

Approved 02/21/06

Board of County Commissioners
Regular Board Meeting
February 6, 2006

Present: Maxie Lawhon, Chairman
Howard Kessler, Vice-Chairman
Ed Brimmer, BOCC
Brian Langston, BOCC
Henry Vause, BOCC
Parrish Barwick, County Administrator
Ron Mowrey, County Attorney
Evelyn Evans, Deputy Clerk

6:00 p.m. Meeting called to order. Commissioner Brimmer opened in prayer and led the pledge of allegiance to the flag.

(CD5:51:57) Approval of Agenda

Commissioner Vause made a motion to approve the agenda with the following changes, Commissioner Kessler requests his item (3) Step Up Florida be moved to General Business and would also like to add to General Business a response to the proposed permit for the City of Tallahassee Sprayfield, an announcement regarding upcoming Finance and Budget meetings and to his items add (4) Wetlands Ordinance, under Commissioner Brimmer add item (1) Briefing regarding Wakulla County Health Task Force, under Commissioner Lawhon add (1) County Administrator Contract, under Planning and Zoning items 4,5, and 14 will be continued, add item (20) Temporary Road Closing for St. Patrick's Day Festival Parade and item (21) Code Enforcement Board, under County Attorney add item (1) Report on an opinion from the appellate court regarding the N. G. Wade case, under Commissioner Vause add (1) Road Paving. Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD6:03:58) Wakulla County Sheriff's Department – no items

(CD6:04:04) CONSENT AGENDA

1. Bills and Vouchers
2. Wakulla County Housing Rehabilitation Agreement

Commissioner Vause made a motion to approve the Consent Agenda. Second by Commissioner Brimmer. Voting for: Lawhon, Langston, Brimmer and Vause. Opposed: Kessler. Motion Carried. 4-1

CITIZENS TO BE HEARD

(CD6:04:50) 1. John Trice – VFW property

Commissioner Kessler made a motion to enter into and grant an easement to the grantor of the property as provided for in the easement agreement. Second by Commissioner Brimner. All for. Motion Carried. 5-0

(CD6:07:55) 2. Sandra Smalley – 1955 guidelines for builders and drainage in Wakulla Gardens

(CD6:12:02) 3. Pam Portwood – Panacea Waterfronts Community and upcoming meetings

PUBLIC HEARING

(CD6:13:36) Request for Land Swap between Wakulla County and B&F Ventures, LLC Board of County Commissioners pursuant to section 125.37 Florida Statutes hereby notices its intent to exchange improved property described as: Lot #44 Parcel ID #23-5S-02W-095-02849-000 for property currently owned by B&F Ventures LLC, described as: Lot #35 Parcel ID #23-5S-02W-095-02852-000. This property is located in Panacea, specifically within the area known as Panacea Park.

Commissioner Brimner made a motion to adopt a Resolution permitting the land swap between Wakulla County and B&F Ventures, LLC. Second by Commissioner Vause. All for. Motion Carried. 5-0

GENERAL BUSINESS

(CD6:23:10) 1. County Administrators Contract

****gavel passed to Commissioner Kessler****

Commissioner Lawhon made a motion to approve the existing contract with a change in the salary to \$66,312.48 per year and to change the 6 months severance package to a 9 months severance package. Second by Commissioner Langston. Voting for: Lawhon, Langston, Kessler and Vause. Opposed: Brimner. Motion Carried. 4-1

(CD6:30:37) 2. City of Tallahassee Sprayfield

Commissioner Kessler made a motion to send a letter to the DEP in Pensacola stating that the County will be an interested party in the proceedings regarding the final permit wording for the sprayfield. Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD6:39:53) 3. Step Up Florida Proclamation

Commissioner Brimner made a motion to approve the Step Up Florida Proclamation. Second by Commissioner Vause. All for. Motion Carried. 5-0

****General Business items will continue after Planning and Zoning items are heard****

PLANNING AND ZONING

(CD6:44:04) 1. Final Plat Application FP05-21

Final Plat signature hearing for Century Park (formally known as Annie's Square). This is a commercial subdivision consisting of 15 lots. This property is located on Crawfordville Highway across from Petty's BP Station and McCallister Road. Annie's Square, Inc., applicant, Kathy Shirah, agent.

Commissioner Langston made a motion to approve Final Plat Application FP05-21.

Second by Commissioner Vause. Voting for: Lawhon, Langston, Brimmer and Vause.

Opposed: Kessler. Motion Carried. 4-1

(CD6:52:44) 2. Rezoning Application R05-46

First of two hearings to rezone a 155.0+/- acre parcel from P-2 (Preservation), RSU-1 (Semi Rural Residential) and C-2 (General Commercial) to PUD (Planned Unit Development), to allow for new developments in Shell Point. This property is located at the end of Shell Point Road, around Beaty Taff Drive. It consists of land which was the previous site of the Inn, Marina and Restaurant. Shell Point Resort, Inc., applicant. Varnum and Associates, agent. .

(CD7:07:59) 3. Preliminary Plat Application PP05-14

First of two hearings to create a 37 lot Planned Unit Development, on a 155.0+/- acre parcel of land. This property is located at the end of Shell Point Road, around Beaty Taff Drive. It consists of land which was the previous site of the Inn, Marina and Restaurant. Shell Point Resort, Inc., applicant. Varnum and Associates, agent.

(CD7:24:56) 4. Rezoning Application R05-51

Final hearing to rezone a 48.0+/- acre parcel of land from AG (Agriculture) to PUD (Planned Unit Development) to allow for a residential subdivision. This property is located south of Ace High Stables and West of Old Woodville Road. Six Seller, Inc., applicant and Edwin Brown & Associates as the agent.

Commissioner Brimmer made a motion to continue Rezoning Application R05-51.

Second by Commissioner Vause. All for. Motion Carried. 5-0

(CD7:25:45) 5. Preliminary Plat Application PP05-21

Final hearing to create a 24 lot residential subdivision on a 48.0+/- acre parcel on land. This property is located south of Ace High Stables and West of Old Woodville Road. Six Seller, Inc., applicant and Edwin Brown & Associates are the agents.

Commissioner Vause made a motion to continue Preliminary Plat Application PP05-21.

Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD7:26:07) 6. Rezoning Application R05-52

Rezone an 8.89+/- acre parcel of land from RR-5 (Rural Residential) to C-2 (General Commercial). This property is located southeasterly of Coastal Highway across from Evalinda Street and north of Wakulla Presbyterian Church. Edwin Brown and Shawn Logan are the applicants.

Commissioner Vause made a motion to approve Rezoning Application R05-52. Second by Commissioner Langston. Voting for: Lawhon, Langston, Brimmer and Vause.

Opposed: Kessler. Motion Carried. 4-1

(CD7:28:10) 7. Rezoning Application R05-55

Final hearing to rezone a 173.84+/- parcel of land from AG (Agriculture) and RR-5 (Rural Residential) to PUD (Planned Unit Development) to allow for a residential subdivision. This property is located on the north side of Shadeville Highway, just west of Spring Creek Highway across from the Beechwood Subdivision. Katherine C. Raker McConnell and Gavin E. Raker are the applicants. Varnum and Associates are the agents.

Commissioner Vause made a motion to approve Rezoning Application R05-55. Second by Commissioner Langston. Voting for: Lawhon, Langston, Brimmer and Vause.

Opposed: Kessler. Motion Carried. 4-1

(CD7:35:00) 8. Preliminary Plat Application PP05-19

Final hearing to create a 191 lot residential subdivision on a 173.84+/- acre parcel of land. This property is located on the north side of Shadeville Highway just west of Spring Creek Highway across from the Beechwood Subdivision. Katherine C. Raker McConnell and Gavin E. Raker are the applicants. Varnum and Associates are the agents.

Commissioner Vause made a motion to approve Preliminary Plat Application PP05-19.

Second by Commissioner Langston. Voting for: Lawhon, Langston, Brimmer and Vause.

Opposed: Kessler. Motion Carried. 4-1

(CD7:39:31) 9. Rezoning Application R05-56

First of two hearings to rezone a 34.2+/- acre parcel from AG (Agriculture) to PUD (Planned Unit Development) to allow for a residential subdivision. This property is located on the south side of Harvey Mill Road, across from Cynthia Street. Dennis Carlton Tucker is the applicant. Moore Bass is the agent.

(CD7:49:27) 10. Preliminary Plat Application PP05-20

First of two hearings to create a 47 lot residential subdivision. This property is located on the south side of Harvey Mill Road across from Cynthia Street. Dennis Carlton Tucker is the applicant. Moore Bass is the agent.

(CD7:54:41) 11. Rezoning Application R04-47

Final hearing to rezone a 70.47+/- acre parcel of land from RR-2 (Rural Residential) to PUD (Planned Unit Development) to allow for a residential subdivision. This property is located on the north side of Wakulla Arran Road, east of the Songbird Subdivision. Sara Boynton Spencer is the applicant and Varnum and Associates are the agents.

Commissioner Langston made a motion to approve Rezoning Application R04-47.

Second by Commissioner Vause. Voting for: Lawhon, Langston, Brimmer and Vause.

Opposed: Kessler. Motion Carried. 4-1

(CD8:02:16) 12. Preliminary Plat Application PP05-18

Final hearing to create a 141 lot residential subdivision on a 70.47+/- acre parcel of land. This property is located on the north side of Wakulla Arran Road east of the Songbird Subdivision. Sara Boynton Spencer is the applicant and Varnum and Associates are the

agents. Commissioner Vause made a motion to approve Preliminary Plat Application PP05-18. Second by Commissioner Langston. Voting for: Lawhon, Langston, Brimmer and Vause. Opposed: Kessler. Motion Carried. 4-1

(CD8:06:19) 13. Rezoning Application R05-57

Rezone a 2.74+/- acre parcel of land from RR-2 (Rural Residential) to RR-1 (Semi-Rural Residential) to allow for a second dwelling. Joice J. Ventry is the applicant.

Commissioner Langston made a motion to approve Rezoning Application R05-57.

Second by Commissioner Vause. All for. Motion Carried. 5-0

(CD8:11:19) 14. Rezoning Application R05-58

Rezone a 0.618+/- acre parcel of land from R-1 (Residential) to C-O (Commercial Office) to allow for office space. This property is located at 94 Cottonwood Street and the lot abutting to the north. It is behind the Chevron Gas Station. J. Harold & Janie Thurmond are the applicants. George Johnston is the agent.

Commissioner Brimmer made a motion to continue Rezoning Application R05-58.

Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD8:11:37) 15. Final Plat Application FP05-20

Final Plat signature hearing for The Flowers Phase I Subdivision. This will be a 188 lot subdivision on a 104.69+/- acre parcel of land. This property is located at the southwest corner of Crawfordville Highway and Bloxham Cutoff intersection. Ben Boynton is the applicant.

Commissioner Kessler made a motion to approve Final Plat Application FP05-20.

Second by Commissioner Langston. Motion Carried. 5-0

(CD8:27:22) 16. Final Plat Application FP05-23

Final signature hearing for a re-plat of residential lots to allow all four existing lots to consist of the same size. This property is located at the east side of Sopchoppy Highway and west of Claxton Vause Sr. Road. Kevin and Kerry Gabby are the applicants.

Commissioner Kessler made a motion to approve Final Plat Application FP05-23.

Second by Commissioner Vause. All for. Motion Carried. 5-0

(CD8:28:39) 17. Family Enclave Agreement

A Family Enclave Agreement between Wakulla County and Joe R. and Marlene Perry to allow Michale Friddle to reside in a second dwelling on the Perry's property due to Mr. Perry's medical conditions. This property is located at 50 Northwood Court. Joe R. and Marlene Perry are the applicants.

Commissioner Kessler made a motion to approve a Family Enclave Agreement for Joe R. and Marlene Perry. Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD8:29:15) 18. Family Enclave Agreement

A Family Enclave Agreement between Wakulla County and Timothy and Amanda Davenport, to allow Tommy and Darlene Dabney to reside in a second dwelling on the Davenport's property due to Mr. Dabney's physical ailments and diabetes. Also, due to

the loss of their home due to storm damage. This property is located at 253 Centerline Road. Timothy and Amanda Davenport are the applicants.

Commissioner Vause made a motion to approve a Family Enclave Agreement for Timothy and Amanda Davenport. Second by Commissioner Kessler. All for. Motion Carried. 5-0

(CD8:29:47) 19. Proposed Road Closing Application

Hearing to determine whether to advertise a road closing application on Chickasaw Street in AguaDeVida Subdivision in Panacea. Proposing to close the southernmost portion of Chickasaw Street. The Charlotte Phillips Estate is the applicant.

Commissioner Kessler made a motion to advertise the proposed road closing application. Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD8:37:10) 20. St. Patrick's Day Parade Road Closing

Commissioner Vause made a motion to approve the temporary road closing of highway 319 on March 11, 2006 for the St. Patrick's Day Festival Parade. Second by Commissioner Brimmer. All for. Motion Carried. 5-0

(CD8:37:40) 21. Code Enforcement Board – next meeting

GENERAL BUSINESS

(CD8:51:38) 1. Swale Block Design Culvert End

The Public Works Department requests the BOCC accept and require usage of a new swale block design culvert mitered end. The new application will assist with retaining storm-water flow and act as a swale block to allow additional perk allowances within approved storm-water facilities.

Commissioner Kessler made a motion to require the swale block design culvert mitered end in areas where the Planning Department deems as necessary. Second by Commissioner Brimmer. All for. Motion Carried. 5-0

(CD9:04:06) 2. Northwood Subdivision Transportation Improvement Project Resolution

The roadway improvement project has been completed but not approved by the Northwood Homeowners Association. A resolution has been provided to set the final cost of the project and to request the BOCC accept the project as complete. The administrative office billed property owners in the Northwood Subdivision even though final documents had not been completed due to the length of time this project was open. There is an issue with billing and interest on the principal amount, which will be addressed. Property owners who pay the entire amount of their portion within 30 days of notification are allowed to pay without finance charges, which has been a challenge with this particular project.

Commissioner Brimmer made a motion to adopt the Resolution as written with the exception that the total amount of the project will be the total amount that it cost Wakulla County to do this project with an itemized attachment showing what the cost was and new bills being mailed out to the property owners. Second by Commissioner Kessler. All for. Motion Carried. 5-0

(CD9:23:57) 3. Transportation Study

A traffic study has been agreed to by the BOCC as a part of a settlement agreement with a past development application. The Chamber of Commerce is preparing for this study to be done and will request a refund of the cost for completion of the study in the future. The traffic study will address Woodville Highway along with other roadways as directed by the settlement agreement. This discussion will address Wakulla County requesting this study be done for Wakulla County instead of the Chamber of Commerce. As your Administrator, I feel the need to ensure any study of this nature is done for the use of Wakulla County and researchers are to answer to Wakulla County; not an entity that could be questioned as bias. Discussion item.

(CD9:45:27) 4. Impact Fee Study Proposal

A Request for Proposals has been advertised twice for submittals to provide an Impact Fee Study. Our State Legislature has changed the laws related to impact fees, which has directed attention to methods of charging impact fees statewide. Wakulla County is in need of updating our current method of charging fees and the new legislation has given opportunity to collect updated information while adapting to new rules. Although a single bid has been submitted, staff is requesting approval of the single bid to move forward with negotiations of a new impact fee study to be completed.

Commissioner Brimner made a motion to approve the single bid from CSG (Government Services Group) and to move forward with negotiations of a new impact fee study to be completed. Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD9:53:32) 5. Wastewater Treatment Engineering Services RFQ- continued

(CD9:54:15) 6. Wakulla County Rotary Club

Request for closing U. S. Highway 319 for a Valentines Day Parade. Starting time of the parade is scheduled for 10:00 a.m. and will continue for 1 hour or until complete. A map has been provided showing the parade route to begin just north of Azalea Park and proceeding south to Arran Road. A road closing application along with the parade map and proof of liability insurance have been provided.

Commissioner Brimner made a motion to approve the Wakulla County Rotary Club Valentines Day Parade temporary road closing application. Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD9:54:46) 7. Artificial Reef Funding

The Taylor County Commission has passed a resolution for inter-county cooperative artificial reef funding to allow cooperative agreement with neighboring counties to form a multi-county application. The Taylor County Commission is requesting the Wakulla County Commission approve a joint application agreement to allow combined efforts and support for funding of artificial reefs that will benefit fishing in our local areas as well as surrounding areas.

Commissioner Kessler made a motion to adopt a Resolution approving the joint application agreement with Taylor County for Artificial Reef Funding. Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD9:57:44) 8. Florida Communities Trust Program Grant Application Cycle
Projects to be submitted are:

1. Maritime Museum
2. Historical Park

(CD10:06:34) 9. Continuation of Crawfordville Downtown Visioning Process
Commissioner Kessler made a motion to continue the visioning process as long as the \$15,000.00 match comes from the downtown business owners with the approval for Mrs. Portwood to proceed once she gets half of the money amount committed by private business. Second by Commissioner Langston. All for. Motion Carried. 5-0

(CD10:16:11) 10. Buckhorn Village CDBG Economic Development Grant
Administration and Engineering Services RFP

Grant Administration Rankings are as follows (1) Jordan and Associates (2) Fred Fox Enterprises and (3) CRA Consulting.
Commissioner Brimmer made a motion to approve with moving forward and negotiating a contract with the number one ranked firm Jordan and Associates. Second by Commissioner Langston. All for. Motion Carried. 5-0

Engineering Services Rankings are as follows (1)Varnum and Associates, Mittauer and Associates and Berryman and Henigar tied for second place. Reject all bids and re-advertise with the criteria added for local business.

(CD10:23:54) Rock Landing Dock project letter – information

COUNTY ATTORNEY

(CD10:24:33) 1. Angelo Petrandis Variance
Agreement will provide for Mr. Petrandis to continue with his retail sales business while he is rebuilding with the agreement expiring when the certificate of occupancy is received or on December 31, 2007, whichever occurs first.

2. N. G. Wade/D.C.A. opinion

Both petitions filed by citizens were denied by the appellate court.

COMMISSIONER KESSLER

- (CD10:33:46) 1. Mashas Sands Park – information
(CD10:35:45) 2. Habitat for Humanity – Commissioners’ participation on 3/11/06
(CD10:37:46) 3. Budget & Finance Committee has been meeting on a regular basis.
(CD10:38:44) 4. Wetland Ordinance – next meeting

COMMISSIONER BRIMNER

(CD10:39:12) 1. Health Care Task Force – Requesting EMS Funding for Wakulla County

COMMISSIONER LANGSTON

(CD10:41:22) 1. CHAT Program – next meeting

COMMISSIONER VAUSE

(CD10:42:13) 1. Lonnie Raker Road – information

APPROVAL OF MINUTES

(CD10:43:13) Commissioner Vause made a motion to approve the minutes from the County Administrator's Workshop and the Regular Board Meeting held on January 17, 2006. Second by Commissioner Kessler. All for. Motion Carried. 5-0

Commissioner Vause made a motion to adjourn. Second by Commissioner Langston. All for. Motion Carried. 5-0

11:00 p.m. Meeting adjourned.