**Revised 8/2/2012**

# Board of County Commissioners

## Wakulla County, Florida

# Agenda

**Regular Public Meeting**
**Monday, August 6, 2012**

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**Invocation**

**Pledge of Allegiance**
Commissioner Brock

**Approval of Agenda:**
*(The Chairman and members of the Board will approve and/or modify the official agenda at this time).*

**Public Hearing**
*(Public Hearings are held as required to receive public comments on matters of special importance or as prescribed by law. Public Hearings shall be heard at 5:00pm, or soon thereafter. Individual speakers are encouraged to adhere to a three (3) minute time limit. The Chairman has the discretion to either extend or reduce time limits, based on the number of speakers).*

1. Request Board Approval to Conduct the Public Hearing and Consider Adopting Amendments for the Creation of Article VI, Sections 5-60 through 5-69 of the Land Development Code, Crawfordville Town Plan Overlay District Boundaries and Regulations
   (Luis Serna, Planning Director)

2. Request Board Approval to Conduct the Public Hearing and Consider Adopting an Ordinance Authorizing the Board to Grant the Economic Development Ad Valorum Tax Exemptions
   (Heather Encinosa, County Attorney)

**Awards and Presentations**
*(Members of the Board will have the opportunity to acknowledge members of the community or commendable efforts at this time. Presentations will be made from individuals concerning issue of importance).*

Presentation by Judge Dodson

Local Food Banks need Donations – Shelley Swenson, UF/IFAS Wakulla County Extension Service

(To ensure fairness and encourage participation, citizens who would like to speak on any item will need to fill out a speaker's card and turn in to Ms. Taff prior to the beginning of discussion on that particular item. Citizens are allowed a maximum of 3 minutes to speak.)

**Citizens to be Heard**

*(Citizens will be heard between 6:30p.m. and 7:00p.m., or if the meeting concludes prior to 6:30p.m. or 7:00p.m. citizens will then be heard at the end of the meeting where applicable. Three (3) minute time limit; non-discussion by Commission; there shall be no debate and no action by the Commission).*

**Consent**

*(All items contained herein may be voted on with one motion. Consent items are considered to be routine in nature, are typically non-controversial and do not deviate from past Board direction or policy. However, any Commissioner, the County Administrator, or the County Attorney may withdraw an item from the consent agenda, either in writing prior to the meeting, or at the beginning of the meeting and it shall then be voted on individually. Every effort shall be made to provide such a request to the Chairman at least 24 hours before the meeting).*

3. Approval of Minutes – July 16, 2012 Regular Board Meeting
(Brent X. Thurmond, Clerk of Court)

4. Approval of Minutes – July 17, 2012 Airport Layout Plan Workshop
(Brent X. Thurmond, Clerk of Court)

5. Approval of Minutes – July 17, 2012 Public Works Budget and Five Year Plan Workshop
(Brent X. Thurmond, Clerk of Court)

6. Approval of Minutes – July 12, 2012 Wakulla Gardens Roadway Improvements Assessment Program Workshop
(Brent X. Thurmond, Clerk of Court)

7. Approval of Minutes – July 12, 2012 Emergency Special Board of County Commissioners Meeting
(Brent X. Thurmond, Clerk of Court)

8. Approval of Payment of Bills and Vouchers Submitted for July 12, 2012 through August 1, 2012
(Brent X. Thurmond, Clerk of Court)

9. Request Board Approval to Award RFQ#2012-09 for Professional Auditing Services to Powell & Jones, CPA and Authorize the County Administrator to Negotiate a Contract
(Deborah Dubose, OMB Coordinator)

10. Request Board Approval to Advertise and Schedule Public Hearings to Consider an Ordinance Revising Sections of the Wakulla Code Relating to Development Permits and Approvals
(Heather Encinosa, County Attorney)

11. Request Board Approval to Submit the Federal Election Activities Help America Vote Act (HAVA) Grant Application, Approval for Matching Funds, and Authorize the Chairman to Execute
(Buddy Wells, Supervisor of Elections)

12. Request Board Approval to Set the Two Public Hearing Dates on the Tentative and Final Budget and Adoption of the Millage Rate for September 4, 2012 and September 17, 2012
(Tim Barden, Deputy County Administrator)

13. Request Board Approval for the Chairman to Sign Extension/Amendment #1 of the Ocholocknee Bay Bike Trail (OBBT) Construction Agreement Between the Board and the U.S. Department of Interior
(Sheree Keeler, Grants Coordinator)

14. Request Board Approval to Submit an Application to the Florida Department of Agricultural and Consumer Affairs for a Commercial Development and Capital Improvements Grant for the Wakulla Extension Office
(Les Harrison, Extension Director)

24. Request Board Approval for the Chairman to Sign a Letter of Support for St. Marks Grant Application
(Commissioner Alan Brock)

25. Request Board Approval to Advertise and Schedule a Public Hearing to Consider an Ordinance Relating to Excessive Noise
(Heather Encinosa, County Attorney)

**Consent Items Pulled for Discussion**

*(Members requesting further information on items placed under "Consent Agenda," may withdraw those items and place them here, for further discussion).*

**Planning and Zoning**

(*Members will be provided with planning and zoning amendment requests five (5) business days prior to the scheduled meeting. To the maximum extent possible, all support information and documentation for P&Z items shall be made available through a variety of means including the County website that will provide the public with the greatest opportunity to review documentation at the date of advertisement pursuant to Resolution No. 04-43. "In accordance with Sec. 24.01 of County Code, for all quasi-judicial proceedings each Commission member must disclose all contact received from interested parties and/or thei representatives, lobbyists, or any other third parties concerning any application and any personal investigation or knowledge being relied upon during the consideration of any quasi-judicial planning and zoning matters".)+*

**General Business**

*(General Business items are items of a general nature that require Board directions or pertain to Board policy*

15. Request Board Approval to Construct New Walking Trails at the Medart Recreation Park
(Bryan Roddenberry, Interim Parks and Recreation Director)

16. Request Board Approval of Change Order #1 and #2 for Rehwinkel SCRAP Project
(Cleve Fleming, Public Works Director)

17. Request Board Approval of Change Order #7 to Allen's Excavation for the County Sanitary Force Main Project
(Cleve Fleming, Public Works Director)

18. Request Board Acceptance of EPA's Report Entitled, "*Essential Smart Growth Fixes For Rural Development Codes –Next Steps,"* and Request Board Direction Regarding Implementation Priorities
(Luis Serna, Planning Director)

19. Request Board Ratification of Discussions Held During the July 17, 2012 Airport Workshop
(David Edwards, County Administrator) **TABLED TO THE AUGUST 20, 2012 BOCC MEETING**

**Commissioner Agenda Items**

*(Items with supporting documentation shall be provided by a Commissioner to the County Administrator three (3) business days prior to the scheduled meeting. Items that are agendaed by Commissioners and fail to gain approval may not be replaced on the agenda by a Commissioner on the non-prevailing side for a period of six (6) months without approval of the Chairman unless there is substantive new information to present).*

20. Commissioner Merritt -
    a. Request Board Approval to Direct Staff to Revise the Wakulla County Land Development Code and Approval to Schedule and Advertise a Public Hearing

21. Commissioner Brock –
    a. Request Board Approval to Schedule a Workshop Regarding the Restore Act

22. Commissioner Artz -
    a. Request Board Approval to Direct Staff to Develop Basic Open Space Set Aside and Land Dedication Requirements for New Subdivisions
    b. Request Board Approval to Schedule a Workshop on September 11, 2012 for APA-CPAT Presentation on Wakulla Gardens and Approval to Reschedule the Board's Workshop Date from September 6, 2012 to September 11, 2012
    c. Request Board Approval of Update on Board Appointments Monthly Meetings

23. Commissioner Moore –
    a. Request Board Direction to Potentially Move the Community Center to the Extension Office

**County Attorney**

*(County Attorney items are items of a legal nature that require Board direction or represent general information to Board Members, staff or the public).*

**County Administrator**

*(County Administrator items are items that require Board direction or represent general information to Board Members, staff or the public).*

26. Request Board Ratification of Letter Submitted to the Florida Department of Transportation Requesting to Resurface High Dr.
(David Edwards, County Administrator)

**Discussion Issues by Commissioners**

*(The purpose of this section is for Commissioners to request staff action on various issues, including scheduling of a future agenda item for later Board action, based on the approval of a majority of the Board. No assignments or request for agenda items shall be given to the County Administrator or County Attorney without the express approval of the majority of the Board. The Board shall take no policy action without an agenda item unless such is accomplished through a unanimous vote of the Board. The remarks of each Commissioner during his or her "discussion items" shall adhere to Robert Rules of Order, for proper decorum and civility as enforced by the Chairman.*

**Adjourn**

*(Any departure from the order of business set forth in the official agenda shall be made only upon majority vote of the members of the Commission present at the meeting)*

*The next Board of County Commissioners Meeting is scheduled for*
***Monday, August 20, 2012 at 5:00p.m.***

# Regular Board Meeting and Holiday Schedule
## January 2012 – December 2012

### January 2012

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### September 2012

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### October 2012

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### November 2012

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### December 2012

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Regular Board Meeting
Special Meeting
Holiday
Workshops

# PUBLIC NOTICE

## 2011/2012 Tentative Schedule

**All Workshops, Meetings, and Public Hearings are subject to change**

All sessions are held in the Commission Chambers, 29 Arran Road, Suite 101, Crawfordville, FL.
Workshops are scheduled as needed.

| Month | Day | Time | Meeting Type |
|---|---|---|---|
| **August 2012** | Monday, 6 | 3:30 P.M. | 3rd Budget Workshop |
| | Monday, 6 | 5:00 P.M. | Regular Board Meeting |
| | Monday, 13 | 7:00 P.M. | Planning Commission Meeting |
| | Monday, 20 | 5:00 P.M. | Regular Board Meeting |
| **September 2012** | Tuesday, 4 | 5:00 P.M. | Regular Board Meeting |
| | Monday, 10 | 7:00 P.M. | Planning Commission Meeting |
| | Wednesday, 12 | 5:30 P.M. | Code Enforcement Meeting |
| | Monday, 17 | 5:00 P.M. | Regular Board Meeting |
| **October 2012** | Monday, 1 | 5:00 P.M. | Regular Board Meeting |
| | Monday, 15 | 5:00 P.M. | Regular Board Meeting |

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Luis N. Serna, Director of Planning and Community Development |
| Subject: | Request Board Approval to Conduct the Public Hearing and Consider Adopting Amendments for the Creation of Article VI, Sections 5-60 through 5-69 of the Land Development Code, Crawfordville Town Plan Overlay District Boundaries and Regulations |

**Statement of Issue:**
This agenda item requests the Board to conduct the Public Hearing and consider adopting Land Development Code Text Amendments for the creation of Article VI, Sections 5-60 through 5-69 of the Land Development Code for the adoption of the Crawfordville Town Plan Overlay District Boundaries and development regulations.

**Background:**
Wakulla County adopted a Town Plan for Crawfordville in 2011. To date, Land Development Code revisions to implement the Town Plan have not been adopted.

The Board of County Commissioners accepted a Sustainable Communities Grant from the Environmental Protection Agency on March 5, 2012. This grant was in part to support efforts to develop land development regulations to implement the Town Plan. Workshops with the EPA's experts took place on June 5th and 6th, 2012.

Additionally, the BOCC gave direction to staff to advertise the proposed amendments at their June 4, 2012 public meeting. The proposed amendment was advertised in the June 21, 2012 edition of *The Wakulla News* (Attachment 1).

The Planning Commission considered this item at their July 9, 2012 public hearing. At the conclusion of the public hearing, the Commission voted unanimously to recommend adoption of the Text Amendment.

**Analysis:**

Wakulla County adopted a town plan for Crawfordville in 2011. This plan included an extensive public participation process. The resulting planning document represents the vision of how the community wants this area to develop. Wakulla County's Land Development Code has never been updated to reflect the town plan. Therefore, the County currently has no effective means of enforcing the guiding development standards that are contained within the Town Plan.
The Planning Department has prepared a draft ordinance (Attachment 2) to formally recognize the boundaries of the Crawfordville Town Plan and to implement Land Development Code regulations that reflect the general policies of the Plan.

These draft regulations are intended to be incentive-based, and are a first step in the process of implementing the Town Plan. Longer term actions will include Future Land Use Map amendments, development of new zoning districts and more detailed design standards and incentives, and pursuit of longer term funding for improvements in the districts. The proposed regulations will promote investment in the district and will allow the County to require new developments to conform to the general design principles of the Town Plan.

**Budgetary Impact:**
Upon approval the budget will be impacted as a result of cost incurred from Municipal Code at $19.50 per page.

**Options:**
1. Conduct the Final Public Hearing and vote to adopt the proposed Ordinance for the Creation of Article VI, Sections 5-60 through 5-69 of the Land Development Code, Crawfordville Town Plan Overlay District Boundaries and Regulations, based upon the recommendation of the Planning Commission and the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon.
2. Conduct the Final Public Hearing and vote not to adopt the proposed Ordinance for the Creation of Article VI, Sections 5-60 through 5-69 of the Land Development Code, Crawfordville Town Plan Overlay District Boundaries and Regulations, based upon the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon.
3. Board Direction.

**Recommendation:**
Option #1.

**Attachment(s):**
1. Advertisement
2. Draft Ordinance with Proposed Language Changes

# NOTICE OF PUBLIC HEARING

The Wakulla County Planning Commission and Wakulla County Board of County Commissioners proposes to consider the following applications and/or adopt the following by ordinance and has scheduled Public Hearings before the **Wakulla County Planning Commission on Monday, July 9, 2012, beginning at 7:00 P.M. and before the Wakulla County Board of County Commissioners on Monday, August 6, 2012, beginning at 5:00 PM, or as soon thereafter as the matter can be heard.** All public hearings will be held at the County Commission Chambers located west of the County Courthouse at 29 Arran Road, Crawfordville, Florida 32327. Interested parties are invited to attend and present testimony.

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE TO ADD THE CRAWFORDVILLE TOWN PLAN OVERLAY DISTRICT BOUNDARIES AND REGULATIONS; ESTABLISHING THE BOUNDARIES OF THE CRAWFORDVILLE TOWN PLAN OVERLAY DISTRICT AND THE CRAWFORDVILLE CORE DISTRICT; PRESCRIBING DISTRICT REGULATIONS AND CORE DISTRICT REGULATIONS; PROVIDING SEVERABILITY, FOR CODIFICATION, AND AN EFFECTIVE DATE.**

| | | |
|---|---|---|
| **1. Application for Text Amendment:** | | **TA12-03** |
| Applicant: | Wakulla County | |
| Proposal: | Amend the Land Development Code to add the Crawfordville Town Plan Overlay District Boundaries and Regulations | |
| **Hearings Required:** | **Planning Commission: Monday, July 9, 2012 @ 7:00 PM** | |
| | **Board of County Commissioners: Monday, August 6, 2012 @ 5:00 PM** | |

*Copies of applications, draft ordinances, and any related public record files may be viewed at the Wakulla County Planning and Community Development Department located at 11 Bream Fountain Road, Crawfordville, FL 32327, 8 AM to 4:30 PM M/F; Phone (850) 926-3695. Any person desiring to appeal any decision made with regard to this matter must ensure a verbatim transcript or copy is made of the testimony and exhibits presented at said hearings. Persons needing special access considerations should call the Board Office at least 48 hours before the date for scheduling purposes. The Board Office may be contacted at (850) 926- 0919 or TDD 926-7962.*

JUNE 21, 2012

**ORDINANCE NO. 2012-_____**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE TO ADD THE CRAWFORDVILLE TOWN PLAN OVERLAY DISTRICT BOUNDARIES AND REGULATIONS; ESTABLISHING THE BOUNDARIES OF THE CRAWFORDVILLE TOWN PLAN OVERLAY DISTRICT AND THE CRAWFORDVILLE CORE DISTRICT; PRESCRIBING DISTRICT REGULATIONS AND CORE DISTRICT REGULATIONS; PROVIDING SEVERABILITY, FOR CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS,** the Board adopted *The Crawfordville Town Plan* in 2011. This plan includes maps that identify the Crawfordville Study Area and the Crawfordville Core Area districts.

**WHEREAS**, *The Crawfordville Town Plan* included extensive public participation and represents the vision for the future development of the Crawfordville area.

**WHEREAS,** the Board now desires to adopt a zoning overlay district for the Crawfordville Area District and the Crawfordville Core District.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. LEGISLATIVE FINDINGS.** The above legislative findings are true and correct and are hereby incorporated herein by reference.

**SECTION 2. CREATION OF NEW ARTICLE VI OF THE LAND DEVELOPMENT CODE.** A new Article VI, sections 5-60 through 5-69 of the Wakulla County Land Development Code is hereby created to read as follows:

**Sec. 5-60. General Provisions.** This purpose of this article is to ensure that all development of land takes place in accordance with the principles set forth in the Crawfordville Town Plan and Wakulla County Comprehensive Plan. Where this overlay zone conflicts with other portions of this Code, the overlay zone will prevail. However, no development may be approved that conflicts with the Wakulla County Comprehensive Plan.

**Sec. 5-61. Crawfordville Town Plan Overlay District Boundaries.** The boundaries of the Crawfordville Area District and the Crawfordville Core District are as follows:

**(1) Crawfordville Area District**

Begin at the intersection of Crawfordville Highway (US Highway 319) and East Ivan Road lying in Section 18, Township 3 South, Range 1 West, Wakulla County, Florida, and thence

run Easterly and Southeasterly along the centerline of said East Ivan Road to the intersection with Wakulla Arran Road in Lot 56 of the Hartsfield Survey of Lands in said Wakulla County, Florida, thence run Northeasterly along the centerline of said Wakulla Arran Road to the Northwest corner of the property described in Official Records Book 596, Page 211, of the Public Records of said Wakulla County, thence run Southerly along the Westerly boundary of said property described in Official Records Book 596, Page 211 to intersection with the South boundary of the North Half of Lot 56 of the Hartsfield Survey, thence run Southwesterly along the South boundary of the North Half of said Lot 56 of the Hartsfield Survey to the intersection with Cajer Posey Road, thence run Southerly and Southwesterly along the centerline of said Cajer Posey Road to the intersection with the centerlines of Dr. Martin Luther King Jr. Memorial Road and Alexander Road, thence run Southwesterly and Southerly along the centerline of said Alexander Road to the intersection with the centerline of Rehwinkel Road, thence run Southerly along the centerline of said Rehwinkel Road to a point where said centerline intersects with the Southerly boundary of Lot 71 of said Hartsfield Survey, thence run Southwesterly along the Southerly boundary of said Lot 71 to the Southwest corner of said Lot 71 (also being the Southeast corner of Lot 78 of said Hartsfield Survey), thence run Southwesterly along the South boundary of said Lot 78 to the Southwest corner of said Lot 78 (also being the Southeast corner of Lot 89 of said Hartsfield Survey), thence run Southwesterly along the South boundary of said Lot 89 to the Southwest corner of said Lot 89, said point also intersects on the East boundary of Section 1, Township 4 South, Range 2 West of said Wakulla County, thence run Southerly along said East boundary to the Southeast corner of said Section 1,thence run Westerly along the South boundary of said Section 1 to the Southwest corner of said Section 1, thence run Northerly along the West boundary of said Section 1 to the Northwest corner of said Section 1 (also being the Northeast corner of Section 2, Township 4 South, Range 2 West of said Wakulla County, thence Westerly along the North boundary of said Section 2 to the Southwest corner of Section 36, Township 3 South, Range 2 West of said Wakulla County, Florida, thence run Northerly along the West boundary of said Section 36 to the Northwest corner of said Section 36, thence run Easterly along the North boundary of said Section 36 to the Southwest corner of Section 25, Township 3 South, Range 2 West of said Wakulla County, thence run Northerly along the West boundary of said Section 25 to the Northwest corner of the Southwest Quarter of said Section 25, thence run Easterly along the North boundary of said Southwest Quarter to the Northeast corner of said Southwest Quarter (also being the Southwest corner of the Northeast Quarter of said Section 25), thence run Northerly along the West boundary of said Northeast Quarter to the Northwest corner of the Southwest Quarter of said Northeast Quarter of said Section 25, thence run Easterly along the North boundary of the Southwest Quarter of said Northeast Quarter to the Northeast corner of the Southwest Quarter of said Northeast Quarter (also being the Southwest corner of the Northeast Quarter of said Northeast Quarter), thence run Northerly along the West boundary of the Northeast Quarter of said Northeast Quarter to the Northwest corner of said Northeast Quarter of said Northeast Quarter, thence run Westerly along the North boundary of said Section 25 to the Northeast corner of said Section 25, said point lying on the Westerly boundary of Lot 75 of the Hartsfield Survey of Lands in said Wakulla County, Florida, thence run Northerly along the Westerly boundary of Lot 75 of said Hartsfield Survey to the Northwest corner of said Lot 75 (also being the Southwest corner of Fractional Section 19, Township 3 South, Range 1 West of said Wakulla County, Florida) and also the Southwest

corner U.S. Government Land, thence run Easterly along the along the South boundary of said Fractional Section 19 to the Southeast corner of said U.S. Government Land , thence run Northerly, Easterly and Northerly along said U.S. Government Land in said Fractional Section 19, to the Southwest corner of the property described in Official Records Book 34, Page 286, being Section 18, Township 3 South, Range 1West, thence run Northerly along the West boundary of said property described in Official Records Book 34, Page 286 and a projection thereof to the Northwest corner (also the most Westerly corner) of the property described in Official Records Book 743, Page 481, thence run Westerly to the Southeast corner of the property described in Official Records Book 626, Page 305, thence run Northerly along the Easterly boundary of said property recorded in Official Records Book 743, Page 481, to the Northeast corner of said property (said point lying on the Northerly boundary of the Southeast Quarter of Section 18, Township 3 South, Range 1 West), thence run Easterly along the North boundary of the Southeast Quarter of said Section 18 to the intersection with centerline of Crawfordville Highway (US Highway 319), thence run Northerly along said centerline to the POINT OF BEGINNING.

**(2) Crawfordville Core District**

Begin at the intersection of Crawfordville Highway (US Highway 319) and Harvey Mill Road lying in Section 1, Township 4 South, Range 2 West, Wakulla County, Florida, and thence run Westerly and Southwesterly along the centerline of said Harvey Mill Road to the intersection with Westerly right-of-way boundary of Cynthia Street, thence run Northerly along said Westerly right-of-way boundary to the intersection with the Westerly right-of-way boundary of Fulton Harvey Road, thence run Northerly along the Westerly right-of-way boundary of said Fulton Harvey Road to the Southeast corner of the School Board of Wakulla County, Florida, described in O.R. Book 410, Page 140, of the Public Records of Wakulla County, Florida, lying in Section 36, Township 3 South, Range 2 West, thence run Westerly along the South boundary of said school property to the Southwest corner of said property described in O.R. Book 410, Page 140, thence run Northerly along the West boundary of said Section 36 to the Northwest corner of said property described in O.R. Book 410, Page 140, thence run Westerly along the North boundary of said school board property to the intersection with the West boundary (also being the Southwest corner of the 12.456 acres tract) of School Board Property as described in O.R. Book 410, Page 136, thence run North along the West boundary of said property to the Northwest corner of said property (also lying on the Southerly right-of-way boundary of Arran Road (State Road No. 368), thence run Southeasterly along said right-of-way boundary (to the most Easterly corner of the 13.97 acre tract) of the School Board Property as described in said O.R. Book 410, Page 136 (also being the Northeast corner of said property described in O.R. Book 410, Page 140), thence run Southerly and Easterly along said property described in O.R. Book 410, Page 140 to a point of the West boundary of the Northeast Quarter of said Section 36, thence run Northerly along the West boundary of said Northeast Quarter and a projection thereof to the Southerly right-of-way boundary of said Wakulla Arran Road, thence run Easterly along the Southerly right-of-way boundary of said Wakulla Arran Road to a point on the West boundary of Lot 76 of the Hartsfield Survey of Lands in Wakulla County, Florida, and thence run North along said West boundary to the Northwest corner of said Lot 76 and also being the Southwest corner of said Lot 75 of the Hartsfield Survey of Lands in Wakulla County, Florida, and thence run Northerly along the West boundary of said Lot 75, to the Northwest

corner of the Wakulla County BOCC Property (Jail Site) as described in O.R. Book 772, Pages 172-173, thence run Easterly along the North boundary of said Wakulla County BOCC Property and along the Northerly boundary of Fairwinds Subdivision, as recorded in Plat Book 3, Page 68, and a projection thereof to the intersection with the Southeasterly right-of-way boundary of Crawfordville Highway (US Hwy 319), thence run Southwesterly along said right-of-way boundary to the Northwest corner (also the most Northerly corner) of that property described in O.R. Book 26, Page 544, thence run Easterly along the North boundary of said property described in O.R. Book 26, Page 544 and along the South boundary of Rainbow Center, as recorded in Plat Book 2, Page 50, to a point of the Westerly boundary of Songbird Subdivision Phase II, as recorded in Plat Book 3, Pages 113-116, thence run Southerly along said Westerly boundary to the Southerly right-of-way boundary of said Wakulla Arran Road, thence run Westerly along said Southerly right-of-way boundary to the Easterly right-of-way boundary of Trice Lane, thence run Southerly along the Easterly right-of-way boundary of said Trice Lane to the Northwest corner of the property described in O.R. Book 826, Page 655 (Wakulla County BOCC-Community Center), thence run Easterly along the North boundary of said Wakulla County BOCC property and a projection thereof to the Northeast corner of the property described in O.R. Book 456, Page 563, thence run Southerly along the Easterly boundary of said property recorded in O.R. Book 456, Page 563, to the Southerly right-of-way boundary of Shadeville Road, thence run Westerly along said Southerly right-of-way boundary to the Northeast corner of Lot 24, Ruby Hills, as recorded in Plat Book 4, Page 84, thence run Southerly along the Easterly boundary of said Ruby Hills and a projection thereof to the Southerly right-of-way boundary of Dr Martin Luther King Jr Memorial Road, thence run Westerly along said Southerly right-of-way boundary to the Westerly right-of-way boundary of Rehwinkel Road, thence run Southerly along said Westerly right-of-way boundary to the intersection with Westerly right-of-way boundary of Tafflinger Road, thence run Southerly along Westerly right-of-way of said Tafflinger Road to Southeast corner of the property described in O.R. Book 799, Page 18, thence run Westerly along the South boundary of said property described in O.R. Book 799, Page 18, to the Southwest corner of said property (also being the Northeast corner of property described in O.R. Book 135, Page 858 (also being the Northwest corner of Lot 160, Block "A", Magnolia Gardens, as recorded in Plat Book 1, Page 37), thence run Southerly along the Easterly boundary of said property recorded in O.R. Book 135, Page 858 and along the Westerly boundary of said Magnolia Gardens to the Southeast corner of said property recorded in O.R. Book 135, Page 858, thence run Southwesterly along the Southerly boundary of said property recorded in O.R. Book 135, Page 858 and a projection thereof to the Southeast corner of property recorded in O.R. Book 123, Page 920, thence run Westerly along the South boundary of said property recorded in O.R. Book 123, Page 920 and a projection thereof to the centerline of Council Moore Road, thence run Southerly and Westerly along said Council Moore Road to the intersection with the centerline of Crawfordville Highway (US Highway 319), thence run Northeasterly along the centerline of said Crawfordville Highway to the POINT OF BEGINNING.

**Sec. 5-62. Crawfordville Area District Regulations.** The regulations in this section are applicable to the entire Crawfordville Town Plan Overlay District as described in Section 5-61(1) of this Code as well as the Crawfordville Core District as described in Section 5-61(2) of

this Code.

(1) **Principal and Conditional Uses.** The principal and conditional uses of this district shall be as specified by the underlying zoning district.

(2) **Minimum Lot or Site Size.** The minimum lot or site size shall be as specified by the underlying zoning district.

(3) **Residential and Office Uses.** Residential and Office uses shall be permitted above the first floor of any legally established non-residential use.

(4) **Density Bonus for Donation of Land.** An increase in residential density above the maximum density established by the underlying zoning district shall be available for the donation of land for public park space, conservation areas, or other public facilities subject to the following criteria:

(a) Areas proposed for donation may be subtracted from the total project area for purposes of calculating residential density.

(b) Areas proposed for donation shall be located within the Crawfordville Town Plan Overlay District.

(c) Areas proposed for donation of less than one acre shall be physically contiguous to a larger system of planned or existing recreation or conservation areas.

(d) Areas proposed for donation for purposes of receiving a density bonus shall be approved by the Board of County Commissioners.

(e) Gross project density shall not exceed the maximum density established by the underlying Future Land Use Designation.

(5) **Density Bonus for "Green Building."** An increase in residential density of five percent shall be available for certification of on-site developments as LEED, FGBC, or similar nationally recognized "green" building standard. This density bonus shall be requested by the applicant during the County's site plan and/or preliminary plat processes. In order to qualify, all buildings in the development, except for accessory buildings, or the development itself shall receive certification. The proposed project density shall not exceed the maximum density established by the Future Land Use Designation.

(6) **Impact Fee Exemption.** As an incentive to encourage development within the Crawfordville Area District, which will result in the more economical and efficient provision of public infrastructure, new development within the Crawfordville Area District shall be exempt from any Impact fees that may be imposed by the County.

(7) **Transit.** Development projects that will generate 200 or more PM peak hour trips shall submit a plan that addresses future transit stops. Accommodations for transit stops and/or

ride sharing facilities may be used to reduce trip generation subject to submittal of a traffic study and approval by the planning and community development department.

**(8) Sidewalks.**

(a) All new developments, including changes in use that increase parking requirements and additions or alterations that exceed 50 percent of the existing on-site impervious area, shall provide sidewalks along all public and private streets adjoining the development. The sidewalk shall be located as follows: when sufficient right-of-way exists, the sidewalk shall be located within the public right-of-way; when sufficient right-of-way does not exist, the sidewalk shall be located at an alternative location parallel to the right-of-way or elsewhere on the development property, if approved by the planning and community development department. For those developments where sidewalks cannot be located within the public right-of-way, the developer must provide and record in the public records of Wakulla County, all easements necessary to guarantee public access to the sidewalk.

(b) Non-residential and multi-family residential development shall provide safe and efficient sidewalk linkages between building entrances and parking areas, adjacent portions of the development, and adjacent rights-of-way. At least one accessible route in accordance with the Florida Accessibility Code shall connect buildings to parking areas and adjacent rights-of-way.

(c) Commercial, office, and multi-family developments shall provide internal sidewalk interconnection between adjacent commercial, office, and multi-family developments. This requirement does not apply to development proposals where the building entrance is located within 30 feet of a sidewalk along an adjacent right-of-way serving both developments, where the length of the common property boundary of the two adjacent developments is less than 50 feet, where construction or use of the sidewalk would have an adverse affect on a conservation feature, or where a sidewalk would create a safety hazard.

(d) Sidewalks shall be constructed on at least one side of all streets within residential and non-residential subdivisions where the average lot size is one-half acre or less. Sidewalks shall be constructed on both sides of all streets within residential or non-residential subdivisions where the average lot size is one-quarter acre or less.

(9) **Interconnection.** Non-residential, multi-family, and mixed use developments shall be designed to require vehicular and pedestrian cross access to adjacent commercial, office, multi-family, recreation, and community facility uses to reduce the necessity of using the

public street system in order to move between adjacent and complimentary land uses. The developer shall design and build the appropriate cross-access to the property line of the adjacent parcel, unless found infeasible by the planning and community development director due to physical conditions of property or due to existing development. Shared access points, rather than individual access points, on public or private streets shall be encouraged where it is determined that such shared access points would protect capacity on adjoining roadways or be in the interest of public safety.

**(10) Maximum Driveway Width.**

(a) The maximum width of a driveway serving a one- or two-family dwelling shall be 20 feet.

(b) The maximum width of a driveway serving all uses other than a one- or two family dwelling shall be 20 feet for a one-way driveway and 40 feet for a two-way driveway.

**Sec. 5-63. Crawfordville Core District Regulations**

(1) **Vehicular Parking.** The number of required vehicular parking spaces may be reduced by 20 percent below the standards of Section 6-14 of this Code. Public parking and shared parking within 1,000 feet of the property may be counted toward a site's required parking.

(2) **Bicycle Parking.** On-site bicycle parking shall be provided at a rate of 0.15 spaces for every one required on-site vehicular parking space.

(3) **Non-Residential Building Setbacks.** The minimum front building setback for non-residential or mixed use structures, other than accessory structures, may be reduced to 0 feet, except along Crawfordville Highway. The minimum side building setback for non-residential or mixed use structures, other than accessory structures, may be reduced to 0 feet if the existing use on the adjacent property for which the reduced setback is proposed is also non-residential or mixed use.

(4) **Building Coverage.** Maximum building coverage may be increased by 10 percent above the maximum specified by the underlying zoning district unless, otherwise established by a Crawfordville zoning district of Sections 5-64 through 5-69.

(5) **Building Coverage Incentive for Screened Parking and Enhanced Landscaping.** In addition to the 10 percent increase in building coverage for development in the district of Section 5-63(4), maximum building coverage may be increased an additional 5 percent for each of the following:

**(a) Screened Parking.** All parking spaces are located outside of area between the front of the building and the adjacent right-of-way.

**(b) Shared Parking.** At least half of the site's parking spaces are shared with an off-site use and are so designated in a legally binding shared parking agreement.

**(c) Landscaping.** Provision of integrated streetscape design, including trees and seating along collector and arterial streets.

Compliance with this incentive shall be determined at the time of County site plan and/or preliminary plat review.

(6) **Architectural Standards.** (Reserved)

**Sec. 5-64. Crawfordville Town Center Zoning District Regulations (Reserved)**
**Sec. 5-65. Crawfordville High Intensity Commercial Zoning District Regulations (Reserved)**
**Sec. 5-66. Crawfordville Low Intensity Commercial Zoning District Regulations (Reserved)**
**Sec. 5-67. Crawfordville High Density Residential Zoning District Regulations (Reserved)**
**Sec. 5-68. Crawfordville Low Density Residential Zoning District Regulations (Reserved)**
**Sec. 5-69. Crawfordville Pubic Zoning District Regulations (Reserved)**

**SECTION 3. SEVERABILITY.** If any clause, section or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

**SECTION 4. CODIFICATION.** The provisions of this Ordinance shall become and be made a part of the Wakulla County code. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "Ordinance" may be changed to "section," "article," or another appropriate designation.

**SECTION 5. EFFECTIVE DATE.** A certified copy of this Ordinance shall be filed in the Department of State within ten (10) days after enactment by the Board and the Ordinance shall take effect as provided by law.

**PASSED AND DULY ADOPTED** this _____ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS
OF WAKULLA COUNTY, FLORIDA

By:_____
ALAN BROCK, Chair

ATTEST:

_____
BRENT X. THURMOND, Ex Officio
Clerk to the Board

APPROVED AS TO FORM AND CONTENT:

_____
Heather Encinosa, Esq.
County Attorney

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 27, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Heather J. Encinosa, County Attorney |
| Subject: | Request Board Approval to Conduct the Public Hearing and Consider Adopting an Ordinance Authorizing the Board to Grant Economic Development Ad Valorem Tax Exemptions |

**Statement of Issue:**
This agenda item requests Board approval to conduct the public hearing and consider adopting the proposed ordinance authorizing the Board to grant economic development ad valorem tax exemptions to new businesses and expansions to existing businesses ("Exemption") and call a referendum election to be held in conjunction with the 2012 general election.

**Background:**
Previously, the Board directed the County Attorney's Office to develop an Ordinance authorizing the economic development ad valorem tax exemptions authorized in section 196.1995, Florida Statutes. If approved by the Board, the Exemption authorization must then be approved by the electors of Wakulla County by referendum prior to taking effect.

On July 16, 2012, the Board authorized staff to advertise and schedule this public hearing for consideration of the proposed ordinance.

**Analysis:**
The proposed Ordinance (Attachment #1) authorizes the Board to grant Economic Development Ad Valorem Tax Exemptions to new businesses and expansions of existing businesses pursuant to s. 196.1995, Florida Statutes, subject to the approval of a majority of the electors voting in a referendum election. If the Ordinance is approved, the referendum election will be held in conjunction with the November 6, 2012, general election. The purpose of such exemptions is to provide for economic development and the creation of jobs within Wakulla County. The ballot language and title for this exemption are established statutorily.

The Exemption is a local option tax incentive for qualifying new businesses or expansions to

existing businesses which may be granted or refused at the sole discretion of the Board upon consideration of the factors set forth in this Ordinance. Exemptions may not be granted for improvements to real property when such improvements have been included on the tax rolls prior to the effective date of an ordinance specifically granting a business an exemption. Also, no Exemption may be granted for the land upon which a qualifying business is to be located.

At the discretion of the Board, Exemptions may be granted for up to 100 percent of the assessed value of all improvements to real property made by or for the use of a qualifying new business and of all tangible personal property of such new business, or up to 100 percent of the assessed value of all added improvements to real property made to facilitate the qualifying expansion of an existing business and of the net increase in all tangible personal property acquired to facilitate the expansion of an existing business. Property acquired to replace existing property shall not be considered to facilitate a business expansion.

The Exemption shall not apply to taxes levied by other taxing districts.

Applications shall first be reviewed by the Property Appraiser who will prepare a report including information pertinent to consideration of the application. Upon receipt of the Property Appraiser's report, the Board shall review the report and make a determination as to whether to grant the Exemption based on consideration of the following factors:

- The current number of full-time employees of an expanding business; the total number of new full-time jobs to be created and maintained by the new or expanding business; and the period of time needed to fill all of the new jobs.
- The average wage of employees of the Business located in the County.
- The amount of capital investment made by the business in connection with the new business or expansion of an existing business.
- The type of business and whether it qualifies as a targeted industry business as may be identified from time to time by the Board, and as defined by Section 288.106, Florida Statutes.
- The environmental impact of the proposed business.
- The extent to which the applicant intends to source its supplies and materials within the County.
- Whether the business is located in an enterprise zone.
- Whether the business would be established or expanded without the Exemption.
- Other factors that promote the sustainability of economic development within the County.

After consideration of the application and the Property Appraiser's review, the above factors, and such other information it deems relevant, the Board may adopt an ordinance granting an Exemption

for up to 100 percent of the assessed value of the qualifying property for up to ten years.

If an Exemption is granted, the business shall be required to provide and maintain all of the required new jobs and comply with annual reporting requirements.
During the discussion on July 16, 2012, a question was asked about the Board's authority to impose additional requirements on a grant of ad valorem tax exemptions for future new or expanding businesses. Upon further review of the applicable state statute, the County may impose additional requirements on entities desiring an economic development ad valorem tax exemption, so long as the additional requirements are economically related and do not conflict with the statutory requirements.

Section 196.1995(10), Florida Statutes, states, "In considering any application for an exemption under this section, the board of county commissioners or the governing authority of the municipality must take into account the following: (g) Any other economic-related characteristics or criteria deemed necessary by the board of county commissioners or the governing authority of the municipality."

Section 196.1995(12), Florida Statutes, further states, "Upon approval of an application for a tax exemption under this section, the board of county commissioners or the governing authority of the municipality and the applicant may enter into a written tax exemption agreement, which may include performance criteria and must be consistent with the requirements of this section or other applicable laws."

In sum, the BCC may impose additional or stricter requirements provided that they make the necessary legislative findings that such requirements are economically related.

**Budgetary Impact:**
The budget will be impacted by the cost of Municipal Code at $19.50 per page.

**Options:**
1. Approve to conduct the Public Hearing and adopt the proposed Ordinance authorizing the Board to Grant Economic Development Ad Valorem Tax Exemptions.
2. Do not approve to conduct the Public Hearing and do not approve adopting the proposed Ordinance authorizing the Board to Grant Economic Development Ad Valorem Tax Exemptions.
3. Board Direction.

**Recommendation:**
Option #1

**Attachment(s):**

1. Proposed Ordinance

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, CALLING A REFERENDUM ELECTION TO BE HELD IN CONJUNCTION WITH THE NOVEMBER 6, 2012 GENERAL ELECTION TO DETERMINE WHETHER THE BOARD OF COUNTY COMMISSIONERS SHOULD BE AUTHORIZED TO GRANT ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS TO NEW BUSINESSES AND EXPANSIONS TO EXISTING BUSINESSES; PROVIDING A BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE; ESTABLISHING AN EXEMPTION FROM CERTAIN AD VALOREM TAXES FOR QUALIFYING NEW BUSINESSES AND EXPANSIONS OF EXISTING BUSINESSES; PROVIDING DEFINITIONS; PROVIDING FOR AN APPLICATION FOR THE EXEMPTION; PROVIDING PROCESS FOR REVIEW AND CONSIDERATION OF APPLICATIONS FOR THE EXEMPTION; PROVIDING FOR ADOPTON OF EXEMPTIONS; REQUIRING CONTINUING COMPLIANCE WITH STATUTORY REQUIREMENTS; PROVIDING FOR REVOCATION OF THE EXEMPTION; PROVIDING FINDINGS OF FACT; PROVIDING A SUNSET DATE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, THAT:**

**SECTION 1. FINDINGS OF FACT.** The Board of County Commissioners of Wakulla County, Florida, hereby finds, determines, and declares:

(A) Pursuant to Article VII, Section 3 of the Florida Constitution, and Section 196.1995, Florida Statutes, Florida, the Board of County Commissioners of Wakulla County, Florida (the "Board") was authorized to call a referendum election of the electors of Wakulla County to determine whether the County may grant property tax exemptions to qualifying new businesses and expansions of existing businesses that are expected to create new, full-time jobs within the County ("Economic Development Ad Valorem Tax Exemption" or "Exemption").

(B) The Board of County Commissioners of Wakulla County, Florida (the "Board"), has determined that granting ad valorem property tax exemptions to new businesses and expansions of existing businesses will promote and strengthen economic development within the County and provide incentives for new and existing businesses considering locating in Wakulla County, which will enhance the health, safety, and welfare of the citizens of the County and serves a public purpose.

(C) The Board desires to call a referendum election to determine whether it should be authorized to grant such economic development ad valorem tax exemptions to encourage economic development and the establishment of new jobs for a period of ten (10) years.

(D) The promotion of economic development and creation of new jobs within Wakulla County is in the best interests of the citizens of Wakulla County.

(E) In order to ensure that applications for Economic Development Ad Valorem Tax Exemptions are considered in a non-arbitrary and non-discriminatory manner, it is necessary to establish guidelines that further the County's economic development goals and to assist county staff and the Board in making its determinations.

(F) This Ordinance is adopted pursuant to the Wakulla County Charter, Section 101.161, Florida Statutes, Section 196.1995, Florida Statutes, and Chapter 125, Florida Statutes.

**SECTION 2. REFERENDUM.**

(A) A referendum election is hereby called in Wakulla County, Florida, to be held in conjunction with the general election of November 6, 2012, to determine whether the Board should be authorized to grant economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, pursuant to Article VII, Section 3 of the Florida Constitution and Section 196.1995, Florida Statutes, to encourage economic development and establish new jobs.

(B) The referendum election shall be held during the same hours and at the same polling locations as the November 6, 2012, general election in Wakulla County, and all persons eligible to vote in the general election shall be eligible to vote in the referendum election.

(C) Upon conclusion of the election, the election canvassing board shall deliver the certificate of results, in the manner prescribed by law and appropriate rules and regulations, to the appropriate officials as designated in Section 101.5614, Florida Statutes.

(D) The ballot title and question for the referendum shall be placed on the referendum election ballot as follows:

> Ballot Title: Economic Development Property Tax Exemptions for New Businesses and Expansions of Existing Businesses
>
> Ballot Question: Shall the Board of County Commissioners of Wakulla County, Florida, be authorized to grant, pursuant to s. 3, Art. VII of the Florida Constitution, property tax exemptions to new businesses and expansions of existing businesses that are expected to create new, full-time jobs in the County?

_____ Yes – For authority to grant exemptions.
_____ No – Against authority to grant exemptions.

(D) Notice of the referendum shall be published in a newspaper of general circulation in Wakulla County, at least twice, once in the fifth week and once in the third week prior to the week in which the referendum is held. The date of the first publication in said newspaper shall be at least thirty (30) days before the referendum, in the manner provided in Section 100.342, Florida Statutes.

**SECTION 3. DEFINITIONS.** For the purposes of this Ordinance, the following words and phrases shall have the following meanings unless the context otherwise requires:

"Applicant" means any person, firm, partnership, or corporation who files an application with the Board seeking an Economic Development Ad Valorem Tax Exemption.

"Application" means a written application for an Exemption on a form prescribed by the Department, together with any supplemental form or information required by the County.

"Business" means any for-profit activity engaged in by any person, firm, partnership, corporation, or other business organization or entity.

"County" means Wakulla County, Florida.

"Department" means the Florida Department of Revenue.

"Economic Development Ad Valorem Tax Exemption" means an ad valorem tax exemption granted by the Board in its sole discretion pursuant to this Ordinance to a qualifying New Business or an Expansion of an Existing Business for up to 100 percent of the County ad valorem tax levied on the qualifying property of said Business for a period up to ten years.

"Expansion of an Existing Business" means

(1) A Business establishing ten (10) or more new jobs to employ ten (10) or more full-time employees in the County, paying an average wage for such new jobs that is above the average wage in the County, and which manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant; or

(2) A Business establishing twenty-five (25) or more new jobs to employ twenty-five (25) or more full-time employees in Wakulla County, the Sales Factor of which for the facility with respect to which it requests an Exemption is less than 0.50 for each year the Exemption is claimed; provided that such business increases operations on a site located within the County, resulting in a net increase in employment of not less than ten (10) percent or an increase in productive output or sales of not less than ten (10) percent; or

(3) Any business or organization located within an enterprise zone that increases operations on a site collocated with a commercial or industrial operation owned by the same business.

"Facility" means a business located in Wakulla County that is requesting an ad valorem tax exemption.

"Goods" means all personal property when purchased primarily for personal, family, or household use, but not including personal property sold for commercial or industrial use.

"Improvements" means physical changes made to land and structures placed on or under the land surface.

"New Business" means:

(1) A Business establishing ten (10) or more new jobs to employ ten (10) or more full-time employees in the County, paying an average wage for such new jobs that is above the average wage in the area, and which manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant; or

(2) A Business establishing twenty-five (25) or more new jobs to employ twenty-five (25) or more full-time employees in the County, the Sales Factor of which for the facility with respect to which it requests an Exemption is less than 0.50 for each year the Exemption is claimed; or

(3) An office space in the County owned and used by a Business newly domiciled in the County, provided such office space houses fifty (50) or more full-time employees of such Business, and further provided that such Business first begins operation on a site clearly separate from any other operation of the same Business; or

(4) Any Business located in an enterprise zone that first begins operation on a site clearly separate from any other operation owned by the same Business; or

"Sales Factor" means a fraction the numerator of which is the total sales of a taxpayer Business in this state during a taxable year or period and the denominator of which is the total sales of the Business everywhere during the taxable year or period, as defined in s. 220.15(5), Florida Statutes.

**SECTION 4. ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION.**

(A) Subject to the approval of a majority of the electors of Wakulla County, Florida, at the referendum election called for in this Ordinance, there is hereby established and the Board

is authorized to grant an Economic Development Ad Valorem Tax Exemption for ad valorem taxes levied by the County. The Exemption is a local option tax incentive for a qualifying New Business or Expansion to an Existing Business which may be granted or refused at the sole discretion of the Board upon consideration of the factors set forth in this Ordinance.

(B) The Exemption shall not accrue to Improvements to real property made by or for the use of a qualifying New Business or Expansion to an Existing Business when such Improvements have been included on the tax rolls prior to the effective date of an ordinance specifically granting a Business an Exemption.

(C) At the discretion of the Board, the Exemption may be granted for up to 100 percent of the assessed value of all Improvements to real property made by or for the use of a qualifying New Business and of all tangible personal property of such New Business, or up to 100 percent of the assessed value of all added Improvements to real property made to facilitate the qualifying Expansion of an Existing Business and of the net increase in all tangible personal property acquired to facilitate such Expansion of an Existing Business, provided that the Improvements to real property are made or the tangible personal property is added or increased on or after the day an ordinance granting the Exemption is adopted. Property acquired to replace existing property shall not be considered to facilitate a business expansion.

(D) No Exemption shall be granted for the land upon which a New Business or Expansion of an Existing Business is to be located.

(E) Any Exemption granted for a New Business or Expansion of an Existing Business is nontransferable between businesses; provided, however, if the only change to the Business is one of ownership and all other provisions of the original Application remain in effect, the Exemption may be transferred, upon approval of the Board.

(F) The Exemption authorized by this Section shall not apply to taxes levied by other taxing districts, including those levied for municipalities, for school purposes, for independent special districts, or for the payment of bonds or taxes authorized by a vote of the electors pursuant to Section 9 and Section 12, Article VII of the State Constitution.

**SECTION 5. APPLICATION FOR EXEMPTION.**

(A) Any eligible Business which desires an Economic Development Ad Valorem Tax Exemption shall file with the Board an Application. The Application must be filed no later than March 1 of the year the exemption is desired to take effect. In addition to the information required by the Department, each Application must include the following:

(1) The number of new employees to be employed by the Business within the County.

(2) The total number of employees to be employed by the Business within the County.

(3) The average wage of the employees employed by the Business within the County.

(4) A statement of whether relocation or expansion of the Business would occur without the exemption.

(B) Upon submittal of the Application, the County Administrator or his designee shall review same and, within ten days of submission, notify the Applicant of any facial deficiencies. Complete Applications shall be scheduled for a public hearing before the Board no later than sixty (60) days following receipt of a complete Application. The 45-day period shall include the Property Appraiser's review required by this Ordinance. Applicant shall be notified of the date and time of the public hearing in writing by mail or hand delivery.

(C) A Business will be required to enter into an agreement with the County stating that the Business will satisfy the continuing conditions and requirements set forth in the Application.

**SECTION 6. REVIEW OF APPLICATIONS.**

(A) Before the Board takes action on an Application, a copy of the Application, once deemed complete, shall be delivered to the Wakulla County Property Appraiser for review. Within thirty (30) days of receipt of the complete Application, the Property Appraiser shall provide a report to the Board, which shall include the following information:

(1) The total revenue available to the County for the current fiscal year from ad valorem tax sources, or an estimate of such revenue if the actual total available revenue cannot be determined.

(2) The amount of revenue lost to the County for the current fiscal year by virtue of exemptions previously granted, or an estimate of such revenue if the actual revenue lost cannot be determined.

(3) An estimate of the amount of revenue which would be lost to the County for the current fiscal year if the exemption applied for was granted had the property for which the exemption is requested otherwise been subject to taxation.

(4) A determination as to whether the property for which the exemption is requested is to be incorporated into a New Business or the Expansion of an Existing Business, or into neither, which determination the Property Appraiser shall also affix to the face of the application. Upon request, the Department will provide the Property Appraiser such information as it may have available to assist in making this determination.

(B) Prior to reviewing the Application, the Board shall first determine that the Business satisfies the definition of a New Business or an Expansion of an Existing Business.

(C) If the Business qualifies as either a New Business or an Expansion of an Existing Business, the Board must then determine that the Exemption, if granted, would result in an economic benefit to the County. In making its determination as to whether to grant the Exemption, and, if granted, the duration and percentage of the Exemption, the Board shall consider the following factors:

(1) The current number of full-time employees of the expanding Business; the total number of new full-time jobs to be created and maintained by the new or expanding Business; and the period of time needed to fill all of the new jobs.

(2) The average wage of employees of the Business located in the County.

(3) The amount of capital investment made by the Business in connection with the New Business or Expansion of an Existing Business.

(4) The type of Business and whether it qualifies as a targeted industry business as may be identified from time to time by the Board, and as defined by Section 288.106, Florida Statutes.

(5) The environmental impact of the proposed Business.

(6) The extent to which the Applicant intends to source its supplies and materials within the County.

(7) Whether the Business is located in an enterprise zone.

(8) Whether the Business would be established or expanded without the Exemption.

(9) Other factors that promote the sustainability of Economic Development within the County.

(10) Any other economic-related characteristics or criteria deemed necessary by the Board.

(D) After consideration of the Application and the Property Appraiser's review, the factors set forth in this Section, and such other information it deems relevant, the Board may adopt an ordinance granting an Exemption to the Applicant for up to 100 percent of the assessed value of the qualifying property for up to ten years.

(E) If an Exemption is granted, the ordinance shall include the following information:

(1) The name and address of the New Business or the Expansion of an Existing Business.

(2) The name of the owner of the New Business or the Expansion of an Existing Business.

(3) The total amount of revenue available to the County from ad valorem tax sources for the current fiscal year, the total amount of the revenue lost to the County for the current fiscal year by virtue of exemptions currently in effect and the estimated amount of revenue loss attributable to the Exemption granted to the new or expanding Business.

(4) The expiration date of the Exemption, which may be up to ten years from the date the Board enacts the Ordinance granting the Exemption, or less as the Board sees fit.

(5) A finding that the Business meets the definition of a New Business or an Expansion of an Existing Business as set forth herein.

(6) Any other economic-related commitments deemed necessary by the Board.

**SECTION 7. CONTINUING OBLIGATIONS.** A Business granted an Economic Development Ad Valorem Tax Exemption shall continue to comply with the following requirements throughout the period for which the Exemption is approved:

(A) A Business granted the Exemption shall be required to inform the Board in writing within ten days as to any changes in ownership of the Business. Failure of the Business to so notify the Board of any such changes in ownership is cause for revocation of the Ordinance granting the Exemption, at the Board's discretion.

(B) A Business granted the Exemption shall commence the creation of the new full-time jobs within the Exemption period and shall maintain newly created jobs for its facility in the County through the expiration of the Exemption at a minimum. If a Business requires additional time beyond the Exemption period to satisfy all new job creation, maintenance, and salary requirements identified in the application, the County may require the Business to enter into an additional agreement to identify all such requirements and obligate the Business to comply fully with those requirements.

(C) The Applicant shall be required to submit an Annual Report to the Office of Management and Budget on or before March 1 of each year for which the Exemption was granted. The Applicant shall also timely comply with all filings required pursuant to F.S. § 196.011.

(D) The Annual Report shall certify that information provided in the original Application has not changed. The Annual Report shall also provide a report on the status of the Business, provide evidence that it has continued to qualify as a New Business or Expansion of an Existing Business such as an employee roster, and stating with specificity the number of new jobs still in existence, additional jobs created since approval of the Exemption, and the average wage of all employees.

**SECTION 8. REVOCATION OF THE EXEMPTION.**

(A) Should any Business granted an Exemption pursuant to this Ordinance fail to file the Annual Report with the Board on or before March 1 of each year the Exemption has been granted, fail to continue to meet the definition of a New Business or an Expansion of an Existing Business, fail to timely file a written report of change of ownership, fail to file a new Application upon any other change in the information provided in the original Application, or fail to fulfill any other commitment made to the Board during the Application process, including the creation and maintenance of the total number of new jobs identified by a business in the Application, the Board, may, upon 30 days' written notice to the respective Business, adopt an ordinance revoking the Exemption or take such other action with respect to the Exemption as it deems appropriate.

(B) Upon Revocation, the Board shall immediately notify the Property Appraiser.

(C) If it is determined that for any year within the Exemption period the owner was not entitled to receive such Exemption, the owner of the property shall be subject to the taxes exempted as a result of such failure plus annual interest at the maximum rate allowed by law.

(D) Nothing herein shall prohibit a business from reapplying for an ad valorem tax exemption pursuant to State law.

**SECTION 9. SUNSET DATE.** Pursuant to Section 196.1995, Florida Statutes, this Ordinance shall expire ten (10) years after the date the authority to grant Economic Development Ad Valorem Tax Exemptions was approved by the electors of the County voting in a referendum election, unless the authority to grant Exemptions is renewed in a new referendum election called and held pursuant to Section 196.1995, Florida Statutes. No business may begin receiving such Exemption after that date; however, the expiration shall not affect the operation of any Exemption for which a business has qualified under this article prior to such expiration date.

**SECTION 10. CODIFICATION.** It is the intention of the Board that the provisions of this Ordinance contained in Sections 1 and 3 through 10 shall become a part of the County's Code of Ordinances until the Sunset Date provided for in Section 10 hereof. The provisions of this Ordinance may be renumbered as necessary.

**SECTION 11. SEVERABILITY.** It is declared to be the intent of the Board that if any section, subsection, sentence, clause, or provision of this Ordinance be held invalid by a court of competent jurisdiction, it shall in no way affect the validity of the remaining portions of the Ordinance.

**SECTION 12. EFFECTIVE DATES.**

(A) This Ordinance shall be effective upon filing with the Florida Department of State. Immediately upon passage, the Clerk is directed to so file this Ordinance and to provide copies to the Florida Department of Revenue and the Wakulla County Supervisor of Elections.

(B) The authority to grant the Exemption provided for in this Ordinance shall become effective only if approved by a "Yes" vote by a majority of the electors voting on the referendum question posed on the November 6, 2012, general election ballot. If a majority of those voting on the referendum question do not vote "Yes", the Board's authority to grant the Exemption, the establishment of the Exemption, and all remaining portions of this Ordinance shall be of no further force and effect and shall be stricken from the County Code of Ordinances.

**PASSED AND DULY ENACTED** by the Board of County Commissioners of Wakulla County, Florida in regular session, this ____ day of _____, 2012.

**WAKULLA COUNTY**
**BOARD OF COUNTY COMMISSIONERS**

(SEAL)

_____
E. Alan Brock, Chairman

**ATTEST:**

_____
Brent X. Thurmond
Clerk of Court

**APPROVED AS TO FORM AND CONTENT:**

_____
Heather J. Encinosa
County Attorney

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Brent X. Thurmond, Clerk of Court |
| Subject: | Approval of Minutes from the July 16, 2012 Regular Board Meeting |

**Statement of Issue:**
This agenda item requests Board review and approval of the minutes of the July 16, 2012 Regular Board Meeting (Attachment #1).

**Options:**
1. Approve the minutes of the July 16, 2012 Regular Board Meeting.
2. Do not approve minutes.
3. Board direction.

**Recommendation:**
Option #1

**Attachment(s)**
1. Draft of Minutes – July 16, 2012 Regular Board Meeting.

Draft

***BOARD OF COUNTY COMMISSIONERS***
***REGULAR BOARD MEETING***
***MONDAY, JULY 16, 2012***

The Board of County Commissioners in and for Wakulla County, Florida, met for a regular scheduled Board Meeting on Monday, July 16, 2012 with Chairman Alan Brock presiding. Present were Commissioners Randy Merritt, Lynn Artz, Jerry Moore, and Mike Stewart. Also, present were County Administrator David Edwards, County Attorney Heather Encinosa and Deputy Clerk Evelyn Evans

Invocation provided by Pastor Susie Horner of the Wakulla United Methodist Church

Pledge of Allegiance led by Commissioner Brock

***APPROVAL OF AGENDA***
(CD5:01) Commissioner Stewart moved to approve the Agenda with the following changes/modifications:
Commissioner Stewart- requests to move the Planning and Zoning items to be heard prior to Awards and Presentations, and add one item under his discussion items
Commissioner Merritt- requests to pull item (9) on the Consent Agenda for discussion
Commissioner Artz –requests to add an announcement, pull items (9) & (10) on the Consent Agenda for discussion, and General Business item (29) opportunity for additional discussion and possible second motion
Commissioner Brock-requests to pull item (13) on the Consent Agenda for discussion
County Administrator – requests to table item (8) to the next Board meeting and under Awards & Presentation add Tropical Storm Debby Update.
Second by Commissioner Merritt and the motion carried unanimously, 5/0.

***PUBLIC HEARING***
1. Request Board Approval to Conduct the Public Hearing and Adopt the Proposed Ordinance Pertaining to Road Acceptance Criteria – Tabled to August 20, 2012 Board Meeting

(CD5:05) 2. Request Board Approval to Conduct the First of Two Public Hearings Regarding the 2012 Federal CDBG Program and Authorize Staff to Begin Preparing a Small Cities CDBG Grant Application
Commissioner Merritt moves to approve the ratification of the Small Cities CDBG grant application process and approve to conduct the first public hearing pursuant to the federal CDBG program requirements in preparation for the 2012 grant cycle. Second by Commissioner Artz and the motion carried unanimously, 5/0.

***AWARDS AND PRESENTATIONS***

(CD5:33) Wakulla County Correctional Institute Introductions – Warden Jimmy Coker, Assistant Warden Walt Summer and Regional Director Ricky Dixon – Wakulla CI is a Faith and Character based institution that has approximately 3,303 inmates and employees 550 persons with the majority living in Wakulla County. The prison sends out inmate work squads and last year they worked 20,000 hours in the community with an approximate savings of $336,000.00. They are here to support the County and want the community to know they are here and what they are doing.

(CD5:38) Fair Housing Requirements Information Provided By Esrone McDaniels, Meridian Community Services Group

(CD5:40) Announcement from Sue Belford, President of the Friends of the Library Regarding the Upcoming Silent Auction
The silent auction is on Friday, September 14, 2012 from 6:00 – 8:00 p.m. They are seeking donations from businesses or individuals and are looking for active and supporting members

(CD5:42) Commissioner Artz – Chairman Alan Brock received the Presidential Award for his work on the Restore Act

(CD5:44) Update on Tropical Storm Debby – Scott Nelson, Emergency Management; Pad Juarez, Wakulla County Health Department; Cleve Fleming, ESG Public Works

***CONSENT AGENDA***

Commissioner Merritt moved to approve the Consent Agenda minus items 9, 10, and 13 that are pulled for discussion. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

3. Approval of Minutes – June 18, 2012 Regular Board Meeting
Approve – Minutes of June 18, 2012 Regular Board Meeting

4. Approval of Minutes – June 28, 2012 EMS and Fire Budget and Five Year Plan
Approve – Minutes of June 28, 2012 EMS/Fire Budget and Five Year Plan

5. Approval of Minutes – June 28, 2012 Second Budget Development Workshop
Approve – Minutes of Jun 28, 2012 Second Budget Development Workshop

32. Approval of Minutes – July 2, 2012 Emergency Special Meeting
Approve – Minutes of July 2, 2012 Emergency Special Meeting

6. Approval of Payment of Bills and Vouchers Submitted for June 14, 2012 through July 11, 2012
Approve – Payment of Bills and Vouchers submitted for June 14 through July 11, 2012

7. Request Board Approval to Ratify Submittal of the Justice Assistance Grant (JAG) Application to Fund a Persons Crime Unit

Approve – to Ratify submittal of the Justice Assistance Grant (JAG) application to fund a Persons Crime Unit

11. Request Board Approval to Award ITB #2012-10 for Phase IV of the Ochlockonee Bay Bike Trail (OOBT) to the Selected Bidder and Authorize the Chairman to Execute the Contract upon Concurrence of the Florida Department of Transportation and the U. S. Department of the Interior
Approve – to Award ITB #2012-10 for Phase IV of the Ochlockonee Bay bike Trail (OOBT) to the selected Bidder and authorize the Chairman to execute the contract upon concurrence of the Florida Department of Transportation and the U. S. Department of the Interior

12. Request Board Approval of a Letter of Support to the Department of Economic Opportunity Regarding a Regional Rural Development Grant
Approve – Letter of Support to the Department of Economic Opportunity regarding a Regional Rural Development Grant

14. Request Board Approval to Pursue the USDA Rural Business Opportunity Grant and Authorize the Chairman to Sign a Letter of Support
Approve – to pursue the USDA Rural Business Opportunity Grant and authorize the Chairman to sign a Letter of Support

19. Request Board Approval to Accept the Consolidated Small County Solid Waste Grant from FDEP in the amount of $70,588
Approve – to accept the consolidated Small County Solid Waste Grant from FDEP in the amount of $70,588

25. Request Board Approval of a Resolution Appointing Members to the Affordable Housing Citizens Advisory Task Force
Approve – a Resolution appointing Members to the Affordable Housing Citizens Advisory Task Force

***CONSENT ITEMS PULLED FOR DISCUSSION***
(CD6:12) 9. Request Board Approval to Schedule and Advertise a Public Hearing on August 6, 2012 to Consider Adopting an Ordinance Levying the Transportation Sales Surtax at a rate of 0.5% and Calling a Referendum Election
Commissioner Merritt made a motion not to direct staff to advertise and schedule a Public Hearing on August 6, 2012 to consider adopting an Ordinance Levying the Transportation Sales Surtax at a rate of 0.5% and Calling a Referendum Election, and dissolve the 20-20 Committee. Second by Commissioner Moore with Commissioners Artz, Moore, Merritt, and Stewart in favor, Commissioner Brock opposed, and the motion carried, 4/1.

**CITIZENS TO BE HEARD**

(CD6:50) 1. Bossie Hawkins and Renita Dixon – They are working on a collaborative project with plans for an Outreach Center on Spring Creek Highway and currently have an application in with USDA.

(6:522) 2. Hugh Taylor – Policy regarding Citizens to be Heard portion of the Agenda and Commissioner comment; Wetlands Variance on the Agenda and requesting to table or vote it down due to insufficient notice.

(CD6:57) 3. Lila Strickland – Waste Pro Collection and deadline for hardship application and concerned about the assessment appearing on the tax bills.

(CD7:01) 4. John Trice – Hiring Mr. Edwards and keeping Mr. Barden on staff and his position should have been eliminated; County should not charge for boat launching; Airport and using the funding that is available; Waste Management and not picking up Recyclables; Wakulla Gardens issues.

(CD7:05) 5. Dan Corley – Some homes were flooded in the Curtis Mill are due to Tropical Storm Debby and he provided a packet of information for Commissioner Artz. Hopefully, the information in the packet has the solution to the problem regarding a culvert that is too small under the road near Curtis Mill.

**CONSENT AGENDA ITEMS PULLED FOR DISCUSSION**

(CD7:06) 10. Request Board Approval to Advertise and Schedule a Public Hearing to Consider Adopting an Ordinance authorizing the Board to Grant Economic Development Ad Valorem Tax Exemptions

Commissioner Artz moved to direct staff to research the question about adding additional items to the list of factors; advertise and schedule a Public Hearing to consider adopting an Ordinance authorizing the Board to Grant Economic Development Ad Valorem Tax Exemptions. Second by Commissioner Merritt and the motion carried unanimously, 5/0.

(CD7:15) 13. Request Board Approval of the Wakulla County Bicycle, Pedestrian, and Blueways Master Plan and Associated Design Guidelines

Commissioner Artz moved to accept the Wakulla County Bicycle, Pedestrian, and Blueways Master Plan and associated Design Guidelines, direct County Administrator to report back with a plan for the implementation plans (ex. bike/pedestrian coordinator and invite the Bike Trail Advisory Committee to continue); Sheree Keeler to identify top priority projects and funding sources with a grant application timeline. Second by Commissioner Merritt and the motion carried unanimously, 5/0.

***PLANNING AND ZONING***

(CD5:09) 15. Change of Zoning Application R12-03 (Kenneth B. and Elizabeth J. Smith, owners; Robert Roddenberry, agent)

Commissioner Merritt moved to conduct the final Public Hearing and vote to adopt the proposed Ordinance amending the official zoning atlas, amending the zoning district from AG (Agriculture) and RR-1 (Semi-Rural Residential) to C-2 (General Commercial), considering the Planning Commission recommendation and any findings of fact and

conclusions of law made by the Board and any evidence submitted at the Hearing hereon, and adopt the staff report. Second by Commissioner Stewart with Commissioners Brock, Moore, Merritt, and Stewart in favor, Commissioner Artz opposed, and the motion carried, 4/1.

(CD5:20) 16. Application for Change of Zoning R12-04
Commissioner Stewart moved to conduct the final Public Hearing and adopt the proposed Ordinance, with conditions, amending the Official Zoning Map, amending the Official Zoning from AG (Agriculture) and RR-5 (Rural Residential) zoning district to PUD (Planned Unit Development) zoning district, based upon the recommendation of the Planning Commission and the findings of fact and conclusion of law made by the Board and any evidence submitted at the hearing hereon. Second by Artz and the motion carried unanimously, 5/0.

17. Application for Preliminary Plat PP12-01-Scenic Stream
Commissioner Merritt moved to conduct the final public hearing and approve the proposed Scenic Stream PUD (Planned Unit Development) preliminary plat, based upon the recommendation of Planning Commission and the findings of fact 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.

***GENERAL BUSINESS***
18. Request Board Approval to Schedule and Advertise First and Second Public Hearing Dates for the FY 2012/13 Budget – Tabled to August 6, 2012 Board Meeting

8. Request Board Approval to Ratify Submittal of the 2012 COPS Hiring Program Grant and Accept Grant Award – Table to August Board Meeting

(CD7:30) 20. Request Board Ratification of Completed Actions and Payment to Jones Edmunds & Associates for Required Compliance at the Lower Bridge Landfill, and Approval of Continuing Compliance and Cost Per Task Order No. 17
Commissioner Merritt moved to approve to ratify the completed actions and already paid cost to Jones Edmunds & Associates for Task Order No. 17 Scope of Services. Second by Commissioner Moore and the motion carried unanimously, 5/0.

(CD7:30) 21. Request Board Ratification of Completed Actions and Payment to Jones Edmunds & Associates for Compliance Monitoring at the Medart Landfill and Approval of Continuing Compliance Monitoring and Cost per Task Order No. 18
Commissioner Merritt moved to approve to ratify the completed actions and already paid cost to Jones Edmunds & Associates per Task Order No. 18 Scope of Services and approve the continuing monitoring and reporting and remainder cost per Task Order No. 18 Scope of Services at the Medart Landfill. Second by Commissioner Moore and the motion carried unanimously, 5/0.

(CD7:30) 22. Request Board Ratification of Completed Actions and Payment to Jones Edmunds & Associates for Required Compliance at the Otter Creek WWTF, and Approval of Continuing Compliance and Cost per Task Order No. 19
Commissioner Merritt moved to approve to ratify the completed actions and already paid cost to Jones Edmunds & Associates per Task Order No. 19 Scope of Services and approve the continuing monitoring and reporting and remainder cost per Task Order No. 19 Scope of Services. Second by Commissioner Moore and the motion carried unanimously, 5/0.

(CD7:30) 23. Request Board Approval of Jones Edmunds & Associates Task Order 20 for Required Groundwater Monitoring Well Installation and Abandonment Activities at the Lower Bridge Landfill
Commissioner Merritt moved to approve Jones Edmunds & Associates Task order No. 20 for Groundwater Monitoring Well Installation and Abandonment at the Lower Bridge Landfill. Second by Commissioner Moore and the motion carried unanimously, 5/0.

(CD7:38) 24. Request Board Consideration and Approval of Lower Ochlockonee Watershed Discovery Memorandum of Understanding (MOU)
Commissioner Merritt moved to approve the Lower Ochlockonee Watershed Discovery MOU. Second by Commissioner Artz and the motion carried unanimously, 5/0.

One motion for 26, 27 & 28
(CD7:38) 26. Request Board Approval of the Initial Assessment Resolution for the Northwood Subdivision Roadway Paving Assessment Program to Transition the Collection of the Road Improvement Assessments to the Tax Bill Collection Method
Commissioner Merritt moved to approve the Initial Assessment Resolution for the Northwood Subdivision Roadway Paving Assessment Program to Transition the Collection of the Road Improvement Assessments to the Tax Bill Collection Method. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD7:38) 27. Request Board Approval of the Initial Assessment Resolution for the Tupelo Ridge Subdivision Roadway Paving Assessment Program to Transition the Collection of the Road Improvement Assessments to the Tax Bill Collection Method
Commissioner Merritt moved to approve the Initial Assessment Resolution for the Tupelo Ridge Subdivision Roadway Paving Assessment Program to Transition the Collection of the Road Improvement Assessments to the Tax Bill Collection Method. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD7:38) 28. Request Board Approval of the Initial Assessment Resolution for the Brook Forest Subdivision Roadway Paving Assessment Program to Transition the Collection of the Road Improvement Assessments to the Tax Bill Collection Method
Commissioner Merritt moved to approve the Initial Assessment Resolution for the Brook Forest Subdivision Roadway Paving Assessment Program to Transition the Collection of the Road Improvement Assessments to the Tax Bill Collection Method. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD7:40) 29. Request Board Approval of the Preliminary Rate Resolution for Solid Waste Services
Commissioner Stewart moved to adopt the Preliminary Rate Resolution for Solid Waste Services. Second by Commissioner Merritt with Commissioners Brock, Artz, Merritt, and Stewart in favor, Commissioner Moore opposed, and the motion carried, 4/1.

(CD7:52) Commissioner Artz moved to amend Section 7 of the Preliminary Rate Resolution and extend the date for this year for citizens to apply for Solid Waste Assistance to August 15, 2012 and authorize the County Administrator to make the adjustments. Second by Commissioner Merritt and the motion carried unanimously, 5/0.

(CD7:52) 30. Request Board Approval of the Preliminary Rate Resolution for Fire Services
Commissioner Merritt moved to adopt the Preliminary Rate Resolution for Fire Services and extend the date for this year for citizens to apply for Fire Services Assistance to August 15, 2012 and authorize the County Administrator to make the adjustments. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

(CD7:52) 33. Request Board Approval to Purchase Two Mowers and Two Utility Vehicles
Commissioner Merritt moved to approve the purchase of the two mowers and two additional utility vehicles and approve the budget amendment transferring $30,000.00 from the Reserve Fund 317 – Once Cent Sales Tax- Parks and Recreation 6900 572 5990 for additional equipment. Second by Commissioner Moore and the motion carried unanimously, 5/0.

34. Request Board Approval of a Budget Amendment to Transfer Funds for Medart Park Walking Trail Improvements – Tabled to August 6, 2012 Board Meeting

(CD7:55) 35. Request Board Ratification of Payment to Ring Power for Wakulla Gardens Mixer Rental - $15,000.00 to be paid out of 9th cent local option gas tax
Commissioner Merritt moved to approve ratification of payment to Ring Power for the Wakulla Gardens mixer rental. Second by Commissioner Stewart and the motion carried unanimously, 5/0.

***COMMISSIONER AGENDA ITEMS***

**COMMISSIONER BROCK**
(CD7:56) 31. Request Board Approval to Direct the County Attorney and Staff to Develop Amendments to the Wakulla County Wetlands Ordinance
Commissioner Merritt moved to approve to direct the County Attorney to work with Planning and Zoning staff and bring back the necessary amendment(s). Second by Commissioner Stewart with Commissioners Brock, Merritt, Moore, and Stewart in favor, Commissioner Artz opposed, and the motion carried, 4/1.

***COUNTY ATTORNEY*** - 0

***COUNTY ADMINISTRATOR*** - 0

***DISCUSSION ISSUES BY COMMISSIONERS***

(CD8:29) Commissioner Moore – Questions arising about him trying to do away with the Medart Produce Stand and he has always supported and loves the produce stand.

(CD8:31) Commissioner Brock – A matriarch in the community, Mrs. Ruth High passed away this week and she will be missed.

(CD8:31) Commissioner Stewart – Waiving fees for persons that were impacted by Tropical Storm Debby

Commissioner Stewart moved to waive the $30 DPA fee and up to $200 building fees for homes effected by Tropical Storm Debby. This applies only to people that have no insurance and are on the list of 400 documented homes. In the event the home is not on the list, the Building Inspector and County Administrator will make a determination. The cap is set at $10,000.00 out of Reserve and the deadline is October 1, 2012 for this assistance. Second by Commissioner Moore and the motion carried unanimously, 5/0.

There being no further business to come before the Board, Commissioner Moore moved to adjourn; second by Commissioner Merritt and the motion carried unanimously, 5/0.

The meeting concluded at 8:45 p.m.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Brent X. Thurmond, Clerk of Court |
| Subject: | Approval of Minutes from the July 17, 2012 Airport Layout Plan Workshop |

**Statement of Issue:**
This agenda item requests Board review and approval of the minutes of the July 17, 2012 Airport Layout Plan Workshop (Attachment #1).

**Options:**
1. Approve the minutes of the July 17, 2012 Airport Layout Plan Workshop.
2. Do not approve minutes of the July 17, 2012 Airport Layout Plan Workshop.
3. Board direction.

**Recommendation:**
Option #1

**Attachment(s)**
1. Draft Minutes from the July 17, 2012 Airport Layout Plan Workshop

BOARD OF COUNTY COMMISSIONERS
WORKSHOP: REGARDING WAKULLA COUNTY
AIRPORT LAYOUT PLAN
July 17, 2012

The Board of County Commissioners in and for Wakulla County, Florida met for a Workshop regarding the Wakulla County Airport Layout Plan on Tuesday, July 17, 2012, with Chairman Alan Brock presiding. Present were Commissioners Randy Merritt, Lynn Artz, Jerry Moore, and Mike Stewart. Also, present were County Administrator David Edwards, Assistant County Attorney Bethany Burgess and Deputy Clerk Evelyn Evans

This workshop is for the purpose of allowing discussions regarding the Wakulla County Airport Layout Plan.

2:00 p.m. The Workshop was called to order by Chairman Brock and the order of business will be for the Airport Committee to provide a presentation, Ochlockonee Bay Alliance to provide a presentation, Citizen Input, and discussion by the Board.

Wakulla County Airport is approximately 15 acres and the property is narrow and does not meet the FDOT minimum licensing standards. The airport license was extended to August 31, 2012 and the runway has to be widened or the license will not be re-issued. The Airport is not in compliance and must meet current FDOT standards. FDOT issued a special license in 2003 and this is how the Airport has been operating.

On June 19, 2006 the Board approved a Resolution in support of upgrading the Airport and FDOT provided a 100% no match grant of $78,000 for an update of the airport layout plan. Since that date there have been no projects identified that were provided to FDOT for approval.

On December 5, 2011, the Board adopted an Ordinance providing for an Airport Committee and approved a Resolution selecting a Membership on January 10, 2012. The Committee was tasked with overseeing Airport administration, improvement, and operations, including, but not limited to, the areas of Airport safety, strategic planning, applying for grants, implementing improvement projects, daily airport operations, collecting approved fees, preparing and overseeing airport budgets, preparing and providing reports to the Board as to Airport-related activities and operations. At the first meeting the committee was met with opposition to the airport improvements by residents on Surf Road regarding a proposed land acquisition.

Wakulla County Airport has and continues to be an asset to the county without any expenditure in County taxes. The airport was donated to the county and FDOT has committed to funding the necessary improvement projects without any financial burden to the County.

The airport is also an asset in the way it subsequently fostered a small 100 lot fly in community called Tarpine. The Tarpine residents have mowed and maintained the airport, purchased tractors to mow, install lighting, irrigation, fill dirt, seeding at their expense and paid the electric bill. Most of the Tarpine residents moved here because of the airport and there are approximately 22 homes in Tarpine.

The Ochlockonee Bay Alliance is not in support of the Airstrip Expansion and they asked for the Board to consider if the costs are justified and is Tarpine the right location. Another concern is State funding is not guaranteed and commits the county to fund unknown future expenses. Current budgeted funds are insufficient to support the expansion and the cost liability for the expansion is not justified. Operating costs are a drain on the county resources, future liabilities are a major concern, and funding for the project is in question. Before buying land to more than triple the airport size, and build improvements, alternative sites should be considered. They feel that the BOCC should cease support of the present airstrip.

There was a large crowd present for this workshop and around forty people were given an opportunity to be heard either for or against the airport.

The Board members commented about the long term ramification of accepting funds and does not want Wakulla County to constantly fund this. FDOT says there are no strings attached to the funding. The majority of people in Wakulla do not mind having an airport, but don't want to fund it. There was talk about dissolving the committee and letting the Board decide how to proceed. They would like to see some recommendations from the County Administrator on overseeing this.

There being no further business to come before the Board, the meeting was adjourned by order of the Chair at 4:40 p.m.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Brent X. Thurmond, Clerk of Court |
| Subject: | Approval of Minutes from the July 17, 2012 Public Works Budget and Five Year Plan Workshop |

**Statement of Issue:**
This agenda item requests Board review and approval of the minutes of the July 17, 2012 Public Works Budget and Five Year Plan Workshop (Attachment #1).

**Options:**
1. Approve the minutes of the July 17, 2012 Public Works Budget and Five Year Plan Workshop.
2. Do not approve minutes of the July 17, 2012 Public Works Budget and Five Year Plan Workshop.
3. Board direction.

**Recommendation:**
Option #1

**Attachment(s)**
1. Draft Minutes from the July 17, 2012 Public Works Budget and Five Year Plan Workshop

BOARD OF COUNTY COMMISSIONERS
WORKSHOP: REGARDING PUBLIC WORKS
BUDGET AND FIVE YEAR PLAN
TUESDAY, JULY 17, 2012

The Board of County Commissioners in an for Wakulla County, Florida met for a Workshop on Tuesday, July 17, 2012 with Chairman Alan Brock presiding. Present were Commissioners Randy Merritt, Lynn Artz, Jerry Moore, and Mike Stewart. Also, present were Assistant County Administrator Tim Barden, County Attorney Heather Encinosa and Deputy Clerk Evelyn Evans

Chairman Brock called the Workshop to order at 5:00 p.m.

David Edwards and Cleve Fleming provided information to the Board regarding the ESG Budget and Five-Year Plan. The budget was provided to the Board last week for the public works department which included water system, sewer system, solid waste, roads, and

SCOP & SCRAP – Resurfacing paving projects are Emmett Whaley from 319 to Lawhon Mill is in the next cycle; 2013 will be from the end of 98 into Spring Creek and then Ochlockonee Street from behind the Courthouse to Cedar Street; 2014 will be Trice Lane. Comments were made about adding bike lanes and sidewalks and where this is feasible it will be done. SCOP & SCRAP are competitive with other communities and D.O.T. makes the selections from roads that are submitted to them.

Road striping, tree trimming, bridge repairs and traffic light maintenance are all areas that require money to be budgeted each year. There are two projects programmed for FY2013 in Road Infrastructure. There is $125,000 for road striping and $250,000 for Upper Bridge Repairs. The cost to stripe a road is $15,000 per mile. There are life cycles on roads and the Board was advised that there are existing roadways in developed neighborhoods that will have to be resurfaced and this has to be budgeted funds or paid out of the one-cent sales tax.

Dirt Roads – the one-cent sales tax has made a huge improvement for dirt roads and there is $34 million worth of dirt roads in the county to pave. It costs $2,670 per mile per year to grade the roads and $650 per mile to mow the roads.

One-Cent Sales Tax – This was approved by voters in 1987 for 15 years, and in 2002, voters renewed it for another 15 years. The funds received are allocated based upon a formula of 60% for roads infrastructure, 20% public facility infrastructure, 15% for public safety infrastructure, and 5% for parks and recreation infrastructure. The expenses must be for fixed capital outlay with a life expectancy of 5 years or more.

The one-cent sales tax fund revenue for FY2013 is estimated to be the following: Public Facilities $368,172, Parks and Recreation $92,043, Road Infrastructure $1,104,516 and Public Safety $276,129. There is a significant fund balance of $1.3 million in this fund due to reduction of expenditures in FY2011 to preserve cash balances. The total budget for FY2013 is $3.2 million.

Debt Service – There are two road paving loans that are paid from this fund. The annual principle and interest payments for FY2013 total $728,536. One of the loans expires in 2013 and the other one is 2017.

Capital Expenditures – In FY2012-13 the budget for EMS includes $150, 000 for the purchase of an ambulance and $194,000 for the Sheriff to purchase vehicles in FY2013. There is also a need for expansion of Animal Control and to purchase a new Animal Control Truck which amounts to $325,000.

Public Facilities – There is $449,144 programmed for a portion of the new Fire/EMS Facility and $247,035 for the new Sheriff's Annex.

Sewer/Water – The Water and Sewer Fund generated $1million in FY2012. The Water and Sewer Fund's principle sources of revenue are the 3 different water providers, Sopchoppy, PAWS and Talquin who bill water customers on behalf of the county. The County charges a one-tie access fee of $3,850 for all new customers hooking on the system. Access fees are to be used to fund capital improvement projects associated with extension and renewal. The county also charges a tipping fee for waste haulers who bring residential effluent to the plant for disposal. The County also owns a small water system that generated $28 thousand in FY2012 and the customers have never had an increase, but in 2012 the rate will increase and be comparable to customers in Panacea and Sopchoppy.

Solid Waste – In FY2010/2011, the County went with a county-wide contractor for solid waste and recycling collection. The Contractor selected through a competitive bidding process was Waste Pro. This is a 10 year contract for services.

Landfill Monitoring – There are three landfills that the county is required to monitor annually at a cost of $85,000. The services are provided through a consultant.

Landfill closure – The County will need to close its Class 3 landfill in the very near future. A portion of the estimated $1 million cost has been escrowed; however, additional funding in the form of a loan will need to be utilized to fund the remainder.

The forecast for the Solid Waste fund shows that the fund will be viable without the need for any increase in the $196 assessment during this period.

There being no further business to come before the Board, the meeting adjourned by order of the Chair at 6:55 p.m.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Brent X. Thurmond, Clerk of Court |
| Subject: | Approval of Minutes from the July 12, 2012 Wakulla Gardens Roadway Improvements Assessment Program Workshop |

**Statement of Issue:**
This agenda item requests Board review and approval of the minutes of the July 12, 2012 Wakulla Gardens Roadway Improvements Assessment Program Workshop (Attachment #1).

**Options:**
1. Approve the minutes of the July 12, 2012 Wakulla Gardens Roadway Improvements Assessment Program Workshop.
2. Do not approve minutes of the July 12, 2012 Wakulla Gardens Roadway Improvements Assessment Program Workshop.
3. Board direction.

**Recommendation:**
Option #1

**Attachment(s)**
1. Draft Minutes from the July 12, 2012 Wakulla Gardens Roadway Improvements Assessment Program Workshop

BOARD OF COUNTY COMMISSIONERS
WORKSHOP: WAKULLA GARDENS ROADWAY
IMPROVEMENTS – COMMUNITY FORUM
THURSDAY, JULY 12, 2012

The Board of County Commissioners in an for Wakulla County, Florida met for a Workshop at the Wakulla County Community Center on Shadeville Highway, Thursday, July 12, 2012 with Chairman Alan Brock presiding. Present were Commissioners Randy Merritt, Lynn Artz, Jerry Moore, and Mike Stewart. Also, present were Assistant County Administrator Tim Barden, County Attorney Heather Encinosa and Deputy Clerk Evelyn Evans

Chairman Brock called the meeting to order at 5:00 p.m.

The purpose of the workshop is to allow Board discussion regarding the Wakulla Gardens Roadway Improvements Assessment Program and to further allow the citizens from the Gardens to ask questions and seek answers from the Board.

Recent Board meetings there have been discussion regarding the numerous infrastructure needs in the Wakulla Gardens subdivisions, particularly with regard to the recent dust issue. In the discussions, the Board directed staff to create a ballot survey to ascertain from the residents of their interest in self assessing with a MSBU of each property to fund the needed infrastructure improvements.

There would be a cost of approximately 30- 40 million dollars to provide the comprehensive infrastructure needed in Wakulla Gardens. This would be for road paving, storm water, maintenance, sewer, sidewalks, and street lighting.

Wakulla County is not financially able to take on this project. Even with the current available funding in sewer, roads and storm water countywide, it would take additional millions of dollars to meet all of the needs of this one community. There is no "free money" available to address the infrastructure needs in Wakulla Gardens at this time or in the near future. Staff has met with various state agencies, Legislative Delegation, Congressman Southerland and Senator Nelson's office for help in resolving the issues that plague Wakulla Gardens. Staff has also worked diligently to identify outside sources of income in the form of grants, legislative appropriations and other revenues to help offset the costs.

At the May 21, 2012 Board Meeting, the Board approved staff to proceed with a short term and a long term plan for Wakulla Gardens. The initial plan will place an annual non-ad valorem assessment on the tax bill of property owners in Wakulla Gardens.

The first step in the short term plan was to send a ballot survey to every property owner. The ballot was mailed out on July 2, 2012 and is due on July 31, 2012. Approval of the

initiative will be considered approved if at least 50% plus 1 vote of the returned ballots approve of the initiative. The ballot provided the infrastructure improvements and the estimated cost of the assessment.

If the ballot responses are positive, property owners need to consider consolidating contiguous lots in order to avoid paying multiple assessments.

The period of time for the assessment if positive responses are received is a 10–15 year assessment. This assessment would appear on the annual property tax bill as a non-advalorem assessment.

The long term plan would include moving forward with a Community Redevelopment Area (CRA) as well as utilizing a portion of the One Cent Sales Tax-Roads. There is no action to proceed with long term at this time.

Additional funding alternatives may possibly be a Community Development Block Grant Program. This program could be utilized for future infrastructure improvements including stormwater and sewer.

There were numerous citizens present from Wakulla Gardens and were afforded the opportunity to ask questions and provide input to the Board regarding the road and flooding situation in the community.

There being no further business to come before the Board, the meeting was adjourned by order of the Chair at 7:00 p.m.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Brent X. Thurmond, Clerk of Court |
| Subject: | Approval of Minutes from the July 12, 2012 Special Emergency Board of County Commissioners Meeting |

**Statement of Issue:**
This agenda item requests Board review and approval of the minutes of the July 12, 2012 Special Emergency Board of County Commissioners Meeting (Attachment #1).

**Options:**
1. Approve the minutes of the July 12, 2012 Special Emergency Board of County Commissioners Meeting.
2. Do not approve minutes of the July 12, 2012 Special Emergency Board of County Commissioners Meeting.
3. Board direction.

**Recommendation:**
Option #1

**Attachment(s)**
1. Draft Minutes from the July 12, 2012 Special Emergency Board of County Commissioners Meeting

draft
Board of County Commissioners
Emergency Board Meeting
July 12, 2012

The Board of County Commissioners met for an Emergency Board Meeting on Thursday, July 12, 2012 at 4:00 p.m. The meeting was held at the Wakulla County Community Center, 318 Shadeville Highway, Crawfordville, FL. Present were Commissioner Alan Brock (Chair), Commissioner Randy Merritt, Commissioner Jerry Moore, Commissioner Lynn Artz, and Commissioner Mike Stewart. Also, present were Assistant County Administrator Tim Barden, County Attorney Heather Encinosa and Deputy Clerk Evelyn Evans.

4:00 p.m. Chairman Brock called the meeting to order. The purpose of the meeting is regarding response from Tropical Storm Debby

An update was provided by Scott Nelson, Emergency Management Director

FEMA Assistance is available by calling 1-800-621-FEMA and there is a Disaster Recovery Center opened at 84 Cedar Avenue, Crawfordville, FL

There are numerous roads that are closed that include CR 375/Smith Creek Road at Syfrett Creek Bridge, Surf Road at Buckhorn Creek, Bostic Pelt, and a portion of Spring Creek Highway was closed today.

Cleve Fleming provided an update regarding Public Works and the work that has been done due to the storm and there is much more work that has to be done.

GENERAL BUSINESS
Mosquito Control – Pad Juarez
There are four options available for Mosquito Control resulting from Tropical Storm Debby and the item requests Board direction

Commissioner Stewart moved to approve Option 3, and this option would be to provide spraying in the areas previously sprayed by air plus the Panacea area and other selected areas to be determined (Bob Miller Road, River Sink, etc.), to purchase Larvacide for Mosquito Control, as described in Option 4, line 1. If the County's funding is offset by the State providing the funding then Option 1 would kick in to include spraying of the entire county, minus the state and national parks. Second by Commissioner Merritt with Commissioners Brock, Merritt, Stewart, and Moore in favor, Commissioner Artz opposed, and the motion carried, 4/1.

There being no further business to come before the Board, the meeting was adjourned by order of the Chair at 6:05 p.m.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Brent X. Thurmond, Clerk of Court |
| Subject: | Approval for Payment of Bills and Vouchers Submitted for July 12, 2012 – August 1, 2012 |

**Statement of Issue:**
This agenda item requests Board approval for payment of bills and vouchers submitted for July 12, 2012 – August 1, 2012.

**Background:**
It is the policy of the Board to pre-approve payment of bills and vouchers prior to the actual release of funds.

**Options:**
1. Approve payment of bills and vouchers submitted for July 12, 2012 – August 1, 2012.
2. Do not approve payment of bills and vouchers.
3. Board direction.

**Recommendation:**
Option #1

**Attachment(s)**
1. Statement of bills and vouchers submitted for July 12, 2012 – August 1, 2012.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | J. David Edwards, County Administrator<br>Timothy P. Barden, Deputy County Administrator<br>Deborah Dubose, OMB Coordinator |
| Subject: | Request Board Approval to Award RFQ#2012-09 for Professional Auditing Services to Powell & Jones, CPA and Authorize the County Administrator to Negotiate a Contract |

**Statement of Issue:**
This agenda item requests Board approval to award RFQ#2012-09 for Professional Auditing Services to Powell & Jones, CPA and authorize the County Administrator to negotiate a contract.

**Background:**
Florida Statutes (Section 218.39) requires that the County have an annual audit by an external auditor. Florida Statutes (Section 218.391(3)(d) also requires that proposals submitted for an external auditor be evaluated by a six (6) member Auditor Selection Committee composed of designees of the Board of Commissioners and each Constitutional Officer. The Wakulla County Audit Selection Committee was composed of: Mary Dean Barwick, Sheriff's Office; Henry Wells, Supervisor of Elections; Donnie Sparkman, Property Appraiser; Cheryll Olah, Tax Collector; Tim Barden, Board of County Commissioners; and Brent Thurmond, Clerk of the Court.

On June 8 2012, the County advertised and released Request for Qualifications #2012-09 for Professional Auditing Services (Attachment #1). The deadline for firms to submit proposals was June 29, 2012. All proposals received were distributed to the Audit Committee by July 2, 2012. Each member of the Auditor Selection Committee individually reviewed and ranked the proposals received based on the criteria laid out in the RFQ. On July 18, 2012, the Audit Committee conducted oral interviews of the top three (3) firms and made their final rankings of the qualified firms.

**Analysis:**
Four proposals were received for professional auditing services; they are as follows:

- Purvis Gray & Company

- Carr, Riggs & Ingram, LLC (CRI)
- Powell & Jones, CPA
- Lanigan and Associates.

Lanigan and Associates did not make the top three ranking after the preliminary scoring that took place and therefore was not advanced a second interview.
Presentations of the top three firms were presented on Wednesday, July 18, 2012. Evaluations were based on the criteria set forth in the RFQ. The score sheet (Attachment#2) used by the Audit Committee in the selection process is included and resulted in the following scores:

**Auditor Selection Committee Composite Score**

| Committee Member | Purvis Gray & Co | Powell & Jones | Carr Riggs & Ingram |
|---|---|---|---|
| Tim Barden | 90 | 92 | 86 |
| MaryDean Barwick | 91 | 94 | 100 |
| Brent Thurmond | 82 | 87 | 80 |
| Cheryll Olah | 47 | 95 | 54 |
| Donnie Sparkman | 84 | 89 | 64 |
| Henry "Buddy" Wells | 97 | 99 | 86 |
| Total | 491 | 556 | 470 |

The Audit Committee recommends that the Board authorize the County Administrator to negotiate a contract with Powell & Jones, C.P.A., for Professional Auditing Services for Wakulla County for the Chairman to sign. The contract term will be at a fixed rate for three years, with a two year optional extension.

**Budgetary Impact:**
The negotiated contract price will be determined and the anticipated contract price has been budgeted for.

**Options:**
1. Approve to award RFQ#2012-09 for Professional Auditing Services to Powell & Jones, CPA and authorize the County Administrator to negotiate a contract.
2. Do not approve to award RFQ#2012-09 for Professional Auditing Services to Powell & Jones, CPA and authorize the County Administrator to negotiate a contract.
3. Board direction.

**Recommendation:**
Option #1.

**Attachment(s):**

1. Request for Qualifications #2012-09
2. Request for Qualifications Score Sheet

# WAKULLA COUNTY
# BOARD OF COUNTY COMMISSIONERS
# AND THE WAKULLA COUNTY AUDITING COMMITTEE

## PROFESSIONAL AUDITING SERVICES

Request for Qualifications Number: 2012-09

RESPONSES ARE DUE BY: June 29, 2012 at 2:00 p.m.

**MAIL OR DELIVER RESPONSES TO:**

Wakulla County Board of County Commissioners
Purchasing Office
3093 Crawfordville Highway
Post Office Box 1263
Crawfordville, FL 32326

Contact: Deborah DuBose at 850.926.0919 or
via e-mail at ddubose@mywakulla.com
850.926.0940 FAX



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## OVERVIEW

Wakulla County, Florida is accepting written proposals from all qualified and interested auditing firms to provide Professional Auditing Services to Wakulla County. The successful party will provide the professional services described herein in support of the County. All work will be contracted within the terms, conditions, scope of work and other applicable requirements set forth in subsequent work orders related to this document. The successful party will demonstrate qualifications, experience and abilities to successfully accomplish and support all aspects of the prescribed scope of work.

Parties interested in preparing a response to this RFQ must complete the requirements set forth in the attached documents. Under the proposal process of Wakulla County, the conditions as set forth herein are binding to the proposer to the extent you confirm acceptance by your binding signature, by an officer, on the cover letter.

Wakulla County welcomes your response. The County reserves the right to reject any proposal found to be non-responsive, vague or non-conforming. The County also reserves the right at any time to withdraw all or part of this proposal request in order to protect its best interests. The County is not liable for any costs incurred by the party in preparing its response, nor is a response an offer to contract with your firm. Pursuant to Chapter 119, Florida Statutes, all proposal responses are subject to open records laws.

## CALENDAR OF EVENTS

All times listed in the Calendar of Events are Daylight Savings Time.

| | |
|---|---|
| Release of Request for Qualifications | June 8, 2012 @ 8:00 a.m. |
| Technical Questions due from prospective Respondents (Fax acceptable) | June 20, 2012 @ 2:00 p.m. |
| Responses to questions due from the BoCC | June 22, 2012 |
| Replies due and opened (FAX NOT ACCEPTABLE) | June 29, 2012 @ 2:00 p.m. |
| Evaluation Team to Evaluate Responses | July 2, 2012 – July 13, 2012 |
| Oral Presentations with Evaluation Team | July 18, 2012 |
| Posting of Evaluation Team Rankings | July 20, 2012 |
| Board Consideration of Intended Vendor Award | August 6, 2012 |
| Contract Negotiations Begin | August 7 thru August 9, 2012 |
| Contract Finalized/Work to Begin | August 13, 2012 |

*Oral presentations will be conducted of the top 3 ranked firms on July 18, 2012. Should additional time be required, oral presentations will continue on July 19, 2012.



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## GENERAL INSTRUCTIONS TO RESPONDENTS:

Request for Qualifications (RFQ) General Instructions:

1. Items listed on the checklist in this form and all other items required within this RFQ must be executed and/or submitted in a sealed envelope. Address your sealed envelope as follows:

   RFQ #2012-09 – Professional Auditing Services
   Wakulla County Board of County Commissioners
   (Commissioners Complex)

   Hand Delivered--3093 Crawfordville Highway, Crawfordville, FL 32327 OR
   Mailed -- Post Office Box 1263, Crawfordville, Florida 32326

2. Proposals must be typed in ink. No changes or corrections will be allowed after the proposals are opened.

3. One (1) Original and Ten (10) copies of responses to this RFQ must be submitted in a sealed envelope. Facsimiles will not be accepted. Proposals must contain one original, manual signature of an authorized representative of the company.

4. Submittals which are received after the closing date will be returned unopened to the submitting firm.

5. Firms responding to this RFQ are expected to examine the specifications, all general and special conditions of the RFQ prior to submission.

6. THERE SHOULD BE NO PRICING OR TOTAL COSTS INCLUDED IN THE PROPOSAL DOCUMENT.

7. Any questions concerning the Request for Qualifications process, required submittals, evaluation criteria, proposal schedule, and selection process should be directed to Debbie DuBose at (850) 926-0919 x 410; FAX (850) 926-0940; or e-mail at ddubose@mywakulla.com.

8. All prospective Offerors are hereby instructed not to contact any member of the Board of County Commissioners (BoCC), County Administrator, Constitutional Officers, or Wakulla County staff member other than the contact persons listed above regarding this solicitation or their submittal at any time prior to the final evaluation and ranking by the BoCC. Any such contact shall be cause for rejection of your submittal.

NOTE: ANY AND ALL CONDITIONS OR REQUIREMENTS ATTACHED HERETO, WHICH VARY FROM THE GENERAL INSTRUCTIONS FOR THIS RFQ WILL TAKE PRECEDENT.



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## MANDATORY REQUIREMENTS:

The Board of County Commissioners has established certain mandatory requirements which must be included as part of any response. The use of the terms "shall", "must" or "will" (except to indicate simple futurity) in this Request for Qualifications (RFQ) indicate a mandatory requirement or condition. The words "should" or "may" in this RFQ indicate desirable attributes or conditions, but are permissive in nature. Deviation from, or omissions of, such as a desirable feature will not by itself cause rejection of a proposal.

Replies which do not meet all material requirements of this RFQ or which fail to provide all required information, documents, or materials will be rejected as non-responsive. Material requirements of the RFQ are those set forth as mandatory, or without which an adequate analysis and comparison of replies is impossible, or those which affect the competitiveness of replies or the cost to the Board. Respondents whose replies, past performance or current status do not reflect the capability, integrity or reliability to perform fully and in good faith the requirements of the contract may be rejected as non-responsible.

The Board reserves the right to determine which replies meet the material requirements of the RFQ, and which Respondents are responsible and/or responsive.



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## I. INTRODUCTION

### A. GENERAL INFORMATION

The Wakulla County Audit Committee is requesting proposals from qualified firms of certified public accountants to audit its financial statements for the fiscal years ending September 30, 2012, 2013 and 2014 with the option to audit its financial statements for two (2) subsequent fiscal years. These audits are to be performed in accordance with the provisions contained in this request for qualifications.

The Wakulla County Board of County Commissioners, Florida, is required by Florida law (Section 218.39, Florida Statutes) to have an annual "financial audit." There is no expressed or implied obligation for the Wakulla County Audit Committee to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

All conditions and requirements set forth in this request for qualifications shall become conditions of the contract between Wakulla County Board of County Commissioners and the selected firm unless otherwise stated in the contract.

Pursuant to Section 218.391(3) (d) of the Florida Statutes, proposals submitted will be evaluated by the six (6) member Wakulla County Audit Committee consisting of:

Timothy Barden, Deputy County Administrator
Brent Thurmond, Clerk of Circuit Court
Cheryll Olah, Tax Collector
Donnie Crum, Sheriff
Donnie Sparkman, Property Appraiser
Henry "Buddy" Wells, Supervisor of Elections

Each of the members reserves the right to designate an individual to represent their office in their stead. During the evaluation and ranking process, the Wakulla County Audit Committee reserves the right, where it may serve Wakulla County Board of County Commissioner's best interest, to request additional information or clarifications from those firms proposing, or to allow corrections of errors or omissions.

The Wakulla County Audit Committee reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for qualifications, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between Wakulla County Board of County Commissioners and the firm selected.

It is anticipated that the Wakulla County Audit Committee will evaluate and rank qualified firms during from July 2, 2012 through July 13, 2012. Contract negotiations will commence following the presentation of the rankings to and selection of auditors by the Wakulla County Board of County Commissioners at its August 6, 2012 meeting. Approval by the Wakulla County Board of County Commissioners to execute a contract is expected on August 6, 2012.

### B. TERM OF ENGAGEMENT

A fixed fee three (3) year contract is contemplated with an option to extend for two (2) additional years with the concurrence of the Wakulla County Audit Committee and the Wakulla County Board of County Commissioners and annual availability of an appropriation.



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C. SUBCONTRACTING

Firms submitting proposals may consider subcontracting portions of the engagement. If this is to be done, that fact, and the name of the proposed subcontracting firm(s), must be clearly identified in the proposal and the contract. Following the execution of the audit contract, no additional subcontracting will be allowed without the express prior written consent of the Wakulla County Audit Committee and the Wakulla County Board of County Commissioners

D. LOCAL PREFERENCE IN PURCHASING (AND CONTRACTING)

(A) Unless otherwise prohibited by prevailing law or policy, in the purchasing of, or letting of contracts for procurement of, personal property, materials, contractual services, and construction of improvements to real property or existing structures for which an invitation to bid, request for proposals, or other procurement document is issued, a local preference of the bid price or total score shall be assigned for a local preference to a respondent, as follows:

(1) A respondent which has a principal office located within Wakulla County and which satisfies the definition of a "Local Business" as set forth in paragraph (B)(1) this section shall be given a preference in the amount of five percent (5%) of the bid price or five percent (5%) of the total points available, whichever is applicable. For those projects estimated to be less than $200,000.00, a respondent which has a principal office located within Wakulla County and which satisfies the definition of a "Local Business" as set forth in paragraph B.1 of this section shall be given a preference in the amount of ten percent (10%) of the bid price or ten percent (10%) of the total points available, which is applicable.

(2) If no Local Business as defined in paragraph (B)(1) of this section is competing on a project, respondents which satisfy the definition of a "Local Business" as set forth in paragraph (B)(2) of this section shall be given a preference in the amount of four percent (4%) of the bid price or four percent (4%) of the total points available, whichever is applicable.

(3) If no Local Business as defined in paragraphs (B)(1) or (B)(2) of this section are competing on a project, respondents which satisfy the definition of a "Local Business" as set forth in paragraph (B)(3) of this section shall be given a preference in the amount of three percent (3%) of the bid price or three percent (3%) of the total points available, whichever is applicable.

(B) "Local Business" means, for the purposes of this section:

(1) A business that has a current business tax receipt issued by Wakulla County, if required, and has its principal office located within Wakulla County currently and for the six (6) month period immediately preceding submission of a response to an invitation to bid, request for proposal, or other procurement document; or

(2) A business that has both a fixed office or distribution point located in and having a street address within Wakulla County currently and for the six (6) month period immediately preceding the issuance of the invitation to bid or request for proposals or other procurement document by the County and a current business tax receipt issued by the appropriate county for said business, if required; and at least one (1) full time employee whose primary residence is in Wakulla County, or two (2)



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part-time employees whose primary residences are in Wakulla County, or, if the business has no employees, the business shall be at least fifty (50%) owned by one or more persons whose primary residence is in Wakulla County.

(3) A business that has both a fixed office or distribution point located in and having a street address within Franklin County, Jefferson County, Leon County, or Liberty County currently and for the six (6) month period immediately preceding the issuance of the invitation to bid or request for proposals or other procurement document by the County and a current business tax receipt issued by the appropriate county for said business, if required; and at least one (1) full time employee whose primary residence is in Franklin County, Jefferson County, Leon County, or Liberty County, or two (2) part-time employees whose primary residences are in Franklin County, Jefferson County, Leon County, or Liberty County, or, if the business has no employees, the business shall be at least fifty percent (50%) owned by one or more persons whose primary residence is in Franklin County, Jefferson County, Leon County, or Liberty County.

(C) Any respondent claiming to be a Local Business shall so certify in writing to the Purchasing Division. The certification shall provide all necessary information to meet the requirements above. The purchasing agent shall not be required to verify the accuracy of any such certifications, and shall have the sole discretion to determine if a respondent is a Local Business.

(D) The preference of 3%, 4%, or 5% (or 10% for those projects less than $200,000.00 as governed by subsection a.1) in an invitation to bid or other procurement not using points-based evaluation criteria shall be applied and deducted from the total amount of the bid price. The preference of 3%, 4%, or 5% (or 10% for those projects less than $200,000.00 as governed by subsection a.1.) of the total points available in a request for proposals or other procurement using points-based evaluation criteria shall be applied and added to the total points received by a respondent.

(E) If, after application of the local preference there is a tie between two respondents, the award of the project will go to the Local Business.

E. INDEMNIFICATION AND HOLD HARMLESS

The Contractor agrees to indemnify and hold the County harmless for any and all claims, liability, losses and causes of action which may arise out of its fulfillment of the agreement. It agrees to pay all claims and losses, including related court costs and reasonable attorneys' fees, and shall defend all suits filed due to the negligent acts, errors or omissions of the Contractor employees and/or agents.

In the event the completion of the project (to include the work of others) is delayed or suspended as a result of the Contractor's failure to purchase or maintain the required insurance, the Contractor shall indemnify the County from any and all increased expenses resulting from such delay.

The first ten dollars ($10.00) of remuneration paid to the Contractor is for the indemnification provided for above.



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II. SCOPE OF SERVICES

The Wakulla County Board of County Commissioners desires the auditor to express an opinion on the fair presentation of its basic financial statements in conformity with generally accepted accounting principles accepted in the United States of America.

The auditor is not required to audit the schedule of expenditures of federal and state awards. However, the auditor is to provide an "in-relation-to" report on that schedule based on the auditing procedures applied during the audit of the financial statements.

The auditor is required to apply the agreed-upon procedures required by the U.S. Department of Housing and Urban Development, Real Estate Assessment Center (REAC) as it relates to assisting the Wakulla County Housing Department and the U.S. Department of Housing and Urban Development REAC in determining whether the electronic submission of audit information, notes and audit findings, as required by the Uniform Financial Reporting Standards (UFRS), 24 CFR Part 5, agrees with the related hard-copy documents included with the OMB A-133 reporting package.

A. Auditing and Attestation Standards To Be Followed

This audit is to be performed in accordance with:

1. The Florida Laws (Florida Statute 218.39, Annual Financial Audit Reports).

2. Auditing standards generally accepted in the United States as set forth by the American Institute of Certified Public Accountants.

3. Auditing standards applicable to financial audits as contained in the General Accounting Office's (GAO) *Government Auditing Standards*, and any amendments thereto issued by the Comptroller General of the United States.

4. The provisions of the Federal Single Audit Act Amendments of 1984 (as amended in 1996) and U.S. Office of Management and Budget (OMB) Circular No. A-133, *Audits of States, Local Governments, and Non-Profit Organizations* and any amendments thereto.

5. The Florida Single Audit Act, Florida Statutes 215.97 and Chapter 27D-1, Rules of the Executive Office of the Governor, Florida Administrative Code.

6. Rules of the Auditor General, Section 10.550, Local Government Audits.

7. Any other applicable federal, state, local regulations or professional guidance not specifically listed above as well as any additional requirements that may be adopted by these organizations in the future.

The attestation required by the U.S. Department of Housing and Urban Development REAC is to be performed in accordance with:

1. Attestation standards established by the American Institute of Certified Public Accountants (AICPA).

2. Attestation standards applicable to attestation engagements contained in the *Government Auditing Standards* issued by the Comptroller General of the United States.



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B. REPORTS TO BE ISSUED

Following the completion of the audit of the fiscal year's financial statements, the auditor shall issue, as required by the above mentioned standards:

1. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles, including an opinion on the fair presentation of the supplementary schedule of expenditures of federal awards "in relation to" the audited financial statements.

2. A report on compliance and internal control over financial reporting based on an audit of the financial statements.

3. A report on compliance and internal control over compliance applicable to each Major Federal Awards Program and State Financial Assistance Projects.

4. A report on compliance and internal control over compliance applicable to all laws, regulations and contracts.

5. Notes to the financial statements.

6. A schedule of findings and questioned costs.

7. A summary schedule of prior audit findings.

8. An independent auditor's management letter.

9. A schedule of activity on the Landfill Closure and Long-Term Care Escrow Account in accordance with the requirements of Rule 62-701.630, Florida Administrative Code.

10. A statement of County Funded Court-Related Functions in accordance with Florida Statutes Section 29.0085.

11. A schedule of Expenditures of Federal Awards and State Financial Assistance.

12. A report entitled "Independent Accountant's Report on Applying Agreed-Upon Procedure - Wakulla County Housing Authority" listing the procedures performed and the findings, if any, for the attestation required by the U.S. Department of Housing and Urban Development REAC under the Uniform Financial Reporting Standards for our Section 8 Housing Department. This report shall include a statement that no auditing procedures were performed after the date of the reports on the audited financial statements and supplemental information.

13. Any other statements, schedules or reports that may be required under any of the auditing standards notated in Section II C "Auditing Standards To Be Followed" or by Federal or Florida law.

Items 1-13 above shall be bound in the following manner:

1. Seventy Five (75) copies of a single bound report shall be required annually. This single bound report shall include item numbers 1-13 with the exception of item number 9, 10 and 12. This single bound report shall include the annual audit of the Wakulla County Board of County Commissioners, Clerk of Circuit Court, Tax Collector, Sheriff, Property Appraiser and Supervisor of Elections (Attachment A).



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2. Ten (10) copies of each Constitutional Officer's annual audit shall be required annually. Each Constitutional Officer's audit shall be in a separately bound report (Attachments B-F).

3. Ten (10) copies of item number 9, "Schedule of Activity on the Landfill Closure and Long-Term Care Escrow Account," shall be required annually in a separately bound report (Attachment G).

4. Ten (10) copies of item number 10, "Statement of County Funded Court-Related Functions," shall be required annually in a separately bound report (Attachment H).

5. Ten (10) copies of item number 12, "Independent Accountant's Report on Applying Agreed-Upon Procedure - Wakulla County Housing Authority", shall be required annually in a separately bound report (Attachment L).

In the above required report(s) on compliance and internal controls, the auditor shall communicate any reportable conditions found during the audit. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which could adversely affect the organization's ability to record, process, summarize and report financial data consistent with the assertions of management in the financial statements. Reportable conditions that are also material weaknesses shall be identified as such in the report.

Non-reportable conditions discovered by the auditors shall be reported in a separate letter to management, which shall be referred to in the report(s) on compliance and internal controls. The report(s) on compliance and internal controls shall include all instances of non-compliance.

The auditors shall be required to make an immediate, written report of all irregularities and illegal acts or indications of illegal acts of which they become aware to the Wakulla County Audit Committee, Chairman of the Board of County Commissioners, County Administrator, County Attorney and the Clerk of Circuit Court.

Auditors shall assure themselves that the Wakulla County Audit Committee is informed of each of the following:

1. The auditor's responsibility under generally accepted auditing standards.

2. Significant accounting policies.

3. Management judgments and accounting estimates.

4. Significant audit adjustments.

5. Other information in documents containing audited financial statements.

6. Disagreements with management.

7. Management consultation with other accountants.

8. Major issues discussed with management prior to retention.

9. Difficulties encountered in performing the audit.

In addition, a detailed audit plan and proposed time line should be submitted to the Wakulla County Finance Department under the direction of the Clerk of Circuit Court and to each Constitutional



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Officer subsequent to the awarding of the contract for audit services and each year prior to the beginning of the interim audit procedures. This audit plan should conform to Section IV "Time Requirements." The auditor shall submit an "Auditor Request List", similar to the one found in Attachment I, to the Wakulla County Finance Department and each Constitutional Officer prior to October 1 of each fiscal year.

C. Working Paper Retention and Access to Working Papers

All working papers and reports must be retained, at the auditor's expense, for a minimum of five (5) years, unless the firm is notified in writing by the Wakulla County Audit Committee of the need to extend the retention period. The auditor will be required to make working papers available, upon request, to the following parties or their designees:

1. Wakulla County Audit Committee

2. U.S. General Accounting Office

3. Any party designated by the federal or state governments or by the Wakulla County Board of County Commissioners or its Constitutional Officers as part of an audit quality review process

4. Auditors of entities of which the Wakulla County Board of County Commissioners is a sub-recipient of grant funds

D. Implied Requirements

All services not specifically mentioned in this request for qualifications that are necessary to provide the functional capabilities described in this RFQ shall be included in the Scope of Work to be performed. In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance.

## III. DESCRIPTION OF THE GOVERNMENT

A. Name, Location and Telephone Number of Contact Persons

Inquiries concerning the request for qualifications and the subject of the request for qualifications must be made to:

Deborah DuBose, Administration
3093 Crawfordville Highway
Crawfordville, Florida, 32327
(850) 926-0919 x 410

Subsequent to being awarded the audit contract, the auditor's principal contact with the Wakulla County Audit Committee will be Brent X. Thurmond, Wakulla County Clerk of Circuit Court or a designated representative, who will coordinate the assistance to be provided by the Wakulla County Audit Committee to the auditor.

B. Background Information

Wakulla County, Florida is a charter county and a political subdivision of the State of Florida governed by Florida Statutes and regulations. Pursuant to Florida Statute 125.17, the Clerk



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of the Circuit Court is the clerk ex-officio and accountant to the Board of County Commissioners. Wakulla County, Florida serves an area of 607 square miles with an estimated population of 31,000. The County Seat is Crawfordville which is unincorporated. The Wakulla County Board of County Commissioner's fiscal year begins on October 1 and ends on September 30.

The Wakulla County Board of County Commissioners provides the following services to its citizens:

Court Services
Financial Administration
Public Records
Occupational and Recreation Licensing
Tax Collection
Vehicle Registration
Animal Control
Law Enforcement
Public Safety
Property Appraisals
Election Supervision
Ambulance and Fire Services
Building and Code Enforcement
Capital Projects
Extension Services
Facility Maintenance
Growth Management
Libraries
Park Services
Planning and Zoning Services
Recreation Services
Road and Bridge Operations
Social and Economic Services
Solid Waste Services
Tourist Development
Veteran Services
Wakulla Airport

C. Reporting Entity

Board of County Commissioners, Alan Brock, Mike Stewart, Lynn Artz, Jerry Moore, Randy Merritt, 3093 Crawfordville Highway, Crawfordville, Florida, 32327, (850) 926-0919

The Wakulla County Board of County Commissioners are Constitutional Offices under Article VIII Section 1 (e) of the Florida Constitution and the County operates under Chapter 125 and various other chapters of the Florida Statutes.

Clerk of Circuit Court, Brent Thurmond, 3056 Crawfordville Highway, Crawfordville, Florida, 32327, (850) 926-0300

The Wakulla County Clerk of the Circuit Court is a Constitutional Officer under Article VIII Section 1 (d) and Article V Section 16 of the Florida Constitution and operates under Chapter 28 and various other chapters of the Florida Statutes.

Tax Collector, Cheryll Olah, 202 Ochlockonee Street, Crawfordville, Florida, 32327, (850) 926-3371

The Wakulla County Tax Collector is a Constitutional Officer under Article VIII Section 1 (d) of the Florida Constitution and operates under Chapter 197 and various other chapters of the Florida Statutes.

Sheriff, Donnie Crum, 15 Oak Street, Crawfordville, Florida, 32327, (850) 745-7100

The Wakulla County Sheriff is a Constitutional Officer under Article VIII Section 1 (d) of the Florida Constitution and operates under Chapter 30 and various other chapters of the Florida Statutes.

Property Appraiser, Donnie Sparkman, 3115-A Crawfordville Highway, Crawfordville, Florida, 32327, (850) 926-0500



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The Wakulla County Property Appraiser is a Constitutional Officer under Article VIII Section 1 (d) of the Florida Constitution and operates under Chapter 195 and various other chapters of the Florida Statutes.

Supervisor of Elections, Henry "Buddy" Wells, 3115-B Crawfordville Highway, Crawfordville, Florida, 32327, (850) 926-7575

The Wakulla County Supervisor of Elections is a Constitutional Officer under Article VIII Section 1 (d) of the Florida Constitution and operates under Chapter 98 and various other chapters of the Florida Statutes.

A list of other Wakulla County key personnel and their contact information is found in Attachment J. Organizational charts are available for each office upon request.

D. Fund Structure

Wakulla County uses a Fund/Sub-Fund structure in accounting for its' various operations and services with each fund and sub-fund being self-balancing. For financial reporting purposes, each fund's sub-funds will be rolled up together and reported as one fund. As of September 30, 2011, Wakulla County and its' Constitutional Officer's used the following fund types in its countywide financial reporting:

| Fund Type | Number of Individual Funds/Sub-funds |
|---|---|
| General fund | 1/11 |
| Special revenue funds | 95 |
| Debt service funds | 0 |
| Capital projects funds | 4/32 |
| Permanent funds | 0 |
| Enterprise funds | 2/10 |
| Internal service funds | 0 |
| Private-purpose trust funds | 0 |
| Investment trust funds | 0 |
| Pension trust funds | 0 |
| Agency funds | 4/17 |

The major funds as of September 30, 2011 were the General Fund, Road Department Fund (Special Revenue), State Housing Initiatives Partnership Program Fund (SHIP, Special Revenue), Impact Fees (Capital Project), One Cent Sales Tax Fund (Capital Project), and Road Paving (Capital Project). The SHIP fund is required to be a major fund due to the UFRS electronic reporting requirements of the U.S. Department of Housing and Urban Development.

E. Budgetary Basis of Accounting

The Wakulla County Board of County Commissioners prepares its budgets on a basis consistent with generally accepted accounting principles.



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F. Federal Awards and State Financial Assistance

During the fiscal year ended September 30, 2011, the Wakulla County Board of County Commissioners received financial assistance. The Schedule of Expenditures of Federal Awards and State Financial Assistance is found in Attachment K.

G. Pension Plans

All full-time County employees are participants in the Florida Retirement System, a multi-employer, cost-sharing public retirement system which is controlled by the State Legislature and administered by the State of Florida, Department of Management Services, and Division of Retirement. Actuarial services for this retirement plan can be obtained by contacting the Division of Retirement. Actuarial services for the Florida Retirement System are outlined in Section 112.63 of the Florida Statutes.

Additionally, Wakulla County offers retirees, as required by Florida Statute 112.0801, participation in the County's single-employer health insurance program. Wakulla County Board of County Commissioners and its Constitutional Officers implemented GASB Statement 45, *Accounting and Financial Reporting by Employers for Post-employment Benefits Other than Pensions* (OPEB) on October 1, 2010. The first actuarial study for OPEB was performed as of October 1, 2010.

## IV. TIME REQUIREMENTS

A. Schedule for the September 30, 2012 Fiscal Year Audit

The Wakulla County Finance Department will have all records ready for audit and all pertinent personnel available to meet with the firm's personnel on negotiated dates and at times that are mutually acceptable. A tour of pertinent Wakulla County facilities can be arranged upon request once the contract is ratified.

Field work should commence with the following estimated schedule:

| | |
|---|---|
| Supervisor of Elections | December 3, 2012 |
| Property Appraiser | December 3, 2012 |
| Tax Collector | December 10, 2012 |
| Clerk of Circuit Court | December 10, 2012 |
| Sheriff | December 17, 2012 |
| Board of County Commissioners | January 7, 2013 |

All field work is to be completed by January 31, 2013.

B. Progress Reporting, Draft Reports and Exit Conference

The auditor shall notify the Wakulla County Finance Department, in advance, if any of the negotiated field work dates will not be met. The auditor shall provide drafts of all audit reports to the Wakulla County Finance Department and each Constitutional Officer by March 4, 2013. Draft reports are to be provided after all partner reviews and before reports are finalized.

An exit conference will be held with the Wakulla County Audit Committee, Wakulla County Finance Department and County Administrator and each Constitutional Officer by March 18, 2013.



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C. Date Final Report is Due

The auditor should be available for any meetings that may be necessary to discuss the audit. The final signed reports shall be delivered to the Wakulla County Clerk of Circuit Court by March 25, 2013. The auditor shall present the Final Audit Report to the Wakulla County Board of County Commissioners at the first Board Meeting in April.

## IV. ASSISTANCE TO BE PROVIDED TO THE AUDITOR AND REPORT PREPARATION

A. Finance Department and Clerical Assistance

The Finance Department staff and responsible management personnel will be available during the audit to assist the firm by providing information, documentation and explanations. The preparation of confirmations will be the responsibility of the clerical staff of each agency (Finance Department and Constitutional Officers).

B. Work Area and Communication Equipment

The Wakulla County Board of County Commissioners will provide, via the Finance Department, the following:

1. Reasonable work space consisting of a conference table and seating for six (6) staff members. If additional space will be required, advance notice must be given to the Finance Department and additional space may be provided if available.

2. Access to a telephone line, a facsimile machine and a photocopier.

3. Access to a data line or the internet.

These items are subject to the following conditions:

1. Only local calls are permitted on the telephone and facsimile lines. Access to long distance calls can be arranged.

2. Use of these items is restricted to work relevant to the Wakulla County Board of County Commissioner's annual audit.

Each Constitutional Officer shall provide, if available, similar work area and communication equipment as needed by the auditor.

C. Statements, Schedules and Report Preparation

It shall be the responsibility of the Finance Department to gather and prepare any preliminary schedules relevant to the "Auditor Request List" (Attachment I).

All statements, schedules and report preparation, editing and printing relevant to Section II D, Reports to Be Issued, shall be the responsibility of the auditor.

## V. RESPONSE

A. TECHNICAL PROPOSAL



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1. General Requirements

The purpose of the Technical Proposal is to demonstrate the qualifications, competence and capacity of the firms seeking to undertake an independent audit of the Wakulla County Board of County Commissioners in conformity with the requirements of this request for qualifications. As such, the substance of proposals will carry more weight than their form or manner of presentation. The Technical Proposal should demonstrate the qualifications of the firm and of the particular staff to be assigned to this engagement. It should also specify an audit approach that will meet the request for qualifications requirements.

THERE SHOULD BE NO PRICING OR TOTAL COSTS INCLUDED IN THE PROPOSAL DOCUMENT.

The Technical Proposal should address all the points outlined in the request for qualifications. The Proposal should be prepared simply and economically, providing a straightforward, concise description of the proposer's capabilities to satisfy the requirements of the request for qualifications. While additional data may be presented, the following subjects, items No. 2 through 12, must be included. They represent the criteria against which the proposal will be evaluated.

2. Independence

The firm should provide an affirmative statement that they will be independent of the Wakulla County, Florida:

Board of County Commissioners
Clerk of Circuit Court
Tax Collector
Sheriff
Property Appraiser
Supervisor of Elections

as defined by generally accepted auditing standards and the U.S. General Accounting Office's *Government Auditing Standards*.

The firm should also list and describe the firm's (or proposed subcontractors') professional relationships involving the Wakulla County Board of County Commissioners or its Constitutional Officers or any of its agencies or departments for the past five (5) years, together with a statement explaining why such relationships do not constitute a conflict of interest relative to performing the proposed audit.

In addition, the firm shall give the Wakulla County Audit Committee written notice of any professional relationships entered into during the period of this agreement with the above noted offices, agencies and departments.

3. License to Practice in Florida

An affirmative statement should be included that the firm and all assigned key professional staff, including sub-contractors, are properly licensed to practice in the State of Florida.

4. External Peer, Quality Control and Desk or Field Reviews



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All firms participating in the proposal must provide the most recent:

a. External peer review report and any letter of comment.

b. External quality controls review, with a statement whether that quality control review included a review of specific government engagements.

c. Federal or state desk reviews or field reviews of its audits during the past three (3) years.

In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three (3) years with state regulatory bodies or professional organizations. If the latest external peer, quality control and desk or field reviews are not available, a statement as to why they are not available must be submitted

5. Firm Qualifications and Experience

The proposer should state the size of the firm, the size of the firm's governmental audit staff, the location of the office from which the work on this engagement is to be performed and the number and nature of the professional staff to be employed in this engagement on a full-time basis and the number and nature of the staff to be so employed on a part-time basis.

If the proposer is a joint venture or consortium, the qualifications of each firm comprising the joint venture or consortium should be separately identified and the firm that is to serve as the principal auditor should be noted, if applicable.

6. Partner, Supervisory and Staff Qualifications and Experience

Identify the principal supervisory and management staff, including engagement partners, managers, other supervisors and specialists, who would be assigned to the engagement. Indicate whether each person is registered or licensed to practice as a certified public accountant in Florida. Provide information on the government auditing experience of each person, including information on relevant continuing professional education for the past three (3) years and membership in professional organizations relevant to the performance of this audit.

Provide as much information as possible regarding the number, qualifications, experience and training, including relevant continuing professional education, of the specific staff to be assigned to this engagement. Indicate how the quality of staff over the term of the agreement will be assured.

Engagement partners, managers, other supervisory staff and specialists may be changed if those personnel leave the firm, are promoted or are assigned to another office. These personnel may also be changed for other reasons with the express prior written permission of the Wakulla County Audit Committee. However, in either case, the Wakulla County Audit Committee retains the right to approve or reject replacements.

Consultants and firm specialists mentioned in response to this request for qualifications can only be changed with the express prior written permission of the Wakulla County Audit Committee, which retains the right to approve or reject replacements.



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Other audit personnel may be changed at the discretion of the proposer provided that replacements have substantially the same or better qualifications or experience.

7. Affirmative Statements Related to Employment Policy

An affirmative statement should be provided that affirms the following:

a. Non-discriminatory policy. The firm shall not allow any person to be denied or subjected to discrimination on account of any services, or activities made possible by or resulting from this agreement on the grounds of sex, race, color, creed, national origin, age (except minimum age and retirement provisions), marital status or the presence of any sensory, mental or physical handicap.

b. Drug Free Workplace. The firm complies with regulations related to a drug-free workplace as defined in Florida Statute 287.087.

c. Public Entity Crime. The firm shall affirm that neither the firm nor any person associated with the firm who will work on this engagement has been placed on the convicted vendor list as defined by Florida Statute Section 287.133.

8. Insurance Requirements

The firm warrants that it shall, at the firm's sole expense, procure, maintain and keep in force amounts and types of the following insurance and will provide proof of said coverage to the Wakulla County Audit Committee upon the signing of an audit contract:

a. Worker's Compensation/Employer's Liability. The minimum amount of coverage shall be $100,000 for each accident.

b. Commercial General Liability. The minimum amount of coverage shall be $300,000 for each occurrence.

c. Professional Liability. The minimum amount of coverage shall be $500,000.

9. Prior Engagements with Wakulla County. Florida

List separately all engagements within the last five (5) years, ranked on the basis of total staff hours, for Wakulla County, Florida by type of engagement (i.e., audit, management advisory services, other). Indicate the scope of work, date, engagement partners, total hours, the location of the firm's office from which the engagement was performed, and the name and telephone number of the principal client contact.

10. Similar Engagements With Other Government Entities

For the firm's office that will be assigned responsibility for the audit, list the most significant engagements (maximum - 5) performed in the last five (5) years that are



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similar to the engagement described in this request for qualification. These engagements should be ranked on the basis of total staff hours. Indicate the scope of work, date, engagement partners, total hours, and the name and telephone number of the principal client contact.

11. Specific Audit Approach

The proposal should set forth a work plan, including an explanation of the audit methodology to be followed, to perform the services required in Section II of this request for qualification.

Proposers will be required to provide the following information on their audit approach:

a. Proposed segmentation of the engagement.

b. Level of staff and number of hours to be assigned to each proposed segment of the engagement (no dollar units or costs should be included).

c. Sample size and the extent to which statistical sampling is to be used in the engagement.

d. Extent of use of EDP software in the engagement.

e. Type and extent of analytical procedures to be used in the engagement.

f. Approach to be taken to gain and document an understanding of the Wakulla County Board of County Commissioner's and its Constitutional Officer's internal control structure.

g. Approach to be taken in determining laws and regulations that will be subject to audit test work.

h. Approach to be taken in drawing audit samples for purposes of tests of compliance.

i. Describe how the audit will be conducted in the first year versus subsequent years.

j. Approach to any necessary audit and reporting software conversions.

12. Identification of Anticipated Potential Audit Problems

The proposal should identify and describe any anticipated potential audit problems, the firm's approach to resolving these problems and any special assistance that will be requested from the Wakulla County Board of County Commissioners, its agencies or departments or its Constitutional Officers.

B. Pricing

1. General Requirements



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PRICING SHALL HAVE NO WEIGHT IN THE RANKING PROCESS AND THERE SHOULD BE NO PRICES OR COSTS, IN PART OR IN TOTAL, INCLUDED IN THE PROPOSAL DOCUMENT.

After the Wakulla County Audit Committee has ranked the top three (3) firms and the Wakulla County Board of County Commissioners has approved negotiations with the top-ranked firm, the Wakulla County Board of County Commissioners or its designees shall negotiate the contract price with the top-ranked firm.

As it relates to pricing, the negotiated contract should, at a minimum, identify the following:

a. Rates by Partner, Specialist, Supervisory and Staff level times the number of hours anticipated for each.

b. Out-of-pocket expenses and the reimbursement rates for such expenses. It is anticipated these rates will follow Section 112.061 of the Florida Statutes, the prevailing guide for Wakulla County Board of County Commissioners out-of-pocket expenses.

c. Rates for additional professional services.

2. Manner of payment

It is anticipated that said contract will specify ten percent (10%) will be retained from each billing until the final audit reports are submitted to the Wakulla County Board of County Commissioners. Requests for payment should not be for a period less than one (1) month.

3. Respondent will need to provide a sample standard contract that they have utilized in the past which can be used as a negotiation tool.

## IV. EVALUATION PROCESS:

### A. Audit Committee

Proposals submitted will be evaluated and ranked by a six (6) member Audit Committee as established by Section 218.391 (3)(a) of the Florida Statutes, consisting of the following or their designee:

Timothy Barden, Deputy County Administrator
Brent Thurmond, Clerk of Circuit Court
Cheryll Olah, Tax Collector
Donnie Crum, Sheriff
Donnie Sparkman, Property Appraiser
Henry “Buddy” Wells, Supervisor of Elections

### B. Review and Ranking of Proposals

Tim Barden, Deputy County Administrator will determine whether each proposal meets the mandatory elements listed in Section VII C, 1. Those proposals not meeting the mandatory elements will not be scored by the Wakulla County Audit Committee. The Wakulla County Audit Committee will be provided with a list of firm names who submitted proposals not meeting the mandatory elements of the request for qualifications.



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All proposals meeting the mandatory elements of the request for qualifications will be forwarded to the members of the Wakulla County Audit Committee on June 18, 2012. The Wakulla County Audit Committee will use a point system during the review process to score proposals. The maximum score is 100 points per member with a maximum Audit Committee score of 600 points. Each member of the audit committee will score each proposal meeting the mandatory elements by each of the criteria described in Section VII C, 2, "Technical Quality" below. The full Audit Committee will then convene to review and discuss these evaluations and to combine the individual scores to arrive at a composite technical score for each firm. The top three ranked firms will be called in for oral presentations on July 18, 2012 starting at 10:00 a.m. with each firm being provided a maximum of thirty (30) minutes for their presentation. This allotment of time includes any question and answer period.

After the oral presentations, the Wakulla County Audit Committee will then score the oral presentation portion of the proposal as described in Section VII C, 3 "Oral Presentation". The cumulative scores will be tallied and the final three firms will be ranked first, second or third. If fewer than three firms desire to perform these services, or if fewer than three firms meet the mandatory elements of the request for qualifications, the Wakulla County Audit Committee shall recommend such firms as it determines to be qualified and will recommend a top-ranked firm. It is anticipated the Wakulla County Audit Committee will submit their rankings and recommendations to the Wakulla County Board of County Commissioners on August 6, 2012.

The Wakulla County Board of County Commissioners will select the top-ranked firm based upon the recommendation of the Audit Committee. It is anticipated that this selection will be made on August 6, 2012. Following notification of the firm selected, it is expected negotiations will commence on August 7, 2012. Upon reaching an agreement, a contract will be executed between both parties pursuant to Florida Statutes 218.391 (4) a.

The Wakulla County Board of County Commissioners reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether that proposal is selected.

C. EVALUATION CRITERIA

Proposals will be evaluated using three sets of criteria. Firms meeting the mandatory criteria will have their proposals evaluated and scored for technical qualifications and oral presentations. The following represent the principal selection criteria which will be considered during the evaluation process.

1. Mandatory Elements

   a. The audit firm is independent and licensed to practice in Florida.

   b. The firm has no conflict of interest with regard to any other work performed by the firm for Wakulla County, Florida.

   c. The firm adheres to the instructions in this request for qualifications on preparing and submitting the proposal.

   d. The firm submits a copy of its last external quality control review report and the firm has a record of quality audit work.



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2. Technical Quality (Maximum 90 points)

   a. Expertise and Experience (Maximum 65 points)

      (1) The firm's past experience and performance on comparable government engagements (Maximum 35 points).

      (2) The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation (Maximum 20 points).

      (3) The firm's internal review process, existing quality controls, adequacy of staff to perform the required audits (current and projected) and familiarity with applicable federal regulations and standards for audits of government organizations, programs, activities and functions (Maximum 10 points).

   b. Audit Approach (Maximum 25 points)

      (1) Adequacy of proposed staffing plan for various segments of the engagement (Maximum 10 points).
      (2) Adequacy of sampling techniques (Maximum 5 points).

      (3) Adequacy of analytical procedures (Maximum 5 points).

      (4) Adequacy of audit and reporting software (Maximum 5 points).

3. Oral Presentations (Maximum 10 points)

   After scoring the "Technical Quality" portion of the proposals, the Wakulla County Audit Committee shall require oral presentations by the top three ranked firms. These presentations will include discussion regarding the firm's qualifications, approach to the audit and ability to furnish the required services.

D. Acceptance of Terms and Right to Reject Proposals

Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for qualification unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Wakulla County Board of County Commissioners and the firm selected.

The Wakulla County Board of County Commissioners reserves the right without prejudice to reject any or all proposals.

E. ADDITIONAL REQUIREMENTS

1. Explanation to Respondents:

Each Respondent shall examine the RFQ documents carefully; and, no later than June 20, 2012, shall make a written request to the BOCC for interpretations or corrections of any ambiguity, inconsistency or error which he may discover. All interpretations or corrections will be issued as addenda. The BOCC will not make oral clarifications.



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No negotiations, decisions or actions shall be initiated or executed by the respondent as a result of any discussions with any County employee prior to the opening of the proposals. Only those communications which are in writing from the County may be considered as a duly authorized expression of the Board.

Also, only communications from firms which are in writing and signed will be recognized by the Board as duly authorized expressions on behalf of respondent.

2. Occupational Licenses and Registrations:

The consultant shall be responsible for obtaining and maintaining throughout the contract period his or her city or county occupational license and any licenses required pursuant to the laws of Wakulla County, and the State of Florida. Every consultant submitting a proposal shall include a copy of the company's local business or occupational license(s) OR provide a written statement on letterhead indicating no license currently exists. Wakulla County, Florida-based businesses are required to purchase an Occupational License to conduct business within the County. Consultants residing or based in another state or municipality, but maintaining a physical business facility or representative in Wakulla County, may also be required to obtain such a license. For information specific to Wakulla County occupational licenses contact the Planning and Community Development Department at (850) 926-3695.

If the consultant is operating under a fictitious name as defined in Section 865.09, Florida Statutes, proof of current registration with the Florida Secretary of State shall be submitted with the proposal. A business formed by an attorney actively licensed to practice law in this state, by a person actively licensed by the Department of Business and Professional Regulation or the Department of Health for the purpose of practicing his or her licensed profession, or by any corporation, partnership, or other commercial entity that is actively organized or registered with the Department of State shall submit a copy of the current licensing from the appropriate agency and/or proof of current active status and a Certificate of Good Standing with the Division of Corporations of the State of Florida or such other state as applicable.

3. STATUS:

The Consultant shall, at all times relevant to this contract, be an independent contractor and in no event shall the Contractor, nor any employees or sub-contractors under it, be considered to be employees of Wakulla County.

4. Receipt and Opening of Proposals:

Proposals will be opened publicly at the time and place stated in this Request for Qualifications (RFQ). The person whose duty it is to open the proposals will decide when the specified time has arrived and no proposals received thereafter will be considered. No responsibility shall be attached to any person for the premature opening of a proposal not properly addressed and identified. At the time fixed for the opening of proposals, the contents of the RFQ form will be made public for the information of Consultants and other interested parties who may be present either in person or by representative.



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5. Withdrawal of Proposals:

Proposals may be withdrawn by written or telegraphic request received from respondents prior to the time fixed for opening. Negligence on the part of the respondent in preparing the proposal confers no right for the withdrawal of the proposal after it has been opened.

ETHICAL BUSINESS PRACTICES:

A. Gratuities. It shall be unethical for any person to offer, give, or agree to give any County employee, or for any County employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or performing in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, subcontract, or to any solicitation or proposal therefore.

B. Kickbacks. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

C. The Board reserves the right to deny award or immediately suspend any contract resulting from this proposal pending final determination of charges of unethical business practices. At its sole discretion, the Board may deny award or cancel the contract if it determines that unethical business practices were involved.



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RFQ CHECKLIST (Required Forms):
Please submit the items on the following list and any other items required by any section of this Request for Qualifications. The checklist is provided as a courtesy and may not be inclusive of all items required within this Request for Qualifications:

_____ Completed RFQ Response Sheet with Signature
_____ Reference Form
_____ Certification/Debarment/Suspension
_____ Applicable Licenses/Registrations
_____ Public Entity Crimes Statement
_____ Conflict of Interest Form
_____ Drug Free Workplace
_____ Equal Opportunity/Affirmative Action Statement
_____ Non-Collusion Affidavit
_____ Technical Proposal

RFQ RESPONSE SHEET

The Board of County Commissioners, Wakulla County, reserves the right to accept or reject any and/or all proposals in the best interest of Wakulla County.

E. Alan Brock, Chairman

This proposal is submitted by the below named firm/individual by the undersigned authorized representative.

_____
(Firm Name)

BY : _____
(Authorized Representative)

_____
(Printed or Typed Name)

ADDRESS : _____

_____

TELEPHONE: _____

FAX: _____



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**ATTACHMENT 1**
**REFERENCE FORM**

**Respondent's Name:**_____

Vendors are required to submit with their response three (3) references, with which they have provided similar services as requested in this solicitation. Vendors shall use this attachment to provide the required reference information. The BoCC reserves the right to contact any and all references in the course of this solicitation and make a responsibility determination, not subject to review or challenge.

| **FORMER CLIENTS-Provide Three (3)** | |
|---|---|
| **Company Name:** | |
| Address: | |
| Contact Name: | |
| Alternate Contact Name: | |
| Phone: | |
| Email: | |
| Description of Work: | |
| Service Dates: | |

| **Company Name:** | |
|---|---|
| Address: | |
| Contact Name: | |
| Alternate Contact Name: | |
| Phone: | |
| Email: | |
| Description of Work: | |
| Service Dates: | |

| **Company Name:** | |
|---|---|
| Address: | |
| Contact Name: | |
| Alternate Contact Name: | |
| Phone: | |
| Email: | |
| Description of Work: | |
| Service Dates: | |

**Authorized Signature**:_____

**Title:**_____



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**ATTACHMENT 2**

SWORN STATEMENT UNDER SECTION 287.133(3)(a),
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to Wakulla County Board of County Commissioners

   By _____
   [print individual's name and title]

   for _____
   [print name of entity submitting sworn statement]

   whose business address is:
   _____

   _____
   and (if applicable) its Federal Employer Identification Number (FEIN) is . _____
   (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement). _____ .

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

   a. A predecessor or successor of a person convicted of a public entity crime: or

   b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision



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of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. [Indicate which statement applies.]

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However there has been a subsequent proceeding before a hearing a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted contractor list. [Attach a copy of the final order.]

**I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY** AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

_____
(Signature)

Sworn to and subscribed before me this _____ day of _____, 2012.

Personally known _____ OR Produced identification _____
(Type of identification)

_____
NOTARY PUBLIC

Notary Public - State of _____

My commission expires: _____

_____
(Printed, typed, or stamped commissioned name of Notary Public)



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## ATTACHMENT 3

## EQUAL OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT

1. The contractors and all subcontractors hereby agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national region, sex, age, handicap, marital status, and political affiliation or belief.

2. The contractor agrees to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

Signed: _____

Title: _____

Firm: _____

Address: _____



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**ATTACHMENT 4**

NON-COLLUSION AFFIDAVIT

The undersigned being first duly sworn as provided by law, deposes and says:

1. This Affidavit is made with the knowledge and intent that it is to be filed with the Board of County Commissioners, Wakulla County, Florida and that it will be relied upon by said County, in any consideration which may give to and any action it may take with respect to this Proposal.

2. The undersigned is authorized to make this Affidavit on behalf of,

_____
(Name of Corporation, Partnership, Individual, etc.)

a , _____ formed under the laws of _____
(Type of Business) (State or Province)

of which he is . _____.
(Sole partner, President, etc.)

3. Neither the undersigned nor any other person, firm or corporation named in above Paragraph 2, nor anyone else to the knowledge of the undersigned, have themselves solicited or employed anyone else to solicit favorable action for this Proposal by the County, also that no head of any department or employee therein, or any officer of Wakulla County, Florida is directly interested therein.

4. This Proposal is genuine and not collusive or a sham; the person, firm or corporation named above in Paragraph 2 has not colluded, conspired, connived or agreed directly or indirectly with any bidder or person, firm or corporation, to put in a sham Proposal, or that such other person, firm or corporation, shall refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person, firm or corporation, to fix the prices of said proposal or proposals of any other bidder; and all statements contained in the proposal or proposals described above are true; and further, neither the undersigned, nor the person, firm or corporation named above in Paragraph 3, has directly or indirectly submitted said proposal or the contents thereof, or divulged information or data relative thereto, to any association or to any member or agent thereof.

_____ _____
AFFIANT'S NAME AFFIANT'S TITLE

TAKEN, SWORN AND SUBSCRIBED TO BEFORE ME this _____ day of _____20__.

Personally Known _____ or Produced Identification _____

Type of Identification _____

_____
Notary Public

_____
(Print, Type or Stamp Commissioned Name of Notary Public)



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**ATTACHMENT 5**

**CERTIFICATION REGARDING**
**DEBARMENT, SUSPENSION,**
**AND OTHER RESPONSIBILITY MATTERS**
**PRIMARY COVERED TRANSACTIONS**

1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

   a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

   b) Have not within a three-year period preceding this been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statues or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

   c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of these offenses enumerated in paragraph (1)(b) of this certification; and

   d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

3) No subcontract will be issued for this project to any party which is debarred or suspended from eligibility to receive federally funded contracts.

_____
Signature

_____
Title

_____
Contractor/Firm

_____
Address



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**ATTACHMENT 6**

**DRUG FREE WORKPLACE CERTIFICATION**

Preference shall be given to businesses with drug-free workplace programs. In order to have a drug-free workplace program, a business shall:

1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees from drug abuse violations.
3) Give each employee engaged in providing the commodities or contractual services that are under this solicitation a copy of the statement specified in subsection (1) above.
4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under this solicitation, the employee will abide by the terms of the statement and will notify the employee of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the work place no later than five (5) days after such conviction.
5) Impose a sanction, on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

VENDOR_____ TITLE _____

AUTHORIZED SIGNATURE _____ DATE _____



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**ATTACHMENT 7**
**DISCLOSURE STATEMENT**
**CONFLICT OF INTEREST DISCLOSURE**

The award hereunder is subject to the provisions of Chapter 112, Florida Statutes. Respondents must disclose with their proposals whether any officer, director, employee or agent is also an officer or an employee of the Wakulla County Board of County Commissioners. All firms must disclose the name of any county officer or employee who owns, directly or indirectly, an interest of five percent (5%) or more in the Respondent's firm or any of its branches or affiliates. All Respondents must also disclose the name of any employee, agent, lobbyist, previous employee of the Board, or other person, who has received or will receive compensation of any kind, or who has registered or is required to register under Section 112.3215, Florida Statutes, in seeking to influence the actions of the Board in Connection with this procurement.

Names of Officer, Director, Employee or Agent that is also an Officer or Employee of Wakulla County:

_____ _____

_____ _____

Name of an State Officer or Employee that owns 5% or more in Respondent's firm:

_____ _____

_____ _____

_____
Name

_____
Company

_____
Date



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## ATTACHMENT 8

Required Policy Endorsements and Documentation

Certificate of Insurance will be provided evidencing placement of each insurance policy responding to requirements of the contract.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Endorsements to insurance policies will be provided as follows:

Additional insured (Wakulla County, Florida, its Officers, employees and volunteers)
General Liability & Automobile Liability

Primary and not contributing coverage-
General Liability & Automobile Liability

Waiver of Subrogation (Wakulla County, Florida, its officers, employees and volunteers)-
General Liability, Automobile Liability, Workers' Compensation and Employer's Liability

Thirty days advance written notice of cancellation to County - General Liability,
Automobile Liability, Worker's Compensation & Employer's Liability.

Professional Liability Policy Declaration sheet as well as claims procedures for each applicable policy to be provided

Please mark the appropriate box:

Coverage is in place ☐ Coverage will be placed, without exception ☐

The undersigned declares under penalty of perjury that all of the above insurer information is true and correct.

Name _____ Signature _____
Typed or Printed

Date _____ Title _____
(Company Risk Manager or Manager with Risk Authority)



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# ATTACHMENT 9

## LOCAL BUSINESS QUALIFICATION STATEMENT

I, the undersigned do hereby certify that _____ (Company name) qualifies as a local business based on the language and conditions present in Paragraph (B) of Appendix A of the Invitation to Bid/Request for Proposal documents. This business qualifies based on the criteria set forth in (check one):

1. Paragraph (B)(1) _____ . Please attach a copy of local business tax receipt.

2. Paragraph (B)(2) _____. Please attach documentation reflecting satisfaction of the criteria in Paragraph (B)(2).

3. Paragraph (B)(3) _____. Please attach documentation reflecting satisfaction of the criteria in Paragraph (B)(3).

I understand that false certification of this qualification may result in my company's bid being rejected.

By: _____

Name: _____

Title: _____

Date: _____



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## ADDITIONAL ATTACHMENTS

A. Wakulla County, September 30, 2011, single bound Audited Financial Statements

B. Wakulla County Clerk of Circuit Court, September 30, 2011, individually bound Audited Financial Statements

C. Wakulla County Tax Collector, September 30, 2011, individually bound Audited Financial Statements

D. Wakulla County Sheriff, September 30, 2011, individually bound Audited Financial Statements

E. Wakulla County Property Appraiser, September 30, 2011, individually bound Audited Financial Statements

F. Wakulla County Supervisor of Elections, September 30, 2011, individually bound Audited Financial Statements

G. Schedule of Activity on the Landfill Closure and Long-Term Care Escrow Account, September 30, 2011

H. Statement of County Funded Court-Related Functions, September 30, 2011

I. Sample Auditor Request List

J. List of Other Key Personnel

K. Schedule of Federal Awards and State Financial Assistance, September 30, 2011



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# Wakulla County
# Professional Auditing Services
# RFQ No: 2012-09

| | TIM BARDEN | BRENT THURMOND | CHERYLL OLAH | DONNIE CRUM | DONNIE SPARKMAN | BUDDY WELLS | **TOTAL POINTS** |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| **POWELL & JONES, CPA** | **92** | **87** | **95** | **94** | **89** | **99** | **556.0** |
| **PURVIS, GRAY & COMPANY** | **90** | **82** | **47** | **91** | **84** | **97** | **491.0** |
| **LANIGAN & ASSOCIATES** | **65** | **76** | **17** | **79** | **65** | **79** | **381.0** |
| **CRI (CARR, RIGGS & INGRAM)** | **86** | **80** | **54** | **100** | **64** | **86** | **470.0** |

Top 3 Firms (inc. oral presentations)

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 23, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Luis Serna, Planning Director<br>Heather J. Encinosa, County Attorney |
| Subject: | Request Board Approval to Advertise and Schedule Public Hearings to Consider an Ordinance Revising Sections of the Wakulla Code Relating to Development Permits and Approvals |

**Statement of Issue:**
This agenda item requests Board approval to direct staff to advertise and schedule public hearings to consider an ordinance revising several sections of the Wakulla County Land Development Code and the County Code of Ordinances which currently require applicants for development permits and approvals to obtain federal and state permits prior to obtaining County permits.

**Background:**
During the 2012 legislative session, the Florida Legislature adopted House Bill 503, which included a revision to section 125.022, Florida Statutes, prohibiting counties from conditioning receipt of a county development permit on first having federal or state permits. The proposed ordinance is intended to ensure that Wakulla County complies with this requirement through amendments to existing code provisions which require applicants for development to have and include copies of state or federal development permits prior to submitting an application for development to the County. The amendments to the statute specifically authorize the County to include permit conditions requiring that state and federal permits be obtained prior to commencing development.

**Analysis:**
The proposed Ordinance (Attachment #1) amends various sections of existing County codes pertaining to development activities that currently require an applicant for development to have applicable federal or state permits before or at the time of filing a local development application. The code provisions requiring amendment include the following:

- Section 5-11(5) of the Land Development Code, which requires dredge and fill permits and stormwater permits to be included as part of a site plan application.

- Section 6-21(3) of the Land Development Code, which requires that drainage plans permitted by the state to be submitted for review and approval by the County's public works staff prior to recording of the final plat. This is replaced with a statement that state and federal drainage improvements must be obtained prior to commencement of development.
- Section 7-15 of the Land Development Code, which requires that a Florida Department of Environmental Protection (DEP) stormwater permit or exemption be included as part of a subdivision plan or preliminary plat.
- Section 8-140 of the Land Development Code, which requires a DEP permit related to water construction specifications prior to obtaining a local permit for construction of water supply lines.
- Section 32.007 of the County Code of Ordinances, authorizing construction, repair, or replacement of decks, docks, and similar structures in wetlands, surface waters, or buffers so long as federal or state permits have been obtained at the time of application for the local development order. This is modified to require that those permits only be obtained prior to commencement of such activities.

These revisions are necessary in order to comply with the revisions to section 125.022, Florida Statutes. The first public hearing would occur before the Wakulla County Planning Commission at its September 10, 2012 meeting; and the second would occur before the Board at its October 1, 2012 meeting.

**Budgetary Impact:**
If approval is given to advertise the proposed Ordinance, an advertisement fee of approximately $210 will be charged to the Planning and Community Development Department for the required publication in The Wakulla News.

**Options:**
1. Approve to advertise and schedule public hearings to consider an ordinance revising Sections of the Wakulla Code relating to development permits and approvals.
2. Do not approve to advertise and schedule public hearings to consider an ordinance revising sections of the Wakulla Code relating to development permits and approvals.
3. Board Direction.

**Recommendation:**
Option #1

**Attachment(s):**
1. Proposed Ordinance
2. Chapter 2012-205 (HB 503)

# ORDINANCE NO. 2012-___

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, AMENDING PROVISIONS OF THE WAKULLA COUNTY CODE OF ORDINANCES AND LAND DEVELOPMENT CODE TO COMPLY WITH AMENDMENTS TO SECTION 125.022, FLORIDA STATUTES; AMENDING SECTIONS 5-11(5), 6-21(3), 7-15(11), AND 8-140(2) OF THE WAKULLA COUNTY LAND DEVELOPMENT CODE; AMENDING SECTION 32.007(A)(1) OF THE WAKULLA COUNTY CODE OF ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

## RECITALS:

**WHEREAS,** the Board of County Commissioners of Wakulla County, Florida ("Board") previously adopted provisions of the Wakulla County Land Development Code and the Wakulla County Code of Ordinances which required that property owners obtain certain state and federal permits before seeking issuance of local permits; and

**WHEREAS,** amendments to section 125.022, Florida Statutes, adopted by the Florida Legislature during the 2012 Legislative Session as part of House Bill 503, prohibit local governments from conditioning receipt of local development permits and approvals on receipt of federal or state permits or approvals; and

**WHEREAS,** the Board finds it is necessary and in the best interests of the citizens of Wakulla County to amend certain County Land Development Code and Code of Ordinance provisions in order to comply with the requirements of section 125.022, Florida Statutes.

**NOW, THEREFORE, BE IT NOW ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, AS FOLLOWS:**

**SECTON 1. INCORPORATION OF RECITALS.** The above recitals are hereby adopted and incorporated herein by reference.

**SECTION 2. AMENDMENT OF SECTION 5-11, WAKULLA COUNTY LAND DEVELOPMENT CODE.** The Board hereby amends paragraph (5) of Section 5-11 of the Wakulla County Land Development Code, pertaining to the required contents and review of site plans, as follows:

**Section 5-11. Contents and Review of Site Plan**

(5) *Contents of plans for other developments.* Site plans for all other developments shall contain maps and drawings indicating:

(a) Name of project.

(b) Statement of intended use of site.

(c) Date, north arrow and number of sheets.

(d) Vicinity map showing relationship of site to surrounding streets at a scale of not less than one inch equals 2,000 feet.

(e) Linear dimensions and size of the site as found in the legal description.

(f) Existing topography at two-foot contour intervals unless building and zoning official requests one-foot contour intervals.

(g) Proposed finished grading elevations.

(h) All existing and proposed building, parking and other development restriction lines (setbacks, easements, etc.).

(i) Building and structure locations, height, number of stories, gross floor areas, number of dwelling units and density (for site plans for multifamily uses), and number of seats or capacities for restaurants and similar commercial uses.

(j) Street, sidewalk and driveway engineering plans, specifications and cross sections.

(k) Designation of all parking spaces, number of spaces, number and location of handicapped spaces, number and designation of loading spaces, number of square feet of paved parking and driveway areas and surface materials of driveways.

(l) Location and size of all fire lanes.

(m) Location of proposed driveways, median cuts and proposed exits and entrances from roads or rights-of-way.

(n) Internal traffic circulation plan (directional arrows, signs and devices).

(o) Water management plans per the requirements of this Code.

~~(p) Dredge and fill permits, if required.~~

~~(q) Florida Department of Environmental Regulation stormwater permit.~~

~~(r)~~(p) Erosion control plan.

~~(s)~~(q) Identification of flood hazard areas.

~~(t)~~(r) Water and sewer facility engineering plans and specifications.

~~(u)~~(s) Solid waste disposal plans.

~~(v)~~(t) Landscape and tree protection plans.

~~(w)~~(u) Additional information as requested by said official.

(deletions are ~~stricken~~, additions are underlined)

**SECTION 3. AMENDMENT OF SECTION 6-21, WAKULLA COUNTY LAND DEVELOPMENT CODE.** The Board hereby amends paragraph (3) of Section 6-21 of the Wakulla County Land Development Code, pertaining to supplemental performance standards, as follows:

**Section 6-21. Supplemental performance standards.**

(3) *Drainage.* With the exception of swales, onsite stormwater drainage and retention facilities shall not be located within utility easements as shown on a final subdivision plat. Any utilities that are to be located in an area that could convey or retain water shall be properly waterproofed. Stormwater retention facilities shall be labeled as a tract or separate easement, with the ownership and maintenance responsibility described and outlined in the dedication section of the plat. Drainage plans shall be ~~approved and~~

~~permitted through FDEP and/or FDOT and~~ submitted for the county public works department review and approval prior to recording the final plat. In addition, prior to commencement of development property owners must obtain all applicable state or federal permits for drainage improvements. Any as-built drawings required as part of any permit shall be submitted to the county public works department prior to recording of the final plat.

(a) *Drainage plan.* A complete drainage plan shall be submitted by the developer and approved by the county engineer. These plans shall show sufficient documentation to demonstrate the capability of the drainage system to collect, control, and dispose of storm runoff. The drainage system will include all catch basins, manholes, inlets, headwalls, street grades, bridges, pipes, settling basins, green belted open space, etc. It shall also include stormwater calculations used in the design and other significant details deemed necessary by the county engineer. The drainage system shall be based upon the facilities necessary to dispose of runoff according to the recurrence frequencies listed below. Rainfall data shall be obtained from the Florida DOT rainfall curves.

| **Drainage Facility** | **Design Frequency** |
|---|---|
| Bridges and bridge culverts: | |
| On arterial roads | 50 year |
| On collector roads | 25 year |
| Retention basins | 25 year |
| All other facilities | 10 year |

(b) *Open channels and outfall ditches.* Design will be provided so channels and ditches will not overflow their banks; where flow velocities exceed two feet per second, ditch pavement or other permanent protection against scour shall be provided. All ditches not protected with a permanent material will be dressed and seeded to provide an erosion resistant embankment.

(c) *Easements.* Easements will be provided for the drainage of stormwater; easements for drainage will be no less than 15 feet in width except for open channels and ditches where a width of 15 feet plus the top width of the ditch will be

provided with the said 15 feet to lie wholly along one side of the ditch.

(deletions are ~~stricken~~, additions are underlined)

**SECTION 4. AMENDMENT OF SECTION 7-15, WAKULLA COUNTY LAND DEVELOPMENT CODE.** The Board hereby amends paragraph (11) of Section 7-15 of the Wakulla County Land Development Code, pertaining to contents of a subdivision plan and preliminary plat, as follows:

**Section 7-15. Contents of subdivision plan and preliminary plat.**

(11) *Water management plan.* Proposed water management plan~~, including Florida Department of Environmental Regulation stormwater permit, or statement of exemption from DER coverage,~~ using accepted engineering principles as provided for in this Code.

(deletions are ~~stricken~~, additions are underlined)

**SECTION 5. AMENDMENT OF SECTION 8-140, WAKULLA COUNTY LAND DEVELOPMENT CODE.** The Board hereby amends paragraph (2) of Section 8-140 of the Wakulla County Land Development Code, pertaining to permits for construction of water supply lines, as follows:

**Section 8-140. Permit for construction of water supply lines; requirements.**

(2) The standard water and sewer construction specification shall be used as a minimum standard requirement. The minimum standard water construction specifications shall be those specified by the Florida Department of Environmental Protection ~~and as evidenced by the issuance of a Florida Department of Environmental Protection permit~~.

(deletions are ~~stricken~~, additions are underlined)

**SECTION 6. AMENDMENT OF SECTION 32.007, WAKULLA COUNTY CODE OF ORDINANCES.** The Board hereby amends paragraph (a) of Section 8-140 of the Wakulla County Land Development Code, pertaining to allowable uses of real property located within a wetland or other surface water or a wetland or surface water buffer, as follows:

**Section 32.007. Allowable Uses**

(a) The following uses shall be permitted in wetlands and other surface waters and buffers, provided they do not have an adverse impact on the wetland or other surface water.

(1) Construction, repair, replacement or maintenance of docks, piers, boardwalks, observation decks, and other elevated walkways, used for water dependent activities, provided such structure meets the design standards contained in section 32.010 of this chapter, and so long as all applicable state and federal permits have been obtained ~~and provided to the planning department at the time of application for a local development order prior to~~ commencement of such activities.

(2) The construction of private seawalls within an artificially created waterbody where such construction adjoins two existing seawalls not more than 150 feet apart.

(3) Parks and recreation uses consistent with the purpose and intent of this chapter.

(4) Conservation and preservation areas and nature trails.

(5) Hunting, trapping, and fishing, environmental education, and scientific research where not otherwise prohibited by law, and consistent with the purpose and intent of this chapter.

(6) Installation of boundary fences that do not alter the hydrology of the wetland or other surface water and which meet the design standards contained in section 32.010 of this chapter.

(7) Removal of exotic invasive plants in a manner consistent with the design standards set forth in section 32.010 of this chapter.

(8) Development activity for which the developer has received a valid development order from Wakulla County prior to the effective date of this chapter, so

long as such development order has not expired or been revoked.

(9) The renewal, improvement or alteration of 50 percent or less of any structure, so long as such renewal, improvement, or alteration remains within the same footprint as the original structure.

(10) The repair or replacement of legally constructed structures damaged or destroyed by a natural disaster or fire, so long as such repair or replacement remains within the same footprint as the original structure.

(deletions are ~~stricken~~, additions are underlined)

**SECTION 7. CODIFICATION IN THE CODE OF ORDINANCES.** It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Wakulla County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

**SECTION 8. SEVERABILITY.** Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

**SECTION 9. EFFECTIVE DATE.** A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after enactment by the Board and shall be effective upon filing with the Department of State.

**PASSED AND DULY ADOPTED** this _____ day of _____, 2012.

**ATTEST:**

_____
Brent X. Thurmond, Clerk

**BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA**

BY:_____
E. ALAN BROCK, Chair

**APPROVED AS TO FORM AND CONTENT:**

_____
Heather J. Encinosa,
County Attorney

# CHAPTER 2012-205

## Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 503

An act relating to environmental regulation; amending s. 125.022, F.S.; prohibiting a county from requiring an applicant to obtain a permit or approval from any state or federal agency as a condition of processing a development permit under certain conditions; authorizing a county to attach certain disclaimers to the issuance of a development permit; amending s. 161.041, F.S.; providing conditions under which the department is authorized to issue such permits in advance of the issuance of incidental take authorizations as provided under the Endangered Species Act; amending s. 166.033, F.S.; prohibiting a municipality from requiring an applicant to obtain a permit or approval from any state or federal agency as a condition of processing a development permit under certain conditions; authorizing a municipality to attach certain disclaimers to the issuance of a development permit; amending s. 218.075, F.S.; providing for the reduction or waiver of permit processing fees relating to projects that serve a public purpose for certain entities created by special act, local ordinance, or interlocal agreement; amending s. 373.026, F.S.; requiring the department to expand its use of Internet-based self-certification services for exemptions and permits issued by the department and water management districts; amending s. 373.326, F.S.; exempting certain underground injection control wells from permitting requirements under part III of chapter 373, F.S., relating to regulation of wells; providing a requirement for the construction of such wells; amending s. 373.4141, F.S.; reducing the time within which a permit must be approved, denied, or subject to notice of proposed agency action; prohibiting a state agency or an agency of the state from requiring additional permits or approval from a local, state, or federal agency without explicit authority; amending s. 373.4144, F.S.; providing legislative intent with respect to the coordination of regulatory duties among specified state and federal agencies; encouraging expanded use of the state programmatic general permit or regional general permits; providing for a voluntary state programmatic general permit for certain dredge and fill activities; amending s. 376.3071, F.S.; increasing the priority ranking score for participation in the low-scored site initiative; exempting program deductibles, copayments, and certain assessment report requirements from expenditures under the low-scored site initiative; amending s. 376.30715, F.S.; providing that the transfer of a contaminated site from an owner to a child of the owner or corporate entity does not disqualify the site from the innocent victim petroleum storage system restoration financial assistance program; authorizing certain applicants to reapply for financial assistance; amending s. 380.0657, F.S.; authorizing expedited permitting for certain intermodal logistics centers; amending s. 403.061, F.S.; authorizing zones of discharges to groundwater for specified installations; providing for modification of such



CODING: Words ~~stricken~~ are deletions; words underlined are additions.

zones of discharge; providing that exceedance of certain groundwater standards does not create liability for site cleanup; providing that exceedance of soil cleanup target levels is not a basis for enforcement or cleanup; amending s. 403.087, F.S.; revising conditions under which the department is authorized to revoke permits for sources of air and water pollution; amending s. 403.1838, F.S.; revising the definition of the term "financially disadvantaged small community" for the purposes of the Small Community Sewer Construction Assistance Act; amending s. 403.7045, F.S.; providing conditions under which sludge from an industrial waste treatment works is not solid waste; amending s. 403.706, F.S.; reducing the amount of recycled materials certain counties are required to apply toward state recycling goals; providing that certain renewable energy byproducts count toward state recycling goals; amending s. 403.707, F.S.; providing for waste-to-energy facilities to maximize acceptance and processing of nonhazardous solid and liquid waste; exempting the disposal of solid waste monitored by certain groundwater monitoring plans from specific authorization; specifying a permit term for solid waste management facilities designed with leachate control systems that meet department requirements; requiring permit fees to be adjusted; providing applicability; specifying a permit term for solid waste management facilities that do not have leachate control systems meeting department requirements under certain conditions; authorizing the department to adopt rules; providing that the department is not required to submit the rules to the Environmental Regulation Commission for approval; requiring permit fee caps to be prorated; amending s. 403.7125, F.S.; requiring the department to require by rule that owners or operators of solid waste management facilities receiving waste after October 9, 1993, provide financial assurance for the cost of completing certain corrective actions; amending s. 403.814, F.S.; providing for issuance of general permits for the construction, alteration, and maintenance of certain surface water management systems without the action of the department or a water management district; specifying conditions for the general permits; amending s. 403.853, F.S.; providing for the department, or a local county health department designated by the department, to perform sanitary surveys for certain transient noncommunity water systems; amending s. 403.973, F.S.; authorizing expedited permitting for certain commercial or industrial development projects that individually or collectively will create a minimum number of jobs; providing for a project-specific memorandum of agreement to apply to a project subject to expedited permitting; clarifying the authority of the department to enter final orders for the issuance of certain licenses; revising criteria for the review of certain sites; amending s. 526.203, F.S.; revising the definitions of the terms "blended gasoline" and "unblended gasoline"; defining the term "alternative fuel"; authorizing the sale of unblended gasoline for certain uses; providing that holders of valid permits or other authorizations are not required to make payments to authorizing agencies for use of certain extensions granted under chapter 2011-139, Laws of Florida; providing retroactive applicability and effect; providing a 2-year permit extension; providing an effective date.



CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 125.022, Florida Statutes, is amended to read:

125.022 Development permits.—When a county denies an application for a development permit, the county shall give written notice to the applicant. The notice must include a citation to the applicable portions of an ordinance, rule, statute, or other legal authority for the denial of the permit. As used in this section, the term "development permit" has the same meaning as in s. 163.3164. For any development permit application filed with the county after July 1, 2012, a county may not require as a condition of processing or issuing a development permit that an applicant obtain a permit or approval from any state or federal agency unless the agency has issued a final agency action that denies the federal or state permit before the county action on the local development permit. Issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. A county may attach such a disclaimer to the issuance of a development permit and may include a permit condition that all other applicable state or federal permits be obtained before commencement of the development. This section does not prohibit a county from providing information to an applicant regarding what other state or federal permits may apply.

Section 2. Subsection (5) is added to section 161.041, Florida Statutes, to read:

161.041 Permits required.—

(5) Notwithstanding any other provision of law, the department may issue a permit pursuant to this part in advance of the issuance of an incidental take authorization as provided under the Endangered Species Act and its implementing regulations if the permit and authorization include a condition requiring that authorized activities not begin until the incidental take authorization is issued.

Section 3. Section 166.033, Florida Statutes, is amended to read:

166.033 Development permits.—When a municipality denies an application for a development permit, the municipality shall give written notice to the applicant. The notice must include a citation to the applicable portions of an ordinance, rule, statute, or other legal authority for the denial of the permit. As used in this section, the term "development permit" has the same meaning as in s. 163.3164. For any development permit application filed with the municipality after July 1, 2012, a municipality may not require as a condition of processing or issuing a development permit that an applicant obtain a permit or approval from any state or federal agency unless the agency has issued a final agency action that denies the federal or state permit



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# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 20, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Henry F. Wells "Buddy", Wakulla County Supervisor of Elections |
| Subject: | Request Board Approval to Submit the Federal Election Activities Help America Vote Act (HAVA) Grant Application, Approval for Matching Funds, and Authorize the Chairman to Execute |

**Statement of Issue:**
This agenda item requests Board approval of the Federal Election Activities Help America Vote Act (HAVA) grant application and approval for matching funds.

**Background:**
The Federal 2010 Help America Vote Act (HAVA) required all counties to have matching funds from the Governing body (BOCC) in order to receive the grant. The grant is used for limited uses (poll worker training, sample ballots, voter guides, published voter information) and preapproved by state in order to receive the grant. Each year the State offers HAVA Grants to local Election Offices for the purpose of voter education. This grant was awarded last fiscal year thanks to your approval.

**Analysis:**
Staff is requesting Board approval to submit the application for the HAVA grant, approval for matching funds in the amount of 15% ($703.92) for a grant of $4,692.80 during the fiscal year 2012 / 2013 and to give written certification from County Governing body (BOCC) signed by the Chairman that the County will provide the match. (Attachment #1)

**Budgetary Impact:**
The budget will be impacted by contributing $703.92 in matching funds for the HAVA grant which has been budgeted for during FY2011/2012.

**Options:**
1. Approve the HAVA grant application, approval to match funds, and authorize the Chairman to execute the written certification.
2. Do not approve the HAVA grant application, to match funds, or authorization for the

Chairman to execute the written certification.

3. Board direction.

**Recommendation:**

Option #1

**Attachment(s):**

1. HAVA Request

**Supervisor of Elections**

*P.O Box 305*
*Crawfordville, FL 32326*
*Ph. 850/926-7575*

***HENRY F. WELLS "Buddy"***
*Supervisor of Elections*

July 20, 2012

Alan Brock
Chairman, Board of County Commissioners
P.O. Box 1263
Crawfordville, FL 32326

Dear Commissioner Brock,

Please find enclosed the Federal Election Activities grant information we are pursuing for the 2012-2013 election year. This form will need to be signed, dated and returned to the Supervisor of Elections office. If we can be of any assistance please do not hesitate to let us know.

Thank You,

Henry F. Wells

Supervisor of Elections
Wakulla County

FLORIDA DEPARTMENT of STATE

RECEIVED
2012 JUL 20 A 11:31
SUPERVISOR OF ELECTIONS
MAKULLA COUNTY, FLORIDA

**RICK SCOTT**
Governor

**KEN DETZNER**
Secretary of State

# MEMORANDUM

**To:** Supervisors of Elections

**From:** Dr. Gisela Salas, Director, Division of Elections

**Date:** July 16, 2012

**Subject:** FY 2012-13 Federal Election Activities Funds

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The 2012 Legislature appropriated $3,000,000 specifically for federal election activities. These funds will be distributed to the Supervisors of Elections pursuant to a formula based on active registered voters in each county as of the 2012 Presidential Preference Primary.

Funds received pursuant to this Agreement may be spent for any of the following purposes relating to federal election activities:

- Voter education;
- Poll worker training;
- Standardizing election results reporting; or
- Other federal election administration activities, as approved by the Department of State, such as implementing and maintaining the provisions of the Military and Overseas Voter Empowerment (MOVE) Act and the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA); or
- Any software or hardware technology, including but not limited to any emerging technology, that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results. Such technology or any pilot program that uses such technology must first be certified or approved, whichever is applicable, by the Department of State.

These are the acceptable uses for the funds under the categories listed above:

- Mailing or publishing sample ballots ***which must include additional information on voting procedures, voting rights or voting technology;***

- Voter information cards ***which must include additional voter education information on voting procedures, voting rights or voting technology;***
- Advertising or publications outlining voting procedures, voting rights or voting technology;
- Voting System demonstrations;
- Poll worker ***training*** stipends;
- Training materials for poll workers;
- Voter guides, ***which must include voter education information concerning voting procedures, voting rights, or voting technology but shall not contain elected officials' contact information other than the supervisor's contact information***; or
- Maintaining online or web-based absentee ballot request and ballot tracking and precinct-finder system as relates to use in federal elections and for the costs for upgrades and future license fees and maintenance fees for the MOVE Act and other UOCAVA expenditures.
- Any software or hardware technology, including but not limited to any emerging technology, that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results. Such technology or any pilot program that uses such technology must first be certified or approved, whichever is applicable, by the Department of State.

These funds must be used to support election activities related only to federal elections (that is, elections in which a federal candidate is on the ballot). If any of the funds are used for an election in which a federal candidate is not on the ballot, the cost must be pro-rated for the portion of the expenditure that is allocable to federal elections. Any of these funds can be used for the 2012 Presidential Preference Primary, Primary Election and General Election.

In order to receive the funds, the Legislature has required that the Supervisor of Elections provide the Department of State with a detailed description of the programs that will be implemented in the Supervisor's federal election activities plan. The Supervisor shall identify the source of funds (federal funds, county matching funds, other county funds/local) being used for each federal election activity set forth in the plan. ***Samples of any documents and/or publications that you plan to produce as part of these activities must be provided along with the plan***.

The Division has enclosed a federal election activities plan form, required to be used when submitting the plan. It will simplify the preparation of your plan, and it will expedite the Division's review and allow your check to be mailed to you more quickly. Simply place an X in the box for the programs that you plan to carry out this fiscal year, and place an X in the box for the topics that apply to each activity. Please also put an X in the appropriate boxes indicating which funds will be used for each activity.

There is no need to enter specific dollar amounts on the plan. The dollar amounts will be addressed when you submit your annual financial report due December 31, 2012.

Please also note, the 2012 Legislature included the following requirement in the appropriation. ***Supervisors shall also report to the Department any unspent funds remaining on June 30, 2013***. We will send out the reporting form in mid-July this year. If you need to make any changes to your original plan, the revised plan must be submitted in advance, in writing and approved by the Department of State.

As a reminder, the Chairman of the Board of County Commissioners will be required to provide written certification that the county will match the state funds with a 15% county match. If the county governing body fails to appropriate the matching funds, the Supervisor must return or repay to the State a portion of the funds for which the matching funds applied. Both the federal funds and the county matching funds must be held in a separate interest bearing account to be used solely for federal election activities purposes.

Enclosed are the following documents:

1. Memorandum of Agreement, Receipt and Use of HAVA Funds for Federal Election Administration Activities, MOA #2012-2013-0001 (required to be signed by the Supervisor of Elections);
2. Attachment A, Compliance Requirements;
3. Attachment A-1, Federal Election Activities Plan, form DS-DE 126 (required to be completed and returned by the Supervisor of Elections);
4. Attachment A-2,Certificate Regarding Matching Funds, form DS-DE 127 (required to be signed by the Chairman of the Board of County Commissioners);
5. Attachment A-3, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions, ED form GCS-009 (required to be signed by the Supervisor of Elections);
6. Attachment B, FY 2012-13 Federal Election Activities Funds Spreadsheet.

Please return all of these documents to the Division of Elections. You will be provided a copy of the agreement upon execution by the Division.

If you have any questions, please don't hesitate to contact me or the HAVA team.

GS/jd/ma

Enclosures

DEPARTMENT OF STATE
DIVISION OF ELECTIONS
FEDERAL ELECTION ACTIVITIES
FY 2012-2013

| County | 2012 Presidential Preference Primary Registered Voters | Federal Election Activities Funding Per County | County Matching Funds 15% |
|---|---|---|---|
| | | | |
| Alachua | 150,951 | $ 40,285.64 | $ 6,042.85 |
| Baker | 13,801 | $ 3,683.20 | $ 552.48 |
| Bay | 104,508 | $ 27,890.98 | $ 4,183.65 |
| Bradford | 15,762 | $ 4,206.55 | $ 630.98 |
| Brevard | 359,546 | $ 95,955.25 | $ 14,393.29 |
| Broward | 1,076,716 | $ 287,352.82 | $ 43,102.92 |
| Calhoun | 8,488 | $ 2,265.27 | $ 339.79 |
| Charlotte | 109,954 | $ 29,344.41 | $ 4,401.66 |
| Citrus | 96,084 | $ 25,642.80 | $ 3,846.42 |
| Clay | 127,514 | $ 34,030.80 | $ 5,104.62 |
| Collier | 170,798 | $ 45,582.39 | $ 6,837.36 |
| Columbia | 32,844 | $ 8,765.37 | $ 1,314.81 |
| DeSoto | 16,267 | $ 4,341.32 | $ 651.20 |
| Dixie | 10,176 | $ 2,715.76 | $ 407.36 |
| Duval | 516,319 | $ 137,794.67 | $ 20,669.20 |
| Escambia | 198,291 | $ 52,919.69 | $ 7,937.95 |
| Flagler | 66,186 | $ 17,663.65 | $ 2,649.55 |
| Franklin | 7,262 | $ 1,938.07 | $ 290.71 |
| Gadsden | 28,570 | $ 7,624.73 | $ 1,143.71 |
| Gilchrist | 10,717 | $ 2,860.14 | $ 429.02 |
| Glades | 6,631 | $ 1,769.67 | $ 265.45 |
| Gulf | 9,383 | $ 2,504.13 | $ 375.62 |
| Hamilton | 7,782 | $ 2,076.85 | $ 311.53 |
| Hardee | 12,037 | $ 3,212.42 | $ 481.86 |
| Hendry | 16,537 | $ 4,413.38 | $ 662.01 |
| Hernando | 119,474 | $ 31,885.09 | $ 4,782.76 |
| Highlands | 60,147 | $ 16,051.97 | $ 2,407.80 |
| Hillsborough | 686,215 | $ 183,136.33 | $ 27,470.45 |
| Holmes | 11,159 | $ 2,978.10 | $ 446.72 |
| Indian River | 90,153 | $ 24,059.94 | $ 3,608.99 |
| Jackson | 28,167 | $ 7,517.18 | $ 1,127.58 |
| Jefferson | 9,242 | $ 2,466.50 | $ 369.97 |
| Lafayette | 4,442 | $ 1,185.48 | $ 177.82 |
| Lake | 190,888 | $ 50,943.99 | $ 7,641.60 |
| Lee | 363,445 | $ 96,995.81 | $ 14,549.37 |
| Leon | 175,298 | $ 46,783.34 | $ 7,017.50 |
| Levy | 24,516 | $ 6,542.80 | $ 981.42 |
| Liberty | 4,265 | $ 1,138.24 | $ 170.74 |
| Madison | 11,572 | $ 3,088.32 | $ 463.25 |
| Manatee | 202,437 | $ 54,026.17 | $ 8,103.93 |
| Marion | 213,970 | $ 57,104.09 | $ 8,565.61 |
| Martin | 100,827 | $ 26,908.60 | $ 4,036.29 |
| Miami-Dade | 1,214,351 | $ 324,084.70 | $ 48,612.71 |

DEPARTMENT OF STATE
DIVISION OF ELECTIONS
FEDERAL ELECTION ACTIVITIES
FY 2012-2013

| County | 2012 Presidential Preference Primary Registered Voters | Federal Election Activities Funding Per County | County Matching Funds 15% |
|---|---|---|---|
| Monroe | 50,854 | $ 13,571.86 | $ 2,035.78 |
| Nassau | 50,704 | $ 13,531.83 | $ 2,029.77 |
| Okaloosa | 120,761 | $ 32,228.57 | $ 4,834.29 |
| Okeechobee | 18,516 | $ 4,941.53 | $ 741.23 |
| Orange | 623,409 | $ 166,374.73 | $ 24,956.21 |
| Osceola | 144,004 | $ 38,431.63 | $ 5,764.75 |
| Palm Beach | 826,909 | $ 220,684.59 | $ 33,102.69 |
| Pasco | 296,984 | $ 79,258.77 | $ 11,888.82 |
| Pinellas | 601,314 | $ 160,478.04 | $ 24,071.71 |
| Polk | 331,671 | $ 88,516.00 | $ 13,277.40 |
| Putnam | 43,429 | $ 11,590.29 | $ 1,738.54 |
| St. Johns | 145,173 | $ 38,743.62 | $ 5,811.54 |
| St. Lucie | 168,088 | $ 44,859.15 | $ 6,728.87 |
| Santa Rosa | 110,809 | $ 29,572.59 | $ 4,435.89 |
| Sarasota | 271,332 | $ 72,412.80 | $ 10,861.92 |
| Seminole | 257,858 | $ 68,816.87 | $ 10,322.53 |
| Sumter | 69,331 | $ 18,502.98 | $ 2,775.45 |
| Suwannee | 24,454 | $ 6,526.26 | $ 978.94 |
| Taylor | 12,677 | $ 3,383.22 | $ 507.48 |
| Union | 6,950 | $ 1,854.81 | $ 278.22 |
| Volusia | 312,599 | $ 83,426.09 | $ 12,513.91 |
| Wakulla | 17,584 | $ 4,692.80 | $ 703.92 |
| Walton | 38,056 | $ 10,156.34 | $ 1,523.45 |
| Washington | 13,894 | $ 3,708.02 | $ 556.20 |
| **TOTAL** | **11,241,052** | **$ 3,000,000.00** | **$ 450,000.00** |

**FY 2012-2013 APPROPRIATION - FEDERAL ELECTION ACTIVITIES** **$3,000,000**

**2012 PPP - Total number of registered voters in the state** **11,241,052**

**FUNDING LEVEL PER INDIVIDUAL VOTER** **$0.2669**

(Based on FY 2012-2013 appropriation for Federal Election Activities divided by the total number of registered voters in the state for the 2012 PPP Election.)

ATTACHMENT A-2 of MOA 2012-2013-0001

**Certificate Regarding Matching Funds**

I, _____, Chairman of the Board of County Commissioners of Wakulla County, Florida, do hereby certify that the Board of County Commissioners will provide matching funds for the Federal Election Activities grant in county FY 2012-2013 to the Supervisor of Elections in an amount equal to at least 15% of the amount to be received from the state, which for Wakulla County is $703.92. I understand that if the Board fails to appropriate the required matching funds, all funds received from the state for this grant during the 2012-2013 state fiscal year will be required to be returned to the Department of State.

_____

Chairman, Board of County Commissioners

_____

Date

DS-DE 127
Revised 7/5/2011

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 19, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | J. David Edwards, County Administrator<br>Timothy Barden, Deputy County Administrator |
| Subject: | Request Board Approval to Set the Two Public Hearing Dates on the Tentative and Final Budget and Adoption of the Millage Rate for September 4, 2012 and September 17, 2012. |

**Statement of Issue:**
This agenda item requests Board approval to set the two public hearing dates on the Tentative and Final Budget and adoption of the FY2012/13 millage rate for September 4, 2012 and September 17, 2012.

**Background:**
According to Florida Statute 200.069(2)(b), within 80 days of the Certification of Property Value, but not earlier than 65 days after certification, the County is required to hold the first public hearing on the tentative budget and proposed millage rate. This hearing is publicized via the Truth in Millage (TRIM) Notice mailed out by the Property Appraiser. At this hearing the County will amend and adopt the tentative budget, re-compute its proposed millage rate and publicly announce the percent, if any, by which the re-computed proposed millage exceeds the rolled back rate.

Subsequently, according to Florida Statute 200.065(2), within 15 days after the meeting adopting the tentative budget, the County needs to advertise its intent to adopt a final millage rate and budget. The second public hearing to adopt the final millage rate and budget shall be held not less than 2 days or no more than 5 days after the day that the advertisement is published. Per TRIM requirements, the Board of Commissioners budget hearing dates cannot conflict with the budget hearing dates that are set by the Wakulla County School Board.

**Analysis:**
According to the TRIM calendar, and since the Certification of Property Value was received by July 1, 2012 from the Property Appraiser, the County will be in compliance with Florida Statutes, if the two public hearing dates are scheduled as follows:

First Public Hearing Date
Tuesday, September 4, 2012 at 5:01 p.m. in the County Commission Chambers

Second Public Hearing Date
Monday, September 17, 2012 at 5:01 p.m. in the County Commission Chambers

The FY2012/13 Budget calendar was approved by the Board at the first budget development workshop, on January 25, 2012. This calendar included these two public hearing dates. Staff has been in contact with the Wakulla County School Board and was advised that these dates would not be in conflict with their anticipated budget hearing dates.

**Budgetary Impact:**
None.

**Options:**
1. Approve the setting of two public hearing dates on the tentative final budget for Tuesday, September 4, 2012 at 5:01 p.m. in the County Commission Chambers and Monday, September 17, 2012at 5:01 p.m. in the County Commission Chambers.
2. Do not approve the setting of two public hearing dates on the tentative final budget for Tuesday, September 4, 2012 at 5:01 p.m. in the County Commission Chambers and, Monday September 17, 2012 at 5:01 p.m. in the County Commission Chambers.
3. Board direction.

**Recommendation:**
Option #1.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 26, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Tim Barden, Assistant County Administrator<br>Sheree T. Keeler, Grants Coordinator |
| Subject: | Request Board Approval for the Chairman to Sign Extension/Amendment #1 of the Ocholockonee Bay Bike Trail (OBBT) Construction Agreement Between the Board and the US Department of the Interior |

**Statement of Issue:**
This agenda item seeks Board approval for the Chairman to sign the Extension/Amendment #1 of the Agreement entered into on March 2012, between the Board and the US Department of the Interior (USDOI) to receive the funding for Phase 4 construction of the OBBT (Attachment #1).

**Background:**
This project is Phase IV of the 11.63 mile OBBT a multi-use, stand alone trail on CR 372 in Wakulla County. The County entered into an agreement with the Department of Environmental Protection Office of Greenways and Trails for a feasibility study to determine if sufficient right-of-way or combination of federal, public and private lands existed to construct the walking/biking/sidewalk facility along County Road 372. The study proved feasible and the County has moved forward with identifying five (5) Phases of this trail facility. Preliminary Engineering, Design, and Permitting, including all environmental work have been on-going as appropriate. All funding for the trail is provided through a series of reimbursable Enhancement Grants made possible by DOT.

On March 19, 2012, an agenda item was presented to the Board giving an update on all five phases of this project and the Board ratified the contract with the DOI for the $1.22 million grant funding for construction of Phase IV, which is 4.78 miles passing entirely within the St. Marks Wildlife Refuge running along the side of Surf Road. Additionally, the Board adopted Resolution #12-14, identifying the OBBT a County priority as well as the acceptance of the March 2012 OBBT Status Report.

On May 17, 2012, an Invitation to Bid (ITB #2012-10) was advertised requesting interested

construction companies to submit bids for the construction of Phase IV of the OBBT. July 2012, the Department of Transportation concurred with the BOCC recommendation to award the contract for construction to C.W. Roberts, the lowest qualified bidder, C.W. Roberts in the amount of $814,634.83. The pre-construction meeting with C.W. Roberts is scheduled for August 7, 2012, to discuss time frames, scope of work and review the Contract terms and conditions.

**Analysis:**

The original executed Agreement between the Board and the USDOI, has an expiration date of December 31, 2012, which is not sufficient time to complete construction of the trail and close out all required forms and reimbursements. Note that some delays have been experienced due to TS Debby flooding and road closures along this section of the OBBT.

Furthermore, this Agreement between the USDOI and DOT does not expire until December 31, 2013. Therefore, the purpose of this request for the Chairman Brock to sign the extension is to provide consistency between the Agreements mentioned above as well as provide adequate time for completion and close out of the project so as to not jeopardize any funding.

**Budgetary Impact:**

This project is 100% reimbursable from the DOT Enhancement Grant Program. However, because Phase IV of the OBBT runs through the National Forest, reimbursement of expended County funds is made to the DOI from DOT as appropriate for work completed.

**Options:**

1. Approve the Chairman to sign the Extension/Amendment #1 of the Agreement entered into on March 19, 2012, between the Board and the US Department of the Interior (USDOI) to receive the funding for Phase 4 construction of the OBBT.
2. Do not approve the Chairman to sign the Extension/Amendment #1 of the Agreement entered into on March 19, 2012, between the Board and the US Department of the Interior (USDOI) to receive the funding for Phase 4 construction of the OBBT.
3. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

1. Extension/Amendment #1

# Grant and Cooperative Agreement

CHOOSE ONE:
- [ ] COOPERATIVE AGREEMENT
- [X] GRANT

CHOOSE ONE: [ ] EDUCATION [ ] FACILITIES [ ] RESEARCH [ ] SDCR [ ] TRAINING

| 1. GRANT/COOPERATIVE AGREEMENT NUMBER | 2. SUPPLEMENT NUMBER | 3. EFFECTIVE DATE | 4. COMPLETION DATE |
|---|---|---|---|
| F12AB00002 | 0001 | 07/23/2012 | |

**5. ISSUED TO**
NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip)
WAKULLA COUNTY BOARD OF COUNTY
Attn: ATTN GOVERNMENT POC
3056 CRAWFORDVILLE HIGHWAY
CRAWFORDVILLE FL 32327

**6. ISSUED BY**
Mailing Address: FWS, DIVISION OF CONTRACTING AND GR
1875 CENTURY BOULEVARD
SUITE 310
Atlanta GA 30345-3310

**7. TAXPAYER IDENTIFICATION NO. (TIN)**

**8. COMMERCIAL & GOVERNMENT ENTITY (CAGE) NO.**

**9. PRINCIPAL INVESTIGATOR/ORGANIZATION'S PROJECT OR PROGRAM MGR. (*Name & Phone*)**
James F. Burnett, Project Leader
(850) 925-6121

**10. RESEARCH, PROJECT OR PROGRAM TITLE**
Bike Trail - Wakulla County

**11. PURPOSE**
SEE BELOW

**12. PERIOD OF PERFORMANCE (*Approximately*)**
02/01/2012 through 12/31/2013

| 13A. | AWARD HISTORY | 13B. | FUNDING HISTORY |
|---|---|---|---|
| PREVIOUS | $1,222,000.00 | PREVIOUS | $1,222,000.00 |
| THIS ACTION | $0.00 | THIS ACTION | $0.00 |
| CASH SHARE | $0.00 | TOTAL | $1,222,000.00 |
| NON-CASH SHARE | $0.00 | | |
| RECIPIENT SHARE | $0.00 | | |
| TOTAL | $1,222,000.00 | | |

**14. ACCOUNTING AND APPROPRIATION DATA**

| PURCHASE REQUEST NO. | JOB ORDER NO. | AMOUNT | STATUS |
|---|---|---|---|
| | | | |
| | | | |

**15. POINTS OF CONTACT**

| | NAME | MAIL STOP | TELEPHONE | E-MAIL ADDRESS |
|---|---|---|---|---|
| TECHNICAL OFFICER | | | | |
| NEGOTIATOR | | | | |
| ADMINISTRATOR | Janice Mcneill | | 404-679-4056 | janice_mcneill@fws.gov |
| PAYMENTS | | | | |

**16. THIS AWARD IS MADE UNDER THE AUTHORITY OF :**
National Wildlife Refuge Administration Act of 1966, 16 U.S.C. 668dd(b) (1).

**17. APPLICABLE STATEMENT(S), IF CHECKED:**
- [ ] NO CHANGE IS MADE TO EXISTING PROVISIONS
- [ ] FDP TERMS AND CONDITIONS AND THE AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT

**18. APPLICABLE ENCLOSURE(S), IF CHECKED:**
- [ ] PROVISIONS
- [ ] SPECIAL CONDITIONS
- [ ] REQUIRED PUBLICATIONS AND REPORTS

| UNITED STATES OF AMERICA | | COOPERATIVE AGREEMENT RECIPIENT | |
|---|---|---|---|
| CONTRACTING/GRANT OFFICER<br>Donald Calder | DATE<br>7-23-2012 | AUTHORIZED REPRESENTATIVE | DATE |

# Grant and Cooperative Agreement

| ITEM NO. (A) | ITEM OR SERVICE (Include Specifications and Special Instructions) (B) | QUANTITY (C) | UNIT (D) | ESTIMATED COST | |
|---|---|---|---|---|---|
| | | | | UNIT PRICE (E) | AMOUNT (F) |
| | CFDA Number: 20.205<br>DUNS Number: 199061706+0000<br>FA Ochlocknee Bike Trail with Wakulla County, FL Board of County Commissioners.<br><br>The purpose of this modification is to extend the period or performance.<br><br>1. Article VI, Period of Performance, is changed to read:<br><br>The period of performance of this agreement is from the date of this agreement through December 31, 2013.<br><br>2. All other terms and conditions remain unchanged.<br><br>Period of Performance: 02/01/2012 to 12/31/2013<br><br>The Recipient is required to submit request for payment using the<br>Department of Treasury's Automated Standard Application for Payments (ASAP).<br>Information regarding billings and registration in ASAP can be found at www.ASAP.gov. | | | | |

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 26, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Les Harrison, Wakulla County Extension Director<br>Sheree T. Keeler, Grants Coordinator |
| Subject: | Request Board Approval to Submit an Application to the Florida Department of Agriculture and Consumer Affairs for a Commercial Development and Capital Improvements Grant for the Wakulla Extension Office |

**Statement of Issue:**
This agenda item requests Board approval to submit an application to the Florida Department of Agriculture and Consumer Affairs for a Commercial Development and Capital Improvements Grant for the Wakulla Extension Office.

**Background:**

The Florida Department of Agriculture and Consumer Services (DACS) is authorized to certify a facility as an agriculture education and promotion facility (facility) meeting specific criteria pursuant to section 288.175, Florida Statutes. The Wakulla County Extension Office is considered a certified facility according to DACS.

A certified facility is eligible to apply for DACS Commercial Development and Capital Improvements grants that support, enhance or expand services, events, training and promotional activities associated with the mission of the facility. While this grant requires a 40 percent match it allows for the value of the land, or any improvements to the land, to be used as part or the entire match requirement. This must, however, be documented by a certified appraisal, tax assessors report or copies of paid invoices for land improvements.

**Analysis:**
Wakulla County's farmers produce a variety of safe, affordable agricultural products serving Florida's niche, specialty and commodity marketplaces. As with anyone in agriculture, they face many obstacles to gain financial success on a daily basis. As such, it is critically important to keep these producers informed on the latest professional developments and educated and on the most up-

to-date techniques in agricultural production. With the growing attention being focused on buy-local campaigns, it is essential to help Wakulla County producers sustain the production and marketability of a safe product for local consumers and visitors to our County.

However, the current condition of the Wakulla County Extension Office and limited funding for such programs presents a challenge to supporting our local producers. Currently, educational offerings are limited due to the lack of modern amenities and teaching tools. These obstacles result in a reduction of agricultural education offerings resulting in reduced production efficiency of local produce. These factors can significantly impede Wakulla County farmers, ranchers and market gardeners in successfully marketing their crops.

***Project Concept***:

To provide education, training and information to support our local producers be successful as a viable, growing agri-business in Wakulla County, it is proposed to apply for a DACS Commercial Development and Capital Improvement grant that, if approved, would provide funding for essential upgrades to the facility as well as adding to the existing agriculture education, training and promotion of the program and facility, specifically:

1. ***Upgrade Classrooms and Demonstration Commercial Kitchen***: Improve the interior agriculture teaching environment with audio/visual equipment and lighting suitable to a superior learning experience. Lighting equipment will also double as a demonstration of the new efficient system that can be employed in agricultural operations. The commercial kitchen will extend the economic reach of the producers by incorporated a value-added component to their produce thereby increasing their market potential and economic gain. Producers will learn proper food safety, labeling, packaging and other associated topics for their products to reach the end users with safe, attractive products.
   ***Estimated budget: $125,000***

2. ***Teaching Pavilion in Demonstration Garden/Orchard***: Provide a teaching venue in the demonstration garden/orchard measuring 30 feet by 30 feet. The open air facility will be used to continue and expand the high value specialty crop educational efforts. It will provide the opportunity for students to learn in the environment in which they will later work.
   ***Estimated budget: $55,000***

3. ***Upgrade Livestock Facility***: Install modern lighting and associated electrical devises, livestock stanchions, watering system, feeders, sound system, and animal handling equipment. The facility is currently used as an exhibition hall for cattle and swine producers,

including the Wakulla Youth Swine Show in its 48th year.
***Estimated budget: $75,000***

***Total estimated budget: $255,000***

The grant application deadline is October 1, 2012. The grant award date would be no sooner than July 1, 2013, as the approval and funding of this grant program is subject to the legislative budget process pursuant to Chapter 216, Florida Statutes.

**Budgetary Impact:**
None, the land value will be used for the 40 percent County match, estimated at $102,000.

**Options:**
1. Approve Applying for the Grant and proposed project concept.
2. Do not approve Appling for the Grant and proposed project concepts.
3. Board direction.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 31, 2012 |
| To: | Members of the Wakulla County Board of County Commissioners |
| From: | Alan Brock, County Commissioner District 1 |
| Subject: | Request Board Approval of a Letter of Support for St. Marks Grant Application for the 2013 EPA Brownfield's Cleanup Grant |

**Statement of Issue:**
This agenda request is seeking Board approval of a letter of support for the City of St. Marks grant application for the 2013 EPA Brownfield's Cleanup Grant.

**Background:**
The Board has supported the City of St. Marks in their past efforts with improvement of this field. This includes waving the back taxes on the property that were owed.

**Analysis:**
As one of two municipalities in our county, and as a historic economic center for the region, this grant will allow St. Marks to continue to rebuild, and to help revitalize its local economy. Therefore, by directing the Chairman to sign the letter of support (Attachment#1) will show the Boards continued support for the revitalization and redevelopment of the St. Marks community. The City of St. Marks has secured a Brownfield site, and will seek grants to secure additional funding for environmental and economic recovery.

**Budgetary Impact:**
There are no anticipated costs.

**Options:**
1. Approval to direct the Chairman to sign the letter of support for the St. Marks grant application.
2. Do not approve to direct the Chair to sign the letter of support for the St. Marks grant application.
3. Board direction.

**Recommendation:**
Option #1

**Attachments:**

1. Letter of Support

Wakulla County

August 6, 2012

Zoe Mansfield
City Manager
City of St. Marks
PO Box 296
St. Marks FL 32355

Dear Ms. Mansfield:

On behalf of the Wakulla County Board of County Commissioners, please accept this letter of commitment and support for the City of St. Marks application for a 2013 EPA Brownfields Cleanup Grant for the property located at 627 Port Leon Drive. The award of a Cleanup grant will leverage the City's successes of the last three (3) years with the original EPA Assessment grant to promote further revitalization of the former St. Marks Refinery site. We applaud the City's effort to support the revitalization and redevelopment of our community.

As one of two municipalities in our county, and as a historic economic center for the region, this grant can allow St. Marks to continue to rebuild, and to help revitalize its local economy. St. Mark's success is a success for a community as a whole. We fully support their effort to secure this funding and make improvements to this Brownfield.

In support of and commitment to the City of St. Marks Brownfield Program, has Wakulla County already waved back taxes owed by the previous owner of the Brownfield. Wakulla County will continue to work with the City of St. Marks to ensure the success of this outreach, doing whatever we can to assist them as they move forward. Wakulla County will be glad to serve on advisory boards or committees that are developed in support of this grant and Brownfields redevelopment in our community.

Please feel free to contact Sheree Keeler at 850-926-0919, or SKeeler@mywakulla.com so that we may demonstrate further support of this US EPA Brownfields Assessment grant application.

Sincerely,

_____
E. Alan Brock, Chairman

**BOARD OF COUNTY COMMISSIONERS**

***Alan Brock***
Chairman, District 1

***Randy Merritt***
Vice-Chairman, District 2

***Mike Stewart***
District 3

***Jerry Moore***
District 4

***Lynn Artz***
District 5

***J. David Edwards***
County Administrator

***Heather J. Encinosa***
County Attorney
(850) 224-4070

Office of Management and Budget
Post Office Box 309
Crawfordville, FL 32326
(850) 926-9500
(850) 926-9006 FAX

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 31, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Heather J. Encinosa, County Attorney |
| Subject: | Request Board Approval to Advertise and Schedule a Public Hearing to Consider an Ordinance Relating to Excessive Noise |

**Statement of Issue:**
This agenda item requests Board approval to advertise and schedule a public hearing to consider an ordinance regulating excessive noise within the County (Attachment #1).

**Background:**
Previously, due to concerns regarding excessive noise within the County, the Board directed the County Attorney's Office to work with the Wakulla County Sheriff's Office to develop a new ordinance repealing the County's current code provisions related to excessive noise, which are unenforceable, and adopt a new ordinance which may be enforced throughout the County. Medical science has long recognized that exposure to excessive noise can have a number of detrimental health effects. For a brief summary of these effects, see Attachment #2.

**Analysis:**
The proposed Ordinance repeals section 21.002 of the Wakulla County Code of Ordinances, entitled "Abatement of Unnecessary Noise" and adopts a new Noise Ordinance regulating excessive noise within the County. The new provisions include the following:

- A definitions section providing definitions for key terms.
- Legislative findings.
- A section providing that the Ordinance is applicable throughout Wakulla County, including within the incorporated areas of the cities of St. Marks and Sopchoppy.
- Maximum noise levels allowed within the County as measured from property adjacent to a property on which noise is generated, and providing specific prohibitions for certain types of noise.
- Exemptions for Noise generated by public service vehicles, noise resulting from emergency work, noise resulting from parades and community events, noise generated pursuant to valid

temporary use permits, special events permits, or other county permits, noise generated from law enforcement and public safety vehicles, and other similar types of noise.

- A section specifying the manner in which the ordinance shall be enforced. Specifically, violations 1-3 within a 5 year period shall be enforced as civil citations. If a person receives more than three citations within a 5 year period, such subsequent violations are to be prosecuted as misdemeanors.
- Penalties for violation of the ordinance.

**Budgetary Impact:**

If approval is given to advertise the proposed Ordinance, an advertisement fee of approximately $90.00 will be charged to the County for the required publication in The Wakulla News.

**Options:**

1. Approve to advertise and schedule a public hearing to consider an ordinance relating to excessive noise.
2. Do not approve to advertise and schedule a public hearing to consider an ordinance relating to excessive noise.
3. Board Direction.

**Recommendation:**

Option #1

**Attachment(s):**

1. Draft Ordinance
2. Information about the dangers of excessive noise

**ORDINANCE NO. 2012-_____**

**AN ORDINANCE REGULATING EXCESSIVE NOISE WITHIN THE COUNTY; REPEALING SECTION 21.002, WAKULLA COUNTY CODE OF ORDINANCES IN ITS ENTIRETY; PROVIDING DEFINITIONS; ADOPTING LEGISLATIVE FINDINGS; PROVIDING FOR APPLICABILITY OF THIS ORDINANCE; PROHIBITING EXCESSIVE NOISE; PROVIDING EXEMPTIONS; PROVIDING FOR ENFORCEMENT AND IMPOSING PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED** by the Board of County Commissioners of Wakulla County, Florida, that:

**SECTION 1. REPEAL OF PROVISIONS OF THE WAKULLA COUNTY CODE OF ORDINANCES PERTAINING TO EXCESSIVE NOISE.** The Board hereby repeals in its entirety section 21.002, Wakulla County Code of Ordinances, relating to Abatement of Unnecessary Noise.

**SECTION 2. DEFINITIONS.** For the purposes of this Ordinance, the following terms shall have the following meanings unless the context clearly requires otherwise. Terms not defined in this Ordinance shall have the same meaning as their ordinary use indicates. All technical acoustical terminology and standards used in this Ordinance which are not defined herein shall be construed in conformance with the American National Standards Institute, Inc. publication entitled "Acoustical Terminology" or its successor publication.

**"American National Standards Institute, Inc." or "ANSI"** means that organization or a successor entity, responsible for accrediting industry standards including standards for sound and sound measurement devices.

**"Board"** means the Board of County Commissioners of Wakulla County, Florida.

**"Construction"** means any site preparation, assembly, erection, repair, alteration, or similar action, including demolition of buildings or structures.

**"Decibel"** or **"dB"** means a unit of measurement for describing the amplitude of sound or sound pressure level at a specified location. "dB(A)" shall mean the sound pressure level calculated using the "A" weighting network.

**"Dwelling Unit"** means a building, or a portion thereof, which is designed for Residential purposes, consisting of one or more rooms which are arranged, designed, or used as living quarters for one family only.

**"Emergency"** means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

**"Emergency Signal Device"** means any gong, whistle, siren, bell, air horn, or similar device which is permitted for use by an Emergency vehicle.

**"Emergency Work"** means any work or action necessary to deliver essential public services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life threatening conditions.

**"Industrial Property"** means a parcel of property which is designed or used for manufacturing, warehousing, or assembling components.

**"Multi-Family Dwelling Unit"** shall mean a building or a portion of a building, regardless of ownership, containing more than one Dwelling Unit designed for occupancy by a single family, which units are not customarily offered for rent for one day, including but not limited to, townhouses and apartments.

**"Noise"** means sound that is excessive and disturbing to a reasonable person of ordinary sensibilities, as measured from the Real Property Line of the Source Property.

**"Noise Sensitive Area"** means an area within the County which may be especially sensitive to unreasonable and excessive sound. Noise Sensitive Areas include, but are not limited to, schools, daycares, libraries, religious institutions, hospitals, nursing homes and other like facilities, and cemeteries. A cemetery shall be considered to be a Noise Sensitive Area only at such times when a funeral service is actually taking place and signs are posted to that effect.

**"Non-industrial, Non-residential Property"** means any property other than Residential Property or Industrial Property that is not located within a Noise Sensitive Area.

**"Person"** means any individual, association, partnership, corporation, or other legal entity.

**"Real Property Line"** means the imaginary line including its vertical extension that separates one parcel of real property from another. For purposes of this Ordinance, the location of the Real Property Line may be based on the best estimate of a law enforcement officer seeking to measure Noise in accordance with the provisions of this Ordinance. A failure by a law enforcement officer to exactly identify the Real Property Line between two parcels of real property shall not serve to invalidate any action of the officer or Wakulla County with respect to this Ordinance.

**"Receiving Property"** means a parcel of property affected by Noise which is located adjacent to a Source Property.

**"Residential"** means Multi-Family Dwelling Units, Single Family Houses, and other properties used for the purpose of providing living quarters for one or more natural persons.

**"Single Family House"** means a Dwelling Unit on an individual lot, tract, or other parcel of land containing a single Dwelling Unit designed for occupancy by a single family.

**"Sound Meter"** means an instrument used for the measurement of Noise levels in a specific manner and which complies with standards established by the American National Standards Institute specifications for sound level meters.

**"Source Property"** means that property on which Noise is generated.

**SECTION 3. LEGISLATIVE FINDINGS.** The Board of County Commissioners of Wakulla County hereby makes the following legislative findings:

(A) The Board has all authority pursuant to Art. VIII, s. (1)(g), Florida Constitution, and s. 125.01, Florida Statutes, and s. 2.7 of the Wakulla County Charter, to enact county ordinances not inconsistent with general law.

(B) The Board hereby acknowledges that unreasonable and excessive sound, or Noise, has serious detrimental effects on the public health, welfare, and safety of the citizens of Wakulla County. Due to these detrimental effects, the Board finds it is necessary to regulate unreasonable and excessive sound occurring within the County.

(C) The Board also finds that unreasonable and excessive sound negatively and severely impacts the ability of persons within the County to peaceably enjoy both public and private property and a reduction of the volume levels of such sound serves a significant governmental interest.

(D) It is the intent of the Board to prohibit excessive and unreasonable sound that may jeopardize the citizens of the County or degrade their quality of life.

(E) The Board finds that the provisions of the Ordinance are unrelated to the content of the Noise being produced and they provide ample alternative channels for producing sound within the County, even if such sound is only allowed at certain times, below specified volume levels, and in certain locations.

(F) The regulations provided herein are narrowly tailored to serve the significant governmental interest in ensuring that all persons are able to peacefully enjoy their property and in ensuring that the health interests of all persons in the County are protected from the effects of excessive and disturbing sounds.

(G) This Ordinance should be liberally construed to effectuate the purposes described in this Section.

**SECTION 4. APPLICABILITY.** This Ordinance applies to the control of all Noise produced within Wakulla County, including the incorporated areas of the cities of St. Marks, Florida and Sopchoppy, Florida.

**SECTION 5. PROHIBITION ON EXCESSIVE NOISE.**

(A) No Person may cause, allow, or permit the production of any Noise on any Source Property that exceeds the Noise level limits on an adjacent Receiving Property set forth in the table provided in this Subsection during the ascribed times of day. Noise that exceeds these limits shall be considered to be unreasonable and excessive.

| **Type of Receiving Property** | **7:00 a.m. to 9:00 p.m.** | **9:01 p.m. to 6:59 a.m.** |
|---|---|---|
| Residential property | 60 dB(A) | 55 dB(A) |
| Non-industrial, Non-residential property | 65 dB(A) | 60 dB(A) |
| Industrial property | 80 dB(A) | 75 dB(A) |
| Noise Sensitive Areas | 60 dB(A) | 55 dB(A) |

(B) Noise Measurement.

(1) Noise shall be measured on the A-weighted scale with a Sound Meter satisfying at least the applicable requirement for Type 2 Sound Meters as defined by the American National Standards Institute. Prior to measurement, the Sound Meter shall be verified and calibrated according to the manufacturer's specifications.

(2) In the event the Source Property is a Residential property containing Multi-Family Dwelling Units, Noise levels should be measured within a Multi-Family Dwelling Unit adjacent to the Dwelling Unit from which the Noise is generated at a point in the center of the room most affected by the Noise. For all other types of Receiving Properties, Noise levels should be measured no closer than the Real Property Line of the Source Property. In the alternative, if the law enforcement officer determines it is necessary, Noise levels may be measured from a public street or other public right-of-way.

(3) Sound Meters shall be maintained in good working order. The microphone of the Sound Meter shall be positioned so as not to create any unnatural enhancement or diminution of the Noise being measured, and a windscreen shall be used at all times.

(4) Noise shall be measured utilizing a measurement period of at least ten minutes and shall be deemed to be in violation of this Ordinance if it exceeds the Decibel levels provided in paragraph (A) of this section for more than ten percent of such measurement period.

(5) The law enforcement official measuring Noise pursuant to this Ordinance shall document all Noise measurement results, which documentation shall include the following information: (i) the Sound Meter used, including name, make, type, and serial number; (ii) the date of the last laboratory calibration; (iii) verification that the Sound

Meter was calibrated on-site before and after each series of measurements; (iv) the location of the measuring area including the approximate distance from the source of the Noise; (v) a sketch of the measuring area; (vi) the time and date the Noise measurement was taken; (vii) the name of any observers; and (viii) the general weather conditions.

(C) Specific Prohibitions.

(1) No Person shall use power tools and landscaping and yard maintenance equipment for non-business purposes on or within 250 feet of a Residential Property between the hours of 9:01 p.m. and 6:59 a.m. At all other times, such tools and equipment may be used on such property notwithstanding the Noise levels established in paragraph (A) of this Section.

(2) No Person shall use power tools and landscaping and yard maintenance equipment for business purposes, except for completing Emergency Work on or within 250 feet of a Residential Property between the hours of 6:00 p.m. and 8:00 a.m. At all other times, such tools and equipment may be used on such property notwithstanding the Noise levels established in paragraph (A) of this Section.

(3) No Person shall conduct Construction activity, except for Emergency Work between the hours of 6:00 p.m. and 8:00 a.m.

(4) An exterior burglar alarm of a building or a motor vehicle alarm must be operated such that upon activation it terminates within five (5) minutes for continuous Noise or within fifteen (15) minutes for non-continuous Noise.

**SECTION 6. EXEMPTIONS.** The following types of Noise are exempt from the application of this Ordinance, notwithstanding the Decibel level or time during which it is produced:

(A) All Noises generated by public service vehicles or activities, including, but not limited to: solid waste collection activities; utility installation, repair or maintenance; and road and bridge Construction, maintenance, or repairs. This exemption shall apply to all vehicles owned by or activities conducted by a governmental entity, as well as to those vehicles or activities owned or conducted by a private entity on behalf of a governmental entity, and to private utilities.

(B) Noise resulting from Emergency Work which is necessary to prevent imminent injury to persons or significant damage to property.

(C) Non-amplified crowd noises resulting from activities such as parades or other community events.

(D) Noise generated pursuant to a valid County temporary use permit, special events permit, or other authorization which may include specific limitations on the use of sound and amplification devices.

(E) Noise generated from any law enforcement or public safety vehicles equipped with any communication device necessary in the performance of law enforcement or public safety duties or procedures, including but not limited to Emergency Signal Devices.

(F) Noise generated by a horn or other warning device required or permitted by s. 316.271, Florida Statutes. These devices must comply with rules promulgated by the Florida Department of Highway Safety and Motor Vehicles.

(G) Noise generated by a bona fide "farm operation" regulated through implemented best management practices or interim measures developed by the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services, or water management districts, and adopted under Chapter 120, Florida Statutes, as part of a statewide or regional program, pursuant to s. 823.14, Florida Statutes.

(H) Aircraft or airport activity conducted in accordance with federal laws and regulations.

(I) Motor vehicles operating on a public right-of-way subject to section 316.293, Florida Statutes.

**SECTION 7. ENFORCEMENT.**

(A) This Ordinance shall be enforced by the Wakulla County Sheriff's Office, based upon a finding that probable cause of a violation of this ordinance exists. Probable cause shall be deemed to exist when the facts and circumstances within an officer's knowledge and of which he had reasonably trustworthy information are sufficient to warrant a person of reasonable caution to believe that an offense has been or is being committed.

(B) All law enforcement officials designated by the Wakulla County Sheriff's Office with responsibility for enforcing this Ordinance shall be properly trained to operate, test, and calibrate the Sound Meters utilized to measure Noise as required herein, and shall operate, test, and calibrate the Sound Meters in accordance with such training. A Sound Meter reading in excess of the Decibel levels proscribed in Section 5 of this Ordinance shall constitute probable cause that a violation of this Ordinance exists.

(C) Any person found to be in violation of the provisions of this Ordinance by a law enforcement official may, upon conviction, be guilty of a civil infraction in the form of a civil citation as authorized in Chapter 162, Part II, Florida Statutes, or a misdemeanor in the manner authorized in section 125.69, Florida Statutes. Such violations shall be prosecuted before the County Court of Wakulla County, Florida. Violations shall be prosecuted as civil citations pursuant to Chapter 162, Part II, Florida Statutes, so long as the person violating the Ordinance has received no more than three (3) civil citations within a five (5) year period. In the event a person has received three (3) prior civil citations within a five (5) year period, the fourth violation and any additional violations within a five (5) year period shall be prosecuted as misdemeanors pursuant to section 125.69, Florida Statutes.

(D) Civil Citations

(1) Prior to issuing a civil citation, the law enforcement official who observes a violation of this Ordinance shall first issue a notice of violation to the person committing the violation which provides a reasonable time period for correction of the violation. Such time period for correction should be based upon the nature of the violation and the length of time required to correct the violation. If the person receiving the notice fails to comply with the requirements of the notice, the law enforcement officer may issue a citation. In the event a person has previously been issued citations for violation of this Ordinance or if the violation is believed to present a serious threat to the public health, safety, or welfare, the law enforcement officer may issue a citation without providing a notice of violation.

(2) A civil citation issued pursuant to this section must include the following information:

(a) The date and time of issuance.

(b) The name and address of the person to whom it is issued.

(c) The date and time the violation was committed.

(d) The facts constituting reasonable cause (i.e., the Noise level that was measured and determined to be in violation of this Ordinance).

(e) The section of this Ordinance being violated.

(f) The name of the law enforcement official issuing the citation.

(g ) The procedure to follow to pay or to contest the citation.

(h) The civil penalty imposed if the person contests the citation.

(i) The civil penalty imposed if the person does not contest the citation.

(j) A statement that if the person fails to pay or contest the citation within the time allowed, the person has waived his or her right to contest the citation and a judgment may be entered against the person for an amount up to the maximum civil penalty.

(3) Any person who willfully refuses to sign and accept a citation issued by a law enforcement officer pursuant to this Section shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

(E) Misdemeanors.

(1) In the event a person has received three (3) prior civil citations within a five (5) year period, the fourth violation and any additional violations within a five (5) year period shall be prosecuted as misdemeanors pursuant to section 125.69, Florida Statutes.

**SECTION 8. PENALTIES.**

(A) Persons found to be in violation of this Ordinance may be subject to imposition of a fine not to exceed $500 per violation, and imposition of any actual damages incurred. Penalties and fines shall be imposed as follows:

| | |
|---|---|
| (1) First citation: | $125.00 |
| (2) Second citation: | $250.00 |
| (3) Third Citation (or more): | $500.00 |

(B) In addition to the fines and penalties authorized in this Section, in the event a Person receiving a citation is required to attend or requests a court appearance, court costs may also be imposed.

(C) Violations prosecuted as misdemeanors shall be punishable by a fine not to exceed $500.00 or by imprisonment in the county jail not to exceed 60 days or by both such fine and imprisonment.

**SECTION 9. CODIFICATION IN THE CODE OF ORDINANCES.** It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Wakulla County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

**SECTION 10. SEVERABILITY.** Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

**SECTION 11. EFFECTIVE DATE.** A certified copy of this Ordinance shall be effective 10 days after its enactment by the Board and filing with the Department of State.

**PASSED AND DULY ENACTED** by the Board of County Commissioners of Wakulla County, Florida in regular session, this ____ day of _____, 2012.

WAKULLA COUNTY
BOARD OF COUNTY COMMISSIONERS

_____
E. Alan Brock, Chairman

ATTEST:

_____
Brent X. Thurmond
Clerk of Court

APPROVED AS TO FORM AND CONTENT:

_____
Heather J. Encinosa
County Attorney

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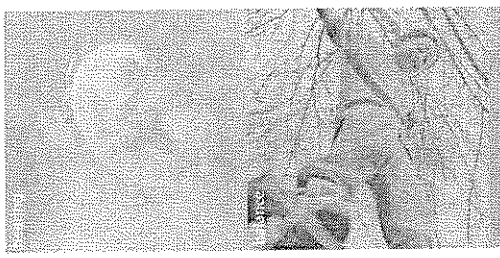


NIDCD Fact Sheet

# Noise-Induced Hearing Loss

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES · NATIONAL INSTITUTES OF HEALTH · NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

## What is noise-induced hearing loss?

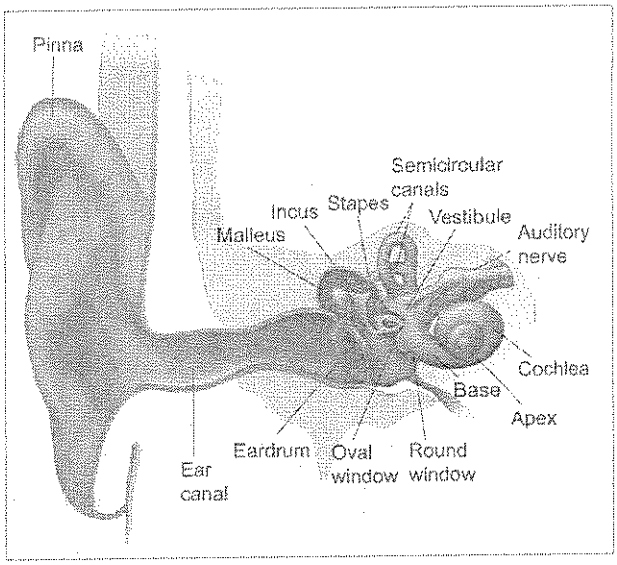
Every day, we experience sound in our environment, such as the sounds from television and radio, household appliances, and traffic. Normally, we hear these sounds at safe levels that do not affect our hearing. However, when we are exposed to harmful noise—sounds that are too loud or loud sounds that last a long time—sensitive structures in our inner ear can be damaged, causing noise-induced hearing loss (NIHL). These sensitive structures, called hair cells, are small sensory cells that convert sound energy into electrical signals that travel to the brain. Once damaged, our hair cells cannot grow back.

## What sounds cause NIHL?

NIHL can be caused by a one-time exposure to an intense "impulse" sound, such as an explosion, or by continuous exposure to loud sounds over an extended period of time, such as noise generated in a woodworking shop.

Sound is measured in units called decibels. On the decibel scale, an increase of 10 means that a sound is 10 times more intense, or powerful. To your ears, it sounds twice as loud. The humming of a refrigerator is 45 decibels, normal conversation is approximately 60 decibels, and the noise from heavy city traffic can reach 85 decibels. Sources of noise that can cause NIHL include motorcycles, firecrackers, and small firearms, all emitting sounds from 120 to 150 decibels. Long or repeated exposure to sounds at or above 85 decibels can cause hearing loss. The louder the sound, the shorter the time period before NIHL can occur. Sounds of less than 75 decibels, even after long exposure, are unlikely to cause hearing loss.

### The sound pathway

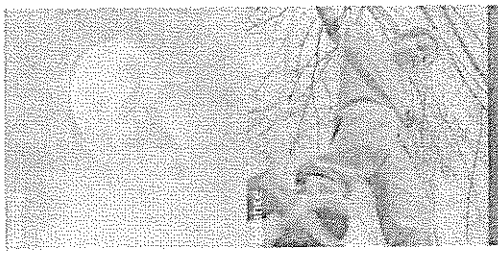



Although being aware of decibel levels is an important factor in protecting one's hearing, distance from the source of the sound and duration of exposure to the sound are equally important. A good rule of thumb is to avoid noises that are "too loud" and "too close" or that last "too long."

## What are the effects of NIHL?

Exposure to harmful sounds causes damage to the hair cells as well as the auditory, or hearing, nerve (see figure). Impulse sound can result in immediate hearing loss that may be permanent. This kind of hearing loss may be accompanied by tinnitus—a ringing, buzzing, or roaring in the ears or head—which may subside over time. Hearing loss and tinnitus

NIDCD National Institute on Deafness and Other Communication Disorders
*Improving the lives of people who have communication disorders*



NIDCD Fact Sheet

# Noise-Induced Hearing Loss

may be experienced in one or both ears, and tinnitus may continue constantly or occasionally throughout a lifetime.

Continuous exposure to loud noise also can damage the structure of hair cells, resulting in hearing loss and tinnitus, although the process occurs more gradually than for impulse noise.

Exposure to impulse and continuous noise may cause only a temporary hearing loss. If a person regains hearing, the temporary hearing loss is called a temporary threshold shift. The temporary threshold shift largely disappears 16 to 48 hours after exposure to loud noise. You can prevent NIHL from both impulse and continuous noise by regularly using hearing protectors such as earplugs or earmuffs.

Scientists believe that, depending on the type of noise, the pure force of vibrations from the noise can cause hearing loss. Recent studies also show that exposure to harmful noise levels triggers the formation of molecules inside the ear that damage hair cells and result in NIHL. These destructive molecules play an important role in hearing loss in children and adults who listen to loud noise for too long.

## What are the symptoms of NIHL?

When a person is exposed to loud noise over a long period of time, symptoms of NIHL will increase gradually. Over time, the sounds a person hears may become distorted or muffled, and it may be difficult for the person to understand speech. Someone with NIHL may not even be aware of the loss, but it can be detected with a hearing test.

## Who is affected by NIHL?

People of all ages, including children, teens, young adults, and older people, can develop NIHL. Approximately 15 percent of Americans between the ages of 20 and 69—or 26 million Americans—have high frequency hearing loss that may have been caused by exposure to loud sounds or noise at work or in leisure activities. Recreational activities that can put someone at risk for NIHL include target shooting and hunting, snowmobile riding, woodworking and other hobbies, playing in a band, and attending rock concerts. Harmful noises at home may come from lawnmowers, leaf blowers, and shop tools.

## Can NIHL be prevented?

NIHL is 100 percent preventable. All individuals should understand the hazards of noise and how to practice good hearing health in everyday life. To protect your hearing:

- Know which noises can cause damage (those at or above 85 decibels).
- Wear earplugs or other hearing protective devices when involved in a loud activity (special earplugs and earmuffs are available at hardware and sporting goods stores).
- Be alert to hazardous noise in the environment.
- Protect the ears of children who are too young to protect their own.
- Make family, friends, and colleagues aware of the hazards of noise.
- If you suspect hearing loss, have a medical examination by an otolaryngologist (a physician who specializes in diseases of the ears, nose, throat, head, and neck) and a hearing test by an audiologist (a health professional trained to measure and help individuals deal with hearing loss).

## What research about NIHL is being conducted?

The National Institute on Deafness and Other Communication Disorders (NIDCD) researches the causes, diagnosis, treatment, and prevention of

hearing loss. Most hearing loss is caused by damaged hair cells, which do not grow back in humans and other mammals. NIDCD-supported researchers have helped to identify some of the many genes important for ear development and hearing; they have also been studying the possibility of using gene therapy to regrow hair cells in mammals.

NIDCD researchers also are investigating a potential way to prevent NIHL after noise exposure. Noise exposure triggers the formation of destructive molecules, called free radicals, which cause hair cell death. Researchers initially had thought that antioxidants—chemicals that protect against cell damage from free radicals—might prevent NIHL only if the antioxidants were given *before* noise exposure. In a recent study, however, the antioxidants in salicylate (aspirin) and Trolox (vitamin E) were given to guinea pigs as long as three days after noise exposure and still significantly reduced hearing loss. These results suggest that there is a window of opportunity in which it is possible to rescue hearing from noise trauma. NIDCD-funded researchers are now testing the ability of nutrients, such as vitamins and minerals, to prevent NIHL in military personnel and college students.

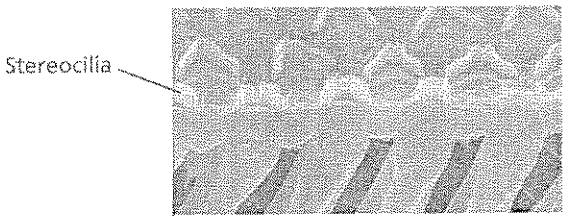
more →

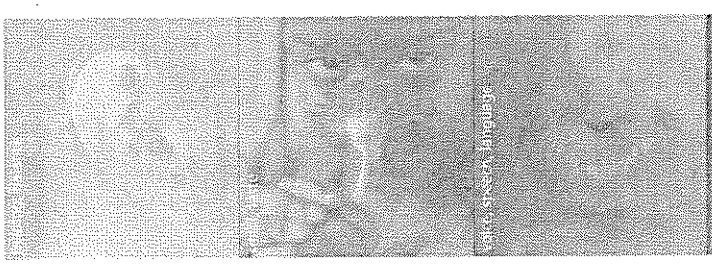
## How We Hear

Hearing depends on a series of events that change sound waves in the air into electrical signals. Our auditory nerve then carries these signals to the brain through a complex series of steps.

- Sound waves enter the outer ear and travel through a narrow passageway called the ear canal, which leads to the eardrum.
- The eardrum vibrates from the incoming sound waves and sends these vibrations to three tiny bones in the middle ear. These bones are called the malleus, incus, and stapes.
- The bones in the middle ear amplify, or increase, the sound vibrations and send them to the inner ear—also called the cochlea—which is shaped like a snail and is filled with fluid. An elastic membrane runs from the beginning to the end of the cochlea, splitting it into an upper and lower part. This membrane is called the "basilar" membrane because it serves as the base, or ground floor, on which key hearing structures sit.
- The sound vibrations cause the fluid inside the cochlea to ripple, and a traveling wave forms along the basilar membrane. Hair cells—sensory cells sitting on top of the membrane—"ride the wave."
- As the hair cells move up and down, their bristly structures bump up against an overlying membrane and tilt to one side. This tilting action causes pore-like channels, which are on the surface of the bristles, to open up. When that happens, certain chemicals rush in, creating an electrical signal.
- The auditory nerve carries this electrical signal to the brain, which translates it into a "sound" that we recognize and understand.
- Hair cells near the base of the cochlea detect higher-pitched sounds, such as a cell phone ringing. Those nearer the apex, or centermost point, detect lower-pitched sounds, such as a large dog barking.

**Hair cells in the inner ear**





NIDCD supports and conducts research and research training on the normal and disordered processes of hearing, balance, smell, taste, voice, speech, and language and provides health information, based upon scientific discovery, to the public.

## Where can I get more information?

NIDCD maintains a directory of organizations that can answer questions and provide printed or electronic information on NIHL. Please see the list of organizations at *http://www.nidcd.nih.gov/directory*.

Use the following keywords to help you search for organizations that are relevant to NIHL:

- Noise-induced hearing loss
- Hard-of-hearing

For more information, additional addresses and phone numbers, or a printed list of organizations, contact:
NIDCD Information Clearinghouse
1 Communication Avenue
Bethesda, MD 20892-3456
Toll-free Voice: (800) 241-1044
Toll-free TTY: (800) 241-1055
E-mail: nidcdinfo@nidcd.nih.gov

NIDCD also sponsors *It's a Noisy Planet. Protect Their Hearing*. This national public education campaign, at *http://www.noisyplanet.nidcd.nih.gov*, is designed to increase awareness among parents of children ages 8 to 12 about the causes and prevention of NIHL.

NIDCD Fact Sheet: Noise-Induced Hearing Loss
Publication No. 08-4233
Updated December 2008

For more information, contact:

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1 Communication Avenue
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Toll-free Voice: (800) 241-1044
Toll-free TTY: (800) 241-1055
Fax: (301) 770-8977
E-mail: nidcdinfo@nidcd.nih.gov
Internet: http://www.nidcd.nih.gov

The NIDCD Information Clearinghouse is a service of the National Institute on Deafness and Other Communication Disorders, National Institutes of Health, U.S. Department of Health and Human Services.

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# GUIDELINES FOR COMMUNITY NOISE

**Edited by**

**Birgitta Berglund**
**Thomas Lindvall**
**Dietrich H Schwela**

This WHO document on the *Guidelines for Community Noise* is the outcome of the WHO-expert task force meeting held in London, United Kingdom, in April 1999. It bases on the document entitled "Community Noise" that was prepared for the World Health Organization and published in 1995 by the Stockholm University and Karolinska Institute.

**World Health Organization, Geneva**
Cluster of Sustainable Development and Healthy Environment (SDE)
Department for Protection of the Human Environment (PHE)
Occupational and Environmental Health (OEH)

## Executive Summary

### 1. Introduction

Community noise (also called environmental noise, residential noise or domestic noise) is defined as noise emitted from all sources except noise at the industrial workplace. Main sources of community noise include road, rail and air traffic; industries; construction and public work; and the neighbourhood. The main indoor noise sources are ventilation systems, office machines, home appliances and neighbours.

In the European Union about 40% of the population is exposed to road traffic noise with an equivalent sound pressure level exceeding 55 dB(A) daytime, and 20% are exposed to levels exceeding 65 dB(A). When all transportation noise is considered, more than half of all European Union citizens is estimated to live in zones that do not ensure acoustical comfort to residents. At night, more than 30% are exposed to equivalent sound pressure levels exceeding 55 dB(A), which are disturbing to sleep. Noise pollution is also severe in cities of developing countries. It is caused mainly by traffic and alongside densely-travelled roads equivalent sound pressure levels for 24 hours can reach 75–80 dB(A).

In contrast to many other environmental problems, noise pollution continues to grow and it is accompanied by an increasing number of complaints from people exposed to the noise. The growth in noise pollution is unsustainable because it involves direct, as well as cumulative, adverse health effects. It also adversely affects future generations, and has socio-cultural, esthetic and economic effects.

### 2. Noise sources and measurement

Physically, there is no distinction between sound and noise. Sound is a sensory perception and the complex pattern of sound waves is labeled noise, music, speech etc. Noise is thus defined as unwanted sound.

Most environmental noises can be approximately described by several simple measures. All measures consider the frequency content of the sounds, the overall sound pressure levels and the variation of these levels with time. Sound pressure is a basic measure of the vibrations of air that make up sound. Because the range of sound pressures that human listeners can detect is very wide, these levels are measured on a logarithmic scale with units of decibels. Consequently, sound pressure levels cannot be added or averaged arithmetically. Also, the sound levels of most noises vary with time, and when sound pressure levels are calculated, the instantaneous pressure fluctuations must be integrated over some time interval.

Most environmental sounds are made up of a complex mix of many different frequencies. Frequency refers to the number of vibrations per second of the air in which the sound is propagating and it is measured in Hertz (Hz). The audible frequency range is normally considered to be 20–20 000 Hz for younger listeners with unimpaired hearing. However, our hearing systems are not equally sensitive to all sound frequencies, and to compensate for this various types of filters or frequency weighting have been used to determine the relative strengths of frequency components making up a particular environmental noise. The A-weighting is most

commonly used and weights lower frequencies as less important than mid- and higher-frequencies. It is intended to approximate the frequency response of our hearing system.

The effect of a combination of noise events is related to the combined sound energy of those events (the equal energy principle). The sum of the total energy over some time period gives a level equivalent to the average sound energy over that period. Thus, LAeq,T is the energy average equivalent level of the A-weighted sound over a period T. LAeq,T should be used to measure continuing sounds, such as road traffic noise or types of more-or-less continuous industrial noises. However, when there are distinct events to the noise, as with aircraft or railway noise, measures of individual events such as the maximum noise level (LAmax), or the weighted sound exposure level (SEL), should also be obtained in addition to LAeq,T. Time-varying environmental sound levels have also been described in terms of percentile levels.

Currently, the recommended practice is to assume that the equal energy principle is approximately valid for most types of noise and that a simple LAeq,T measure will indicate the expected effects of the noise reasonably well. When the noise consists of a small number of discrete events, the A-weighted maximum level (LAmax) is a better indicator of the disturbance to sleep and other activities. In most cases, however, the A-weighted sound exposure level (SEL) provides a more consistent measure of single-noise events because it is based on integration over the complete noise event. In combining day and night LAeq,T values, night-time weightings are often added. Night-time weightings are intended to reflect the expected increased sensitivity to annoyance at night, but they do not protect people from sleep disturbance.

Where there are no clear reasons for using other measures, it is recommended that LAeq,T be used to evaluate more-or-less continuous environmental noises. Where the noise is principally composed of a small number of discrete events, the additional use of LAmax or SEL is recommended. There are definite limitations to these simple measures, but there are also many practical advantages, including economy and the benefits of a standardized approach.

## 3. Adverse health effects of noise

The health significance of noise pollution is given in chapter 3 of the *Guidelines* under separate headings according to the specific effects: noise-induced hearing impairment; interference with speech communication; disturbance of rest and sleep; psychophysiological, mental-health and performance effects; effects on residential behaviour and annoyance; and interference with intended activities. This chapter also considers vulnerable groups and the combined effects of mixed noise sources.

*Hearing impairment* is typically defined as an increase in the threshold of hearing. Hearing deficits may be accompanied by tinnitus (ringing in the ears). Noise-induced hearing impairment occurs predominantly in the higher frequency range of 3 000–6 000 Hz, with the largest effect at 4 000 Hz. But with increasing LAeq,8h and increasing exposure time, noise-induced hearing impairment occurs even at frequencies as low as 2 000 Hz. However, hearing impairment is not expected to occur at LAeq,8h levels of 75 dB(A) or below, even for prolonged occupational noise exposure.

Worldwide, noise-induced hearing impairment is the most prevalent irreversible occupational hazard and it is estimated that 120 million people worldwide have disabling hearing difficulties.

In developing countries, not only occupational noise but also environmental noise is an increasing risk factor for hearing impairment. Hearing damage can also be caused by certain diseases, some industrial chemicals, ototoxic drugs, blows to the head, accidents and hereditary origins. Hearing deterioration is also associated with the ageing process itself (presbyacusis).

The extent of hearing impairment in populations exposed to occupational noise depends on the value of LAeq,8h, the number of noise-exposed years, and on individual susceptibility. Men and women are equally at risk for noise-induced hearing impairment. It is expected that environmental and leisure-time noise with a LAeq,24h of 70 dB(A) or below will not cause hearing impairment in the large majority of people, even after a lifetime exposure. For adults exposed to impulse noise at the workplace, the noise limit is set at peak sound pressure levels of 140 dB, and the same limit is assumed to be appropriate for environmental and leisure-time noise. In the case of children, however, taking into account their habits while playing with noisy toys, the peak sound pressure should never exceed 120 dB. For shooting noise with LAeq,24h levels greater than 80 dB(A), there may be an increased risk for noise-induced hearing impairment.

The main social consequence of hearing impairment is the inability to understand speech in daily living conditions, and this is considered to be a severe social handicap. Even small values of hearing impairment (10 dB averaged over 2 000 and 4 000 Hz and over both ears) may adversely affect speech comprehension.

*Speech intelligibility* is adversely affected by noise. Most of the acoustical energy of speech is in the frequency range of 100–6 000 Hz, with the most important cue-bearing energy being between 300–3 000 Hz. Speech interference is basically a masking process, in which simultaneous interfering noise renders speech incapable of being understood. Environmental noise may also mask other acoustical signals that are important for daily life, such as door bells, telephone signals, alarm clocks, fire alarms and other warning signals, and music.

Speech intelligibility in everyday living conditions is influenced by speech level; speech pronunciation; talker-to-listener distance; sound level and other characteristics of the interfering noise; hearing acuity; and by the level of attention. Indoors, speech communication is also affected by the reverberation characteristics of the room. Reverberation times over 1 s produce loss in speech discrimination and make speech perception more difficult and straining. For full sentence intelligibility in listeners with normal hearing, the signal-to-noise ratio (i.e. the difference between the speech level and the sound level of the interfering noise) should be at least 15 dB(A). Since the sound pressure level of normal speech is about 50 dB(A), noise with sound levels of 35 dB(A) or more interferes with the intelligibility of speech in smaller rooms. For vulnerable groups even lower background levels are needed, and a reverberation time below 0.6 s is desirable for adequate speech intelligibility, even in a quiet environment.

The inability to understand speech results in a large number of personal handicaps and behavioural changes. Particularly vulnerable are the hearing impaired, the elderly, children in the process of language and reading acquisition, and individuals who are not familiar with the spoken language.

*Sleep disturbance* is a major effect of environmental noise. It may cause primary effects during sleep, and secondary effects that can be assessed the day after night-time noise exposure. Uninterrupted sleep is a prerequisite for good physiological and mental functioning, and the primary effects of sleep disturbance are: difficulty in falling asleep; awakenings and alterations

of sleep stages or depth; increased blood pressure, heart rate and finger pulse amplitude; vasoconstriction; changes in respiration; cardiac arrhythmia; and increased body movements. The difference between the sound levels of a noise event and background sound levels, rather than the absolute noise level, may determine the reaction probability. The probability of being awakened increases with the number of noise events per night. The secondary, or after-effects, the following morning or day(s) are: reduced perceived sleep quality; increased fatigue; depressed mood or well-being; and decreased performance.

For a good night's sleep, the equivalent sound level should not exceed 30 dB(A) for continuous background noise, and individual noise events exceeding 45 dB(A) should be avoided. In setting limits for single night-time noise exposures, the intermittent character of the noise has to be taken into account. This can be achieved, for example, by measuring the number of noise events, as well as the difference between the maximum sound level and the background sound level. Special attention should also be given to: noise sources in an environment with low background sound levels; combinations of noise and vibrations; and to noise sources with low-frequency components.

*Physiological Functions.* In workers exposed to noise, and in people living near airports, industries and noisy streets, noise exposure may have a large temporary, as well as permanent, impact on physiological functions. After prolonged exposure, susceptible individuals in the general population may develop permanent effects, such as hypertension and ischaemic heart disease associated with exposure to high sound levels. The magnitude and duration of the effects are determined in part by individual characteristics, lifestyle behaviours and environmental conditions. Sounds also evoke reflex responses, particularly when they are unfamiliar and have a sudden onset.

Workers exposed to high levels of industrial noise for 5–30 years may show increased blood pressure and an increased risk for hypertension. Cardiovascular effects have also been demonstrated after long-term exposure to air- and road-traffic with LAeq,24h values of 65–70 dB(A). Although the associations are weak, the effect is somewhat stronger for ischaemic heart disease than for hypertension. Still, these small risk increments are important because a large number of people are exposed.

*Mental Illness.* Environmental noise is not believed to cause mental illness directly, but it is assumed that it can accelerate and intensify the development of latent mental disorders. Exposure to high levels of occupational noise has been associated with development of neurosis, but the findings on environmental noise and mental-health effects are inconclusive. Nevertheless, studies on the use of drugs such as tranquillizers and sleeping pills, on psychiatric symptoms and on mental hospital admission rates, suggest that community noise may have adverse effects on mental health.

*Performance.* It has been shown, mainly in workers and children, that noise can adversely affect performance of cognitive tasks. Although noise-induced arousal may produce better performance in simple tasks in the short term, cognitive performance substantially deteriorates for more complex tasks. Reading, attention, problem solving and memorization are among the cognitive effects most strongly affected by noise. Noise can also act as a distracting stimulus and impulsive noise events may produce disruptive effects as a result of startle responses.

Noise exposure may also produce after-effects that negatively affect performance. In schools around airports, children chronically exposed to aircraft noise under-perform in proof reading, in

persistence on challenging puzzles, in tests of reading acquisition and in motivational capabilities. It is crucial to recognize that some of the adaptation strategies to aircraft noise, and the effort necessary to maintain task performance, come at a price. Children from noisier areas have heightened sympathetic arousal, as indicated by increased stress hormone levels, and elevated resting blood pressure. Noise may also produce impairments and increase in errors at work, and some accidents may be an indicator of performance deficits.

*Social and Behavioural Effects of Noise; Annoyance.* Noise can produce a number of social and behavioural effects as well as annoyance. These effects are often complex, subtle and indirect and many effects are assumed to result from the interaction of a number of non-auditory variables. The effect of community noise on annoyance can be evaluated by questionnaires or by assessing the disturbance of specific activities. However, it should be recognized that equal levels of different traffic and industrial noises cause different magnitudes of annoyance. This is because annoyance in populations varies not only with the characteristics of the noise, including the noise source, but also depends to a large degree on many non-acoustical factors of a social, psychological, or economic nature. The correlation between noise exposure and general annoyance is much higher at group level than at individual level. Noise above 80 dB(A) may also reduce helping behaviour and increase aggressive behaviour. There is particular concern that high-level continuous noise exposures may increase the susceptibility of schoolchildren to feelings of helplessness.

Stronger reactions have been observed when noise is accompanied by vibrations and contains low-frequency components, or when the noise contains impulses, such as with shooting noise. Temporary, stronger reactions occur when the noise exposure increases over time, compared to a constant noise exposure. In most cases, LAeq,24h and $L_{dn}$ are acceptable approximations of noise exposure related to annoyance. However, there is growing concern that all the component parameters should be individually assessed in noise exposure investigations, at least in the complex cases. There is no consensus on a model for total annoyance due to a combination of environmental noise sources.

*Combined Effects on Health of Noise from Mixed Sources.* Many acoustical environments consist of sounds from more than one source, i.e. there are mixed sources, and some combinations of effects are common. For example, noise may interfere with speech in the day and create sleep disturbance at night. These conditions certainly apply to residential areas heavily polluted with noise. Therefore, it is important that the total adverse health load of noise be considered over 24 hours, and that the precautionary principle for sustainable development be applied.

*Vulnerable Subgroups.* Vulnerable subgroups of the general population should be considered when recommending noise protection or noise regulations. The types of noise effects, specific environments and specific lifestyles are all factors that should be addressed for these subgroups. Examples of vulnerable subgroups are: people with particular diseases or medical problems (e.g. high blood pressure); people in hospitals or rehabilitating at home; people dealing with complex cognitive tasks; the blind; people with hearing impairment; fetuses, babies and young children; and the elderly in general. People with impaired hearing are the most adversely affected with respect to speech intelligibility. Even slight hearing impairments in the high-frequency sound range may cause problems with speech perception in a noisy environment. A majority of the population belongs to the subgroup that is vulnerable to speech interference.

**Table 4.1: Guideline values for community noise in specific environments.**

| Specific environment | Critical health effect(s) | LAeq [dB] | Time base [hours] | LAmax, fast [dB] |
|---|---|---|---|---|
| Outdoor living area | Serious annoyance, daytime and evening<br>Moderate annoyance, daytime and evening | 55<br>50 | 16<br>16 | -<br>- |
| Dwelling, indoors<br><br>Inside bedrooms | Speech intelligibility and moderate annoyance, daytime and evening<br>Sleep disturbance, night-time | 35<br><br>30 | 16<br><br>8 | <br><br>45 |
| Outside bedrooms | Sleep disturbance, window open (outdoor values) | 45 | 8 | 60 |
| School class rooms and pre-schools, indoors | Speech intelligibility, disturbance of information extraction, message communication | 35 | during class | - |
| Pre-school bedrooms, indoors | Sleep disturbance | 30 | sleeping -time | 45 |
| School, playground outdoor | Annoyance (external source) | 55 | during play | - |
| Hospital, ward rooms, indoors | Sleep disturbance, night-time<br>Sleep disturbance, daytime and evenings | 30<br>30 | 8<br>16 | 40<br>- |
| Hospitals, treatment rooms, indoors | Interference with rest and recovery | #1 | | |
| Industrial, commercial shopping and traffic areas, indoors and outdoors | Hearing impairment | 70 | 24 | 110 |
| Ceremonies, festivals and entertainment events | Hearing impairment (patrons:<5 times/year) | 100 | 4 | 110 |
| Public addresses, indoors and outdoors | Hearing impairment | 85 | 1 | 110 |
| Music through headphones/ earphones | Hearing impairment (free-field value) | 85 #4 | 1 | 110 |
| Impulse sounds from toys, fireworks and firearms | Hearing impairment (adults)<br><br>Hearing impairment (children) | -<br><br>- | -<br><br>- | 140 #2<br><br>120 #2 |
| Outdoors in parkland and conservation areas | Disruption of tranquillity | #3 | | |

#1: as low as possible;
#2: peak sound pressure (not LAmax, fast), measured 100 mm from the ear;
#3: existing quiet outdoor areas should be preserved and the ratio of intruding noise to natural background sound should be kept low;
#4: under headphones, adapted to free-field values

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | July 16, 2012 |
| Date Submitted: | July 9, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Tim Barden, Deputy County Administrator<br>Bryan Roddenberry, Interim Parks & Recreation Director |
| Subject: | Request Board Approval to Construct New Walking Trails at the Medart Recreation Park |

**Statement of Issue:**
This agenda item requests Board approval to construct new walking trails at Medart Recreation Park.

**Background:**
Part of this project was to be funded and implemented during the 2009/2010 Budget as Medart Park Phase III improvements. Due to the recession and the decrease in revenue at the local level, a spending freeze was implemented. This and other County projects where not completed and the funds were transferred back into the reserve.

The increased use of the Medart Recreation Park over the last decade has shown the need for more expansion. The specific increase of joggers and walkers has been observed by staff. Additionally, the tennis facility at the Medart Recreation Park has become very popular and heavy utilized by many citizens, which provides need to construct a path to this new facility.

**Analysis:**
Staff is requesting approval to construct new walking trails at the Medart Recreation Park and approval of a budget amendment transferring funds from the reserve accounts within Fund 307-REC 6300 572 5990. Upon approval the funds will be used to construct sidewalks and hard trails that would connect many of the sports complexes and facilities within Medart Park. These paths would be used by many active recreational citizens and would also be utilized by the many spectators that visit the park each sport season to watch the organized activities. This project would also improve the handicap accessibility to many areas of the park.

The County currently has an existing contract with Mike Turner Construction for concrete installation; therefore an I.T.B. is not required per the County Purchasing Policy. The estimated cost for the new walking trails is $25,000.00.

**Budgetary Impact:**
The budget would be impacted by transferring $25,000.00 from Fund 307-REC 6300 572 5990 for the cost of constructing the new trails.

**Options**
1. Approve the budget amendment transferring funds for walking trail improvements.
2. Do not approve the budget amendment transferring funds for walking trail improvements.
3. Board Direction.

**Recommendation:**
Option #1

**Attachments:**
1. Budget Amendment
2. Contract with Michael Turner Construction, Inc.

# Wakulla County
## Board of County Commissioners
## Budget Amendment Form

Date: 8/6/2012

Department: Parks & Recreation Department

Budget Amendment: _____

| G/L Account Number | | | | | Budget Balance Calculations | | | |
|---|---|---|---|---|---|---|---|---|
| Fund | Department | Expense Group | Object Code | Description | Beginning Budget | Increase/Decrease | Ending Budget | % Change in Budget |
| 307-REC | 6300 | 572 | 5990 | Reserve | 179,453.00 | (25,000.00) | 154,453.00 | -14% |
| 307-REC-EAST | 6300 | 572 | 5640 | Capital Outlay - Machinery & Equip | 0.00 | 25,000.00 | 25,000.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | | | 0.00 | 0% |
| | | | | | **179,453.00** | **0.00** | 179,453.00 | 0% |

**Justification:** Increase use of citizens utilizing the walking trails and tennis court at Medart Park warrants an improvement.

Date of BOCC Action: _____

**Department Authorization:** _____

Date: _____

**OMB Authorization:** _____

Date: _____

**County Administrator Authorization:**

Date: _____

**Prepared by:** Bryan Roddenberry

## SECTION THREE
## CONTRACT

WAKULLA COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, situated at 3093 Crawfordville Highway, Crawfordville, Florida 32327 (the "County"), hereby contracts with Michael Turner Construction, Inc. (the "Contractor") of 66 Purify Bay Road, Crawfordville, FL. 32327 (address) to perform all work or services in connection with County ITB No. 2011-08 (the "Work"), as said Work is set forth in the Scope of Services and Specifications set forth in the Invitation To Bid and other Contract Documents hereafter specified.

The County and the Contractor, for the consideration herein set forth, agree as follows:

**Section 1. Contract Documents.**
The "Contract Documents" means and includes the following:

A. Contractor's Bid
B. Contract (Executed)
B. ITB No. 2011-08
C. General Terms and Conditions
D. Change Order or Modifications issued subsequent to the execution of this Agreement.

These form the contract, and all are as fully a part of the Contract as if attached to this Agreement and repeated herein.

**Section 2 The Work**

A. The Contractor shall perform all of the work required by the Contract Documents, as set forth in the Scope of Services in ITB No. 2011-08 in conformity with the requirements of Wakulla County, Florida for concrete pouring and forming in relation to paving projects.

B. Contractor has familiarized itself with the nature and extent of the Contract Documents, the proposed Work to be performed, locality and all local conditions and laws and regulations, including but not limited to any and all regulations set forth by the Florida Department of Highway Safety and Motor Vehicles, the Florida Department of Transportation and all other regulatory bodies and has resolved all issues, problems and conflicts prior to commencing any activity under this contact.

C. Contractor agrees that the prices contained herein shall include all labor and equipment, profit, insurance, incidentals and all other costs not expressly omitted or provided for herein to cover the Work to be performed as set forth in the Contract Document.

**Section 3. Contract Amount.**

In consideration of the faithful performance by the Contractor of the covenants in this agreement to the full satisfaction and acceptance of the County, the County agrees to pay or cause to be paid to the Contractor the total cost for a project (herein "Contractor Amount") based on the unit prices ("Unit Prices") stated in the bid cost schedule attached hereto, in accordance with the terms of this Agreement and a Work Authorization for a project.

**Section 4. Payments**

The Contractor shall submit to County an invoice after completion of each hauling job provided under this Contract in accordance with a Work Authorization approved by the County. County will remit payment within thirty (30) days of submission and approval of the invoice of services and upon the County's determination that the work has been satisfactorily completed.

**Section 5. Bonds**

A. The Contractor shall provide Performance and Payment Bonds, in the form prescribed in the Contract Documents, in the amount of 100% of the Contract Amount, the costs of which are to be paid by Contractor. The Performance and Payment Bonds shall be underwritten by a surety authorized to do business in the State of Florida and otherwise acceptable to the County; provided, however, the surety shall be rated as "A-" or better as to general policy holders rating and Class V or higher rating as to financial size category and the amount required shall not exceed 5% of the reported policy holders surplus, all as reported in the most current Best Key Rating Guide, published by A.M. Best Company, Inc. of 75 Fulton Street, New York, New York 10038.

B. If the surety for any bond furnished by Contractor is declared bankrupt, becomes insolvent, its right to do business is terminated in the State of Florida, or it ceases to meet the requirements imposed by the Contract Documents, the Contractor shall, within five (5) calendar days thereafter, substitute another bond and surety, both of which shall be subject to the County's approval.

**Section 6. Successors and Assigns.**

Subject to other provisions hereof, the Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties to the Agreement.

**Section 7. Governing Law.**

The Agreement shall be interpreted under and its performance governed by the laws of the State of Florida.

**Section 8. No Waiver.**

The failure of the County to enforce at any time or for any period of time any one or more of the provisions of the Agreement shall not be construed to be and shall not be a waiver of any such provision or provisions or of its right thereafter to enforce each and every such provision.

## Section 9. Length of Contract

The term of this Contract shall commence upon the date of execution identified above and expire two (2) calendar years from such date of execution.

The County and the Contractor recognize that, since time is of the essence for this Agreement, the County will suffer financial loss if the Work is not substantially completed within the time specified in a Work Authorization, as said time may be adjusted as provided for herein. Should the Contractor fail to substantially complete the Work within the time period noted above, the County shall be entitled to assess, as liquidated damages, but not as a penalty, $500.00 for each calendar day thereafter until substantial completion is achieved. The Project shall be deemed to be substantially completed on the date the Project Manager issues a Substantial Completion Certificate pursuant to the terms hereof. The Contractor hereby expressly waives and relinquishes any right which it may have to seek to characterize the above noted liquidated damages as a penalty, which the parties agree represents a fair and reasonable estimate of the County's actual damages at the time of contracting if the Contractor fails to substantially complete the Work in a timely manner.

When any period of time is referenced by days herein, it shall be computed to exclude the first day and include the last day of such period. If the last day of any such period falls on a Saturday or Sunday or on a day made a legal holiday by the law of the applicable jurisdiction, such day shall be omitted from the computation, and the last day shall become the next succeeding day which is not a Saturday, Sunday or legal holiday.

## Section 10. Changes; Modifications to Agreement

A. County may at any time by written order agreed by Contractor and signed by the parties, make changes to the general scope of this Agreement in the services to be performed.

B. No service shall be furnished by Contractor for which an additional cost or fee will be charged without prior written consent of County.

C. All modifications to this Agreement shall be in the form of supplemental agreements signed by the parties except as provided herein. County may modify the Agreement unilaterally under the following circumstances:

1. Pursuant to specific authorization as stated in paragraph 10(A) or elsewhere in the Agreement; or

2. For County administrative purposes that do not affect the rights of responsibilities of the parties, which may included but is in no way limited to changes of address.

**Section 11. Status**

Contractor at all times relevant to this Agreement shall be an independent contractor and in no event shall Contractor nor any employees or sub-contractors under it be considered employees of County.

**Section 12. Venue**

Venue for all actions arising under this Agreement, and all work pertaining thereto, shall lie in Wakulla County, Florida.

**Section 13. Prohibition of Liens**

Contractor is prohibited from claiming a lien on property owned by County. This prohibition shall apply to all subcontractors.

**Section 14. Incorporation**

This Agreement and any listed attachments shall embody the entire agreement of the parties.

**Section 15 Severability**

If any provision of this Agreement is determined to be illegal, invalid or unenforceable, such provisions shall be deemed struck here from and all remaining provisions of the Agreement shall remain binding upon the parties. If any provision is struck under this Article, there will be added in lieu thereof, by written agreement between the parties, a provision as similar in terms to such struck problem as its possible which is legal, valid and enforceable.

**Section 16. Miscellaneous Provisions**

A. Terms used in this Agreement which are defined in the General Conditions of the Contact shall have the meanings designated in those General Conditions.

**IN WITNESS WHEREOF,** the parties have executed this Agreement on the date(s) indicated below.

CONTRACTOR: Michael Turner Const INC.
(Company Name)

ATTEST:

By: Mike Turner (Signature) (Printed)
Its: Owner (Title)
Date: 3-9-11

Witness:

Its: Jannette Watts
President/Corporate Secretary/Witness Date: 03-09-11

[Corporate Seal]

2nd Witness (if not incorporated)

BOARD OF COUNTY COMMISSIONERS
OF WAKULLA COUNTY, FLORIDA

(SEAL)

By: Chairman

Clerk: Brent Thurmond Date: March 7, 2011

Approved as to Form and Content:

County Attorney

## SECTION FOUR
## GENERAL TERMS AND CONDITIONS

### 4.01 DEFINITIONS

Wherever used in these General Conditions or in the other contract documents the terms below have the meanings indicated which are applicable to both the singular and plural thereof.

Addenda - Written or graphic instruments issued prior to the opening of responses which clarify, correct, or change the responding documents or the contract documents.

Bid Documents - The advertisement or invitation calling for bids, instructions, and forms contained in this Invitation To Bid (Response Form, Non-Collusion Affidavit, Ethics and Conflict of Interest Clause, Drug Free Workplace, and Local Business Qualification Statement) and the proposed contract documents (including all addenda issued prior to receipt of responses).

Bidder - Any individual or entity and their sub-contractors/sub-consultants submitting qualifications and pricing in response to this ITB.

Contract Documents - The response documents, agreement, addenda (which pertain to the contract documents), the Respondent's bid (including documentation accompanying the response and any post-response documentation submitted prior to the notice of award) when attached as an exhibit to the agreement, these General Conditions, together with all amendments, modifications, and supplements.

Contractor - The person, firm, or corporation with whom the BOCC has entered into the Contract.

Effective Date of the Contract - The date indicated in the Contract on which it becomes effective, but if no such date is indicated it means the date on which the Contract is signed and delivered by the last of the two parties to sign and deliver.

Written Amendment - A written amendment of the contract documents, signed by the BOCC and the Contractor on or after the effective date of the contract documents.

Failure to Execute Required Forms – Failure to execute the required forms shall result in entity being disqualified and the response will be rejected.

### 4.02 CONTRACTOR'S RESPONSIBILITIES

#### 4.02.1 Supervision and Personnel

Contractor shall supervise and direct the work competently and efficiently, devoting such attention thereto and applying such skills and expertise as may be necessary to perform the work in accordance with the contract documents.

4.02.2 Parts, Materials, and Equipment

Unless otherwise specified in the contract documents, the Contractor shall furnish and assume full responsibility for all services, materials, equipment, labor, transportation, machinery, tools, and all other incidentals necessary for the completion of the work.

4.02.3 Records

Contractor shall be required to maintain records pertaining to the contract for five (5) years after the termination of the contract.

4.02.4 Taxes

The Contractor shall pay all sales, consumer, use, and other similar taxes required to be paid by the Respondent in accordance with the laws and regulations of the place of the project which are applicable during the performance of the work.

4.02.5 Compliance with Laws

The Contractor shall comply with all applicable laws and regulations of federal, state and local governments.

4.02.6 Intent of Contract Documents

If before or during the performance of the services to be performed under the Contract, Contractor discovers a conflict, error or discrepancy in the Contract Documents, Contractor immediately shall report same to the County in writing and before proceeding with the work affected thereby shall obtain a written interpretation or clarification from the County.

4.03 PAYMENTS

The County shall compensate the Contractor according to the Pricing included in the Contract attached hereto. Payment will be made monthly upon receipt of a proper invoice with documentation of services rendered, pursuant to the Florida Prompt Payment Act. Contractor shall provide detailed, itemized bills/invoices which shall, at a minimum:

(a) Description of work performed. Provide a general description of the work performed based upon the quoted price item formed and poured.

(b) Non-reimbursable expenses: The following expenses will in no event be reimbursable, unless specifically agreed to in advance in a writing executed by the County:

Personnel and Office Costs. Meals for time-keepers, overtime, word processing or computer charges, personal expenses, expenses that benefit other clients, expenses for books, costs of temporary employees, periodicals or other library materials, internal filing or

other document handling charges, clerical expenses, stationery and other supply expenses, utilities, and any other expense that is either unreasonable or unnecessary. (The fact that the firm charges other clients or that other firms charge their clients for an expense does not make it reasonable or necessary.)

Travel Expenses. Contractor will not be reimbursed for travel expenses.

(c) Contractor is not authorized to retain experts, additional counsel, consultants, support services, or the like, or to out source or delegate work outside Contractor's firm, without prior written approval by County.

(d) Contractor shall include copies of receipts for all expenses with the itemized monthly bill. County may refuse to pay any expense item for which documentation is not provided by Contractor.

## 4.04 INDEMNIFICATION AND INSURANCE

### 4.04.1 Indemnification and Hold Harmless

The Contractor agrees to indemnify and hold the County harmless for any and all claims, liability, losses and causes of action which may arise out of its fulfillment of the agreement. It agrees to pay all claims and losses, including related court costs and reasonable attorneys' fees, and shall defend all suits filed due to the negligent acts, errors or omissions of the Contractor employees and/or agents.

In the event the completion of the project (to include the work of others) is delayed or suspended as a result of the Contractor's failure to purchase or maintain the required insurance, the Contractor shall indemnify the County from any and all increased expenses resulting from such delay.

The first ten dollars ($10.00) of remuneration paid to the Contractor is for the indemnification provided for above.

### 4.04.2 Insurance Requirements

The extent of liability is in no way limited to, reduced, or lessened by the insurance requirements contained elsewhere within this Contract.

The Contractor shall obtain insurance as specified and maintain the required insurance at all times during the term of the contract entered into by the County and the Contractor.

The coverage provided herein shall be provided by an insurer with an A.M. Best Rating of VI or better, that is licensed to business in the State of Florida and that has an agent for service of process within the State of Florida. The coverage shall contain an endorsement providing sixty (60) days notice to the County prior to any cancellation of said coverage. Said coverage shall be written by an insurer acceptable to the County and shall be in a form acceptable to the County.



[redacted]

The Contractor shall obtain and maintain the following policies:

(a) Workers' Compensation insurance as required by the State of Florida.

(b) Employers Liability Insurance with limits of $100,000 per Accident, $500,000 Disease, policy limits, $100,000 Disease each employee.

(c) Comprehensive business automobile and vehicle liability insurance covering claims for injuries to members of the public and/or damages to property of others arising from use of motor vehicles, including onsite and offsite operations, and owned, hired or non-owned vehicles, with minimum limits of $100,000 Combined Single Limit, and if split limits are provided, the minimum acceptable limits shall be $50,000 per person, $100,000 per occurrence, $25,000 property damage.

(d) Commercial general liability covering claims for injuries to members of the public or damage to property of others arising out of any covered act or omission of the Respondent or any of its employees, agents or subcontractors or sub-consultants, including Premises and/or Operations, Independent Contractors; Broad Form Property Damage and a Contractual Liability Endorsement with $300,000 Combined Single Limit, and if split limits are provided, the minimum acceptable limits shall be $100,000 per person, $300,000 per occurrence, $50,000 property damage.

(e) County shall be named as an additional insured with respect to Contractor's liabilities hereunder in insurance coverage's identified in Paragraphs (c) and (d).

(f) Contractor shall require its subcontractors to be adequately insured at least to the limits prescribed above, and to any increased limits of Contractor if so required by County during the term of the Contract entered into by selected Contractor and the County. County will not pay for increased limits of insurance for subcontractors.

(g) Contractor shall provide to the County certificates of insurance or a copy of all insurance policies including those naming the County as an additional insured. The County reserves the right to require a certified copy of such policies upon request.

## 4.05 PERMITS AND LICENSES

(a) Pursuant to Section 218.80, F.S., the County will pay for all County permits and fees, including license fees, permit fees, impact fees or inspection fees applicable to the work. Contractor is not responsible for paying for permits issued by the County wherein the work is to be performed, but is responsible for acquiring all permits. The County may require the Contractor to deliver internal budget transfer documents to applicable County agencies when the Contractor is acquiring permits.

(b) All permits, fees and licenses necessary for the prosecution of the Services which are not issued by the County shall be acquired and paid for by the Contractor.

## 4.06 TERMINATION

### 4.06.1 Termination for Default

(a) Contractor shall be considered in material default of the Agreement and such default shall be considered cause for the County to terminate the Agreement, in whole or in part, as further set forth in this Section, if Contractor: (1) fails to provide the Services and materials under the Contract Documents within the time specified herein; (2) performs the Services unsuitably; (3) discontinues the prosecution of the Services; (4) fails to resume Services which have been suspended within a reasonable time after being notified to do so; (5) becomes insolvent or is declared bankrupt, or commits any act of bankruptcy; (6) allows any final judgment to stand against it unsatisfied for more than ten (10) days; (7) makes an assignment for the benefit of creditors; (8) fails to obey any applicable codes, laws, ordinances, rules or regulations with respect to the Services; or (9) materially breaches any provision of the Contract Documents.

(b) The County shall notify Contractor in writing of Contractor's default(s). If the County determines that Contractor has not remedied and cured the default(s) within seven (7) calendar days following receipt by Contractor of said written notice, then the County, at its option, without releasing or waiving its rights and remedies against the Contractor's sureties and without prejudice to any other right or remedy it may be entitled to hereunder or by law, may terminate Contractor's right to proceed under the Agreement, in whole or in part, and take possession of all or any portion of the Services and any materials, tools, equipment, and appliances of Contractor, take assignments of any of Contractor's subcontracts and purchase orders, and complete all or any portion of Contractor's Services by whatever means, method or agency which the County, in its sole discretion, may choose.

(c) If the County deems any of the foregoing remedies necessary, Contractor agrees that it shall not be entitled to receive any further payments hereunder until after the Project is completed. All monies expended and all of the costs, losses, damages and extra expenses, including all management, administrative and other overhead and other direct and indirect expenses or damages incurred by the County incident to such completion, shall be deducted from the Contract Amount, and if such expenditures exceed the unpaid balance of the Contract Amount, Contractor agrees to pay promptly to the County on demand the full amount of such excess, including costs of collection, attorney's fees (including appeals) and interest thereon at the maximum legal rate of interest until paid. If the unpaid balance of the Contract Amount exceeds all such costs, expenditures and damages incurred by the County to complete the Services, such excess shall be paid to the Contractor.

(d) The liability of Contractor hereunder shall extend to and include the full amount of any and all sums paid, expenses and losses incurred, damages sustained, and obligations assumed by the COUNTY in good faith under the belief that such payments or assumptions were necessary or required, in completing the Services and providing labor, materials, equipment, supplies, and other items therefore or re-letting the Work, and in



[redacted]

settlement, discharge or compromise of any claims, demands, suits, and judgments pertaining to or arising out of the Services hereunder.

4.06.2 Termination for Convenience

The agreement can be terminated by either party with or without cause with 120 days prior written notice.



[redacted]

# Pricing Information

INVITATION TO BID FOR CONCRETE FORMING AND POURING
MICHAEL TURNER CONSTRUCTION, INC.
BID 2011-08

[redacted]

| ITEM | UNIT PRICE | | UNIT TOTAL PRICE | QUANTITY |
|---|---|---|---|---|
| 12" MITERED END – LABOR ONLY | 100.00 | EA. | 200.00 | 2 |
| 12" MITERED END – LABOR AND MATERIALS | 125.00 | EA. | 250.00 | 2 |
| 15" MITERED END – LABOR ONLY | 150.00 | EA. | 300.00 | 2 |
| 15" MITERED END – LABOR AND MATERIALS | 200.00 | EA. | 400.00 | 2 |
| 18" MITERED END – LABOR ONLY | 150.00 | EA. | 300.00 | 2 |
| 18" MITERED END – LABOR AND MATERIALS | 200.00 | EA. | 400.00 | 2 |
| 20" MITERED END – LABOR ONLY | 150.00 | EA. | 300.00 | 2 |
| 20" MITERED END – LABOR AND MATERIALS | 200.00 | EA. | 400.00 | 2 |
| 24" MITERED END – LABOR ONLY | 150.00 | EA. | 300.00 | 2 |
| 24" MITERED END – LABOR AND MATERIALS | 200.00 | EA. | 400.00 | 2 |
| 30" MITERED END – LABOR ONLY | 100.00 | EA. | 200.00 | 2 |
| 30" MITERED END – LABOR AND MATERIALS | 100.00 | EA. | 200.00 | 2 |
| 36" MITERED END – LABOR ONLY | 100.00 | EA. | 200.00 | 2 |
| 36" MITERED END – LABOR AND MATERIALS | 100.00 | EA. | 200.00 | 2 |
| VERTICAL HEAD WALL 3' X 4' - LABOR ONLY | 50.00 | EA. | 100.00 | 2 |
| VERTICAL HEAD WALL 3' X 4' – LABOR AND MATERIALS | 100.00 | EA. | 200.00 | 2 |
| VERTICAL HEAD WALL 8' X 4' – LABOR ONLY | 400.00 | EA. | 800.00 | 2 |
| VERTICAL HEAD WALL 8' X 4' – LABOR AND MATERIALS | 500.00 | EA. | 1,000.00 | 2 |
| HEAD WALL <2' HIGH – LABOR ONLY | 50.00 | SQ. FT | 100.00 | 10 |
| HEAD WALL <2' HIGH – LABOR AND MATERIALS. | 12.00 | SQ. FT | 120.00 | 10 |
| HEAD WALL 2' – 6' – LABOR ONLY | 5.00 | SQ. FT | 50.00 | 10 |
| HEAD WALL 2' – 6' LABOR AND MATERIALS | 12.00 | SQ. FT | 120.00 | 10 |
| SIDEWALK IN PLACE – LABOR ONLY | 1.50 | SQ. FT. | 150.00 | 100 |
| SIDEWALK IN PLACE – LABOR AND MATERIALS | 3.50 | SQ. FT. | 350.00 | 100 |
| PLACE 8" REGULAR CONCRETE BLOCK (LABOR ONLY) | 2.50 | EA. | 250.00 | 100 |
| PLACE 8" SPLIT FACE CONCRETE BLOCK (LABOR ONLY) | 2.50 | EA. | 250.00 | 100 |
| FORM AND POUR 4" SLAB (NO FOOTER) – LABOR ONLY | 1.50 | SQ. FT. | 150.00 | 100 |

TOTAL BID PRICE **$7,690.00**

**Note: Bidder must provide bid prices for all items.**

[redacted]

6. Previous conduct under other contracts
7. Quality of previous work
8. Claims and litigation history over past 5 years

Bidders may submit information or documents responsive to the above with their Proposal and Bid Form.

Each culvert will require two mitered ends

| ITEM | QUANTITY | UNIT PRICE | | UNIT | TOTAL PRICE |
|---|---|---|---|---|---|
| 12" MITERED END – LABOR ONLY | 100.- | EA. | 2 | | 200.- |
| 12" MITERED END – LABOR AND MATERIALS | 125.- | EA. | 2 | | 250.- |
| 15" MITERED END – LABOR ONLY | 150.- | EA. | 2 | | 300.- |
| 15" MITERED END – LABOR AND MATERIALS | 200.- | EA. | 2 | | 400.- |
| 18" MITERED END – LABOR ONLY | 150.- | EA. | 2 | | 300.- |
| 18" MITERED END – LABOR AND MATERIALS | 200.- | EA. | 2 | | 400.- |
| 20" MITERED END – LABOR ONLY | 150.- | EA. | 2 | | 300.- |
| 20" MITERED END – LABOR AND MATERIALS | 200.- | EA. | 2 | | 400.- |
| 24" MITERED END – LABOR ONLY | 150.- | EA. | 2 | | 300.- |
| 24" MITERED END – LABOR AND MATERIALS | 200.- | EA. | 2 | | 400.- |
| 30" MITERED END – LABOR ONLY | 100.- | EA. | 2 | | 200.- |
| 30" MITERED END – LABOR AND MATERIALS | 100.- | EA. | 2 | | 200.- |
| 36" MITERED END – LABOR ONLY | 100.- | EA. | 2 | | 200.- |
| 36" MITERED END – LABOR AND MATERIALS | 100.- | EA. | 2 | | 200.- |
| VERTICAL HEAD WALL 3' X 4' - LABOR ONLY | 50.- | EA. | 2 | | 100.- |
| VERTICAL HEAD WALL 3' X 4' – LABOR AND MATERIALS | 100.- | EA. | 2 | | 200.- |
| VERTICAL HEAD WALL 8' X 4' – LABOR ONLY | 400.- | EA. | 2 | | 800.- |
| VERTICAL HEAD WALL 8' X 4' – LABOR AND MATERIALS | 500.- | EA. | 2 | | 1,000.- |
| HEAD WALL <2' HIGH – LABOR ONLY | 50.- | SQ. FT. | 10 | | 100.- |

| | | | |
|---|---|---|---|
| HEAD WALL <2' HIGH – LABOR AND MATERIALS 12.- | SQ. FT. | 10 | 120.- |
| HEAD WALL 2' – 6' – LABOR ONLY 5.- | SQ. FT. | 10 | 50.- |
| HEAD WALL 2' – 6' LABOR AND MATERIALS 12.- | SQ. FT. | 10 | 120.- |
| SIDEWALK IN PLACE – LABOR ONLY 1.50 | SQ. FT. | 100 | 150.- |
| SIDEWALK IN PLACE – LABOR AND MATERIALS 3.50 | EA. | 100 | 350.- |
| PLACE 8" REGULAR CONCRETE BLOCK (LABOR ONLY) 2.50 | EA. | 100 | 250.- |
| PLACE 8" SPLIT FACE CONCRETE BLOCK (LABOR ONLY) 2.50 | SQ. FT. | 100 | 250.- |
| FORM AND POUR 4" SLAB (NO FOOTER) – LABOR ONLY 1.50 | | | 150.- |

TOTAL BID PRICE $7690.00

**Note: Bidder must provide bid prices for all items.**

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 19, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Cleve Fleming, Public Works Director |
| Subject: | Request Board Approval of Change Orders #1 & #2 for the Work Agreement with Peavy and Sons Construction Co, Inc. for the Rehwinkel Road Widening and Resurfacing Project |

**Statement of Issue:**
This agenda item requests Board approval of Change Orders #1 & #2 for the Work Agreement with Peavy and Sons Construction Co, Inc. for the Rehwinkel Road widening and resurfacing project.

**Background:**
On October 3, 2011 the Board executed The Small County Roadway Assistance Program (SCRAP) Agreement for Rehwinkel Road and approved Preble-Rish to provide professional engineering services for the project. The Small County Roadway Assistance Program (SCRAP) assists small county governments in the resurfacing of County roads. This is beneficial in that sales tax money collected for road paving cannot be used for resurfacing.

During the December 5, 2011 Board Meeting, the Board directed staff to advertise an Invitation to Bid (ITB) for the roadway improvements to Rehwinkel Road. Subsequently on January 24, 2012 the Board approved awarding ITB #2012-5 to Peavy and Sons Construction Co, Inc.

**Analysis:**
The original agreement amount with Peavy and Sons Construction Co, Inc. was in the amount of $1,333,007.00. Additional drainage pipe removal and replacement, water valve adjustments and service relocation, NPDES permitting, additional traffic control, and excavation was needed resulting in Change Order #1 in the amount of $58,282.50.

Subsequently, additional items were needed such as asphalt overrun, road base stabilization, additional headwalls, additional signage, traffic control message boards, and sod overrun resulting in Change Order #2 in the amount of $81,325.00.

Staff is requesting Board approval of both Change Order #1 and #2 payable to Peavy and Sons Construction Co, Inc. (Attachment 1).

**Budgetary Impact:**

The additional cost for Change Order #1 is $58,282.50 and the additional cost for Change Order #2 is $81,325.00. That brings the total agreement amount after Change Orders #1 & #2 to $1,472,614.50.

Funds are available for Change Orders #1 & #2 from the Small County Roadway Assistance Program (SCRAP) for Rehwinkel Road.

**Options:**

1. Approve Change Orders #1 & #2 for the Work Agreement with Peavy and Sons Construction Co, Inc. for the Rehwinkel Road widening and resurfacing project.
2. Do not approve Change Orders #1 & #2 for the Work Agreement with Peavy and Sons Construction Co, Inc. for the Rehwinkel Road widening and resurfacing project.
3. Board direction.

**Recommendation:**

Option #1.

**Attachment(s):**

1. Change Orders #1 and #2

**SECTION 00900**
**CHANGE ORDER FORM**

CHANGE ORDER NO. 1 WAKULLA COUNTY PROJECT NO. ITB 2012-05

TO: PEAVY AND SONS CONST. CO., INC.
39 SCHWALL ROAD
HAVANA, FL 32333

DATE: 5/14/12

PROJECT NAME: **Rehwinkel Road**

Under our AGREEMENT dated FEBRUARY 10, 2012.

**********

You hereby are authorized and directed to make the following change(s) in accordance with terms and conditions of the Agreement: Removal and replacement of cross drain at Sta. 39+00; additional 3" SP-9.5; removal and replacement of 6 side drains; adjustment of water valves; relocation of water services; NPDES permitting; additional MOT; and additional excavation.

FOR THE ADDITIVE Sum of:
Fifty eight thousand, two hundred eighty two dollars and fifty cents ($ 58,282.50).

| | |
|---|---|
| Original Agreement Amount | $ 1,333,007.00 |
| Sum of Previous Changes | $ 0 |
| This Change Order ADD | $ 58,282.50 |
| Present Agreement Amount | $ 1,391,289.50 |

The time for completion shall be (increased) by 0 calendar days due to this Change Order. Your acceptance of this Change Order shall constitute a modification to our Agreement and will be performed subject to all the same terms and conditions as contained in our Agreement indicated above, as fully as if the same were repeated in this acceptance. The adjustment, if any, to the Agreement shall constitute a full and final settlement of any and all claims arising out of or related to the change set forth herein, including claims for impact and delay costs.

Accepted:_____ , 2012 .

WAKULLA COUNTY, FLORIDA CONTRACTOR

By:_____ By:_____
Chair President

DESIGN PROFESSIONAL: By:_____ Consulting Engineer

| CHANGE ORDER #1 | | | | | |
|---|---|---|---|---|---|
| | PIPE CULVERT, OPTIONAL MATERIAL RD, 18" S/CD | LF | 165 | $ 50.00 | $ 8,250.00 |
| | CONCRETE CLASS I ENDWALLS | CY | 3.12 | $ 750.00 | $ 2,340.00 |
| | NPDES PERMITTING | LS | 1.00 | $ 5,000.00 | $ 5,000.00 |
| | ADDN'L MAINTENANCE OF TRAFFIC | LS | 1.00 | $ 2,500.00 | $ 2,500.00 |
| | WATER VALVE ADJUSTMENT | EA | 8.00 | $ 400.00 | $ 3,200.00 |
| | WATER SERVICE RELOCATION | EA | 21.00 | $ 550.00 | $ 11,550.00 |
| | WATER SERVICE BORING | EA | 8.00 | $ 400.00 | $ 3,200.00 |
| | REGULAR EXCAVATION | CY | 1,500 | $ 4.00 | $ 6,000.00 |
| | PERFORMANCE TURF, SOD | SY | 4,517 | $ 2.50 | $ 11,292.50 |
| | 3" (330 #/SY) TYPE SP-9.5 SURF. COURSE, TRAF B | TN | 33 | $ 150.00 | $ 4,950.00 |
| | | | | Total | $ 58,282.50 |

**SECTION 00900**
**CHANGE ORDER FORM**

CHANGE ORDER NO. 2 WAKULLA COUNTY PROJECT NO. ITB 2012-05

TO: PEAVY AND SONS CONST. CO., INC.
39 SCHWALL ROAD
HAVANA, FL 32333

DATE: 7/16/12

PROJECT NAME: **Rehwinkel Road**

Under our AGREEMENT dated FEBRUARY 10, 2012.

**********

You hereby are authorized and directed to make the following change(s) in accordance with terms and conditions of the Agreement: Overrun for asphalt; road base stabilization, additional headwalls; additional signage; additional MOT (message boards); and overrun for sod.

FOR THE ADDITIVE Sum of:
Eighty one thousand, three hundred twenty five dollars and zero cents ($ 81,325.00 ).

| | |
|---|---|
| Original Agreement Amount | $ 1,333,007.00 |
| Sum of Previous Changes | $ 58,282.50 |
| This Change Order ADD/DEDUCT | $ 81,325.00 |
| Present Agreement Amount | $ 1,472,614.50 |

The time for completion shall be (increased) by 0 calendar days due to this Change Order. Your acceptance of this Change Order shall constitute a modification to our Agreement and will be performed subject to all the same terms and conditions as contained in our Agreement indicated above, as fully as if the same were repeated in this acceptance. The adjustment, if any, to the Agreement shall constitute a full and final settlement of any and all claims arising out of or related to the change set forth herein, including claims for impact and delay costs.

Accepted:_____ , 2012 .

WAKULLA COUNTY, FLORIDA CONTRACTOR

By:_____ By:_____
Chair President

DESIGN PROFESSIONAL: By:_____ Consulting Engineer

Rehwinkel Road Widening and Resurfacing
PRI Project No. 203.093

PREBLE-RISH
CONSULTING ENGINEERS & SURVEYORS

**CHANGE ORDER #2**

| | | UNIT | QUANTITY | UNIT PRICE | COST |
|---|---|---|---|---|---|
| | OVERRUN ASPHALT | TN | 221 | $ 92.50 | $ 20,442.50 |
| | ROAD BASE STABILIZATION | LS | 1.00 | $ 55,680.00 | $ 55,680.00 |
| | ADDITIONAL HEADWALLS | CY | 2.43 | $ 750.00 | $ 1,825.00 |
| | ADDITIONAL SIGNAGE | EA | 6.00 | $ 210.00 | $ 1,260.00 |
| | ADDITIONAL MOT (MESSAGE BOARDS) | LS | 1.00 | $ 450.00 | $ 450.00 |
| | OVERRUN SOD | SY | 667.00 | $ 2.50 | $ 1,667.50 |
| | | | | TOTAL | $ 81,325.00 |

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 30, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Cleve Fleming, Public Works Director<br>Lane Lucas, Eutaw Utilities |
| Subject: | Request Board Approval of Change Order #7 to Allen's Excavation for the County Sanitary Force Main Project |

**Statement of Issue:**
This agenda item requests Board approval of Change Order # 7 to Allen's Excavation for the Sanitary Force Main project contracted with Allen's Excavation.

**Background:**
On May 16, 2011 construction of the main force began and was completed in January 2012. However, in December 2011, the Board approved an extension of the contract with Allen's Excavation to include the rehabilitation of the County's Master Sanitary Lift Station in Medart.

**Analysis:**
This change order requests additional contract time. Prior to construction beginning on the Medart lift station, there was a delay in obtaining an easement from the Wakulla County School Board. Also, Tropical Storm Debby caused several lost working days as well as created additional work due to damage on the site.

The additional cost associated with this change order results from additional concrete and electrical work. Concrete slabs were to be poured around the wet well lid and to support the electrical controls. Prior to construction, it was determined that a single slab should be poured to incorporate the wet well lid, valve box lids, and electrical controls rather than pour individual slabs. This makes for a more functional site and avoids the potential trip hazard of having gravel between the slabs. The cost for the additional labor and material is $8,708.30.

Also, County staff requested the addition of an in-line junction box between the wet well and electrical control panel to facilitate the removal and replacement of pump cables, if necessary. Material and labor cost for this change is not to exceed $1,500.00.

These changes will make for a more functional lift station, especially when performing routine or emergency maintenance. The additional working days will make the project completion date September 3, 2012.

**Budgetary Impact:**
The current contract value is $700,041.96. Change Order #7 will increase the contract value by $10,208.30, for a total of $710,250.26. This amount, coupled with the materials purchased directly by the County, is still within the budget of the amended SRF loan agreement.

**Options:**
1. Approve Change Order #7 in the amount of $10208.30 to Allen's Excavation for the County Sanitary Force Main Project.
2. Do not approve Change Order #7 in the amount of $10208.30 to Allen's Excavation for the County Sanitary Force Main Project.
3. Board direction.

**Recommendation:**
Option #1

**Attachments:**
1. Proposed Change Order#7, with quotes and invoices for the additional work.

EUTAW UTILITIES, INC.

Project Development...Concept to Completion

EUI

**Date:** **July 26, 2012**

**To:** **File**

**From:** **Lane P. Lucas** LPL

**RE:** **Wakulla County**
**Sanitary Force Main Project**

Change Order #7 for the above referenced project has been issued. This change order covers additional time and costs incurred during construction of the Medart Lift Station.

Additional time is necessary to compensate for delays in obtaining an easement from the Wakulla County School Board and for delays and additional work caused by Tropical Storm Debby.

The size of the concrete slab was increased to incorporate the wet well, valve box, and electrical control panels into a unified slab. The total increase for concrete work was $8,708.30.

County staff requested that an in-line junction box be added for pump cables between the wet well and control panel. They felt that the original configuration would make it difficult to remove and replace the pump cables if there were ever a problem with the pumps or cables. This change is labor intensive as it involves digging under the concrete slab to splice the cables. The cost of this change is $1,500.00

Change Order #7 will increase the contract with Allen's Excavation by $10,208.30. The total value of the contract is now $710,250.26.

# Change Order No. 7

Date of Issuance: 7/27/12 Effective Date: _____

| Project: | Owner: | Owner's Contract No.: |
|---|---|---|
| **Wakulla County Forcemain** | **Wakulla County, Florida** | |
| Contract: | | Date of Contract: |
| **Wakulla County Forcemain** | | **April 13, 2011** |
| Contractor: **Allen's Excavation, Inc.** | | Engineer's Project No.: |

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description:

Additional contract time to account for delay in obtaining easement from WCSB, lost time and additional work caused by TS Debbie, and several misc. work stoppages.

Cost for additional concrete work and addition of a junction box to facilitate pulling pump cables if necessary

Attachments: (List documents supporting change):

Invoices/Quotes for additional Work

| CHANGE IN CONTRACT PRICE: | CHANGE IN CONTRACT TIMES: |
|---|---|
| Original Contract Price: | Original Contract ☐ Working X Calendar days |
| | Substantial completion (days or date): 300 |
| $ 2,285,387.25 | Ready for final payment (days or date): 360 |
| [Decrease] from previously approved Change Orders No. 1-6 | [Increase] [Decrease] from previously approved Change Orders |
| | Substantial completion (days): 90 |
| $ (1,585,345.29) | Ready for final payment (days): 90 |
| Contract Price prior to this Change Order: | Contract Times prior to this Change Order: |
| | Substantial completion (days or date): 390 |
| $ 700,041.96 | Ready for final payment (days or date): 450 |
| [Increase] of this Change Order: | Increase of this Change Order: |
| | Substantial completion (days or date): 70 |
| $ 10,208.30 | Ready for final payment (days or date): 40 |
| Contract Price incorporating this Change | Contract Times with all approved Change Orders: |
| | Substantial completion (days or date): 460 |
| $ 710,250.26 | Ready for final payment (days or date): 490 |

| RECOMMENDED: | ACCEPTED: | ACCEPTED: |
|---|---|---|
| By: _____ | By: _____ | By: _____ |
| Engineer (Authorized Signature) | Owner (Authorized Signature) | Contractor (Authorized Signature) |
| Date: 7/27/12 | Date: _____ | Date: _____ |

OK BSI 7/27/12

Approved by Funding Agency (if applicable): _____ Date: _____

John- 251-4951

984-5279

Tues
3:30

**ROOKS CONCRETE SERVICE**
Highway 98 - P.O. Box 82
Panacea, Florida 32346
MEDART

984-5685

30919

CUSTOMER'S ORDER NO. _____ DATE 7/10 20 12

SOLD TO Allens Excavating

ADDRESS _____

DELIVER TO Medart / School / 319 Truck Plant

| TIME DELIVERED TO CUSTOMER | TIME RELEASED BY CUSTOMER | TRUCK NO. | DRIVER |
|---|---|---|---|
| | | | |

| QUANTITY | DESCRIPTION | PRICE | AMOUNT |
|---|---|---|---|
| 6 | Flowable fill | 101.00 | 606.00 |
| | Fee | | 20.00 |
| | RECEIVED JUL 12 2012 | TAX | 40.00 |
| | Thank You | | |
| | HRS. TRUCK WAITING AFTER 1ST HR. | | $666.00 |

_____ Gals. of water added to job. Purchaser assumes responsibility for strength of concrete.

The undersigned hereby agrees to accept all responsibility for damages of property resulting from truck making deliveries beyond curb. Materials hereby sold become property of purchaser at point of origin.

RECEIVED BY _____

John- 251-4951

984-5279

**BROOKS CONCRETE SERVICE**

Highway 98 - P.O. Box 82
Panacea, Florida 32346

984-5685

30855

1 Hours

MEDART

CUSTOMER'S

ORDER NO. _____ DATE 6/14 20 12

SOLD TO Allens Excavating

ADDRESS Medart Sewer Belting School Yard

DELIVER TO off 319 By Store

| TIME DELIVERED TO CUSTOMER | TIME RELEASED BY CUSTOMER | TRUCK NO. | DRIVER |
|---|---|---|---|
| | | | |

| QUANTITY | DESCRIPTION | PRICE | AMOUNT |
|---|---|---|---|
| 3 | 3000 /ft | 100 | 300 00 |
| | Fuel | 20 | 20 00 |
| | Short Loan | 100 | 100 00 |
| | TAX | | 21 00 |
| | Thank You | | |
| | HRS. TRUCK WAITING AFTER 1ST HR. | | $441 00 |

_____ Gals. of water added to job. Purchaser assumes responsibility for strength of concrete.

The undersigned hereby agrees to accept all responsibility for damages of property resulting from truck making deliveries beyond curb. Materials hereby sold become property of purchaser at point of origin.

RECEIVED BY _____

Paid

John- 251-4951

984-5279

**ROOKS CONCRETE SERVICE**

Highway 98 - P.O. Box 82
Panacea, Florida 32346

984-5685

30872

Thurs
8:00

CUSTOMER'S

ORDER NO. _____ DATE 6/21 20 12

SOLD TO Allens Excavation

ADDRESS Medart Sewer Station - Elem School

DELIVER TO _____

| TIME DELIVERED TO CUSTOMER | TIME RELEASED BY CUSTOMER | TRUCK NO. | DRIVER |
|---|---|---|---|
| | | | |

| QUANTITY | DESCRIPTION | PRICE | AMOUNT |
|---|---|---|---|
| 11 | 3000 /R | 90 | 990 00 |
| | Fuel | 25 | 50 00 |
| | GT | | |
| | TAX | | 69 30 |
| | Thank You | | |
| | HRS. TRUCK WAITING AFTER 1ST HR. | | 1109 30 |

_____ Gals. of water added to job. Purchaser assumes responsibility for strength of concrete.

The undersigned hereby agrees to accept all responsibility for damages of property resulting from truck making deliveries beyond curb. Materials hereby sold become property of purchaser at point of origin.

RECEIVED BY _____

RECEIVED

Paid

Capital City Contracting, LLC.

PO Box 970
Crawfordville, FL 32326

# Estimate

| Date | Estimate # |
|---|---|
| 7/2/2012 | 103 |

| Name / Address |
|---|
| Allens Excavation;Medart Lift Station<br>6403 Woodville Hwy<br>Tallahassee Fl. 32305 |

| Project |
|---|
| |

| Description | Qty | Rate | Total |
|---|---|---|---|
| Form around perimeter of both existing slabs 6" out and recess 3" down. labor, materials and pump included. flowable fill provided by others | | 2,752.00 | 2,752.00 |
| | | **Total** | $2,752.00 |

Capital City Contracting, LLC.

PO Box 970
Crawfordville, FL 32326

# Invoice

| Date | Invoice # |
|---|---|
| 6/20/2012 | 1001 |

| Bill To |
|---|
| Allens Excavation;Medart Lift Station<br>6403 Woodville Hwy<br>Tallahassee Fl. 32305 |

| P.O. No. | Terms | Project |
|---|---|---|
| | | |

| Quantity | Description | Rate | Amount |
|---|---|---|---|
| | Supply Material ( excluding Concrete ) and labor to form, prep, place and finish Generator pad and slab surrounding wet well and valve box. | 3,744.00 | 3,744.00 |

Copy

| | | |
|---|---|---|
| | **Total** | $3,744.00 |

Pay online at: https://ipn.intuit.com/tfb63dj2

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 23, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator<br>Luis N. Serna, Planning and Community Development Director |
| Subject: | Request Board Acceptance of EPA's Report Entitled, "*Essential Smart Growth Fixes For Rural Development Codes –Next Steps,"* and Request Board Direction Regarding Implementation Priorities |

**Statement of Issue:**
This item requests Board acceptance of the June 22, 2012 report prepared by the Environmental Protection Agency (EPA) entitled, "*Essential Smart Growth Fixes For Rural Development Codes – Next Steps."* The item additionally requests Board direction regarding priorities for implementing the recommendations contained in the report.

**Background:**
The Board of County Commissioners accepted a Sustainable Communities Grant from the Environmental Protection Agency on March 5, 2012. Tours of the County and public workshops with EPA's team of experts were conducted on June 5th and 6th, 2012. On June 22, 2012, a summary report that included targeted recommendations for Wakulla County was prepared by EPA team member, Mr. Chris Duerksen (Attachment 1).

**Analysis:**
Prior to the June site visit and workshops with EPA's team of experts, the EPA team requested that the County focus on two priority areas of concern. The team, working with Commissioner Artz and County staff, agreed to focus the workshops on implementation of the Crawfordville Town Plan and the Big Bend Scenic Byway Corridor Management Plan.

The second day of the June workshops involved a full day of participation by a working group composed of approximately 30 individuals from local organizations representing transportation, housing, land planning, economic development/chamber of commerce, tourism, environmental and other interests. For both the Crawfordville Town Plan and the Big Bend Scenic Byway Plan, the working group discussed ideas for removing barriers, creating incentives, and filling regulatory gaps. The working group concluded by establishing priorities for Land Development Code amendments to help implement the Crawfordville Town Plan and the Big Bend Scenic Byway Corridor Management Plan.

Most of the priorities identified in the report for the Crawfordville Town Plan are addressed in the Crawfordville Overlay Ordinance which is scheduled for Board approval on August 6, 2012. Many of the other recommendations for Crawfordville and the Big Bend Scenic Byway are currently being addressed by the Planning Department in planned updates to Chapters 5 and 6 of the Land Development Code. Staff is seeking with this agenda item affirmation of these priorities as well as any additional comments that the Board may have.

**Budgetary Impact:**
Future Land Development Code updates will require staff time and advertising expenses.

**Options:**
1. Accept the EPA's Report Entitled, "*Essential Smart Growth Fixes For Rural Development Codes –Next Steps"* and provide direction regarding implementation priorities.
2. Do not accept the EPA's Report Entitled, "*Essential Smart Growth Fixes For Rural Development Codes –Next Steps."*
3. Board Direction.

**Recommendation:**
Option #1

**Attachment(s):**
1. June 22, 2012 Report from EPA entitled, "*Essential Smart Growth Fixes For Rural Development Codes – Next Steps"*

ATTACHMENT # 1
PAGE 1 OF 7

## Technical Assistance Tool: Rural Development Codes

WAKULLA COUNTY, FL

June 5-6, 2012

To: Lynn Artz, Wakulla County Commissioner

Luis Serna, Wakulla County Planning Director

Megan McConville, U.S. EPA

From: Chris Duerksen, Clarion Associates

Date: June 22, 2012

Re: Essential Smart Growth Fixes For Rural Development Codes—Next Steps

### 1. Overview/Background

- The June 5 evening public meeting was opened by County Commissioner Lynn Artz who has been spearheading this project for Wakulla County. Attendees included the county planning director and staff from various county departments, planning commissioners, county commissioners and candidates for county commission seats, representatives from the local chamber and the scenic byways committee, and others. About 30 people attended, and they were engaged and very interested in seeing the county pursue code amendments to implement the Crawfordville Town Plan and the Big Bend Scenic Highway Corridor Management Plan. A number of the working group members attended the evening workshop which allowed the group to get a running head start on Day 2.
- The working group for the Day 2 workshop had an excellent mix of representatives from various organizations including regional transportation and housing, land management agencies, economic development/chamber of commerce, and similar entities. The county administrator and key county staff were also present as well as elected representatives from the county's two municipalities. Most members of the working group were present for all sessions throughout the morning and afternoon.
- Wakulla County has been one of the fastest growing counties in Florida over the last decade, although growth has slowed due to the recession. Almost 2/3rds of the county is in public ownership. The county is very auto-oriented both for shopping and commuting. 84% of the housing is single family. The county has relatively low retail sales and jobs in relation to population. Many of its citizens shop and work in Tallahassee.
- Already the county has taken some important initial steps to implement the Crawfordville Town Plan and the Big Bend Scenic Byway Plan
    - County planning staff have drafted a downtown Crawfordville Overlay Zone District to begin implementation of the plan.

  - Received commitments from area local governments and regional agencies to pursue implementation of the byway plan.

- Commissioner Artz and county staff advised that given the current political makeup of the county commission, a focus on removing barriers in the land development code to plan implementation and the use of incentives would be preferred, although new regulations may be needed in some instances.
- The entire Wakulla County Commission (except for one member who was out of town ) and a majority of the planning commission attended the Day 2 lunch presentation. Overall, they voiced strong support for the primary recommendations and offered excellent guidance on priorities for implementation. They generally confirmed a preference for removal of barriers and use of incentives, but expressed support for new regulations in areas such as dedication of open space in new subdivisions.

**2. Key Issues Addressed during the Site Visit**

The recommendations were focused mainly on implementing the Crawfordville Town Plan and the Big Bend Scenic Byway Corridor Management Plan. This required substantial tailoring of the broader and generic priority code fixes set forth in the U.S. EPA publication "Essential Smart Growth Fixes For Rural Development Codes" that serves as substantive the foundation for these workshops. The following is a summary of the key recommendations of the two plans:

- Crawfordville Town Plan
  - Improve pedestrian and bicycle connectivity
  - Provide more housing choices in downtown
  - Offer flexibility regarding street design
  - Develop design guidelines (architectural, lighting, landscaping, etc.)
  - Allow higher densities in downtown
  - Encourage a mix of land uses, including cottage and neighborhood commercial
  - Promote low-impact (green infrastructure) development
  - Investigate strategies to protect Wakulla Springs
- Big Bend Scenic Byway Corridor Management Plan
  - Preserve historic sites and natural areas
  - Promote native vegetation landscaping
  - Implement appropriate setbacks and screening of commercial areas to protect and enhance scenic and water views.
  - Protect wildlife
  - Promote roadway design and scale "appropriate to region."
  - Improve pedestrian and bicycle connectivity and facilities

### 3. Targeted Recommendations Discussed During The Workshop

This section summarizes the key proposed land development code amendments discussed at the Day 2 workshop to implement the recommendations of the two plans . The recommendations are set forth in three categories—removing barriers, creating incentives, and filling regulatory gaps.

#### a. Crawfordville Town Plan

***Remove Barriers***

i. Revise the C-4 and C-2 Commercial Zone Districts (Sec. 5-40) to allow residential dwellings and cottage commercial live/work units in the Crawfordville Town Plan (CTP) core/downtown.
ii. Reduce excessive off-street parking requirements in the Land Development Code (LDC) to promote compact walkable development (e.g., reduce office parking from 1 space/200 square feet to 1/300 or 1/400 square feet and multi-family to 1.5 spaces/unit.)
iii. Tailor landscaping regulations in Sec. 6-31 to promote urban development and infill in the CTP area. Current standards are geared to suburban development with large buffers and setbacks.
iv. Allow reduced street rights-of-way and alley-accessed developments in CTP core. Section 6-21 (street standards) should be amended to allow narrower rights-of-way for streets in and around core. Allow alleys in commercial areas to be reduced to less than 20 feet of pavement as now required.
v. Allow accessory dwelling units that are now effectively prohibited in Section 6-1 (accessory uses). Allow in single-family dwellings near downtown.

***Create Incentives***

vi. Allow on-street parking spaces adjacent to a development to count towards off-street parking. Section 6-14 does not now permit this.
vii. Grant bonus landscape/reforestation credit for protecting large existing trees. Section 6-31 of the county LDC landscape regulations does give 1:1 credit towards landscaping requirements for protecting mature trees. Additional credit should be given for preserving trees in the CTP area.
viii. Offer increased height, additional uses, and other bonuses for projects that adopt architectural design guidelines set forth in the plan to promote a "main street" character and green design features (e.g., pervious pavement, solar energy, green roofs). The current height limit in the downtown commercial district is only 35 feet, and the Future Land Use Map does not contain land use categories with sufficient densities/intensities typical of the downtown development the plan recommends.

ix. Allow reduction of interior parking lot landscaping requirements in the core CTP area if parking lots are screened with attractive walls or fencing.

***Fill Regulatory Gaps***

x. Require bicycle parking facilities and pedestrian facilities such as bike parking racks for commercial uses and inside storage for multi-family projects. Currently the LDC does not address bicycle parking. Also require pedestrian facilities such as sidewalks on both sides of streets.

xi. Enact maximum building setbacks to create a downtown streetscape. The current commercial zone districts in the CTP area have no maximum setbacks, which will likely result in a random, suburban looking streetscape. The CTP recommends adopted uniform setbacks in the CTP core to create a main street feel. Note that the proposed CTP Overlay District permits a 0 foot building setback, but does not require.

xii. Prohibit auto-oriented uses in the CTP core (e.g., auto sales, car washes, drive-through services) that make creation of a pedestrian-oriented district difficult. The current commercial zone districts applicable in the CTP area allow a wide variety of auto-oriented uses that are not compatible with the downtown pedestrian atmosphere the CTP attempts to create.

xiii. Allow parking only on the side or in the rear of buildings in the CTP core area. The current LDC allows parking between the street and building which breaks up the streetscape and detracts from the pedestrian experience.

xiv. Adopt conservation/cluster subdivision requirements or incentives for the periphery of the CTP area. Sprawling subdivisions around Crawfordville are fragmenting wildlife habitat and open space and are expensive to provide with municipal services (road maintenance, emergency services, etc.)

**xv.** The current LDC does not have any comprehensive outdoor lighting standards. Most LDC commercial zone districts focus only on controlling light overspill into residential areas. The county should consider adopting a comprehensive outdoor lighting ordinance that addresses basic issues such as light shielding, types of prohibited lighting, and energy efficiency.

**b. Big Bend Scenic Byway Corridor Management Plan (BBSBP):**

***Remove Barriers***

i. Allow conservation/cluster subdivisions by right in all Rural Residential Zone Districts. Chapter 7 of the LDC, Subdivisions, does not contain any special provisions that allow conservation subdivisions. Similarly, the LDC Rural Residential Zone Districts do not allow reduction of lot sizes if lots are clustered and open space provided. Section 5-1 of

the LDC makes vague reference to allowing density clustering to protect wetlands or wildlife habitat, but does not provide any guidance or standards.

ii. Section 6-31 of the LDC contains lists of preferred trees, shrubs, and grasses for required landscaping. This list includes some native Florida plants, but can be expanded to allow and encourage a wider variety. The county should consider a reference in the LDC to a more extensive native vegetation list published by the State of Florida or other institution.

iii. The county's standard road cross-section (LDC Section 6-21) for collectors is a 60-foot right-of-way and 20 feet of pavement; arterials are 80 feet/12 feet per paved lane. No bicycle lanes are required. The county should developed customized rural road sections with a minimum five foot paved shoulder for bicycles.

iv. The county should identify key scenic viewpoints and corridors along the Big Bend Byway to inform developers or areas where development should be avoided if possible or given special design attention.

***Create Incentives***

v. Grant bonus landscape/reforestation credit for protecting large existing trees. Section 6-31 of the county LDC landscape regulations does give 1:1 credit towards landscaping requirements for protecting mature trees.

vi. The current LDC offers incentives such as reduced parking and setbacks to achieve certain goals such as tree protection and increased landscaping. Also, Sec. 5-1 allows a density increase of 10% for additional permanent open space in PUDs. The county should consider a broader range of density bonuses for developers preserving designated historic sites/buildings and critical natural areas/wildlife habitat along byway beyond that required by local/state/federal laws. Also it should consider adopting sliding scale densities in rural zone districts based on provision of amenities such as open space. Overland Park, KS, uses sliding scale densities in residential zone districts—higher densities granted in return for additional amenities such as open space.

***Fill Regulatory Gaps***

vii. Sec. 6-31 of the LDC contains the county landscaping standards. Consider adding a new section that requires deeper buffers and denser landscape screening for new developments along the scenic byway—patterned after current "uncomplimentary land use buffer" section.

viii. Adopt basic open space set aside and land dedication requirements for new subdivisions to meet the county standard of 5 acres/1,000 residents (which is very low). Many counties in Florida require set aside of private open space in new residential developments and dedication of public parks/open space to meet demand created by new residents. Requirements are often up 50% of the total development area in rural

subdivisions. The current LDC has no such requirements except in the PUD provisions, which contain vague references to (but no standards for) open space and natural resource protection. Open space set asides could be located in areas identified as key view corridors or wildlife habitat. NOTE: The LDC does require a 50-foot development setback from water bodies (Sec. 6-16,) and the county wetland regulations offer some additional protection to natural resource areas.

ix. Identify historic landmarks along the byway and adopt standards to encourage reuse instead of demolition. Numerous Florida communities have historic landmark/district ordinances that require waiting periods before demolition of historic landmarks or prohibit demolition altogether if reuse is economically feasible.

x. Revise the county sign ordinance to clearly ban billboards (off-premise advertising signs) and electronic signage along the byway. Generally, state law does not allow off-premise signs (billboards) along scenic byways with certain exceptions. The county should consider prohibiting off-premise signs in commercial and industrial areas along the byway to fill any potential gaps in state regulation. Additionally, it should make clear that electronic signs (LED, etc.) are not permitted.

xi. Require bike parking racks for commercial uses and inside storage in multifamily developments.

**4. Priority Amendments Checklist**

The working group spent the final session of the workshop discussing the various LDC amendments outlined above. Recognizing that there are numerous potential revisions to the LDC that are needed to implement the Crawfordville Town Plan and the Big Ben Scenic Byway Corridor Management Plan, the group recommended the following amendments as highest priority. This list takes into account comments and guidance from the Wakulla County Commission members and planning commission at the lunch review session.

**Crawfordville Town Plan**

- Revise C-4 Downtown and C-2 General Commercial Districts to allow multi-family residential dwellings and live/work units by right.
- Offer incentives such as increased height and density for developments that adopt the design and green guidelines in the CTP.
- Reduce the excessi ve parking requirements in the LDC (e.g., office, multi-family residential). Tailor for the CTP core and infill development.
- Allow on-street parking spaces adjacent to a development to count towards off-street parking.
- Focus commercial and multi-family development in the CTP area and limit elsewhere in the county.
- Offer bonus landscape credits for preservation of existing trees.

**Big Ben Scenic Byway Corridor Management Plan**

- Allow or require conservation/cluster subdivisions along the byway.
- Adopt new rural road sections with reduced pavement widths and paved shoulders for bicycles.
- Require bicycle parking facilities (e.g., bike racks) for commercial development.
- Enact enhanced landscaping and screening requirements for all development along the byway.
- Inventory and designate scenic views.
- Adopt basic open space set aside/dedication requirements for new residential development.
- Revise county sign ordinance to prohibit billboards and electronic signs along the byway.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 24, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Randy Merritt, County Commissioner, District 2 |
| Subject: | Request Board Approval to Direct Staff to Revise the Wakulla County Land Development Code and Approval to Schedule and Advertise a Public Hearing |

**Statement of Issue:**
This agenda item requests Board direct staff to revise Wakulla County land development code and approval to schedule and advertise a public hearing.

**Background:**
Wakulla county regulations require storm water treatment for new development, but do not specify a threshold for not requiring compliance with county regulations, so in theory, any impervious space, no matter how small, would require storm water treatment.

**Analysis:**
This proposed change would allow an exemption from storm water permitting for any improvement that is less than 5000 sq. ft. for buildings and other non traffic bearing structures, 4000 sq ft. of impervious traffic bearing structures, or less than 1 acre of total project area that does not involve any impervious areas, or any combination of the mentioned exemptions. This exemption would mirror the exemption offered by the state storm water permitting agency.

**Budgetary Impact:**
The budget will be impacted for the cost of advertising in the Wakulla News estimated at $90.00-$150.00.

**Options:**
1. Approve to direct staff to revise Wakulla County land development code and approval to schedule and advertise a public hearing.
2. Do not approve to direct staff to revise Wakulla County land development code and do not approve to schedule and advertise a public hearing.
3. Board direction

**Recommendation:**
Option #1.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | Revised July 30, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Alan Brock, County Commissioner District 1 |
| Subject: | Request Board Approval to Schedule a Workshop Regarding the Restore Act |

**Statement of Issue:**
While Wakulla County was recovering from Tropical Storm Debby, President Obama signed the RESTORE Act into law. The RESTORE Act takes 80% of the fines, which could range from $5-20 Billion, that will be paid by companies responsible for the Deep Water Horizon Oil Spill and directs back to the five states that were affected by the spill: Texas, Louisiana, Mississippi, Alabama and Florida. This money is then allocated to each state, and then broken down further. I think to better understand what this means for Wakulla County that we should have a workshop to discuss it among the BOCC.

**Background:**
In 2010, Deep Water Horizon failed pouring thousands of gallons of oil into the Gulf of Mexico. In late June of this year Congress passed the RESTORE Act, and then the President signed it into law. There is a lot of information about what was discussed before it passed, and what was actually passed. I have attached several different informational pieces with this agenda item to help provide additional background.

Through the RESTORE Act there are four different funds established. Prior to the RESTORE Act, and still ongoing, there are several additional funds set up to help the coast recover including NRDA, or the Natural Resource Damage Assessment and the $10 Million a year for three years pursuant to Senate Bill 256 sent to UWF for economic development in the eight disproportionally affected counties, of which Wakulla is one.

As these monies become available we want to make sure that we are set up to work with the system and help our community recover from the oil spill. We want to ensure that we put the funds to the right use to maximize the impact for our citizens. We also need to make sure that we have our community set up to receive these funds as fast as they become available.

I think it is important that we make sure we are all aware of the possibilities, and towards that

end, I think we should have a workshop on the RESTORE Act. I would like to bring in some of the leaders of the team from the Florida Association of Counties so that we can all get on the same page.

Because we are working against a clock, I think we should have the workshop as soon as possible, and propose the dates of August 13th or August 30th at 5:00pm.

**Analysis:**

This is an important opportunity for our County. To ensure we are positioned to receive the maximum amount of funding I strongly recommend that we hold a Workshop to move forward with understanding and planning for these funds.

**Budgetary Impact:**

There is no anticipated cost.

**Options:**

1. Approve to schedule a workshop on August 13, 2012 at 5:00p.m. OR August 30, 2012 at 5:00p.m. regarding the RESTORE Act.
2. Do not approve to schedule a workshop regarding the RESTORE Act.
3. Board direction.

**Recommendation:**

Option #1

**Attachments:**

1. Restore Act "Monumental" to Coastal Economies
2. Restore Act Organizational Chart
3. The Restore Gulf Coast Act of 2012 Presentation
4. Restore Act Fact Sheet

# RESTORE Act 'monumental' to coastal economies

**Travis Pillow**
**Florida Capital Bureau**

**Jul 22, 2012**

The first checks remain a long way off, and much is uncertain, but federal and Florida legislation committing billions in fines from Deepwater Horizon operator BP will mean unprecedented cash windfalls for eight Florida counties, Wakulla and Franklin among them.

As much as $20 billion in fines for the 2010 rig explosion and oil spill offers the chance to change the nature of Florida's northern Gulf coast after the fisheries, resorts and people were threatened by more than 200 million gallons of spilled oil.

The money, described as "monumental" by one county commissioner, presents a "once-in-a-lifetime opportunity" according to the state lawmaker who pushed through legislation to reserve the biggest chunk of cash that comes to Florida to Big Bend and Panhandle counties.

Three weeks after Congress gave final approval to legislation steering money for a settlement with BP to states along the Gulf Coast, Florida officials have only begun the process of figuring out what to do with the money, but they expect its impact on the coastal economies of the Big Bend and the Panhandle will be substantial.

Representatives from the Florida Association of Counties, local governments and environmental groups met Thursday in Fort Walton Beach to begin sorting out how the money will be divided.

Estimates vary widely about how much money the companies held responsible for the Deepwater Horizon oil spill will eventually pay, but government officials in the Florida coastal counties hardest hit by the 2010 disaster say the amount of money could be enough to transform the local economy, thanks in part to state and federal laws that send the money to the areas that were most affected.

Bill Williams, a Gulf County commissioner who is also serving as president of the Florida Association of Counties, said that while the settlement amount is uncertain and the final formulas are still being worked out, the RESTORE Act — its name an acronym for Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies — recently passed by Congress means local governments could be in line to receive sums of money large enough to transform their economies.

The law could turn out to be “the most monumental piece of legislation that has affected the Panhandle, and especially the small counties,” he said.

If a federal judge decides the companies responsible for the spill were grossly negligent, the damages could be as high as $21.4 billion. If not, their liability, which is calculated based on the amount of oil spilled, could be $5.4 billion.

Under the new federal law, 80 percent of the settlement will flow directly to the five states affected by the spill. Of that money, 35 percent will be divided evenly among the states.

Sen. Don Gaetz, R-Niceville, helped pass state legislation in 2011 that requires 75 percent of Florida’s share of the settlement, as well as the state’s still-pending claim for economic damages from BP, to flow to the eight coastal counties closest to the spill. From Escambia in the west to Wakulla in the east, the eight counties were designated as the prime recipients of eventual money.

The money can be spent on ports and other infrastructure, or on other projects relating to ecological restoration and job creation.

Gaetz said the state law was designed to keep the money from being “drained away in Washington or Tallahassee,” and for the infusion of cash can be invested in “real, sustaining jobs.”

“I think it is a once-in-a-lifetime opportunity to diversify the coastal economy,” Gaetz said.

Another supporter of that legislation was state Sen. Bill Montford, D-Tallahassee. He and Gaetz both said the settlement money should be aimed for long-term projects that will reduce the area’s reliance on tourism, which can be sensitive to swings in the economy and disasters such as the oil spill, and government, including the Panhandle’s military bases, which are threatened by uncertain federal funding.

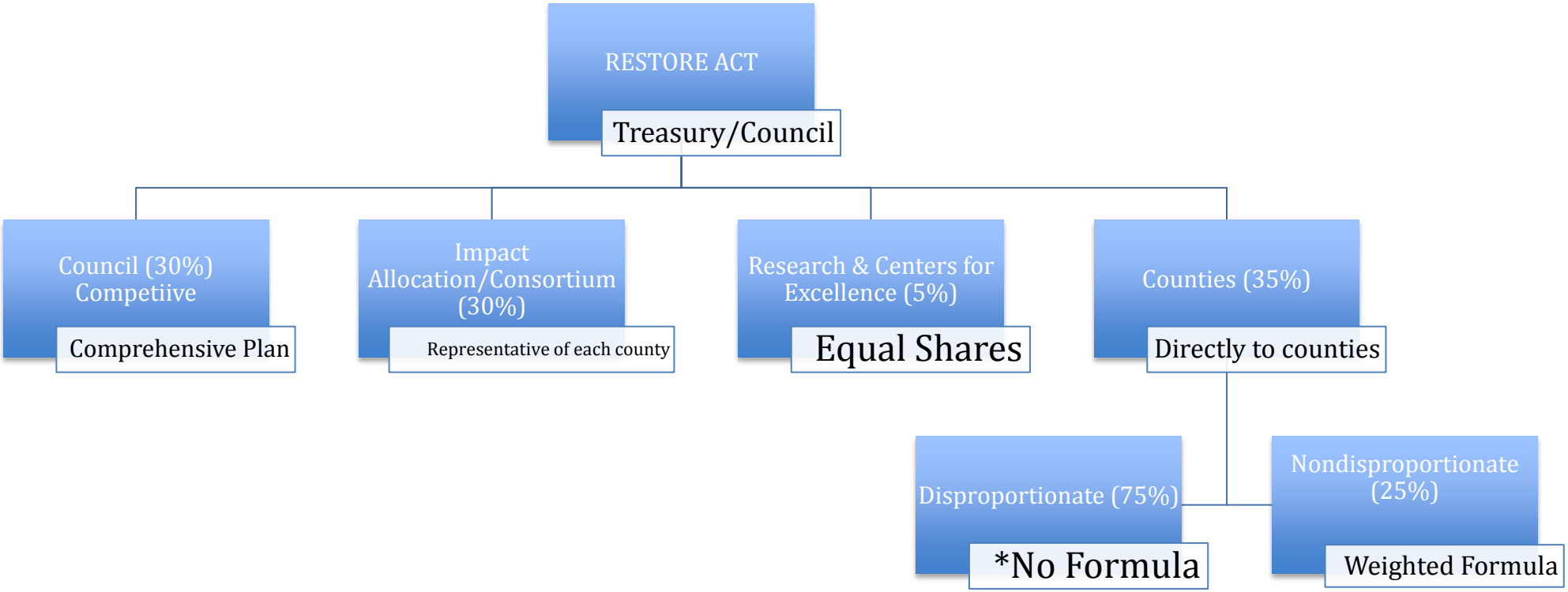
While the coalition of eight designated counties and environmental groups are still working on a formula to determine how to divide the money, and the settlement amount has not been decided, just one pot of money that would flow directly to local governments could have a major impact on the small counties that have felt the greatest effects from the spill. Under some of the preliminary formulas that have been proposed, Wakulla alone could receive about $10 million under a $5 billion settlement through the pot of money earmarked for local governments.

Wakulla County Commissioner Alan Brock said that amount of money, which could be more than a year’s worth of tax revenue, can have a transformative effect on a local economy that is still feeling the effects the spill.

For example, the region’s seafood industry, the economic lifeblood of the coastal Big

Bend which remained largely beyond the reach of the encroaching oil, could take years to recover from the damage to its reputation.

“There’s still work to be done,” Brock said. “Wakulla County is still recovering.”


RESTORE ACT
Treasury/Council
Council (30%) Competiive
Comprehensive Plan
Impact Allocation/Consortium (30%)
Representative of each county
Research & Centers for Excellence (5%)
Equal Shares
Counties (35%)
Directly to counties
Disproportionate (75%)
*No Formula
Nondisproportionate (25%)
Weighted Formula

# The RESTORE Gulf Coast Act of 2012

7/19/12 | **Florida Association of Counties**

# Clean Water Act – Current Law

- The Clean Water Act grants the federal Environmental Protection Agency authority to impose fines on parties responsible for oil spills.
- These penalties are not required to be returned or spent in the injured jurisdictions.

# RESTORE Act of 2012

- Conference Report (to accompany H.R. 4348)
- Short Title (Section 1601) – Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast State Act of 2012

# Gulf Coast Restoration Trust Fund

- Section 1602
- Establishes Gulf Coast Restoration Trust Fund
- Transfers Eighty (80%) percent
  - Administrative and civil penalties
  - Expenditure for prescribed purposes and eligible activities
  - No time constraints on expenditures
- U. S Treasury (Interior & Commerce) – 180 days
  - Develop policies and procedures
  - Develop oversight (auditing) requirements
  - Develop identification and allocation of funds
    - *Allocation formulas
      - Florida 75/25
  - Review State & County Compliance
    - State Allocation/County (35%)

# Gulf Coast Natural Resources Restoration and Economic Recovery

- Section 1603 – Amends Section 311 of the Federal Water Pollution Act
- "Coastal Political Subdivision" – any local political subdivision that is immediately below the state, including a county, parish or borough, with a coastline that is contiguous with "any" portion of the U.S. Gulf of Mexico
- Deepwater Horizon Oil Spill – blow and explosion of the mobile offshore drilling unit Deepwater Horizon on April 20, 2010

# Gulf Coast Natural Resources Restoration and Economic Recovery

- Gulf Coast Region –
  - Gulf Coast States (Alabama, Florida, Louisiana, Mississippi and Texas)
  - The coastal zones (defined in Section 304 of the Coastal Zone Management Act of 1972) except that in this section includes land within the coastal zones that is held in turst or use by the federal government, that border the Gulf of Mexico
  - Any adjacent land, water, and watersheds, that are within 25 miles of the coastal zones
  - All federal waters in the Gulf of Mexico



FAC FLORIDA ASSOCIATION OF COUNTIES All About Florida

# Organizational Framework – Florida Model Only

- Council (Eleven Members)
  - Comprehensive Plan
  - Thirty (30%) percent
  - Competitive
- Oil Impact Allocation - Consortium (State/Regional)
  - Comprehensive Plan
  - At least one representative of each affected county
  - Thirty (30%) percent
  - Weighted Allocation formula (19-20%)
- State Allocation – County
  - Local Plan
  - Thirty (35%) percent
  - Equal Shares
  - 75/25

# Gulf Coast Ecosystem Restoration Council (30%)

- Members (11)
  - Federal (6 including Chair) – Interior, Army, Commerce, EPA, Agriculture, Coast Guard (Dept)
  - State (5) – Governor (or designee) from each state
  - Advisory Committees
- Develop Comprehensive Plan
  - Proposed (180 days)
    - Shovel ready/large scale
    - Gulf Coast Restoration Task Force
    - Existing Gulf Coast State Comprehensive Plans
    - Coastal Zone Management Plans
  - Initial (360 days)
- Approval of State Plans
  - Oil Impact Allocation (30%)
- Fifty (50%) percent of interest payments



FAC FLORIDA ASSOCIATION OF COUNTIES All About Florida

# Oil Spill Restoration Impact Allocation (30%)

- Consortium of counties that include at least one rep of each affected county
- Allocation Formula (roughly 20%)
  - Number of miles of shoreline experienced oiling (40%)
  - Inverse proportion of the average distance (oiled shoreline) from the spill (40%)
  - Average population (20%)
- State/Regional Comprehensive Plan
  - Eligible Uses
    - *No limitation on administrative costs
  - Cap 25% on Infrastructure (Exception)
  - Council – Approval (within 60 days)

# State Allocation/Counties (35%)

- Equal Shares (20%)
  - Disproportionately Impacted (75%)
    - No Allocation Criteria
  - Nondisproportionately Impacted
    - Weighted average population (34%)
      - Annual vs. Census
    - Weighted average of per capita sales tax (33%)
      - Fiscal year 2012
    - Weighted Average distance from spill (33%)
  - Administrative Costs
    - *Limitation of 3%
- U.S. Treasury – Reviews for Compliance
- Develop and Submit Multiyear Plan

# Eligible Uses of Funds

- Restoration & Protection of natural resources
- Mitigation of natural resources
- Implementation of a “federally approved” marine, coastal, or conservation management plan
- Workforce development and job creation
- State parks
- Infrastructure projects benefitting the economy or ecological resources (ports)
- Coastal flood protection
- Planning assistance
- Administrative Costs

# Activities to Promote Tourism and Seafood

- Promotion of tourism,
  - including recreational fishing
- Promotion of seafood consumption

# Gulf Coast Ecosystem Restoration and Science, Observation, Monitoring and Technology Program (2.5%)

- Section 1604
- National Oceanic and Atmospheric Administration
  - Marine Research
  - Marine Monitoring
  - Data Collection and Stock Assessments
  - Pilot Programs
  - Cooperative Research
- Interest (25%)

# Centers of Excellence (2.5%)

- Each State equal shares
- Grants
  - Coast Sustainability
  - Coastal Ecosystem Research
  - Offshore Energy Development
  - Comprehensive observation, monitoring and mapping of the Gulf of Mexico
- Interest (25%)

# SUPPORT S.1400 THE RESTORE ACT

## Recovering & Strengthening the Gulf Coast and the American Economy

## The Gulf Coast is a national treasure with unparalleled economic and natural resources.

Last spring's Gulf oil disaster was the latest assault on the region's ecosystems after years of degradation from human impacts and natural disasters like Hurricane Katrina. The continued environmental deterioration of the Gulf Coast poses a growing threat to ecosystems that support not only the regional communities and cultures, but also our nation's most critical energy, shipping, tourism, commercial seafood and other industries.

The Resources and Ecosystems Sustainability, Tourist Opportunity, and Revived Economies of the Gulf States Act of 2011 (the "RESTORE Act") will invest fines by BP and the other parties responsible for the Gulf oil spill into the Gulf region. The RESTORE Act will help rebuild and strengthen the environment and support America's economic recovery.

National Wildlife Federation · EDF Environmental Defense Fund – Finding the ways that work · Audubon · Oxfam · Ocean Conservancy – Start a Sea Change · The Nature Conservancy – Protecting nature. Preserving life.

**What the RESTORE Act Does**
Under current law, BP and others responsible for last year's oil spill will pay a Clean Water Act (CWA) penalty for each barrel of oil spilled into the Gulf.

***Without action from Congress, those penalties will go to unrelated federal spending, instead of repairing the area damaged by the spill.***

***BP's fines belong in the Gulf, where the damage was done.***

Two official reports on the spill – one conducted by Navy Secretary and former Mississippi Governor Ray Mabus, the other from the bipartisan National Commission on the Deepwater Horizon Oil Spill and Offshore Drilling – recommended that CWA penalties be dedicated to Gulf Coast restoration.

The RESTORE Act creates an essential framework to manage and finance the Gulf Coast recovery. Using 80% of the CWA penalties from the Gulf oil disaster, the RESTORE Act establishes a trust account to restore both the economic and environmental health of the Gulf Coast.

**A majority portion of these penalties (60%) will be allocated to the Gulf Coast Ecosystem Restoration Council, to be spent in two ways:**

- → Half of the funds will be used to implement the Council's comprehensive federal environmental plan.
- → The other half will be distributed to the five Gulf States based on oil spill impacts and spent according to each individual state's plan, which will be consistent with the comprehensive federal plan.

**A smaller portion (35%) will be available to Gulf Coast states to be used within the impacted region for environmental and economic restoration.**

**The remainder (5%) will be dedicated to science and monitoring of Gulf Coast ecosystem restoration and fisheries.**

**50% of the accrued interest on the Gulf Coast Restoration Trust Fund funds the Gulf Coast Ecosystem Restoration Science, Monitoring and Technology Program and Fisheries Endowment.**

# THE RESTORE ACT NOW IS THE TIME

## The Gulf Region is an Essential Part of the Nation's Economy

Recovery of the Gulf Coast is a national economic imperative. Many of the nation's key economic resources, and the underpinnings of economic production in states far beyond the Gulf Coast, depend upon the Gulf's fragile and threatened ecosystems. Restoring the Gulf will make the region more resilient, lessen the potential damage from future hurricanes and flooding, and create tens of thousands of jobs. A healthy ecosystem means a healthy economy, both regionally and nationally.

→ Gulf energy helps power America. Roughly a third of all domestic oil comes from the Gulf. Ports and other infrastructure supported by the environment are essential to keeping that industry functioning.

→ Shipping and exports from across the country rely on a healthy Gulf. The Gulf region is home to 10 of our nation's 15 largest ports by tonnage.

→ The nation's seafood industry relies on healthy seas in the Gulf. The Gulf produces roughly 40% of all commercial seafood in the lower 48 states.

→ Tourism depends on the natural wonders of the Gulf. Restaurant, hotel, and other hospitality workers are part of the Gulf's $34 billion per year tourism industry.

## The Restore Act – A Unique Opportunity for Restoration.

**All Restore Act projects would be funded by penalties from BP and others responsible for last year's oil spill.**

Direct payments through both the Gulf Coast Claims Facility and the Natural Resources Damage Assessment (NRDA) process are focused on addressing impacts of the spill. The RESTORE Act is therefore critical to addressing long-term, ecosystem-wide degradation that has left the Gulf Coast vulnerable to repeated disasters.

The RESTORE Act will renew the environmental and economic health of Gulf Coast resources our nation cannot afford to lose.

## Action by Congress Has Voter Support Nationwide.

A recent national survey* showed that **83% of likely voters** support a proposal to designate fines paid by BP and other parties responsible for the Gulf oil disaster toward restoration of the Gulf Coast and the Mississippi River Delta.

It's also an issue that cuts across partisan lines, with support from:

90% of Democrats

84% of Independents

76% of Republicans

Strengthening the environment of the Gulf region will make it stronger and more resilient, so it will continue to be the backbone of our nation's economy, and a safe home for the communities that make it a national treasure.

## This is a priority we can all agree on.

** The bipartisan survey was conducted by Lake Research Partners and Bellwether Research and Consulting in April 2011.*

National Wildlife Federation

EDF Environmental Defense Fund — Finding the ways that work

Audubon

Oxfam

Ocean Conservancy — Start a Sea Change

The Nature Conservancy — Protecting nature. Preserving life.™

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 30, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Lynn Artz, County Commissioner, District 5 |
| Subject: | Request Board Approval to Direct Staff to Develop Basic Open Space Set Aside and Land Dedication Requirements for New Subdivisions |

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**Statement of Issue:**
This agenda item requests Board approval to direct staff to develop basic open space set aside and land dedication requirements for new subdivisions.

**Background/Description**
In early 2012, Wakulla County was one of 56 communities selected from among 350 applicants to receive technical assistance from EPA's Sustainable Communities Building Blocks Program. The Sustainable Communities program contracted with Chris Duerksen of Clarion Associates to provide technical assistance to Wakulla County. Technical assistance focused on code revisions to help implement the Crawfordville Town Plan and the Big Bend Scenic Byway Corridor Management Plan. The entire set of recommendations from this assistance is presented in another agenda item.

This item focuses on just one of the recommendations, a recommendation that received considerable support from four County Commissioners and four Planning Commissioners during Duerksen's lunch presentation on May 6. Those present expressed strong support for adopting an open space set aside and land dedication requirements for new subdivisions in Wakulla County.

**Analysis:**
In its comprehensive plan, Wakulla County states that "the level of service standard for recreation shall be five (5) acres of developed recreation per thousand (1000) population (or fraction thereof). Developed recreation land shall include any land containing playgrounds, playfields, fields for organized sports, recreation halls, tennis courts, swimming pools, and similar facilities, boat ramps, and necessary parking and service uses and surrounding passive open space."

Historically, Wakulla County government has used grant funds and impact fees to provide the recreation land and facilities needed by the county's steadily growing population. However, the county's level of service standard is very low, FRDAP and other grant funds for parks and recreation have dried up, and impact fees (never fully implemented) are no longer being collected.

Still our county population grows. The result is not enough playgrounds, not enough ball fields, not enough walking trails, and not enough recreation land and facilities for Wakulla County's citizens (its youth, in particular).

In its comprehensive plan, Wakulla County also states that "The County will assure that open spaces are provided" and "The County shall adopt land development codes which include recreation areas and specific open space definitions and standards." Currently, the county's land development code includes no open space or recreation standards.

According to land use attorney and land development code expert Chris Duerksen, many counties in Florida require set aside of private open space in new residential developments and dedication of public parks/open space to help meet the demand created by new residents. In rural subdivisions, requirements are often up to 50 percent of the total development area.

Requiring new residential subdivisions to set aside private open space for playgrounds, walking trails, swimming pools, and the like for subdivision residents, and dedicate public recreation land will help to meet the demands of new residents in Wakulla County and better serve our youth. Setting aside open space will help to expand passive recreation areas, protect viewsheds along the Big Bend Scenic Byway, preserve wildlife habitat, and more. Requiring a higher level of service standard for new subdivisions of greater than five (5) acres of developed recreation per thousand (1000) population is permissible and can be justified in part to balance past development that did not provide sufficient open space.

**Budget Impact:**
None.

**Options:**
1. Approve to direct staff to develop basic open space set aside and land dedication requirements for new subdivisions using the current low level of service standard for recreation of five (5) acres of developed recreation land per thousand (1000) population.
2. Approve to direct staff to develop basic open space set aside and land dedication requirements for new subdivisions using a higher and more typical level of service standard.
3. Do not approve to direct staff to develop basic open space set aside and land dedication requirements for new subdivisions
4. Board direction.

**Recommendation:**
Option #2

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 30, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Lynn Artz, County Commissioner, District 5 |
| Subject: | Request Board Approval to Schedule a Workshop on September 11, 2012 for APA-CPAT Presentation on Wakulla Gardens and Approval to Reschedule the Board's Workshop Date from September 6, 2012 to September 11, 2012 |

**Statement of Issue:**
This agenda item requests Board approval to schedule a Board Workshop on Tuesday, September 11, 2012 for the presentation and discussion of the American Planning Association's Community Planning Assistance Team's (APA-CPAT's) recommendations for Wakulla Gardens, and requests approval to reschedule the Board Workshop date from September 6, 2012 to September 11, 2012.

**Background:**
The American Planning Association (APA) and its professional institute, AICP, offer planning assistance to communities in need. The Community Planning Assistance Team (CPAT) initiative is designed to bring planning resources and opportunities to communities with a demonstrated need for assistance – and to strengthen the ability of local residents and other community stakeholders to influence or determine decisions that affect their quality of life.

On December 13, 2011, the Board submitted an application to APA-CPAT titled *Wakulla Gardens: Retrofit Challenge*. On February 3, 2012, staff was notified that Wakulla County was selected to receive CPAT technical assistance for Wakulla Gardens.

The CPAT team leader and APA project manager made an initial visit to Wakulla County and Wakulla Gardens during May 21-22 of 2012. During their visit, they met with the county administrator, planning staff, public works personnel, and the county's consulting engineer. They also met individually with four county commissioners, two members of the infrastructure committee, and a board member with Habitat for Humanity. In addition, they attended the May 21 County Commission meeting at which they were introduced and at which the county administrator described his proposal for a road paving assessment and paving roads in Wakulla Gardens as a way a) to address citizens' concerns about gravel dust, and b) to initiate the process of installing needed infrastructure within Wakulla Gardens.

After the initial visit, the remaining CPAT team members were selected. The team now includes...
**Stephanie Monroe Tillerson, AICP**, City Manager, City of Woodruff, SC.

**Carson Bise, AICP**, President, TischlerBise, Inc. from Bethesda, MD
**Darren J. Asper, PP, AICP**, Senior Vice President, Community & Economic Development, Delta Development Group, Inc., from Mechanicsburg, PA
**David Berg, AICP**, Senior Environmental Analyst, Cameron Engineering, from Huntington, NY
**Joseph A. Pobiner, FAICP, CNU-A**, Practice Leader - Planning & Urban Design, with Atkins, from Grapevine, TX
**Thomas Bassett**, Senior Program Associate, American Planning Association, Washington, DC

The full team will visit and work in Wakulla County from Saturday, September 8 through Wednesday, September 12, 2012. The visit will begin with a community engagement meeting on Saturday, September 8 and conclude with a presentation of the team's recommendations to the County Commission, administrative staff, and the public on the evening of Tuesday, September 11.

**Analysis:**
A workshop is needed for the CPAT Team to present their recommendations to Wakulla County Commissioners and administration -- and to provide the Board with an opportunity to ask questions and discuss the recommendation with CPAT team members and the Board as a whole.

Although September 6 is the Board's scheduled workshop date, the CPAT team cannot present on that date. In addition, Commissioner Artz will be out-of-town on September 6. One possibility would be to change the Board's Workshop date to Tuesday, September 11 (instead of Thursday, September 6) with other workshops to follow the CPAT presentation as needed. The other option would be to have workshops on both September 6 and September 11.

**Budget Impact:**
None other than the usual costs associated with a Board workshop.

**Options:**
1. Reschedule the Board's Workshop Date from Thursday, September 6 to Tuesday, September 11 and schedule CPAT's presentation on Wakulla Gardens for 5:00pm on Tuesday, September 11, 2012.
2. Schedule a Board Workshop for the CPAT presentation about Wakulla Gardens for 5:00pm on Tuesday, September 11, 2012.
3. Do not approve scheduling a Board Workshop for Tuesday, September 11, 2012.
4. Board Direction.

**Recommendation:**
Option 1.

# Board of County Commissioners
## Agenda Request

| | |
|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 30, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Lynn Artz, County Commissioner, District 5 |
| Subject: | Updates Regarding Board Appointments |

**Statement of Issue:**
This agenda item requests Board ratification of an update from Commissioner Artz regarding her appointments to organizations with BoCC representation.

**Background/Description:**
On January 25, 2010, Commissioner Artz proposed periodic updates to keep the entire Commission informed about the concerns and activities of her various board and committee appointments. The Board approved receiving periodic updates in the form of a Commissioner Agenda Item, with recent documents and meeting minutes attached.

In January 2012, Commissioner Artz was appointed to represent the BoCC at meetings of the following organizations: District Healthcare Council, Our Region Tomorrow, Wakulla County Coalition for Youth, Wakulla State Forest Liaison, and Wakulla Health Care Task Force. She also serves as the alternate to the Executive Board of the Apalachee Regional Planning Council.

**Analysis:**
Commissioner Artz attended a meeting of the Hunger Team on Monday, July 30, 2012. Local food banks desperately need more food donations. Subcommittees were formed to coordinate an "Empty Bowl" fundraiser on November 3 to raise money for local food pantries, to address hunger in conjunction with Operation Santa, and to expand next year's summer feeding program.

The Wakulla County Coalition for Youth (WCCY) met on Wednesday, August 1, 2012. Meetings are always well attended and filled with informative updates. Various back-to-school events were announced. Flood relief, the Hunger Team meeting, the NOPE Candlelight Vigil, the Community Center, and many other subjects were discussed. The minutes from WCCY's August meeting are attached.

**Budgetary Impact:**
None.

**Options:**
1. Ratify the updates herein.
2. Do not ratify the updates provided herein.
3. Board direction

**Recommendation:**
Option #1

**Attachment(s):**
1. Hunger Team Meeting Minutes, July 30, 2012
2. Wakulla County Coalition for Youth Meeting Minutes, August 1, 2012
3. Empty Bowl Flyer

**HUNGER TEAM**

**Monday, July 30, 2012, 10:30 a.m. – 12:00 noon, County Extension Office**

Attendance:
Please see attached sign in and call 926 3526 if you failed to sign in

Shelley opened the meeting at 10:30 a.m.

| Discussion Item | Outcome |
|---|---|
| Software mentioned by Brunie Emmanuel at Feb 2012 meeting that helps organize pantries and those who depend on pantries for food | Gail to reach Brunie to ask status. Will report to Charlean and Glen who agreed to study/discuss how to put it to work in Wakulla.<br><br>Post meeting Communication to/from follows:<br><br>Brunie - we had a hunger team meeting today. lots on agenda, but three churches have repeatedly asked for that software you mentioned in Feb that would help them know who is helping who, track numbers, coor, etc. Can you help Wakulla with this?<br><br>The simple answer is "No, not now."<br>The much more complicated answer has at least 2 parts:<br><br>1. Funding for the region-wide data collection/collation system that we requested in our application to the Baton Rouge Area Foundation (BRAF) was cut out of what we got. We are in conversations about funding this functionality through RESTORE, but it is WAY down the list of fundable activities being discussed by our county elected officials. Wouldn't it be something, though, if we were able to aggregate (e.g., food) data re need, services, and gaps throughout the 8-county region?<br><br>2. The basic web-based system that has the capability of doing this (& mirrors FEMA's disaster system - CAN) is operational. It has not moved out into the public or been marketed. There are a number of reasons for that, the main one being it now resides at Escambia County United Way, and it is not a priority of their Board to invest in & grow it. |

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| | I wish I had a better response. PEACE, Brunie Emmanuel, MS |
| Shelley reported the Resource Guide developed by the WCCY and IFAS was last updated in 2011. There are no more in stock. Glen Hamel said he had never seen. Others present said they use all the time for referrals | Shelley gave Glen a Resource Guide.<br>Shelley asked the group to consider if the Resource Guide should be published again and if so, how could we finance it? Discussion at next meeting. |
| A question was raised about names, locations and dates of food distribution by Wakulla's pantries | Shelley indicated that this information was available by calling 211. Wide spread distribution of the locations and dates puts too much stress on Wakulla's food pantries. |
| What about giving the Hunger Team the listing so they can refer to each other as may be needed | Shelley is sending the list, locations and times to the Hunger Team in today's meeting. The list is attached is Shelley's reservations about sending it out. Please use this list with care as pantries can be overwhelmed given already limited resources. |
| Empty Bowl was discussed at length. A first ever Empty Bowl project will be undertaken with community event scheduled SAT. NOV 3, 2012 at Hudson Park. The effort will build resources for food buying for current pantries and raise awareness in the community about food insecurity. | Haydee Jackley agreed to organize the team of five-six workers who will make it happen. The following hard workers signed up:<br>Esther Ellis <estherellis11@yahoo.com>,<br>Grace Keith <Grace_Keith@doh.state.fl.us>,<br>Haydee Jackley ribitsceramic@yahoo.com CHAIR,<br>Herb Donaldson <palavertreetheater@gmail.com>,<br>Rick Jackley <rickjackley@yahoo.com>,<br>Shelley Swenson <sswenson@ufl.edu><br><br>Haydee prepared a flyer so Hunger Team can begin to gain buy-in, support and help to make it happen. The flyer is attached so WCCY, HAWC and Hunger Team can come together to make Empty Bowl happen. |
| What are others doing re hunger? | HAWC, Herb Donaldson is going to take on a "faces of hunger" project. Herb wants to see all the letters from Operation Santa to be read (w/o names) to aid Food and Hands up efforts.<br><br>Madeleine Carr agreed to take on rewrite of the Wal-Mart Hunger Grant for submission in October<br><br>C'ville United Methodist has a food pantry the last Tues of the month (serves 50 people). They also take ten bags to Wak. Trace Apartments every month. |

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| | Pastor Glen Hamel invites everyone to Christmas dinner at Promise Land. They generally have 100 people but others would be warmly welcomed.<br><br>Last year during Operation Santa a mini John Deere tractor was donated by a Santa supporter in the community. Because it is a $300 riding toy, it was not appropriate for giving through Operation Santa and was intentionally held as a raffle item to build fund reserves for hunger and Operation Santa. Gail is going to prepare raffle tickets – 300 total – for sale at $5 each. Sales team: Shelley Swenson, Charlean Leanier, Haydee Jackley, Susie Tooke, Herb Donaldson, Bruce Ashley, Stacy Harvey. Others will be recruited on the WCCY meeting on Wed., Aug. 1, 12:30-2:30 p.m. at the Library. |
| Summer BreakSpot was marketed more broadly through this summer season. All children in the county had the opportunity to have breakfast and lunch at four sites (schools) over the summer. Transportation is the challenge. | Suggest churches with capacity sign up to be sites for Summer 2013<br>Suggest churches w/o capacity sign up to deliver to high need areas for Summer 2013<br>Lori Ciszak, Department of Agriculture and Consumer Services representative, is going to send important dates so Team can meet again about readiness steps. |
| Transportation Challenges | Florida Impact has grant funding that may help with transportation challenges.<br><br>Shelley will ask her IMPACT contact for info |
| Homelessness is a growing concern, especially for churches along the highway 98 pathway | Christ Church has allowed families to set up tents. They refer to Chelsea House in Tallahassee<br>They fill gas tanks for the trip when possible<br><br>Glen of Promise Land said they have a house where they allow for one month stay but it is most often occupied. It is worth a call though.<br><br>Sandy mentioned Renaissance Center in Tallahassee which is Leon's way of helping families with internet research, making phone calls, washing laundry. It is not overnight housing, but rather a place to catch up and follow up on things that need attention. |
| Other Community Helps | Bruce Ashley mentioned helps available to FEMA |

| | |
|---|---|
| | victims that may not be known: help with documents, possible tax relief, help for renters as well as owners. Bruce had just returned from leading ROTC youth in cleaning out a house, filling a 30 yard dumpster with an entire household of stuff. The home was growing black mold. The owner is a fisherman and is doing okay.<br><br>Bruce mentioned Aug. 4 C'ville United Methodist Church and Back to School Outreach Ministry and Generation NOW Ministries events where everything will be FREE to school youth returning to school. Food, clothes, backpacks, school supplies and more. At Hudson Park 10 a.m. – 3 p.m. at the church first, then at the park.<br><br>Wakulla has extended the deadline for solid waste and fire services hardship assistance programs. AUGUST 15. Tell everyone<br><br>Comcast has an affordable internet program at $9.95 per month, plus a low cost computer at $149.99 plus tax for households with children who receive free or reduced price school lunches. Call 1-855-846-8376<br><br>Glen also mentioned Wakulla Medical Center in Panacea provides for medical attention on a sliding fee scale. |
| Operation Santa need for volunteers, coordination across sectors (faith, business, youth, etc) | The following individuals signed up to help with Operation Santa:<br>Charlean Lanier, Lynn Artz, Elma Gillette, Susie Tooke, Madeleine Carr, Glenn Hamel, Grace Keith, Stacy Harvey, Shelley Swenson |

Wakulla County Coalition for Youth
August 1, 2012 Meeting
Wakulla County Public Library 12:30 – 2:30 p.m.

- Meeting called to order by President Bruce Ashley
- Approval of June meeting minutes – Sandy Porras-Gutierezz motioned, Tonya Hobby 2nd, all approved
- Flood relief – Bruce Ashley gave an overview of donations received for relief efforts, as well as expenditures to this date. Updates were given on several flood victims.
- Wakulla Pregnancy Center is having a benefit September 15 at 7 p.m. at the Senior Center. Tickets are $10 for Michael Kelley's Voices That Change…a family night out.
- Raffle Tickets – Last year a child's John Deere battery operated tractor was donated to the Coalition. In an effort to raise funds for Operation Santa and food pantries, raffle tickets will be sold for this tractor. The tickets will be available for $5 each. If you are interested in selling these tickets, please contact Gail Campbell at 926-3526.
- NOPE Candlelight Vigil will be held October 25 at Hudson Park. Sylvia Hubbard is organizing the event this year. If you are interested in assisting the event, please contact Sylvia. The vigil is held to remember those lost to and those suffering from substance abuse.
- Madeleine Carr has graciously agreed to re-write the Hunger Grant. Bruce talked about the need being great in the community for assistance in providing food, shelter, etc. Many of the people in need are leery of receiving or asking for help for a multitude of reasons.
- Empty Bowls Event – To be held November 3 in Hudson Park from 11-3. Cost is $15/ticket, this includes a hand-painted bowl and soup. Haydee Jackley is chairing the event. She hopes to meet next week with her committee to work out how to put the event together. You can go to emptybowls.com for additional information, this is an international endeavor. Haydee knows she will need help putting out flyers in the community, sending emails, reaching out to groups of people to paint bowls, clean-up and set the day of the event, silent auction and soup/food supplies. The suggestion was made to make a Facebook event to invite people and spread the word. Lynn Artz offered time at the October 15 BOCC meeting for a presentation to be made. Beth O'Donnell offered to put Haydee in touch with the new Coalition of Arts person when they are hired.
- Operation Santa – volunteers are actively being sought to help with this endeavor. It was a huge undertaking last year and expected to be just as big this year, if not larger.
- The WCCY website has been updated, everyone is encouraged to take a look at it. www.wakullacoalition.org
- Back to School Outreach Event – To be held Saturday, August 4 from 11-3 at Hudson Park. Everything will be free during the event…school supplies, backpacks, food, kid zone. Entertainment will include a DJ and a "Do's and Don'ts" Fashion Show for school. Prior to the event in Hudson Park, the Crawfordville United Methodist Church is hosting a back to school event that will include free physicals.
- Juvenile Justice Council – Additional members of the Coalition are needed to be more involved in the Council's efforts. A sign-up sheet was sent around for those interested.
- Hunger Team – Haydee Jackley and Lynn Artz gave overview of the meeting. Difficulties that families run into in regards to obtaining assistance was discussed. Several sub-committees were formed out of the meeting. Topics included Operation Santa, feeding hungry children, homelessness and food pantry needs. Antonio Johnson asked if food pantries in our area utilize Farm Share. He offered to provide contact information for that organization. The Department

of Agriculture is involved in the Hunger Team meetings. Herb Donaldson talked about Palaver Tree utilizing the thank you letters from last year's Operation Santa at an event to shed light on the issue in our community. He is also interested in doing PSA's for hunger/homelessness/storm victims.

- BOCC – Lynn Artz reminded the Coalition that the deadline for applying for the Solid Waste & Fire Services Hardship Assistance has been extended to August 15. The application must be completed and filed with the County Administrator's office by this date. Commissioner Artz also gave a Community Center update. She discussed concerns about the community center. The architectural drawings and bidding should have been sent out and has not yet been done. There is opposition building against the renovation plans and the YMCA's needs. She talked about it being helpful to have citizens voicing support. The advisory committee was formed to provide input and build community support. No staff was participating in the advisory committee meetings, so there was misinformation at those meetings. Now there will be a staff person in attendance that will be able to answer questions accurately. The next advisory committee meeting is scheduled for August 14 at 4:00 in the BOCC Administration office. It would be good if people that are in support of the community center, support youth and youth programs could attend. Those around the table offered support and suggestions.

Rick Jackley moved the meeting be adjourned.

## Helping to feed people in need!

Empty Bowls is an international grassroots effort to fight hunger. The basic premise is simple: Potters and other craftspeople, educators and others work with the community to create handcrafted bowls. Guests are invited to a simple meal of soup and bread. In exchange for a cash donation, guests are asked to keep a bowl as a reminder of all the empty bowls in the world, and right here in Wakulla County. The money raised is used to buy food for the area's food pantries.

Wakulla's Empty Bowl will be produced with a high level of integrity; artists, church groups, youth groups, individuals are invited to help make it happen. There will be an educational component to raise awareness, and the money raised to help those who've been at the work a long time in Wakulla to feed people in need.

Statistics show that 1 out of 8 Americans struggle with food insecurity every day. Millions of people have lost their jobs during the most recent recession and the number of food stamp recipients has increased dramatically. Your help is needed now more than ever.

If you are a potter, ceramist and would like to donate Bowls. We would love to have them!

If you lead a youth group, church group, a teacher, and would love to be involved in the Empty Bowls Event. There are many ways that you can help, please contact me for details.

Want to paint your own bowl, and donate it for the event, come into Ribits Ceramic Studio @1596 Crawfordville Hwy

For more info. Contact: Haydee Jackley; ribitsceramic@yahoo.com or 850-567-4212

## Please find the time, make the commitment, get involved!

Empty Bowl Wakulla culminates with a community celebration, complete with music, soup, bread, fellowship and art.

## November 3, 2012

**11am – 3pm**

## Hudson Park

# Board of County Commissioners
## Agenda Request

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|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | August 1, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | Commissioner Jerry Moore |
| Subject: | Request Board Direction to Potentially Move the Community Center to the Extension Office |

**Statement of Issue:**
The purpose of this agenda item is to request Board discussion to potentially move the site of the Community Center to the Wakulla Extension Office.

**Background:**
The existing parcel and buildings located at Trice Lane were originally purchased by the County for the intention of serving as Wakulla County's Community/Meeting Center. Currently the Community Center is being utilized as office space by the Sheriff's Office and the Parks and Recreation Department. The Sheriff's Office is housed in the Eastern building providing a Sheriff's Annex for detectives, patrol officers and interrogation rooms. The Parks and Recreation Department currently rents out the Western building by request for meetings and events. It is also used for some County workshops.

The County and the YMCA entered into a **non-binding MOU** for the purpose of constructing a multi-purpose room and converting the Western building into a facility that the YMCA would use to facilitate its programs.

The County secured a Congressional HUD Grant in 2008/09, in the amount of $396K, of which $316K is to be used for "***construction***" of the multi-purpose Community/Meeting Center with the remaining dollars to be allocated for pre-construction needs. Preble-Rish is currently completing the engineering/architecture work for the multi-purpose rooms and interior modifications for the Western building. To date they have spent approximately $40K.

**Analysis:**
*Community Center at the Extension Office Proposal:*
The Extension Office is already recognized and used as a central community gathering place for public and private events. Utilizing and recognizing the Extension Office as the County's Community Center and enhancing it with additional meeting space, a demonstration kitchen, etc.,

fits within the existing mission of the Extension Office and the County's needs. Additionally, the Extension Office is staffed by individuals' familiar with community centered programs and these staff could handle inquiries on training programs, workshops, meeting space as well as the scheduling of meeting and training space, which would further maximize efficiencies and economies of scale through expanding and enhancing the Extension Offices' purpose.

With HUD approval, redirect the HUD Grant funds for construction and renovations of the Extension Office to serve as the County Community/Meeting Center for programs and functionality that is within the original HUD Grant Scope of Work that includes:

- Demonstration Kitchen that could be used for food preparation classes as well as the public for events.
- Meeting space that could be portioned off and used for community, educational, 4-H, youth programs and other types of meeting events.
- Upgrades to restrooms, handicapped accessibility and adequate parking.
- Estimated cost for the design, permitting, etc. is $60K

Note: The Wakulla Extension Office is currently seeking approval to apply for a Florida Department of Agriculture and Consumer Affairs Commercial Development and Capital Improvement Grant for capital improvements and program expansion of training for local growers under a separate agenda item.

*Proposed Options for Future Uses and Efficiencies of the Land and Buildings at Trice Lane (Current Community/Meeting Center)*

- Sheriff's Office would relocate from the Eastern building to their new facility once it is completed.

- **FIRE/EMS**: Close the Fire/EMS station by the Extension Office and on the west side of Trice Lane and use the Eastern building to provide a Fire/EMS HQ and Station complete with construction of sleeping quarters, kitchen, bays for fire trucks and ambulances. It is estimated that this option could potentially save up to $1.0 million by **not** pursing the necessary construction and enhancements (at an estimated cost of more than $1.5 million) that must be done to keep the current Fire/EMS Station open located on the west side of Trice Lane.

- **Commission Chambers**: Relocate the Board of County Commissioners' Chambers and meeting space to the church sanctuary (Western Building). This space could also be rented out for private meetings and events.

- **Other potential future uses** could include consolidating county offices into a "County Complex" that could:

- Provide for easier access to all County services to citizens and visitors by creating a "portal" to all County offices and services.
- Create efficiencies and potential cost savings through sharing and consolidation of meeting space, common areas, IT systems, phone systems, copiers as well as staff needed for common functions such as customer services and receptionist.
- Provide for consolidated, secured, on-site storage space for County records and documents. This would eliminate the various off-site, storage areas for each Department.
- Potentially allowing the County to sale or lease vacated real estate to businesses seeking property along the 319 corridor.

Should the Board **not approve** the move of Community Center from its current location at Trice Lane to the Extension Office or any part of this proposal, no further action is needed. However, if the Board **does approve** the move of the Community Center from its current location at Trice Lane to the Extension Office, the following sequential actions are required:

1. Cancel the non-binding MOU with the YMCA.
2. Submit to HUD for approval a revised budget and project narrative, as well as, a request for a new environmental study/release from HUD. (***Note these funds cannot be used for land or building acquisition, rent or lease.)***
3. Pursue design and permitting.
4. RFP for Construction must be competitively bid.
5. Have all construction completed and ready to occupy by late July – early August 2013

**Budgetary Impact:**
Should the Board approve to move the Community Center from its current location at Trice Lane it will reflect a cost savings of approximately $500,000.00.

**Options:**
1. Board direction.

# Board of County Commissioners
## Agenda Request

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|---|---|
| Date of Meeting: | August 6, 2012 |
| Date Submitted: | July 31, 2012 |
| To: | Honorable Chairman and Members of the Board |
| From: | David Edwards, County Administrator |
| Subject: | Request Board Ratification of Letter to Submitted to the Florida Department of Transportation Requesting to Resurface High Drive |

**Statement of Issue:**
This agenda item requests Board ratification of a letter submitted to the Department of Transportation requesting to resurface High Drive.

**Background:**

In October 2011, the Board executed a Small County Road Assistance Program (SCRAP) agreement with the Florida Department of Transportation (FDOT) for roadway improvements on Rehwinkel Road. The funding for this project was budgeted for in FY2011/12 in the amount of $1,950,150; however, the total project only cost $1,472,614.50.

**Analysis:**
The County was able to complete the Rehwinkel Road project under budget and therefore, submitted a letter to FDOT to request the unspent funds go towards the resurfacing of High Drive from Fulton Harvey Road to Ochlocknee Street. FDOT does not allow the transferring of funds; however, FDOT has programmed $306,855 into the Small County Outreach Program (SCOP) for the resurfacing of High Drive. High Drive is a County maintained road that is currently in poor condition and in need of improvements to continue keeping our roads safe for citizens and visitors.

Once the FDOT agreement is received by the County, staff will come back to the Board to approve the Agreement and to request approval to advertise an Invitation to Bid (ITB) for the roadway improvements on High Drive.

**Budgetary Impact:**
The estimated cost for this project is $306,855 and if funded the County would receive seventy five percent of this amount ($230,141.25). The remaining twenty five percent ($76,713.75) will come from the one cent sales tax fund for roadway improvements.

**Options:**

1. Ratify the FDOT Letter Requesting to Resurface High Drive.
2. Do Not Ratify the FDOT Letter Requesting to Resurface High Drive.
3. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

1. Letter to FDOT