

Board of County Commissioners
Regular Public Meeting
Tuesday, October 20, 2009

The Board of County Commissioners in and for Wakulla County, Florida met for a regular scheduled Board Meeting on Tuesday, October 20, 2009 with Chairman Howard Kessler presiding. Present were Commissioners Green, Artz, Brock and Stewart. Also, present were County Administrator Ben Pingree, County Attorney Heather Encinosa and Deputy Clerk Evelyn Evans.

Invocation by Commissioner Kessler

Pledge of Allegiance led by Commissioner Stewart

APPROVAL OF AGENDA

(CD5:06) Commissioner Brock made a motion to approve the Agenda with the following changes/additions: County Administrator - requested to remove item (9) from the Agenda and to make three announcements under Awards and Presentations.

Commissioner Artz – requested to add an announcement under Awards & Presentations

Commissioner Stewart – Pull Consent Agenda item (11) for discussion

Commissioner Kessler – Pull Consent Agenda items (8) & (10) for discussion

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

PUBLIC HEARING

(CD5:08) 1. Request Board approval to conduct a Public Hearing to adopt the Revised Industrial Development Authority Ordinance

Commissioner Brock made a motion to direct staff to re-advertise for a Public Hearing on Monday, November 16, 2009 with proper notification by staff of time change and amending the proposed ordinance with the requested changes from the Workshop on October 15, 2009. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD5:18) 2. Request Board approval to hold a Public Hearing and adopt the Proposed Ordinance Providing for a Sewer Connection Incentive Program

Commissioner Stewart moved to hold a Public Hearing and adopt the proposed Ordinance providing for a Sewer Connection Incentive Program. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD5:23) Commissioner Stewart made a motion to move the Tuesday, November 17, 2009 Board Meeting to Monday, November 16, 2009 at 5:00 p.m. Second by Commissioner Brock and the motion carried unanimously, 5/0.

AWARDS AND PRESENTATIONS

(CD5:23) Update on Wetlands Advisory Committee – Vic Lambou

(CD5:25) Announcement of October 29th -- NOPE National Candle Light Vigil @ Hudson Park

(CD5:27) Big Bend Scenic By-Way – National designation received

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(CD5:29) Comcast will start re-broadcasting Board Meetings each Thursday morning at 8:30 a.m.

(CD5:31) Hickory Park ribbon cutting on Thursday, October 22, 2009 at 3:00 p.m.

(CD5:32) Welcome to Mark Lundberg acting Health Department Director

CONSENT AGENDA

(CD5:33) Commissioner Stewart moved to approve the Consent Agenda minus items 8, 10 and 11 that are pulled for discussion. Second by Commissioner Brock and the motion carried unanimously, 5/0.

3. Approval of Minutes – October 6, 2009 Regular Board Meeting

Approve

4. Approval of Payment of Bills and Vouchers Submitted for October 1, 2009 – October 14, 2009

Approve

5. Request Board Approval of Road Closing for the third Annual Veterans Day Parade on November 7, 2009

Approve - road closure from Myrtle Avenue to Arran Road on November 7, 2009 for 10:00 a.m. to 12:00 p.m. for the 3rd annual Veterans Day Parade.

6. Request Board approval of Resolutions and By-Laws establishing a Wakulla County Parks Advisory Committee and a Wakulla County Recreation Advisory Committee, and reappointment of existing Parks and Recreation Advisory Board Members to the newly constituted Recreation Advisory Committee

Approve - adopt Resolution and By-laws to establish the Recreation Advisory Committee and the Parks Advisory Committee.

7. Request Board approval of the Wakulla County Health Department's Annual Core Contract and amendment to the Fee Schedule

Approve – Core Contract and Amendment to the Fee Schedule.

9. Request Board consideration and Approval of a Sole Source Contract for the Weatherization Assistance Program (WAP)

Removed from this Agenda and will come back at a future date.

12. Request Board consideration and approval of two (2) project work orders for updated Residential Needs Analysis and Commercial Needs Analysis as support for the EAR-based Amendments to the Wakulla County Comprehensive Plan

Approve – Project Order Numbers 09-04 and 09-05 for Kimley-Horn and Associates to perform an updated Residential and Commercial Land Use Needs Analysis as data and support for the EAR Amendments to the Wakulla County Comprehensive Plan.

13. Request Board approval to authorize the Chairman to execute The Florida Department of Community Affairs, Community Development Block Grant – Buckhorn Plaza contract modification five documents

Approve – Authorize the Chairman to sign Modification #5 documents and letter of Justification to the Florida Department of Community

21. Request Board approval of the terms of the Grant Agreement Amendment prepared by the Northwest Florida Water Management District and authorize the Chairman to execute

10/20/09

Approve – approval of the terms of the Grant Agreement Amendment prepared by the Northwest Florida Water Management District and authorize the Chairman to execute.

23. Ratification of Board Workshop held on October 15, 2009 regarding Re-establishing the Industrial Development Authority

Approve – Ratify the discussion of the board Workshop held on October 15, 2009.

24. Request Board Ratification of Emergency purchase for the re-roofing of the Property Appraiser and Supervisor of Elections Offices

Approve – Ratification of the Emergency purchase for the re-roofing of the Property Appraiser and Supervisor or Elections Office.

CONSENT ITEMS PULLED FOR DISCUSSION

(CD5:34) 8. Request Board approval of the 2010/2111 Coastal Partnership Initiative Grant Application
Commissioner Stewart moved to approve the submission of the 2010/2011 Florida Coastal Management Program Coastal Partnership Initiative Grant Application and authorize the Chairman to sign the application prior to the October 28, 2009 deadline.

Commissioner Stewart made a motion to approve submission of the 2010/2011 FCMP Coastal Partnership Initiative Grant application and authorize the Chairman to sign the application prior to the October 28, 2009 deadline. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD5:49) 10. Request Board approval to partner with Florida Foresight, Incorporated on a Department of Environmental Protection, Florida Coastal Management Grant Application for development of the Big Bend Maritime Center Phase I Activities and authorize the Chairman to execute

Commissioner Artz moved for approval to partner with Florida Foresight, Inc. on a grant application for development of the big Bend Maritime Center Phase 1 activities; with authorization for the Chairman to execute the documents, and the Board further requests a staff liaison and receipt of quarterly reports. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD6:02) 11. Request Board approval to advertise and hold a Public Hearing on December 8, 2009 to adopt a Resolution of Intent to use the Uniform Method of Collection for Assessments to Fund Solid Waste Disposal Services, Facilities, and Programs

Commissioner Stewart moved to approve to advertise and hold a Public Hearing on December 8, 2009 to adopt a Resolution of Intent to use the Uniform Method of Collection for Assessments to fund Solid Waste Disposal Services, Facilities and Programs. Second by Commissioner Artz and the motion carried unanimously, 5/0.

GENERAL BUSINESS

(CD6:13) 14. Request Board approval of the proposed leased space for the Housing Department and direct staff and the County Attorney to negotiate a lease agreement

Commissioner Brock made a motion to authorize the County Attorney to negotiate and the County Administrator to execute a three year lease agreement between the Board of County Commissioners and Carson Development for additional office space (to address all foreseeable county space needs) for three adjacent units at \$2500 a month (net \$2,255 a month after cost-savings from Clerk's leased storage space reduction). Second by Commissioner Artz with Commissioners Artz, Brock, Green and Stewart in favor, Commissioner Kessler opposed and the motion carried, 4/1.

(CD6:36) 15. Request Board approval to adopt a Resolution to Create the Industrial Development Authority and appoint Board Members

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Commissioner Brock moved to table this item until the November 16, 2009 Board Meeting. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD6:37) 16. Status report and action plan regarding the expenditure of funds drawn on three (3) Irrevocable Letters of Credit for the completion of infrastructure improvements within Hidden Meadows Subdivision
Commissioner Artz moved to accept the Status Report and Action Plan and direct staff to proceed with implementing the action plan for the completion of the required improvements for Hidden Meadows Subdivision. Second by Commissioner Brock and the motion carried unanimously, 5/0.

CITIZENS TO BE HEARD

(CD7:13) 1. Rusty McKeithen – Property Appraiser roof and the bid process in Wakulla County

(CD7:17) 2. Pam Portwood – Special thanks to Glenn Campbell from Purple Martin Nursery for landscaping the entry sign coming into Wakulla County

(CD7:18) 3. W. D. Landsford – Rock Landing Dock Stormwater Management Facility

COMMISSIONER AGENDA ITEMS

17. COMMISSIONER KESSLER

(CD7:24) a. FHD - Florida Hometown Democracy, Florida Association of Counties - FAC
Growth management committee requests position of County – no action

(CD7:32) b. Board approval of a Resolution Supporting Florida’s current designated use classifications with Class IV Definition amended to include “Urban Concrete-Lined Ditches”

Commissioner Artz move to adopt the Resolution that supports Florida’s current designated use classifications with Class IV definition amended to include urban concrete-lined ditches. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD7:39) c. Request Board approval to schedule a Workshop to explore future development based on land quality and land designations that exist in the Comprehensive Plan

Commissioner Artz moved to schedule a workshop on December 3, 2009 that would allow information and possibly provide for a mapping of what lies underground so that we can develop in the future in the least sensitive areas when possible. Second by Commissioner Green and the motion carried unanimously, 5/0.

18. COMMISSIONER ARTZ

(CD7:47) a. County Position (for FAC) on Offshore Coastal Drilling

Commissioner Artz moved to approve the Resolution opposing offshore drilling. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD7:59) b. DEP Permit for River Plantation Wastewater Treatment Plant

Commissioner Artz moved to approve sending a letter to Department of Environmental Protection and the Wakulla River Club. Second by Commissioner Green. Motion and Second Withdrawn.

19. COMMISSIONER BROCK

a. Request Board direction to the County Attorney and Staff to review existing Franchise Agreements to gauge value and opportunities for further improvement to benefit the Citizens of Wakulla County

Commissioner Brock moved to direct the County Attorney and staff to review all utility and franchise contracts and prepare a report for the BOCC. Second by Commissioner Artz and the motion carried unanimously, 5/0.

22. COMMISSIONER STEWART

10/20/09

(CD8:30) a. Request Board approval for a Workshop on November 19, 2009 to discuss Utility Management Authorities of Charter County Governments

Commissioner Stewart moved to approve the recommendation and schedule a workshop to discuss Utility Management Authorities of Charter County Governments for December 3, 2009. Second by Commissioner Artz and the motion carried unanimously, 5/0.

COUNTY ATTORNEY

(CD8:35) 20. Request Board approval to conduct an Attorney-Client Executive Session on November 3, 2009 at 4:00pm

Commissioner Stewart moved to schedule a Special Board Meeting to conduct an Attorney-Client Executive Session, pursuant to Section 286.011, Florida Statutes, on November 2, 2009 at 5:00 p.m. The executive session will be held in the BOCC Chambers located at 29 Arran Road, Suite 101, Crawfordville, Florida. Those in attendance will be Chairman Howard Kessler, Commissioner Lynn Artz, Commissioner Alan Brock, Commissioner George Green, Commissioner Mike Stewart, County Administrator Ben Pingree, County Attorney Heather Encinosa, Assistant County Attorney Greg Stewart, and a Certified Court Reporter. Second by Commissioner Brock and the motion carried unanimously, 5/0.

**The following cases will be discussed:

Ronald Fred Crum, et al. v. Wakulla County, et al., Case No. 09-256-CA (2nd Judicial Circuit)

Randolph Nelson et al. v. Wakulla County, Case No. 03-93-CA (2nd Judicial Circuit) and Wakulla County v.

Randolph Nelson, et al., Case No. 1D06-3100 (Fla. 1st DCA)

Charles Harvey v. Wakulla County, Case No. 08-94-CA (2nd Judicial Circuit)

Log Creek, LLC v. Wakulla County, et al., Case No. 09-166-CA (2nd Judicial Circuit)

Cathy & Wallace Bailey v. Wakulla County, et al., Case No. 09-156-CA, L.T. Case No. 08-103-CC

Log Creek, LLC, et al. v. Howard Kessler, et al., Case No. 09-397-CA (2nd Judicial Circuit) moved to Federal Court

COUNTY ADMINISTRATOR - 0

DISCUSSION ISSUES BY COMMISSIONERS

(CD8:39) Commissioner Kessler – Planning & Zoning items and a unanimous decision for a motion to pass. The County Attorney will bring a recommendation back on how to handle such issues.

There being no further business to come before the Board, the meeting was adjourned at 8:45 p.m.