

Board of County Commissioners  
Regular Board Meeting  
Monday, May 3, 2010

The Board of County Commissioners in and for Wakulla County met for a Regular Scheduled Board Meeting on Monday, May 3, 2010 with Chairman Howard Kessler presiding. Present were Commissioners Mike Stewart, Lynn Artz, Alan Brock, and George Green. Also, present were County Administrator Ben Pingree, County Attorney Heather Encinosa, and Deputy Clerk Evelyn Evans.

Invocation provided by Commissioner Green

Pledge of Allegiance led by Commissioner Kessler

**APPROVAL OF AGENDA:**

(CD5:03) Commissioner Brock moved to approve the Agenda with the following modifications:  
Commissioner Artz – add (1) Emergency Management Director Scott Nelson and (2) Dr. Norman Griggs under Awards and Presentations  
Commissioner Brock – request to pull item (6) from the Consent Agenda for discussion  
County Attorney – request to add Mt. Beasor Road under County Attorney items  
Commissioner Kessler – request to pull item (7) & (27) from the Consent Agenda for discussion and add (1) item to the regular agenda regarding urgent and emergent issues at hand.  
Second by Commissioner Green and the motion carried unanimously, 5/0.

**PUBLIC HEARING**

(CD5:06) 1. Request Board approval to conduct the Public Hearing and adopt the Master Capital Project and Service Assessment Ordinance

Commissioner Artz moved to conduct the Public Hearing and adopt the Master Capital Project and Service Assessment Ordinance. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD5:11) 2. Request Board approval to conduct the Public Hearing and adopt an Ordinance amending Ordinance No. 2003-06, the Wakulla County Code Enforcement Board Ordinance  
Commissioner Stewart moved to conduct the Public Hearing and adopt the Proposed Ordinance amending Ordinance No. 2003-06, the Wakulla County Code Enforcement Board Ordinance. Second by Commissioner Green and the motion carried unanimously, 5/0.

**AWARDS AND PRESENTATIONS**

(CD5:13) Deepwater Horizons Oil Spill – Scott Nelson

(CD5:22) Presentation regarding Housing Services provided to Seafood Workers – Alfred Nelson

(CD5:26) Announcement of May 8th Green Living Expo – Pam Portwood

(CD5:30) Board Recognition to Paul Clark, Wilderness Coast Public Libraries – Commissioner Stewart presented a Resolution to Mr. Clark for six weeks of his time spent at the Florida Legislature

in lobbying efforts for continued funding to the libraries across the state. Mr. Clark, "The Library Guy" was successful in saving a cut of over \$11 million to the State's Library Budget.

(CD5:39) Blue Crab Festival Committee presented Plaques to the Board and to Recreation Director Ray Gray in appreciation of their continued commitment and support of the Blue Crab Festival – Paige Killeen/Sheree Posey-Miller

(CD5:43) Dr. Norman Griggs – expressed concerns about the wildlife, marine mammals, and bird life that will be affected in this oil spill tragedy

### **CONSENT AGENDA**

(CD5:52) Commissioner Brock moved to approve the Consent Agenda with the exception of items 6, 7 and 27 that are pulled for discussion. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

3. Approval of Minutes – April 19, 2010 Regular Board Meeting

Approve

4. Approval of Minutes – April 12, 2010 Workshop to discuss the Talquin Wastewater Agreement

Approve

5. Approval of Payment of Bills and Vouchers Submitted for April 15, 2010 – April 28, 2010

Approve

8. Request Board approval to purchase a used 310G John Deere backhoe for the Solid Waste Facility

Approve – to waive the Purchasing Policy to purchase a used 310G John Deere backhoe for the Solid Waste Facility and approve a Budget Amendment

9. Request Board approval of a Proclamation declaring May 2010 as National Mental Health Month

Approve – the Proclamation declaring May as Mental Health Month in Wakulla County

29. Request Board approval of a Resolution honoring Paul Clark for efforts in saving the State Aid to Libraries Program Funding

Approve – the Resolution honoring Paul Clark

### **CONSENT ITEMS PULLED FOR DISCUSSION**

(CD5:52) 6. Request Board approval to schedule and advertise a Public Hearing to consider adopting the proposed Fire Inspection Ordinance

Commissioner Brock moved to schedule a Workshop regarding the proposed Fire Inspection Ordinance. Second by Commissioner Artz and the motion carried unanimously, 5/0.

\*\*Administration will provide a future date

(CD6:02) 7. Request Board approval of Task Order No. 14 to Jones Edmunds to conduct a Risk Assessment at the Lower Bridge Landfill

Commissioner Brock moved to approve Task Order No. 14 to Jones Edmunds to conduct a Risk Assessment at the Lower Bridge Landfill. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD6:13) 27. Request Board approval to award bid to Panacea Coastal Construction for repairs to the Wakulla County Welcome Center and authorize the Chairman to execute the Contract  
Commissioner Stewart moved to award the bid to Panacea Coastal Construction for the repairs to the Wakulla County Welcome Center, authorize the Chairman to execute the Contract, and approve the Budget Amendment. Second by Commissioner Brock and the motion carried unanimously, 5/0.

**CITIZENS TO BE HEARD**

(CD6:31) 1. Sue Damon – Talquin Agreement and discount for 107 homes; Oil Spill and Wetlands setbacks

(CD6:34) 2. Ron Piasecki – President of Friends of Wakulla Springs State Park, jazz group performing at the Springs Lodge on Saturday night starting at 7:00 p.m.; oil spill and manatees

(CD6:36) **PLANNING AND ZONING** – Please see the Supplemental Book for Items 10 – 18  
John Sewell of Kimley-Horn and Associates, Inc. provided a brief presentation on the timeline of the EAR based amendments.

(CD6:43) 10. Adoption of Comprehensive Plan Text Amendment CP09-02  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
Commissioner Brock moved to continue the final Public Hearing to the May 17, 2010 Board Meeting at 5:00 p.m. in the Commission Boardroom. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD6:55) 11. Adoption of Comprehensive Plan Text Amendment CP09-03  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
Commissioner Brock moved to continue the final Public Hearing to the May 17, 2010 Board Meeting at 5:00 p.m. in the Commission Boardroom. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD6:58) 12. Adoption of Comprehensive Plan Text Amendment CP09-04  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
Commissioner Brock moved to continue the final Public Hearing to the May 17, 2010 Board Meeting at 5:00 p.m. in the Commission Boardroom. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:00) 13. Adoption of Comprehensive Plan Text Amendment CP09-05  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
Commissioner Brock moved to continue the final Public Hearing to the May 17, 2010 Board Meeting at 5:00 p.m. in the Commission Boardroom. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:03) 14. Adoption of Comprehensive Plan Text Amendment CP09-06  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)  
Commissioner Brock moved to continue the final Public Hearing to the May 17, 2010 Board Meeting at 5:00 p.m. in the Commission Boardroom. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:39) 15. Adoption of Comprehensive Plan Text Amendment CP09-07  
(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)

Commissioner Brock moved to continue the final Public Hearing to the May 17, 2010 Board Meeting at 5:00 p.m. in the Commission Boardroom. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:40) 16. Adoption of Comprehensive Plan Text Amendment CP09-08

(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)

Commissioner Brock moved to continue the final Public Hearing to the May 17, 2010 Board Meeting at 5:00 p.m. in the Commission Boardroom. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD7:43) 17. Request Board consideration and acceptance of the updated Residential Needs Analysis

(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)

Commissioner Brock moved to consider and accept the updated Residential Land Use Needs Analysis as data and support for the EAR Amendments to the Wakulla County Comprehensive Plan. Second by Commissioner Artz with Commissioners Kessler, Green, Artz, and Brock in favor, Commissioner Stewart opposed and the motion carried, 4/1.

(CD7:53) 18. Request Board consideration and acceptance of the updated Commercial Needs Analysis

Commissioner Brock moved to consider and accept the updated Commercial Land Use Needs Analysis as data and support for the EAR Amendments to the Wakulla County Comprehensive Plan. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(Wakulla County, Applicant; Kimley-Horn and Associates, Inc., Agent)

### **GENERAL BUSINESS**

(CD8:18) 19. Request Board approval of the Agreement for Wastewater Services between Wakulla County and Talquin Electric Cooperative, Inc.

Commissioner Stewart moved to approve the Agreement for Wastewater Services between Wakulla County and Talquin Electric Cooperative, Inc. Second by Commissioner Brock with Commissioners Stewart, Artz, Green, and Brock in favor, Commissioner Kessler opposed and the motion carried, 4/1.

(CD8:39) 20. Request Board acceptance of the Staff Report on the Communication Services Tax (CST)

Commissioner Brock moved to accept the Staff Report on the Communication Services Tax (CST). Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD8:46) 21. Request Board approval to amend the Director of the Tourist Development Council's Employment Contract to provide access to Health Insurance Coverage

Commissioner Artz moved to approve amending the Director of the Tourist Development Council's Employment Contract to provide health insurance coverage at the same level as existing County Employees. Second by Commissioner Brock with Commissioners Artz, Stewart, Green, and Brock in favor, Commissioner Kessler opposed and the motion carried, 4/1.

(CD9:00) 22. Board update and timeline of the Wakulla County Community Center opening for Summer Activities

Commissioner Artz moved to accept the update, schedule of upcoming events and activities, the survey and approving the scheduling of a Workshop at the Community Center on Thursday, June 17, 2010 at 6:30 p.m. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD9:25) 28. Board approval of Government Services Group for Consultant Services to prepare a Stormwater MSBU for Wakulla Gardens and to Update Fire Services MSBU  
Commissioner Brock moved to approve the proposal of Government Services Group (GSG) for Fire Assessment, Wakulla Gardens Storm Water and the Solid Waste Assessment mailings services, authorize the Chairman to execute the Contract and approve the Budget Amendment. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

### **COMMISSIONER AGENDA ITEMS**

(CD9:30) 23. **Commissioner Artz**

a. Update to the Board on Committee Assignments

Commissioner Artz moved to approve the update to the Board on Committee Assignments. Second by Commissioner Brock and the motion carried unanimously, 5/0.

(CD9:31) 24. **Commissioner Kessler**

a. Request Board approval to direct staff and County Attorney to draft an Ordinance creating a Wakulla County Energy Improvement District to reduce energy consumption and provide job opportunities for Wakulla County

Commissioner Artz moved to direct staff and County Attorney to draft an Ordinance establishing an Energy Conservation District for Wakulla County. Second by Commissioner Brock and the motion carried unanimously, 5/0.

### **COUNTY ATTORNEY**

(CD9:34) 25. Request Board direction regarding County of Monroe, Florida v. Priceline.com Inc. et al., Case No. 09-10004-CIV-MOORE/SIMONTON and other Tourist Development Tax Lawsuits  
Commissioner Artz moved to elect to opt out of the Monroe County Class Action suit and elect to join the Leon County lawsuit. Second by Commissioner Green and the motion carried unanimously, 5/0.

(CD9:42) 26. Request Board direction regarding Florida Department of Environmental Protection's intent to issue NPDES Permit No. FL0025526 to the City of Tallahassee for the Sam O. Purdom Generating Station

Commissioner Brock moved to accept the recommendation and do not file a formal petition for administrative hearing concerning Permit No. FL0025526 to the City of Tallahassee for the Sam O. Purdom Generating Station. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD9:46) 26a. Fence on County existing Right of Way at 154 Mt. Beasor Road

Commissioner Brock moved to authorize the County Attorney to seek an injunction at the end of this business week to force Mr. Sites to remove his fence off existing County right of way. In the interim, the County Attorney will contact the Sites Attorney to try to resolve the issue and if they cannot come to an agreement that is agreeable to all parties, she is to proceed forward in the injunction process. Second by Commissioner Artz, with Commissioners Brock, Kessler, Green, and Artz in favor, Commissioner Stewart opposed and the motion carried, 4/1.

### **COMMISSIONER KESSLER**

(CD10:01) 26b. Environmental Disaster in the Gulf (Deepwater Horizon)

Commissioner Artz moved a declaration State of Emergency relating to the Oil Spill in the gulf. Second by Commissioner Brock and the motion carried unanimously, 5/0

(CD10:05) Florida Wildlife Federation is placing a drilling prohibition on the ballot this year  
Commissioner Artz moved for the Board to send a letter to the Governor supporting the position of the Florida Wildlife Federation and attach the Board's Resolution against drilling. Second by Commissioner Brock and the motion carried unanimously, 5/0.

**COUNTY ADMINISTRATOR - 0**

**DISCUSSION ISSUES BY COMMISSIONERS**

(CD10:06) Commissioner Brock – Expressed his thanks to all of the volunteers for cleaning trash up on the beach this past weekend.

Commissioner Brock moved for adjournment, second by Commissioner Green and the motion carried unanimously, 5/0.

There being no further business to come before the Board, the meeting adjourned at 10:07 p.m.