

Board of County Commissioners
Regular Board Meeting
Monday, July 21, 2008

The Board of County Commissioners of Wakulla County, Florida met in regular session with Chairman Ed Brimmer presiding. Present were Commissioners George Green, Howard Kessler, Brian Langston and Maxie Lawhon. Also, present were County Administrator Ben Pingree, Assistant County Attorney Steve Mitchell and Deputy Clerk Evelyn Evans.

Invocation by Pastor Mary Brinson

Pledge of Allegiance by Commissioner Green

APPROVAL OF AGENDA

CD5:53) Commissioner Langston made a motion to approve the Agenda with the following changes, under Awards and Presentations add three items, at the end of General Business add (1) Refund of Permit Fees for discussion. Second by Commissioner Lawhon. Motion carried unanimously, 5/0.

PUBLIC HEARING

(CD5:55) 1. Board Approval of acquisition of property necessary for easements for the Wakulla Gardens Sewer and WWTP Upgrade Projects

Commissioner Langston made a motion to approve the purchase of lot 13, block 29, lot 16, block 53, and lot 49, block 53 for the Wakulla Gardens Sewer and WWTP upgrade projects. Second by Commissioner Kessler. Motion carried unanimously, 5/0.

(CD5:57) 2. Request adoption of the Home Rule Charter Ordinance (First of two required Public Hearings)

Commissioner Lawhon made a motion to approve the first public hearing and make a change at 7.3.2 -amendment by petition from 15% to 30%. Second by Commissioner Kessler. Motion carried unanimously, 5/0.

AWARDS AND PRESENTATIONS

(CD6:07) James Coste, Web Manager, JC Web Solutions - Presentation on new website

(CD6:14) Commissioner Kessler – Town Hall Meeting to be held July 29, 2008 from 7:00 p.m. – 9:00 p.m. in the Commission Chambers

(CD6:15) Commissioner Kessler – announcement of Representative Brad Johnson from Congressman Alan Boyd’s Office is in the Commission Complex the first Tuesday of every month from 9:30 a.m. – 11:30 a.m. to meet with local citizens

(CD6:15) Greg James, Chief Deputy Clerk – Announcement of Legal Services coming to Clerk’s Office on 1st Wednesday of each month to assist in preparation of legal documents

(CD6:17) Ben Pingree – Tentative budget plan for next fiscal year is available

(CD6:18) Commissioner Langston – Congratulations to Commissioner Kessler for obtaining his advanced certification

(CD6:19) **CONSENT AGENDA**

Commissioner Kessler made a motion to approve the Consent Agenda. Second by Commissioner Langston. Motion carried unanimously, 5/0.

3. Approval of Minutes – June 23, 2008 regular meeting

Approve

4. Approval of Minutes – June 23, 2008 Workshop at 4:00 p.m. regarding Briefing on Storm Surge Vulnerability of Wakulla County and the 5:00 p.m. Workshop regarding Board Consideration for the Appointment of an 11 Member State Housing Initiatives Partnership Program (SHIP) Advisory Committee

Approve

5. Approval of payment of Bills and Vouchers Submitted for June 19, 2008 – July 16, 2008

Approve

6. Approval to schedule a Workshop to discuss paving of Forest Road #13 on October 6, 2008 at 5:00 p.m.

Approve

7. Approval to schedule a Workshop to discuss the Proposed Comprehensive Sewer Ordinance on September 22, 2008 at 5:00 p.m.

Approve

8. Board acceptance of the Emergency Dispatch Software Grant, Resolution and Budget Amendment

75/25% grant of \$11,591.25 plus the \$3,864.75 match from the Wakulla County Sheriff’s Department and adopt Resolution and Budget Amendment.

9. Board acceptance of the AVL Mapping and EMS Component Grant, Resolution and Budget Amendment

75/25% grant of \$11,950.50 plus the match of \$3,863.75 from the County Reserve Account and adopt Resolution and Budget Amendment.

10. Board Approval to increase the 2007/2008 Budget from Deferred County Grant Funds

Approve increasing the 2007/2008 budget by \$832.37 and adopt Resolution and Budget Amendment.

11. Approval of additional budget expense to purchase and install additional insulation when replacing the Housing & Building Department roof

Approve

27. Request for approval to set the two Public Hearing dates on the Tentative Budget and Adoption of the Millage Rate for September 9, 2008 and September 22, 2008

Approve

CITIZENS TO BE HEARD

(CD6:19) 1. Madeline Carr – County Web Site

(CD6:20) 2. Philip Spencer – Developer/builder at Gardens of Saralan and financial hardships for builders and worker during the last 6 months, seeking any assistance that the Board might offer

(CD6:23) 3. Ron Piasecki – Ethics and Conflict of Interest regarding donations

(CD6:25) 4. Gerald Langston – Workshop regarding paving of Forest Road 13 – October 6, 2008 at 5:00 p.m.

PLANNING AND ZONING

(CD6:26) 12. Application for Variance: V08-11

Request for wetland setback variance on a 29.35 +/- acre parcel located at the southwest corner of Sopchoppy Highway and Otter Creek Road. The owner is Buckhorn First, LLC and the agent is GPI Southeast, Inc.

Commissioner Kessler made a motion to approve Application for Variance V08-11.

Second by Commissioner Lawhon. Motion carried unanimously, 5/0.

(CD6:28) 13. Application for Final Plat: FP08-01

Request for final plat to construct an 84 lot residential subdivision, to be known as Buckhorn Village Subdivision. This property is a 29.35 +/- acre parcel located at the southwest corner of Sopchoppy Highway and Otter Creek Road. The owner is Buckhorn First, LLC and the agent is Edwin Brown and Associates.

Commissioner Lawhon made a motion to approve Application for Final Plat FP08-01.

Second by Commissioner Kessler. Motion carried unanimously, 5/0.

(CD6:30) 14. Application for Zoning Change: R08-08

Request for change of zoning on a 2.94 +/- acre parcel located on Three Sisters Road.

The current zoning district is RR-5 (Rural Residential) and the proposed zoning district is RR-1 (Semi Rural Residential). The owner is Marlene S. Jefferies and the agent is Elyane and Sheldon H. Huebner.

Commissioner Kessler made a motion to approve option 2, conduct the final hearing and adopt the proposed Ordinance amending the Official Zoning Map, amending the Official Zoning from RR-5 (Rural Residential) zoning district to RR-1 (Semi Rural Residential) zoning district with conditions, based upon the Planning Department's and the Planning Commission's recommendation and the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon. Second by Commissioner Green. Motion carried unanimously, 5/0.

(CD6:33) 15. Application for Variance: V08-09

Request to allow the continuation of an existing non-conforming use on a 4.55 +/- acre parcel located at 91 Cherokee Drive. The owners are Randy J. and Sheila D. Crum and the agent is Corey Crum.

Commissioner Kessler made a motion to approve V08-09 to allow the continuation of an existing non-conforming use located at 91 Cherokee Drive with a condition to be revisited in 20 years. Second by Commissioner Green. Voting for: Kessler and Green. Opposed: Brimmer, Langston and Lawhon. Motion Failed. 2-3

Commissioner Lawhon made a motion to approve Variance Application V08-09 with no conditions. Second by Commissioner Langston. Motion carried unanimously, 5/0.

(CD6:45) 16. Application for Comprehensive Plan Text Amendment: CP08-01

Request to remove Policy 1.3.3 of the Future Land Use Element of the Wakulla County Comprehensive Plan, which pertains to density allowable on contiguous lots under the same ownership. The applicant is Wakulla County.

Commissioner Langston made a motion to conduct a Public Hearing and transmit the proposed text amendment to the Future Land Use Element of the Comprehensive Plan, based upon the findings of facts and conclusions of law made by the Planning Commission and any evidence submitted at the Hearing hereon. Second by Commissioner Lawhon. Voting for: Brimmer, Langston, Lawhon and Green. Abstain: Kessler. Motion carried 4/0.

GENERAL BUSINESS

(CD6:50) 17. Approval of County contribution of \$5,000 and participation in Regional Stormwater Management Symposium

Commissioner Langston made a motion for the County to contribute \$5,000.00 for participation in the Regional Stormwater Management Symposium. Second by Commissioner Kessler. Motion carried unanimously, 5/0.

*monies from General fund, fund balance

(CD6:52) 18. Request to ratify the June 23, 2008 Workshop for Board Consideration for the Appointment of an 11 Member State Housing Initiatives Partnership Program (SHIP) Advisory Committee

Commissioner Kessler made a motion to ratify the June 2, 2008 Workshop and adopt a Resolution by appointing the suggested members to the Affordable Housing Advisory Committee and approve the duties and responsibilities of such. Second by Commissioner Green. Motion carried unanimously, 5/0.

(CD6:53) 19. Board consideration to schedule a Public Hearing to amend Ordinance 06-28, with proposed language to provide for basin specific flood hazard areas within the County and increase floor elevations for new home construction in certain specific subdivisions

Commissioner Kessler made a motion to direct staff to continue drafting and amending Ordinance 06-28 and bring back a final staff draft ordinance to the Board for review and comment on September 22, 2008. Second by Commissioner Lawhon. Motion carried unanimously, 5/0.

(CD6:55) 20. Board approval for County's Compliance with Chapter No. 2008-197, a recently approved State Mandate regarding changes in Value Adjustment Board
Commissioner Langston and Commissioner Kessler are Board appointees and Tim Bozeman is the citizen appointee.

(CD7:01) 21. Board approval to purchase playground equipment for the Hickory Park Grant Project

Commissioner Kessler made a motion to approve the purchase of the playground equipment for the Hickory Park Grant Project. Second by Commissioner Green. Motion carried unanimously, 5/0.

(CD7:02) 22. Board approval of a Resolution to accept funds for Medart Park Improvements – Phase 2

Commissioner Lawhon made a motion to adopt a Resolution accepting \$101,708.13 from the Florida Department of Environmental Protection to fund the Medart Park Improvements, Phase 2. Second by Commissioner Langston. Motion carried unanimously, 5/0.

(CD7:03) 23. Board approval of a Resolution to accept funds for the Wakulla Equestrian Center

Commissioner Langston made a motion to adopt a Resolution accepting \$135,611 from the Florida Department of Environmental Protection to fund the Wakulla Equestrian Center. Second by Commissioner Kessler. Motion carried unanimously, 5/0.

(CD7:04) 24. Progress of the Operational Audit Issue

Commissioner Kessler made a motion to support a petition to the Legislators petitioning for an Operational Audit. Second by Commissioner Green. Voting for: Kessler and Green. Opposed: Brimner, Langston and Lawhon. Motion failed, 2/3.

(CD7:21) YMCA Eagle Scout Project

Commissioner Brimner passed the gavel and made a motion to refund Mr. Brian McCormick's \$30.00 development permit fee. Second by Commissioner Lawhon. Motion and second withdrawn. (Commissioner Kessler will send a \$30.00 check to Mr. McCormick)

COMMISSIONER AGENDA ITEMS

25. COMMISSIONER KESSLER

(CD7:24) A. Naming of park in honor of our Military Veterans

Commissioner Kessler made a motion to adopt a Resolution to designate Crab Apple/Cherry Park as Veterans Park. Second by Commissioner Lawhon. (table to next meeting)

26. COMMISSIONER LANGSTON

(CD7:37) A. Board direction to address issues at the Upper River Bridge

To come back at a later date

COUNTY ATTORNEY

(CD7:42) A. Florida Association of Counties/Regional Counsel Conflict Lawsuit

To come back next meeting

COUNTY ADMINISTRATOR - 0

Discussion Issues by Commissioners

(CD7:43) 1. Commissioner Kessler – 0

(CD7:43) 2. Commissioner Lawhon – Impact fees to be on next agenda

(CD7:44) 3. Commissioner Langston – County website and a link for available real estate in the County

(CD7:45) 4. Commissioner Green – 0

(CD7:45) 5. Commissioner Brimmer – 0

There being no further business to come before the Board, the meeting was adjourned at 7:55 p.m.