

**Board of County Commissioners
Regular Board Meeting
Tuesday, April 7, 2009**

The Board of County Commissioners in and for Wakulla County, Florida met for a Regular Scheduled Board Meeting on Tuesday, April 7, 2009 with Chairman Howard Kessler presiding. Present were Commissioners George Green, Lynn Artz, Alan Brock and Mike Stewart. Also present were County Attorney Ron Mowrey, County Administrator Ben Pingree and Deputy Clerk Evelyn Evans.

Invocation by Commissioner Kessler

Pledge of Allegiance led by Commissioner Artz

APPROVAL OF AGENDA

(CD6:04) Commissioner Stewart made a motion to approve the Agenda with the following changes; under Commissioner Stewart discussion items add (1) Senior Center using property between Health Department (2) paving remainder of roads in St. Marks (3) Cleve Fleming and Marj Law working together for recycle pickup at local schools (4) one-cent sales tax committee (5) Local driver license office closure (6) stormwater and erosion control in Wakulla Gardens, also requested to pull item (6) on the Consent Agenda; Commissioner Kessler requested to pull check 132208 under Bills and Vouchers; County Administrator requested to add 2 discussion items. Second by Commissioner Green. Motion carried unanimously, 5/0.

AWARDS AND PRESENTATIONS

(CD6:07) Lions Club presented plaque to the Board – Judy Hampton, President

(CD6:11) 1. Request Board recognition of First Responder's that have recently completed the 40 hour DOT First Responder Program – 16 recipients

(CD6:15) 33. April Library Appreciation Month, Doug Jones, Wakulla County Public Library Director

CONSENT AGENDA

Commissioner Green made a motion to approve the Consent Agenda as amended with two items pulled for discussion. Second by Commissioner Brock. Motion carried unanimously, 5/0.

2. Approval of Minutes – March 17, 2009 Regular Meeting

3. Approval of Minutes – March 16, 2009 Workshop regarding the Proposed Comprehensive Sewer Ordinance
4. Approval of Payment of Bills and Vouchers Submitted for March 12, 2009 – April 1, 2009
5. Request Board approval to schedule a Workshop on May 19, 2009 at 5:00pm to discuss the Proposal for a Faith-Based Publicly Funded Project by the Leon-Wakulla Development Corporation
6. Request Ratification of Board discussion during the March 16, 2009 Workshop regarding the Proposed Comprehensive Sewer Ordinance
7. Requests Board approval of Road Closing for the Blue Crab Festival Parade
8. Request Board approval to schedule a Workshop on April 21, 2009 at 5:00pm to discuss a proposal for the Acceptance of the American Recovery and Reinvestment Act (ARRA) of 2009 Weatherization Assistance Program (WAP) Grant Funding
9. Request Board approval of an awarded FEMA Grant and Related County Match Funds for the Purchase of a Thermal Imaging Camera and Related Supplies for Medart Station 5
10. Request Board approval of an Awarded FEMA Grant and Related County Match Funds for the Purchase of Personal Protective Equipment Appropriate for Fire Suppression Activities and a Thermal Imaging Camera for Sopchoppy Station 1
11. Request Board Approval of an Awarded FEMA Grant and Related County Match Funds for the Purchase of Personal Protective Equipment, and a Thermal Imaging Camera and Related Supplies for Wakulla Station 2

CONSENT ITEMS PULLED FOR DISCUSSION

(CD6:18) Item (6) Request Ratification of Board discussion during the March 16, 2009 Workshop regarding the Proposed Comprehensive Sewer Ordinance. Commissioner Stewart made a motion to ratify Board discussion that was held during the March 16, 2009 Workshop and approve advertising and scheduling of the Public Hearing for April 21, 2009 at 6:00 p.m. to adopt the Comprehensive Sewer Ordinance. Second by Commissioner Brock. Motion carried unanimously, 5/0.

(CD6:21) Check 132208 on Bills and Vouchers
Commissioner Stewart made a motion to approve payment of check 132208. Second by Commissioner Brock. Motion carried unanimously, 5/0.

CITIZENS TO BE HEARD

(CD6:23) 1. Jim Stokley – expenditures by County

- (CD6:25) 2. Ralph Thomas – Ad Valorem decrease and moratorium on non-essential spending
(CD6:27) 3. Bob Danzey – County expenditures
(CD6:30) 4. Phillip Spencer – costs of individual lots that are undeveloped regarding sewer
(CD6:32) 5. Ben Boynton – cost of development
(CD6:34) 6. Dana Peck – Lobbyist payment, proposal to purchase property at Upper Bridge/Wakulla River
(CD6:37) 7. Judy Boyer – Maintenance of ditch on her property and easement agreement

PLANNING AND ZONING

(CD6:41) 12. Application for Rezoning: R08-18

Application R08-18 is a request for rezoning approval from AG to RR-2. The Subject Parcel is located off Aaron Strickland Rd. The Subject Property has two sets of owners. Frank and Carolyn Dewese own 3.68 +/- acres of the Subject Property. Michael and Jaime Baze own the remaining 1.73 +/- acres of the Subject Property.

Commissioner Stewart made a motion for approval with conditions for the change of zoning application R08-18. (1) Both dwellings will be required to hook to central water service prior to the issuance of any permits for either property and (2) the property is reconfigured in a way that neither tract has less than two acres of area prior to the issuance of any County permits for either property. Second by Commissioner Green. Voting for: Kessler, Brock, Green and Stewart. Opposed: Artz. Motion carried, 4/1.

(CD6:49) Commissioner Kessler passed the gavel and requested that the Board vote to direct the County Attorney for a legal opinion.

Commissioner Brock made a motion to direct the County Attorney to write a legal opinion regarding whether Roberts Rules of Order take precedence over County Zoning Ordinances that have failed. Second by Commissioner Stewart. Motion carried unanimously, 5/0

(CD6:56) Commissioner Kessler passed the gavel and made a motion to table CU08-10 until October 2009 when Wakulla County has the opportunity to hire or contract with new legal services. Second by Commissioner Artz for discussion. Second withdrawn. Motion dies for lack of second.

(CD7:10) 13. Revocation of Conditional Use: CU08-10

This agenda item provides the Board with a request to consider the revocation of Conditional Use CU08-10 pursuant to Section 3-21(9) of the Wakulla County Code, on a parcel located on the north side of Arran Road and south of Wakulla-Arran Road. The property owner is Muir Woods, LLC and the Agent is Robert Routa.

Commissioner Stewart made a motion to uphold the conditional use CU08-10 as it is and not deny. Second by Commissioner Brock. Motion carried unanimously, 5/0.

(CD8:27) 14. Application for Change of Zoning R08-01 and Application for Preliminary Plat PP07-06

Request to rezone a 28.65+/- acre parcel from RR-1 (Rural Residential) and AG (Agriculture) to PUD (Planned Unit Development) and create 52-lot residential subdivision. This parcel is located on the north side of Arran Road and south of Wakulla-Arran Road. The property owner is Muir Woods, LLC and the Agent is Robert Routa. A letter withdrawing presented to Planning and Zoning at this meeting.

GENERAL BUSINESS

(CD8:50) 15. Request Board acceptance of Report and Recommendations from the County's Auditor regarding the FY2006/2007 Audit of the Wakulla County Parks and Recreation Board

Commissioner Artz made a motion to accept the Auditor Report and approve the direction to have the County assume all financial management, administrative oversight and responsibility for County recreation activities, direction for the current Recreation Board to cease in its present form and reconstituted as two Advisory Boards to the County, 1 for Recreation and 1 for Parks. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD9:25) 16. Request Board Review and Approval of Negotiations with Wildwood Golf Course and authorize the Chairman to execute the Reuse Water Agreement
Commissioner Brock made a motion to accept the proposed Agreement with Wildwood Golf Course and authorize the Chairman to execute the Reuse Water Agreement with changes made on the record. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD9:29) 17. Request Board consideration and approval for the purchase of a 2009 Chevrolet, 4 Wheel Drive Trailblazer for \$26,220.00 for the Housing Services Weatherization Assistance Program (WAP)

Commissioner Brock made a motion to approve the expenditure of \$20,000.00 for the purchase of a 2008 Chevrolet, 4 Wheel Drive Trailblazer for the Housing Services Weatherization Assistance Program. Second by Commissioner Stewart. Voting for: Kessler, Brock, Stewart and Green. Opposed: Artz. Motion carried, 4/1.

(CD9:39) 18. Request Board consideration and acceptance of the transition of Wakulla County Animal Control from the Wakulla County Sheriff's Office to the Wakulla County Department of Public Safety

Commissioner Stewart made a motion to direct staff and the County Attorney to begin work with the WCSO to draft a Memorandum of Understanding for approval of the transition of Animal Control to the BOCC to include one or more of the following items:

- a. Provide for a transition date of October 1, 2009.
- b. Provide for Animal Control to be housed within the Wakulla County Department of Public Safety.
- c. Provide for transfer of all staff and assets currently held by Animal Control.

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

(CD9:44) 19. Request Board approval of a Memorandum of Understanding establishing the Department of Public Safety to serve as an Emergency Deployable Interoperable

Communications System (EDICS) host agency for the North Florida Domestic Security Task Force (NFDSTF)

Commissioner Brock made a motion to approve and authorize the Chairman to execute the Memorandum of Understanding, establishing Wakulla County's Department of Public Safety as the host agency for the regional communications disaster package. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD9:44) 20. Board consideration of Family Enclave Agreement Renewal Processes
Commissioner Artz made a motion to accept staffs recommendation to revise the current Family Enclave Agreement Policy and Procedures, which would allow for the administrative renewal of Agreements for a total of 3 years, if the enclave continues to exist after the 3-year period, the Applicant would be required to go before the Board for renewal of the Agreement. Second by Commissioner Brock. Motion carried unanimously, 5/0.

(CD9:53) 21. Request Board consideration of Development Permit Application (DPA) Process Streamlining Analysis by the Planning and Community Development Department
Commissioner Artz made a motion to accept the Planning staffs recommendation and create an expedited DPA form for air conditioning repairs/replacements, window repairs/replacements, and re-roofs/roof repairs, as well as creates an expiration date/life span for DPAs of twelve (12) months. Second by Commissioner Brock. Motion carried unanimously, 5/0.

(CD10:12) 22. Request Board consideration and approval of the Scope of Work and Work Order for the Evaluation and Appraisal Report (EAR) Text Amendments to the Wakulla County Comprehensive Plan
Commissioner Brock made a motion to approve Alternative 1 for Scope of Services, select Kimley-Horn as the consultant to work on the project, and approve the Chairman to execute a work order. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD10:14) 23. Request Board approval to Award Bid #2009-004 to Vermeer, Inc. for the Purchase of a Yanmar Vi035 Mini-Excavator
Commissioner Brock made a motion for approval to award Bid #2009-004 to Vermeer, Inc. for the purchase of a Yanmar Vi035 Mini-Excavator. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD10:15) 24. Request Board approval to submit Two Road Projects for the Small County Outreach Program (SCOP) 2009/2010 Program List
Commissioner Stewart made a motion to submit Rehinkle and New Light Church Roads for the Small County Outreach Program (SCOP) 2009/2010 Program List. Second by Commissioner Brock. Motion carried unanimously, 5/0.

(CD10:17) 25. Request Board approval to authorize Public Works Department to Execute a Contract with Ingram Signalization, Inc. For the Purchase and Installation of a New Traffic Signal Located at Spring Creek Highway and Shadeville Road

Commissioner Green made a motion to approve the purchase and the execution of the contract with Ingram Signalization for the installation of the new traffic signal located at the intersection of Spring Creek Highway and Shadeville Road. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD10:18) 26. Request for Board direction for moving forward with the Wakulla County Solid Waste Transfer Station

Commissioner Stewart made a motion to approve Jones Edmunds proposal for Engineering, Construction Administration and Resident Observation services for the Wakulla County Solid Waste Transfer Station. Second by Commissioner Brock. Motion carried unanimously, 5/0.

(CD10:21) 27. Request Board approval to authorize staff to seek a time extension of the Rock Landing Dock and Boat Ramp Grant and Approval of a Budget Amendment

Commissioner Brock made a motion to approve \$42,780.00 in gap funding to complete the Rock Landing Boating Facility; the transfer amount of \$19,500.00 from County General Revenue; \$23,280.00 from the Parks and Recreation Reserve, One Cent Sales Tax to Fund 124-2500-572-340; approve staff to request a 6-month time extension to the Rock Landing grant agreement to December 31, 2009. Second by Commissioner Artz. Motion carried unanimously, 5/0.

(CD10:22) 28. Request Board approval to authorize re-scheduling of County Town Hall Meeting Dates

Commissioner Brock made a motion to approve the revised County Town Hall Meeting dates with the meetings being on Thursday's at 6:00 p.m. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

May 28, 2009 at the Senior Citizens Center (District 3)

July 30, 2009 at the Panacea Welcome Center (District 4)

October 1, 2009 at Sopchoppy City Hall (District 5)

(CD10:26) 29. Request Ratification of Board discussion at the March 3, 2009 Workshop to discuss whether to form additional Citizen Advisory Committees or Working Groups
Commissioner Brock made a motion to Ratify Board discussion taken at the March 3, 2009 Workshop. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

COMMISSIONER AGENDA ITEMS

30. COMMISSIONER STEWART

(CD10:29) a. Request Board Approval to Negotiate Binding Agreement for Potential Land Purchase at Wakulla Upper River Bridge

Commissioner Stewart made a motion that he, County Administrator and County Attorney be authorized to negotiate a Binding Agreement with property owner, Parrish Barwick for the potential purchase of 5 acres located adjacent to the west end of the Wakulla River Upper Bridge. This will be predicated on the fact that grants funding or

other outside funding is obtained and there will be no cost to the County. Second by Commissioner Artz. Motion carried unanimously, 5/0.

31. COMMISSIONER ARTZ

(CD10:38) a. Request Board Approval to direct staff to prepare a Grant Proposal to Submit to Florida Communities Trust

Commissioner Artz made a motion for Staff to identify a project and submit a Grant Application to Florida Communities Trust with the deadline of May 13, 2009. Also, requesting that Staff identify suitable projects for next year and the years to follow. Second by Commissioner Brock. Voting for: Kessler, Green, Stewart, and Brock. Abstain: Artz. Motion carried, 4/0.

*next meeting for the recommended project

(CD10:45) b. Request Board Approval to schedule a Workshop to explore alternatives to the development and proposed sewerage of Wakulla Gardens

Commissioner Artz made a motion to hold a Workshop on Monday, April 20, 2009 starting at 5:00 p.m. to discuss alternatives for Wakulla Gardens. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD10:56) Commissioner Stewart made a motion to extend this meeting for one hour. Second by Commissioner Artz. Motion carried unanimously, 5/0.

(CD11:04) Request Board approval of Amended Action Plans to address the Board's Priorities for 2008/2009

Next meeting

COMMISSIONER GREEN

(CD11:11) a. Request Board consideration and approval to reconsider the Adopted Text changes to Ordinance 06-28

Commissioner Green made a motion to table this item until the next Board Meeting. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

COUNTY ATTORNEY - 0

COUNTY ADMINISTRATOR

(CD11:32) a. Request to amend the budget calendar to have the mid year budget report moved from April 21, 2009 to May 19, 2009

Commissioner Brock made a motion to approve the request to amend the budget calendar with the mid year budget report moved from April 21, 2009 to May 19, 2009 Board Meeting. Second by Commissioner Stewart. Motion carried unanimously, 5/0.

(CD11:33) b. The Public Participation Plan Meeting for the Regional Mobility Plan is at Shadeville Elementary on April 16, 2009 from 5:00 p.m. to 7:00 p.m.

(CD11:34) c. The workers are in the final phase of the paving around the Commission Complex and the Courthouse.

DISCUSSION ISSUES BY COMMISSIONERS

COMMISSIONER STEWART

(CD11:36) a. Request that Staff look into the possibility of the Senior Center using a strip of property between the Senior Citizens Center and the Health Department for a playground.

(CD11:37) b. Request for Staff to look at the possibility of paving less than two miles of roads in St. Marks – To come back as an Agenda item

(CD11:38) c. Request that Cleve Fleming work with Marj Law in picking up recycling items at the schools once a week.

(CD11:39) d. One Cent Sales Tax Review Committee – to come back on an Agenda

(CD11:39) e. Local driver license office to close – Tax Collector is working with the State to take over these duties and will bring a proposed contract back to the Board.

(CD11:41) f. Wakulla Gardens stormwater and erosion control – Staff has been in contact with the Northwest Florida Water Management District and this will come back on the May 5th Agenda.

COMMISSIONER KESSLER

(CD11:49) a. Invocation – contact staff if you are interested in providing an Invocation at the Board Meetings.

(CD11:50) b. Smith Creek water and communication problems and the great job that Scott Nelson does.

(CD11:51) c. There is an \$8,000.00 homebuyer tax credit available.

(CD11:53) Commissioner Brock made a motion to adjourn, second by Commissioner Stewart and the motion carried unanimously, 5/0.

11:53 p.m. Meeting Adjourned.