

Approved 06/07/10

**BOARD OF COUNTY COMMISSIONERS
REGULAR BOARD MEETING
MONDAY, MAY 17, 2010**

The Board of County Commissioners in and for Wakulla County met for a Regular Scheduled Board Meeting on Monday, May 17, 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 and Pledge of Allegiance by Commissioner Kessler

(CD5:05) APPROVAL OF AGENDA

Commissioner Green made a motion to approve the Agenda with the following changes/additions:

County Attorney - pull item 28 from the Consent Agenda for discussion

Commissioner Brock – will make some comments regarding the Census under Awards and Presentations, as Evelin Ramirez was unable to attend

Commissioner Kessler – move his item (22a) Request Board approval of a Proclamation declaring the third week in May 2010 as Boating Safety Week to the Consent Agenda and move item (31) Update to the Board regarding the status of Wakulla County efforts for the Deepwater Horizons Oil Spill to the beginning of the Agenda

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

(CD5:05) 31. Update to the Board regarding the status of Wakulla County efforts for the Deepwater Horizons Oil Spill – Scott Nelson, Emergency Management Director

PUBLIC HEARING

(CD5:52) 1. Request Board Approval to Conduct the Public Hearing and Adopt the Proposed Ordinance Amending Ordinance No. 08-10 and Requiring Licensing for Kennels Operating in Wakulla County

Commissioner Artz moved to approve to conduct the public hearing and adopt the proposed Ordinance amending Wakulla County Ordinance No. 08-10, requiring licensing for kennels operating in Wakulla County. Second by Commissioner Brock and after discussion the motion and second was withdrawn.

Commissioner Artz moved to schedule a workshop and allow staff to consider some of the issues and present some alternatives to refine the Ordinance in hopes that it will address some of the concerns that were raised, but still accomplish the intent of the proposed ordinance. Second by Commissioner Brock and the motion carried unanimously, 5/0.

“Please see the Supplemental Book for Items #2 – 8

(CD6:12) 2. Adoption of Comprehensive Plan Text Amendment CP09-02

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

Commissioner Stewart moved to conduct the final Public Hearing and vote to adopt the proposed EAR-based Text Amendment to the Future Land Use Element of the Comprehensive Plan, based upon the Planning Commission’s recommendation and the findings of facts and conclusions of law made by the Board and any

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evidence submitted at the Hearing hereon. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD6:16) 3. Adoption of Comprehensive Plan Text Amendment CP09-03

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

Commissioner Brock moved to conduct the final Public Hearing and vote to adopt the proposed EAR-based Text Amendments to the Capital Improvements Element and the Infrastructure Element of the Comprehensive Plan, based upon the Planning Commission's recommendation and the findings of facts and conclusions of law made by the Board and evidence submitted at the Hearing hereon. Second by Commissioner Artz with Commissioners Artz, Brock, Green, and Kessler in favor, Commissioner Stewart opposed and the motion carried, 4/1.

(CD6:20) 4. Adoption of Comprehensive Plan Text Amendment CP09-04

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

Commissioner Brock moved to conduct the final Public Hearing and vote to adopt the proposed EAR-based Text Amendments to the Inter-governmental Coordination Element and the Public School Facilities Element of the Comprehensive Plan, based upon the Planning Commission's recommendation and the findings of facts and conclusion of law made by the Board and any evidence submitted at the Hearing hereon. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD6:23) 5. Adoption of Comprehensive Plan Text Amendment CP09-05

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

Commissioner Artz moved to conduct the final Public Hearing and vote to adopt the proposed EAR-based Text Amendment to the Conservation Element of the Comprehensive Plan, based upon the Planning Commission's recommendation and the findings of facts and conclusions of law made by the Board and any evidence submitted at the Hearing hereon. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD6:27) 6. Adoption of Comprehensive Plan Text Amendment CP09-06

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

Commissioner Artz moved to conduct the final Public Hearing and vote to adopt the proposed EAR-based Text Amendments to the Concurrency Management System Element and the Traffic Element of the Comprehensive Plan, based upon the findings of facts and conclusions of law made by the Board and any evidence submitted at the Hearing hereon. Second by Commissioner Green with Commissioners Artz, Green and Kessler in favor, Commissioners Brock and Stewart opposed and the motion carried, 3/2.

(CD7:43) 7. Adoption of Comprehensive Plan Text Amendment CP09-07

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

Commissioner Brock moved to conduct the final Public Hearing and vote to adopt the proposed EAR-based Text Amendments to the Housing Element and the Economic Development Element of the Comprehensive Plan, based upon the Planning Commission's recommendations and the findings of facts and conclusions of law made by the Board and any evidence submitted at the Hearing hereon. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD7:46) 8. Adoption of Comprehensive Plan Text Amendment CP09-08

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

Commissioner Brock moved to conduct the final Public Hearing and vote to adopt the proposed EAR-based Text Amendments to the Coastal Management Element and the Recreation and Open Space Element of the Comprehensive Plan, based upon the Planning Commission's recommendations and the findings of facts and

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conclusions of law made by the Board and any evidence submitted at the Hearing hereon. Second by Commissioner Artz and the motion carried unanimously, 5/0.

AWARDS AND PRESENTATIONS

(CD7:49) Announcement of Stroke Awareness Community Outreach Training – Scott McDermid, Public Safety

(CD7:53) Announcement of Boating Safety Week – Coast Guard Auxiliary
Commissioner Kessler presented Proclamation to the Coast Guard Auxiliary

(CD7:51) Announcement of Information regarding the Census – Commissioner Brock

(CD7:52) Announcement of Civility Month – Commissioner Kessler

CITIZENS TO BE HEARD

(CD7:29) 1. Laurie Langston – Civility Month and Freedom of Speech and the personal attacks that she and her family have had to endure from followers and supporters of Commissioner Kessler after participating in Freedom of Speech Day.

(CD7:32) 2. Steve Calhoun – Management of taxpayer’s money issued through the Weatherization Program and his concerns regarding inflated costs by out of town contractors, neglecting persons in need of services and not utilizing local contractors.

(CD7:34) 3. Steve Fultz – Truth of Transparency and Truth in Wakulla County regarding the budget.

(CD7:39) 4. Bob Danzey – Metal Detector in the Boardroom lobby and the need for citizens to be aware of the rules for entering the Board Meeting room once the scanner is operational.

(CD7:40) 5. Stan Derzypolski – Oyster Bay Boat Ramp and asking whether it is a public or private ramp.

CONSENT AGENDA

(CD7:56) Commissioner Stewart moved to approve the Consent Agenda with item (28) pulled for discussion and moving Commissioner Kessler’s item (22a) to the Consent Agenda. Second by Commissioner Brock and the motion carried unanimously, 5/0.

9. Approval of Minutes – May 3, 2010 Regular Board Meeting
Approve

10. Approval of Payment of Bills and Vouchers Submitted for April 29, 2010 – May 12, 2010
Approve

11. Request Board Approval of a Resolution amending Resolution #09-50, adding additional Members to the Parks Advisory Committee and approve the Amended Committee Bylaws
Approve- Resolution amending Resolution 09-50, adding additional members to the Parks Advisory Committee and approve the amended Bylaws

13. Request Board approval to apply for Construction Funding for the Ochlockonee Bay Bike Trail Phase II
Approve – the submittal of application for Phase II construction funding of Ochlockonee Bay Bike Trail

14. Request Board approval of a Proclamation declaring May as Civility Month in Wakulla County
Approve – Proclamation declaring May as Civility month in Wakulla County

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29. Request Board acceptance of \$459,261.00 in Grant Funds and authorization for the Chairman to execute the Contract and Resolution for The Department of Community Affairs, CDBG Disaster Recovery Grant and request approval of Budget Amendment

Approve – accept \$459,261.00 in grant funds and authorize the Chairman to execute all grant related documents for the Florida Department of Community Affairs, Community Development Block Grant, Disaster Recovery Grant, and approve resolution and budget amendment

22. Request Board approval of a Proclamation declaring the third week in May 2010 as Boating Safety Week
Approve – Declaring the third week in May 2010 as Boating Safety Week

CONSENT ITEMS PULLED FOR DISCUSSION

(CD7:58) 28. Request Board acceptance of \$19,300.00 in Grant Funds and Authorization for the Chairman to execute the Contract and Resolution for the division of Forestry Reforestation Grant and Request approval of Budget Amendment

Commissioner Brock moved to accept \$19,300.00 in grant funds, authorize the Chairman to execute the Grant Contract documents as amended on the record, and approve the Resolution and Budget Amendment. Second by Commissioner Artz and the motion carried unanimously, 5/0.

GENERAL BUSINESS

(CD8:00) 15. Request Board approval to award bid for Courthouse Renovations Project and request Board direction

Commissioner Brock moved to approve the Phase One Courthouse Project Bids and GMP (Guaranteed Maximum Price) Option, and authorize the Chairman to execute. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD8:32) 16. Request Board approval of the proposed Corrective Action Plan and authorize Staff to submit to the State Fire Marshall's Office

Commissioner Brock moved to approve the Proposed Corrective Action Plan and authorize staff to submit the Proposed Corrective Action Plan to the State Fire Marshall's Office. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD8:35) 17. Request Board ratification of the selection and appointment of Mark Lundberg to the Administrator Position for the Wakulla County Health Department

Commissioner Brock moved to ratify Mark Lundberg to the Administrator Position for the Wakulla County Health Department. Second by Commissioner Artz and the motion carried unanimously, 5/0.

18. Request Board direction for Panacea Park Baptist Church to apply for the 10-Year Wastewater Financing Agreement with the County – Tabled to the June 7, 2010 Board Meeting

(CD8:43) 19. Request Board consideration of the draft Rock Landing Boat Slip Lease Agreement and the Rules and Regulations, and Board Authorization to install pilings

Commissioner Brock moved to allow the Board an opportunity to review the Draft Boat Slip Lease Agreement and the Rules and Regulations and provide comments to staff prior to the June 7th Board Meeting. Also, authorize staff to acquire pricing for installation of 11 pilings and approval to proceed if cost is under \$10,000.00 with the funds coming out of the Boating Improvement Fund. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

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(CD8:50) 20. Request Board approval of the Letter Agreement for information exchange between Wakulla County and Talquin Electric Cooperative, Inc.

Commissioner Brock moved to approve the Letter Agreement for Information Exchange between Wakulla County and Talquin Electric Cooperative, Inc., striking paragraph number 4 on page 3 of the letter. Second by Commissioner Artz and the motion carried unanimously, 5/0.

(CD8:53) 21. Request Board ratification of the May 6, 2010 Wetlands Workshop and request Board approval to schedule and advertise a Public Hearing to consider adopting the Proposed Wetlands Ordinance

Commissioner Brock moved to ratify the Wetlands Protection Ordinance Workshop and approve modifications made by staff and the County Attorney, approve to refer Ordinance to the Planning and Zoning Commission for a Public Hearing, and approve to advertise a Public Hearing before the Board of County Commissioners upon receipt of Planning and Zoning Commission's recommendations. Second by Commissioner Artz with Commissioner Kessler, Artz, Green, and Brock in favor, Commissioner Stewart opposed and the motion carried, 4/1.

(CD9:08) 12. Request Board approval to adopt a State Housing Initiative Partnership (SHIP) Program Funds Recapture Settlement Agreement for \$9950.00

Commissioner Brock moved to approve the proposed State Housing Initiative Partnership (SHIP) Program Funds Recapture Settlement Agreement for \$9950.00. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD9:13) 25. Request Board approval to make an exception to the Purchasing Policy and utilize current vendors to perform Weatherization Services for the Wakulla County Housing Division

Commissioner Stewart moved to accept the bids and approve the contracts with each vendor to perform weatherization services for the Wakulla County Housing Division in the amount not exceeding Fifteen Thousand Dollars (\$15,000.00) per bid. Authorize future bids to be released and accepted by the County Administrator in blocks of three to five homes in a total amount per block not to exceed Twenty-five Thousand Dollars (\$25,000.00) per block and delegate authority to the County Administrator to approve future contracts with those vendors on the County's pre-approved vendor list and in accordance with the terms of the standard Contractual Services Agreement. Second by Commissioner Artz with Commissioners Stewart, Brock, Artz and Green in favor, Commissioner Kessler opposed, the motion carried, 4/1.

*Purchasing Policy change is temporary for this project only

(CD10:22) 26. Request Board ratification of May 6, 2010 Workshop regarding the Solid Waste Disposal Assessment and Transfer Station Project and request Board direction

Option 1 – Approval to move forward with the solid waste assessment in accordance with the Critical Events Schedule

Option 2 – Approve moving forward with Solid Waste Licensing Program and Ordinance, which will include the following components:

- a. Provide minimum LOS standards, insurance requirements, reporting.
- b. Require all haulers to obtain an annual license for hauling waste within the county.
- c. Require all solid waste be disposed of at the County Transfer Station.
- d. Require offset from monthly contracts for the disposal assessment.
- e. Optional License Fee set at a percentage of gross revenues.

Commissioner Stewart moved to ratify the workshop and approve Options 1 & 2 detailed above in the analysis section. Second by Commissioner Green and the motion carried unanimously, 5/0.

(CD10:37) 27. Request Board ratification of May 6, 2010 Workshop on the 2nd Budget Development and request Board direction

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Commissioner Brock moved to ratify workshop and approve the Summary of Requests for Board Action, and provide any direction on the Communication Services Tax issue for direction in the development of the FY2010/2011 budget. Second by Commissioner Artz with the motion and second subsequently withdrawn.

Commissioner Stewart moved to ratify workshop and approve the Summary of Requests for Board Action. Second by Commissioner Green with Commissioners Artz, Green, Kessler, and Stewart in favor, Commissioner Brock opposed and the motion carried, 4/1.

(CD10:53) Commissioner Brock moved to extend the meeting until 11:30 p.m. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

COMMISSIONER AGENDA ITEMS

22. Commissioner Kessler

(CD11:03) b. Buckeye Pipeline Resolution

Commissioner Stewart moved to adopt the resolution opposing the Buckeye Pipeline Resolution. Second by Commissioner Brock and the motion carried unanimously, 5/0.

30. Commissioner Stewart

(CD11:06) a. Request Board consideration and approval to re-schedule the June 17, 2010 Workshop to June 24, 2010

Commissioner Stewart moved to reschedule the June 17, 2010 Workshop to Thursday, June 24, 2010 at 5:00 p.m. Second by Commissioner Artz and the motion carried unanimously, 5/0.

COUNTY ATTORNEY

(CD11:07) 23. Litigation Update – Greg Stewart from the Nabors law firm gave an overview of outstanding litigation that is pending

(CD11:16) 24. Update to the Board regarding the Oyster Bay Boat Ramp

Commissioner Stewart moved to table this item to the June 7, 2010 Board Meeting. Second by Commissioner Brock and the motion carried unanimously, 5/0.

COUNTY ADMINISTRATOR - 0

DISCUSSION ISSUES BY COMMISSIONERS – 0

(CD11:18) There being no further business to come before the Board, Commissioner Green made a motion to adjourn, second by Commissioner Stewart and the motion carried unanimously, 5/0.

The meeting adjourned at 11:18 p.m.