vouchers submitted for July 29, 2010 – August 11, 2010
Approved

5. Request Board approval of a Proclamation declaring September 2010 as Ovarian Cancer Awareness Month in Wakulla County
Approve – Proclamation declaring September 2010 as Ovarian Cancer Awareness Month in Wakulla County

6. Request Board approval of amended Bylaws and Procedures of the Animal Control Appeal Board, request approval to schedule and advertise a Public Hearing to amend Section 2.010.2 of the Animal Control Ordinance, and request approval to seek New Appointments to serve on Animal Control Appeal Board
Approve – Staff to schedule and advertise a Public Hearing to amend section 2.010.2 of the Animal Control Ordinance, adopt the Resolution amending Bylaws and Procedures of the Animal Control Board, and approve staff to seek new appointments to serve on Animal Control Appeal Board

10. Request Board approval to adopt a Resolution accepting the Small County Outreach Paving Grant Funds for New Light Church Road and authorize the Chairman to Execute the Agreement
Approve – Adopt the Resolution accepting the SCOP Grant funds for \$670,824.00 for New Light Church Road and authorize the Chairman to execute the Agreement

12. Request Board approval of DEP Agreement No. CM119 to provide funding for “Wonders of Wakulla – A Nature and Heritage Based Marketing Campaign” and a Resolution to accept \$50,000 in additional funds from the Coastal Zone Management Program for the project
Approve – DEP Agreement No. CM119 authorizing the Chairman to sign the agreement and approve the Resolution to accept \$50,000 in additional funds from the Coastal Zone Management Program

13. Request Board approval of Wakulla County Tourist Development Council January – March 2010 and April – June 2010 Quarterly Reports
Approve – The Wakulla County TDC Quarterly Reports for the January-March 2010 and April-June 2010 reporting period

14. Request Board approval to appoint a replacement Alternate Planning Commission Member for District 2 for the remainder of their respective term
Approve – The revisions contained in the Planning Commission Member list and appoint the replacement Alternate Planning Commission Member for District 2, Mr. Leo Smith with the term for this seat ending December 31, 2010

26. Request Board approval to submit a Grant Application to Gulf of Mexico Community-based Restoration Partnership and authorize the Chairman to execute a Letter of Support

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Approve – staff to submit a grant application to the Gulf of Mexico Foundation, Community-based Restoration Partnership (GCRP) and authorize the Chairman to execute the letter of support

CONSENT ITEMS PULLED FOR DISCUSSION

(CD5:34) 3. Approval of Minutes – August 5, 2010 4th Budget Workshop regarding the Development of the FY2010/11 Budget

Commissioner Green moved to approve County Administration using the 8.75 Millage as a standard to construct the budget for FY2010/2011. Second by Commissioner Stewart with Commissioners Artz, Brock, Green, and Stewart in favor, Commissioner Kessler opposed and the motion carried, 4/1.

Commissioner Stewart moved to approve the minutes of the August 5, 2010, 4th Budget Workshop regarding the development of the FY2010/2011 Budget. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD5:37) 7. Request Board approval of Final Ownership and Acceptance of Maintenance of the Roadway Infrastructure within The Flowers Subdivision, Phase 1

Commissioner Artz moved not to accept ownership and maintenance of the roadway infrastructure within The Flowers Subdivision, Phase I. Second by Commissioner Green and the motion carried unanimously, 5/0.

(CD5:49) 8. Request Board approval of Final Ownership and Acceptance of Maintenance of the Roadway Infrastructure within The Hammocks Subdivision, Phase 1

Commissioner Artz moved not to accept ownership and maintenance of the roadway infrastructure within The Hammocks Subdivision, Phase 1. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD5:49) 9. Request Board approval of Final Ownership and Acceptance of Maintenance of the Roadway Infrastructure within Merida Blanca Subdivision

Commissioner Artz moved to approve and accept ownership and maintenance of the roadway infrastructure within Merida Blanca Subdivision. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD5:50) 11. Request Board approval of the revised Letter Agreement for Information Exchange between Wakulla County and Talquin Electric Cooperative, Inc.

Commissioner Stewart moved to table this item to the September 7, 2010 Board Meeting. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD5:51) 15. Request Board approval to accept the recommended Junk Removal Services Vendors and approval to enter into Contracts with the recommended vendors per the Code Enforcement Board

Commissioner Stewart moved to accept the recommended Junk Removal Services Vendors and enter into Contracts with the recommended Vendors. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD5:54) 16. Request Board consideration and approval to accept the Modification to the Low Income Energy Assistance Program (LIHEAP) Agreement to incorporate an increase in base allocation and additional spending authority in the amount of \$55,753.00

Commissioner Stewart moved to approve the Resolution to accept the Contract and Funds of \$55,753.00 for the modification of the FY2010/2011 Low Income Energy Assistance Program (LIHEAP) and authorize the Chairman to execute the Contract. Second by Commissioner Brock and the motion carried unanimously, 5/0.

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GENERAL BUSINESS

(CD5:56) 17. Request Board consideration and approval to reduce the Speed Limit on County Road 61, Shadeville Highway, between Trice Lane and Griffin Road

Commissioner Brock moved to accept the CTST's recommendation to reduce the speed limit on County Road 61 between Griffin Road and Trice Lane and direct staff to make the speed limit changes in conformity with the criteria promulgated by the Department of Transportation. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD5:58) 18. Board update regarding certain properties located in Greiner's Addition and Magnolia Gardens
Commissioner Stewart moved to accept the update and direct staff to continue working with Preble Rish, Inc. to seek funding to conduct a joint Floodplain Study and a Stormwater Study for Greiner's Addition Subdivision and Magnolia Gardens Subdivision. Further direction for staff to bring back a proposal for what the cost would be to acquire and create a stormwater pond behind Mrs. Melody Cooley's home to at least keep her property from going under water. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD6:13) 19. Request Board consideration and appointment of a CRTPA Citizen Advisory Committee Member and Alternate Member

Commissioner Brock moved to appoint Chad Hansen as the Primary Member to the CRTPA Citizen Advisory Committee and Carrie Hess as the Alternate Member. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD6:21) 20. Request Board approval of Citizen Appointment to the Value Adjustment Board

Commissioner Brock moved to approve Ralph Thomas as the Citizen Appointee to the Value Adjustment Board. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD6:24) 21. Request Board approval to issue an Invitation to Bid for 11 Pilings at Rock Landing Dock (estimated cost \$18,000) and authorization to proceed with Permit Modification from Florida Environmental & Land Services, Inc.

Commissioner Brock moved to approve the contract with Florida Environmental & Land Services, Inc. for \$2,050.00 to prepare and submit a permit modification for the Rock Landing Dock. Approve the Preble Rish Task Order for an hourly rate of \$135.00, but not to exceed \$1,250.00 to construct new site plan drawings of the additional pilings at Rock Landing Dock and approve the Budget Amendment of \$3,300.00. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD6:27) 22. Request for Board approval to authorize the Chairman to execute and County Administrator to Administer a Local Agency Program Agreement (LAP) between Wakulla County and the Florida Department of Transportation for the Wakulla County Bicycle and Pedestrian Facilities Master Plan

Commissioner Brock moved to approve the Resolution to allow the Chair to execute and the County Administrator to administer the Local Agency Program Agreement for the Wakulla County Bicycle and Pedestrian Facilities Master Plan. Second by Commissioner Artz and the motion carried unanimously, 5/0.

CITIZENS TO BE HEARD

(CD6:32) 1. Jerline Cooper – Appreciation to Board and Staff for assistance in numerous situations; Local Food Banks and serving the Community

(CD6:36) 2. Florine Williams – Thanks to Board and Staff for working on her home

(CD6:38) 3. Pam Portwood – Tourist Development Council is now on Facebook and Twitter

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(CD6:40) 4. Steve Fultz – Manipulation, Deception, Omission, and Ethics regarding the County Administrator

(CD6:44) 5. Phillip Vause – Rec Board Member with a request that the Board not make any cuts for the Rec Park this year as \$10,000.00 was cut last year and parents had to pay extra in order for their children to participate in sports

(CD6:47) 6. Renee Calhoun – Document requests from the Board Office and her experiences in dealing with the requests and personnel

(CD6:51) 7. Michael Barwick – Coach at the Rec Park and requesting no more budget cuts for Parks and Recreation

(CD6:56) 8. Steve Calhoun – Relationship of BOCC and Citizens – He feels that the Board is not doing their homework and they are failing the Citizens of this County

COMMISSIONER AGENDA ITEMS

23. Commissioner Kessler

(CD6:59) a. Request Board approval to schedule a Workshop to discuss questions to the County Administrator

(CD6:59) b. Request to set a Special Meeting for the Annual Performance Evaluation of County Administrator Gavel passed to Commissioner Stewart

Commissioner Kessler moved to hold a Special Meeting to discuss questions to the County Administrator and for the Annual Performance Evaluation of the County Administrator with Citizen input at the beginning of the meeting and once the Board starts their discussion there will be no more Citizen comments. Second by Commissioner Artz with Commissioners Artz, Brock, Green, and Kessler in favor, Commissioner Stewart in opposition and the motion carried, 4/1.

**item a & b combined

COUNTY ATTORNEY

(CD7:16) 24. Update on Legal Analysis of Oyster Bay Boat Ramp

Commissioner Artz moved to direct the County Attorney and staff to negotiate an easement agreement granting public access to the boat ramp and the boat basin. A budget amendment will be necessary to provide funds within the Parks and Recreation Division budget to fund improvements and maintenance to the ramp. Second by Commissioner Brock with Commissioners Artz, Brock, Green, and Kessler in favor, Commissioner Stewart in opposition and the motion carried, 4/1.

(CD7:21) 25. Request Board consideration and approval to hire counsel to represent Wakulla County Value Adjustment Board

Commissioner Brock moved to approve Boyd, DuRant & Sliger to provide legal services to VAB under the terms outlined in their proposal and recommend that the VAB accept this appointment as VAB Attorney. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:27) Wakulla Gardens Deed Restrictions – this should be resolved in the near future

COUNTY ADMINISTRATOR

(CD7:28) He made some comments regarding issues that have come up in every meeting over the last several months and the negative impact all of this is having on staff and him.

(CD7:33) 10 minute recess

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DISCUSSION ISSUES BY COMMISSIONERS

(CD7:42) Commissioner Brock – Discussion regarding November Board Meetings

Commissioner Brock advised the Board of a conflict that he has for the first Board Meeting in November and he will not be able to attend the meeting. He will review the Agenda and if there is an item of interest, he will ask that the item be tabled to a future date.

Commissioner Stewart

(CD7:44) a. County Administrator

Commissioner Stewart moved to appoint a Commissioner to negotiate a mutual separation agreement with Mr. Pingree and bring the agreement back to the next Board Meeting. Second by Commissioner Artz for discussion, after lengthy discussion, the second was withdrawn and the motion died.

8:30 p.m. There being no further business to come before the Board, Commissioner Brock moved for adjournment, second by Commissioner Green and the motion carried unanimously, 5/0.