

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD MEETING AND PUBLIC HEARING

Note: A digital recording system has been used to record these procedures and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

9:00 a.m., Thursday
December 8, 2009

Bronson Town Hall
Bronson, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
David Flagg, Vice Chairman
Georgia Jones, Secretary/Treasurer
Jay Fraleigh
O. J. Lake
Carl Meece
Dr. Linden Davidson

Members of the Governing Board Absent:

Heath Davis

Staff:

David Still	Tom Brown, Legal Counsel
Charlie Houder	Kirk Webster
Jon Dinges	Joe Flanagan
Lisa Cheshire	Melanie Roberts
Megan Wetherington	Rhonda Scott
Carlos Herd	

Participating Guests:

Heather Baxter, WET Engineering, Jacksonville, FL
John Baxter, JEA, Jacksonville, FL
Chris Cowart, Cedar Key, FL
Geoff Dahl, Department of Animal Sciences, Gainesville, FL
Gary Hardacre, Alachua City Commission, Alachua, FL
Annette Long, Save Our Suwannee, Chiefland, FL
Sherry Lynn, Dixie County Commission, Cross City, FL
John Milton, Jacksonville, FL
Mayor Cheryl Nekola, City of Fanning Springs, Fanning Springs, FL

Dale Perry, Ancient Oaks Air Park, Steinhatchee, FL
Mayor Franklin Schuler, Town of Bronson, Bronson, FL
Jerry Wasdin, Department of Animal Sciences, Gainesville, FL
Tony Weeks, Town of Bronson, Bronson, FL

The meeting was called to order at 9:00 a.m.
Tom Brown, Legal Counsel, gave the invocation and led the Pledge of Allegiance to the flag.

The roll was called and a quorum noted.

Chairman Quincey thanked the public and public officials for their attendance at the meeting.

Agenda Item No. 3 - Additions, Deletions, or Changes to the Agenda.

Deletion:

RM Department: Agenda Item 9, Denial of Environmental Resource Permit application 06-0509 and Authorization to Initiate Legal Action

Update:

LAM Department: Agenda Item 20, Approval and Execution of Resolution 2009-27

Agenda Item No. 4 - Approval of Agenda.

ON A MOTION BY MR. LAKE, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE DECEMBER 8, 2009 AGENDA AS AMENDED.

Agenda Item No. 5 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- A. Megan Wetherington gave a presentation on the hydrologic conditions of the District.
- B. A presentation was given on the Santa Fe Ranch/Boston Farm by Dr. Geoff Dahl and Jerry Wasdin from the Department of Animal Sciences in Gainesville, FL

Agenda Item No. 6 – Consent Agenda

- Approval of November 12, 2009 Meeting and Workshop Minutes
- Approval of October Financial Report
- Denial of Environmental Resource Permit Application 04-0043M
- Authorization to Publish Notice of Proposed Rule and File Amendments to Chapter 40B-400, Florida Administrative Code (F.A.C.) and Authorization to Publish Notices of Rule Development, Proposed Rule, and File Amendments 40B-1, F.A.C.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. LAKE AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE CONSENT AGENDA ITEMS.

DEPARTMENT OF ADMINISTRATION

Agenda Item No. 7 – Approval of October Financial Report. Approved by Consent.

Agenda Item No. 8 - Activity Report, Administration. The Activity Report for the Department of Administration was provided as an informational item in the Board materials.

DEPARTMENT OF RESOURCE MANAGEMENT

Agenda Item No. 9 – Denial of Environmental Resource Permit Application 06-0509 and Authorization to Initiate Legal Action. Deleted.

Agenda Item No. 10 – Denial of Environmental Resource Permit Application 04-0043M. Approved by Consent.

Agenda Item No. 11 – Authorization to Publish Notice of Proposed Rule and File Amendments to Chapter 40B-40, F.A.C. and Authorization to Publish Notices of Rule Development, Proposed Rule, and File Amendments 40B-1, F.A.C. Approved by Consent.

Agenda Item No. 12 – Authorization to Enter into an Agreement with the Florida Fish and Wildlife Conservation Commission. Jon Dinges, Department Director, presented the staff recommendation for authorization for the Executive Director to enter into an agreement with the Florida Fish and Wildlife Conservation Commission

for the Edwards Bottomlands Stream Restoration and Sediment Management project, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE FLORIDA FISH AND WILDLIFE COMMISSION FOR THE EDWARDS BOTTOMLANDS STREAM RESTORATION AND SEDIMENT MANAGEMENT PROJECT.

Agenda Item No. 13 – Authorization to Enter into Contract with BCI Engineers & Scientists, Inc., for Engineering Design. Mr. Dinges presented the staff recommendation for authorization for the Executive Director to enter into a contract with BCI Engineers & Scientists, Inc., for engineering design of the Edwards Bottomlands Stream Restoration and Sediment Management project, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. MEECE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH BCI ENGINEERS & SCIENTISTS, INC., FOR ENGINEERING DESIGN OF THE EDWARDS BOTTOMLANDS STREAM RESTORATION AND SEDIMENT MANAGEMENT PROJECT.

Agenda Item No. 14 – Individual Environmental Resource Permit Number 09-0023. Individual Environmental Resource Permit number 09-0023, with thirty-one standard conditions, to Chris Bullard of Bullard Management Services & FBD, Inc., for The Quarry Subdivision in Columbia County was presented as an informational item in the Board materials.

Agenda Item No. 15 – Individual Water Use Permit Number 07-0036M3. Individual Water Use Permit number 07-0036M3, with three standard conditions and eight special limiting conditions to the City of Live Oak, for municipal water supply was presented as an informational item in the Board materials.

Agenda Item No. 16 – Activity Report, Quality Communities. The Quality Communities Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 17 - Activity Report, Resource Management Regulatory. The Resource Management Regulatory Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 18 - As-Built Compliance Summary. The As-Built Compliance Summary was provided as an informational item in the Board materials.

DEPARTMENT OF LAND ACQUISITION AND MANAGEMENT

Agenda Item No. 19 – Resolution 2009-26, Authorizing Acquisition of the Dixie County Board of Commission Parcels, 20.5 acres +/-, Dixie County, and Requesting Funds from the Florida Forever Trust Fund. Charlie Houser, Deputy Executive Director, presented the staff recommendation for approval of Resolution 2009-26 authorizing the Executive Director to exercise an Option to Purchase the two Dixie County Board of County Commission parcels and requesting approval from the Secretary of the Department of Environmental Protection for the use of funds from the Florida Forever Trust Fund, as shown in the Board materials.

Sherry Lynn, County Manager spoke in support of the project. There were no other public comments.

ON A MOTION MADE BY MR. FLAGG, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED RESOLUTION 2009-26 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXERCISE AN OPTION TO PURCHASE THE TWO DIXIE COUNTY BOARD OF COUNTY COMMISSION PARCELS AND TO REQUEST APPROVAL FROM THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE USE OF FUNDS FROM THE FLORIDA FOREVER TRUST FUND.

Agenda Item No. 20 – Resolution 2009-27, Authorizing Acquisition of the Chinquapin Farm, LLC, Conservation Easement, 6,345 Acres +/-, Suwannee and Columbia Counties, and Requesting Funds from the Florida Forever Trust Fund or Other Available Funds. Mr. Houser presented the staff recommendation for approval of Resolution 2009-27 authorizing the Executive Director to exercise an Option to Purchase the Chinquapin Farm, LLC, Conservation Easement and requesting approval from the Secretary of the Department of Environmental Protection for the use of funds from the Florida Forever Trust Fund or other available funds, as shown in the Board materials.

Annette Long, Save Our Suwannee, spoke in support of the recharge land purchase.

John Milton, Baker Family representative, spoke in support of the mission and the purchase of the recharge area.

There were no other public comments.

ON A MOTION MADE BY DR. DAVIDSON, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED RESOLUTION 2009-27 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXERCISE AN OPTION TO PURCHASE THE CHINQUAPIN FARM, LLC, CONSERVATION EASEMENT AND TO REQUEST APPROVAL FROM THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE USE OF FUNDS FROM THE FLORIDA FOREVER TRUST FUND OR OTHER AVAILABLE FUNDS.

Agenda Item No. 21 – Easement to Steinhatchee Ancient Oaks Property Owners Association. Mr. Houder presented the staff recommendation for approval of an easement to Steinhatchee Ancient Oaks Property Owners Association for additional runway clearance on District lands in Taylor County, as shown in the Board materials.

A MOTION WAS MADE BY MR. LAKE, SECONDED BY MR. FLAGG, FOR DISCUSSION PURPOSES.

Homeowner's representative Mr. Perry, discussed the reasons not opening the airpark up to the public.

Gary Chancey spoke in support of the project and discussed the safety issues as the reason for the request for an easement.

After discussion among the board and staff, it was determined that a Special Use License agreement would be sufficient for all parties involved.

MR. LAKE WITHDREW HIS ORIGINAL MOTION TO APPROVE AND MR. FLAGG SECONDED HIS AGREEMENT WITH THE WITHDRAWAL OF THE MOTION.

Agenda Item No. 22 – 2010 Florida Forever Work Plan. The 2010 Florida Forever Work Plan was provided as an informational item. There is no recommendation at this time.

Agenda Item No. 23 – Proposed Changes to 40B-9. Mr. Houder presented the staff recommendation for authorization to publish a Notice of Proposed Rule for amendments to Chapter 40B-9, F.A.C., Land Acquisition and Management, in the Florida Administrative Weekly, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO PUBLISH A NOTICE OF PROPOSED RULE FOR AMENDMENTS TO CHAPTER 40B-9, F.A.C., LAND ACQUISITION AND MANAGEMENT, IN THE FLORIDA ADMINISTRATIVE WEEKLY.

Agenda Item No. 24 – RFP 09/10-002 Boundary Maintenance Services Ranking. Mr. Houder presented the staff recommendation for approval of the rankings developed by the Selection Committee and authorization to negotiate and execute contracts with Perpetual Contracting and William Andrews and Son Lawn Care, and if negotiations are unsuccessful with these firms, authorization to negotiate and execute a contract with Glover Landscape, for boundary line services, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE RANKINGS DEVELOPED BY THE SELECTION COMMITTEE AND AUTHORIZED THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE CONTRACTS WITH PERPETUAL CONTRACTING AND WILLIAM ANDREWS AND SON LAWN CARE, AND IF NEGOTIATIONS ARE UNSUCCESSFUL WITH THESE FIRMS, AUTHORIZATION TO NEGOTIATE AND EXECUTE A CONTRACT WITH GLOVER LANDSCAPE, FOR BOUNDARY LINE SERVICES.

Agenda Item No. 25 – Contract for Construction of R. O. Ranch Bathhouse. Mr. Houder presented the staff recommendation for authorization for the Executive Director to execute a contract with Luke McInnis Construction (LMC) to build the R. O. Ranch Equestrian Park bathhouse, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE

DIRECTOR TO EXECUTE A CONTRACT WITH LMC TO BUILD THE R. O. RANCH EQUESTRIAN PARK BATHHOUSE.

Agenda Item No. 26 – Resolution 2009-28 Requesting Reimbursement of Preacquisition Costs and Land Management Expenses for the Quarter Ending September 30, 2009. Mr. Houder presented the staff recommendation for approval and execution of Resolution 2009-28, requesting the Department of Environmental Protection reimburse the District from the Water Management Lands Trust Fund (WMLTF) for preacquisition costs and quarterly land management expenses during the quarter ending September 30, 2009, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED EXECUTION OF RESOLUTION 2009-28, REQUESTING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION REIMBURSE THE DISTRICT FROM THE WMLTF FOR PREACQUISITION COSTS AND QUARTERLY LAND MANAGEMENT EXPENSES DURING THE QUARTER ENDING SEPTEMBER 30, 2009.

Agenda Item No. 27 - Land Acquisition Activity Report. The Land Acquisition Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 28 - Land Management Activity Report. The Land Management Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 29 – R. O. Ranch Activity Report. The R. O. Ranch Activity Report was provided as an informational item in the Board materials.

DEPARTMENT OF WATER RESOURCES

Agenda Item No. 30 - Activity Report, Department of Water Resources. The Department of Water Resources Activity Report was provided as an informational item in the Board materials.

LEGAL COUNSEL REPORT

Agenda Item No. 31 - Enforcement Status and Litigation Report. The Enforcement Status and Litigation Report was provided as an informational item in the Board materials.

EXECUTIVE OFFICE

Agenda Item No. 32 - Executive Director's Report.
None.

Agenda Item No. 33 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 34 – Legislative Report Update. The Legislative Report Update was provided as an informational item in the Board materials.

The meeting adjourned at 11:42 a.m.

Chairman

ATTEST:
