

Approved 02/20/2007

Board of County Commissioners
Wakulla County, Florida
Regular Meeting
Monday, February 5, 2007

The Board of County Commissioners of Wakulla County, Florida met in regular session on February 5, 2007 at 6:00 p.m. with Chairman Langston presiding.

Present were Commissioners Lawhon, Brimmer, Kessler and Green. Also present were County Attorney Ron Mowrey, County Administrator Ben Pingree and Deputy Clerk Evelyn Evans.

Invocation and Pledge of Allegiance

The Invocation was provided by Commissioner Brimmer who then led the Pledge of Allegiance to the Flag.

(CD5:56:47) Under Commissioner Discussion add: (1) Development Agreements (2) Road problems (3) Wakulla Springs Bottling Plant (4) Road issues in St. Marks (5) SCRAP Projects (6) Wakulla County Airport.

(CD5:59:46) From the Consent Agenda pull item (3) Approval of Mitigation Settlement Agreement for discussion.

(CD6:01:13) **Confidential Meeting 6:05 p.m. pursuant to F.S. 286.011(8)**

1. CONFIDENTIAL COUNTY ATTORNEY BOARD MEETING

In accordance with Chapter 286.011(8), Florida Statutes, the Board of County Commissioners will hold a confidential meeting commencing at approximately 6:00 p.m. on February 5, 2007 for approximately 30 minutes, to discuss the following described pending litigation. Those in attendance will be each member of the Board of County Commissioners, Chairman Brian P. Langston, Howard Kessler, George Green, Ed Brimmer, Maxie Lawhon, County Attorney Ronald A. Mowrey, County Administrator Ben Pingree and Deputy County Administrator Joe Blanchard and FACT Attorney Tim Warner, and an official Court Reporter. UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF FLORIDA TALLAHASSEE DIVISION: COLLEEN SKIPPER, Plaintiff v. ANNE AHRENDT, in her official capacity as the PROPERTY APPRAISER, WAKULLA COUNTY, FLORIDA and ANNE AHRENDT, in her individual capacity, Defendants. Case #4:06cv103-MP/WCS

The Regular Board Meeting was adjourned at this time and Confidential Meeting pursuant to F.S.286.011 (8) was held.

(CD6:44:03) Regular Board Meeting was called back into session.

Commissioner Lawhon made a motion to approve the Settlement Agreement regarding United States District Court Northern District of Florida, Tallahassee Division; Colleen Skipper, Plaintiff v. Anne Ahrendt, Case #4:06cv103-MP/WCS. Second by Commissioner Brimner. Voting for: Lawhon, Langston, Brimner and Green. Opposed: Kessler. Motion Carried. 4-1

(CD6:49:52) **PUBLIC HEARING**

2. Settlement agreement concerning DOAH Case No. 06-1507GM, between the Department of Community Affairs v. Wakulla County and Thurman Roddenberry, Premier Construction and Development Inc., Old Aaron Investment Group, LLC, Carmen Corley, Randall Merritt and Michael Harbin. The Stipulated Settlement Agreement concerns finding ordinance numbers 2006-08, 2006-11 and 2005-10 in compliance.

Commissioner Brimner made a motion to approve the Settlement Agreement concerning DOAH Case No. 06-1507GM. Second by Commissioner Green. Voting for: Langston, Lawhon, Brimner and Green. Opposed: Kessler. Motion Carried. 4-1

(CD7:00:27) **CONSENT AGENDA**

Commissioner Kessler made a motion to approve the Consent Agenda with the exception of item (3) that was approved at (CD6:44:03) and Check #115369 that was pulled for discussion. Second by Commissioner Brimner. All for. Motion Carried. 5-0

3. Approval of Mitigation Settlement Agreement in the United States District Court Northern District of Florida, Tallahassee Division: COLLEEN SKIPPER, Plaintiff v. ANNE AHRENDT, In her official capacity as the PROPERTY APPRAISER, WAKULLA COUNTY, FLORIDA and ANNE AHRENDT, in her individual capacity, Defendants. Case #4:06cv103-MP/WCS

4. Approval of Minutes: January 16, 2007 Regular Meeting

5. Approval of Payment of Bills and Vouchers Submitted for January 15, 2007 – February 2, 2007

6. Approval of Budget Resolution to Accept Funds from Wakulla High School for Payment of a Dedicated Ambulance during football games. (EMS Director)

7. Approval of Payment to Florida Sheriff's Self Insurance Fund for \$14,555.00 (Liability Insurance for Commissioners)

8. Acceptance of Status Report of Temporary Closing of Highway 319 for the Wakulla Christian Coalition's African American Parade.

9. Approval of Expenditures for Sheriff's Rainy Day Fund for \$5,000 (Wakulla County Sheriff's Department)
10. Approval to issue a Notice for Bid for the Renovation of the Trice Lane Ambulance Station (EMS Director)
11. Approval of a Proclamation to Recognize the week of February 11 -17, 2007 as Hazardous Weather Awareness Week.
12. Approval of SHIP Agreement with Ms. Betty Hartsfield for \$30,000. (Housing Department)
13. Approval of a Budget Resolution funding the Active Military Combat Duty Grant Program for \$6,000. (Veteran Affairs)
14. Approval to Apply for Grant Funds to Purchase Automatic External Defibrillators (EMS Director)
15. Approval to Reschedule Committee Workshop for Monday, March 5, 2007.

(CD7:02:19) **CONSENT ITEMS FOR DISCUSSION**

Check #115369 on page 15 of check run list was pulled for discussion. Commissioner Kessler made a motion to approve check #115369. Second by Commissioner Brimmer. All for. Motion Carried. 5-0

CITIZENS TO BE HEARD

(CD7:07:35) 1. Hugh Taylor – Water Bottle Issue and Televising the Planning Commission Meeting that will be held next week.

(CD7:11:32) 2. Vic Lambou – Approval of Settlement Agreement from Confidential Meeting.

(CD7:11:32) 3. Dana Peck – County Employee hired last June for \$60,000.00 and now makes \$70,000.00 in a secret position.

(CD7:13:39) 4. Robert Routa – Littoralism

(CD7:15:25) 5. John Trice – Bottling Company and Sinkholes in the northern part of the County; Settlement Agreement from Confidential Meeting.

PLANNING AND ZONING

(CD7:18:21) 18. Approval of a Parking Lot Variance Request for Happy Time Day Care, Application V07-01

Commissioner Lawhon made a motion to approve the Variance Request with the closure of the front driveway and entering/exiting on Happy Time Drive and allowing an eight

foot setback along the edges of the bordering residential property. Second by Commissioner Green. Voting for: Langston, Lawhon, Brimmer and Green. Opposed: Kessler. Motion Carried. 4-1

(CD7:28:50) 16. Approval of the Final Plat for Subdivision Plat Application FP-06-16 (Gardens of Saralan, Phase I

Commissioner Kessler made a motion to approve the Final Plat FP06-16 for Gardens of Saralan Phase I. Second by Commissioner Green. All for. Motion Carried. 5-0

(CD7:35:44) 17. Approval of Future Land Use Map Amendment (FLUM) CP06-10 (Spears Crossing)

Commissioner Brimmer made a motion to approve Future Land Use Map Amendment CP06-10, Spears Crossing. Second by Commissioner Lawhon. Voting For: Langston, Lawhon and Brimmer. Opposed: Kessler and Green. Motion Carried. 3-2

GENERAL BUSINESS

(CD8:23:22) 19. Acceptance of Status Report on Performance Based Systems Ordinance Implementation

Commissioner Kessler made the motion not to enforce the implementation of the Ordinance until it is addressed at the next board meeting. Second by Commissioner Brimmer. All for. Motion Carried. 5-0

(CD9:19:24) 20. Approval of Award to Ben Withers, Inc. for Mashes Sands Groin Construction Project

Commissioner Green made a motion to continue this item until next meeting in order to identify where the shortfall will come from including the potential for the reduction using the local material, including the potential for using FEMA Funds first, and then including the remainder of the deficit with a budget amendment form at next meeting to come from unencumbered General Fund balance or from the Reserve Account. Second by Commissioner Lawhon. All for. Motion Carried. 5-0

(CD9:35:33) 21. Approval of Award to Ben Withers, Inc. for Mashes Sands Boat Ramp Improvements, FWC Agreement #03064

Commissioner Kessler made a motion to approve the low bidder Ben Withers, Inc. at a cost of \$63,600.00 for Mashes Sands Boat Ramp Improvements Project, pursuant to an executed agreement by the County Administrator. Second by Commissioner Lawhon. All for. Motion Carried. 5-0

(CD9:37:46) 22. Approval to apply for two Grants for Vehicles and Equipment for EMS

Commissioner Kessler made a motion to approve EMS applying for two Grants for Vehicles and Equipment. Second by Commissioner Lawhon. All for. Motion Carried. 5-0

(CD9:41:38) 23. Authorization to prepare application for 2007 Florida Small Cities Community Development Block Grant Program to partially fund Wakulla Gardens Sewer Expansion.

Commissioner Kessler made a motion to approve the submission of an application for 2007 Florida Small Cities Community Development Block Grant Program to partially fund Wakulla Gardens Sewer Expansion. Second by Commissioner Brimmer. All for. Motion Carried. 5-0

(CD9:42:46) 24. Approval to Apply for Grant Funds to purchase EMS Dispatch Screen Laptops

Commissioner Kessler made a motion to approve the submission of an application for Grant Funds to purchase EMS Dispatch Screen Laptops with the matching funds coming out of the Moving Violations Fund. Second by Commissioner Lawhon. All for. Motion Carried. 5-0

(CD9:43:10) 25. Approval to Submit Grant Application to purchase Automated Stretchers

Commissioner Kessler made a motion to approve submission of a Grant Application by EMS for the purchase of Automated Stretchers with the matching funds coming out of the Capital Outlay Account 001-6000-526-649. Second by Commissioner Lawhon. All for. Motion Carried. 5-0

(CD9:44:14) 26. Approval to apply for Grant Funds to purchase “Tuff Book” computers

Commissioner Kessler made a motion to approve EMS applying for Grant Funds to purchase “Tuff Book” computers with matching funds coming out of the Capital Outlay Account 001-6000-526-640. Second by Commissioner Brimmer. All for. Motion Carried. 5-0

COMMISSIONER AGENDA ITEMS

(CD9:44:58) 27. COMMISSIONER GREEN – Approval of Resolution to Observe February as Black History Month.

Commissioner Kessler made a motion to adopt a Resolution recognizing February as Black History month in Wakulla County. Second by Commissioner Brimmer. All for. Motion Carried. 5-0

(CD9:47:19) 28. COMMISSIONER BRIMNER – Approval of “2007 Jim Tartt Swine Show and Sale” Resolution

Commissioner Kessler made a motion to adopt a Resolution Proclaiming the 2007 Wakulla County Swine Show and Sale as the “Jim Tartt Swine Show and Sale. Second by Commissioner Lawhon. All for. Motion Carried. 5-0

COUNTY ATTORNEY – NO ITEMS

(CD9:51:55) **COUNTY ADMINISTRATOR**

Agenda Process, Board Retreat at the Cannery in Havana on Monday, February 12, 2007, Staff changes.

DISCUSSION ISSUES BY THE COMMISSIONERS

(CD9:54:57) COMMISSIONER BRIMNER DISCUSSION ITEMS

1. Development Agreements – The need for standardized procedures
2. Road Problems – This item will be placed on the Retreat Agenda for next week.
3. Wakulla Springs Bottling Water Plant
Commissioner Brimner made a motion to authorize the County Administrator to spend up to \$20,000.00 for an expert to provide an unbiased opinion/recommendation on how the Board should proceed regarding future water use in Wakulla County. Second by Commissioner Lawhon. Voting for: Brimner, Lawhon and Green. Opposed: Kessler and Langston. Motion Carried. 3-2

(CD10:37:37) COMMISSIONER KESSLER DISCUSSION ITEMS

1. Road issues in St. Marks – The Status of Roads that were to be paved in 2004 to include Tallahassee, Desoto, Ward, Ladd and Little.
2. Skipper Bay Bridge – status
3. SCRAP Project – approved to include Levy Bay Road, Jack Crum Road and Emmett Whaley Roads.
4. Wakulla County Airport – to be on next Agenda for consideration in renaming the Airport the “Al Fitzgerald County Airport”.

10:55 p.m. Meeting adjourned.