

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  
May 13, 2010

Cedar Key Library  
Cedar Key, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman  
David Flagg, Vice Chairman  
Heath Davis  
Ray Curtis  
Guy Williams  
Alphonas Alexander

Members of the Governing Board Absent: Dr. Linden Davidson, Jay Fraleigh, and Carl Meece.

Staff:

David Still	Bill Haley, Legal Counsel
Charlie Houder	Kirk Webster
Jon Dinges	Joe Flanagan
Melanie Roberts	Rhonda Scott
Steve Minnis	Cindy Johnson
Megan Wetherington	Carlos Herd
Dale Jenkins	Pennie Flickinger
Brian Kauffman	Linda Welch

Participating Guests:

Dorothy Alexander, Madison, FL  
Barney and Renate Cannon, Chiefland, FL  
Gary Hardacre, City of Alachua, FL  
Mike Wynn, Manson Law Group, Tampa, FL  
Jeff Hill, El Rancho No Tengo, Lake City, FL  
Jimmie L. Scott, Mayor, City of Lawtey, FL  
Olivia T. Scott, City of Lawtey, FL

Lisa Harley, City of Lawtey, FL  
Sue Colson, Mayor, City of Cedar Key, FL  
Clark Hodge, Cedar Key, FL  
Staci Braswell, Florida Farm Bureau, Gainesville, FL  
Teresa Watson, Representative Leonard Bembry  
Brian Delburn, Senator Steve Oelrich  
Glenn Osteen, Campbell Group, Cross City, FL  
George Willson, Campbell Group, Cross City, FL  
Mark Scoher, Chiefland, FL  
Tom Mirti, SJRWMD, Palatka, FL  
Virginia Craig, Tallahassee, FL

The meeting was called to order at 9:00 a.m.

Heath Davis gave the invocation and led the Pledge of Allegiance to the flag.

The roll was called and a quorum noted.

Agenda Item No. 3 - Additions, Deletions, or Changes to the Agenda. - Although this item was listed for approval on consent agenda – it was voted on separately.

Change: April 13, 2010 minutes have been updated to reflect Mr. Williams voting against Agenda Item 21 – Agreement with Florida Gas Transmission Co.

#### Land Acquisition and Management:

- Additions:
  - Sale of House and Ten Acres on the Lower Alapaha
  - Additional Information for Agenda Item 21 - Declaration of Surplus on Four Properties
- Deletion: Agenda Item 22 - Modification to Plum Creek Timberlands LP Conservation Easement

#### Water Supply and Resource Management

- Deletion: Agenda Item 11 - Authorization to Amend Contract with the United States Geological Survey (USGS), Tallahassee District, for Streamgaging Services

ON A MOTION BY MR. FLAGG, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE MAY 13, 2010 AGENDA, AS AMENDED.

Agenda Item No. 5 - Approval of Agenda.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE APRIL 13, 2010 GOVERNING BOARD MEETING MINUTES AND WORKSHOP MINUTES.

Agenda Item No. 6 – Approval of Minutes – April 13, 2010 Governing Board Meeting and Workshop Minutes. Approved on Consent

Agenda Item No. 7 - Items of General Interest for Information/Cooperating Agencies and Organizations.

The Governing Board recognized Dr. Earl Starnes and Sue Colson.

Sue Colson welcomed the Governing Board and gave a brief speech regarding the City of Cedar Key and the situation with the oil spill in the Gulf of Mexico and how it may affect the City of Cedar Key.

- A. Megan Wetherington gave a presentation of hydrologic conditions of the District.
- B. Glenn Osteen and George Willson gave a presentation regarding a proposal for the State of Florida to acquire a conservation easement from the Campbell Group in Dixie County.

**DEPARTMENT OF MISSION SUPPORT**

Agenda Item No. 8 – Approval of January Financial Report. Approved on Consent.

Agenda Item No. 9 - Activity Report, Mission Support. The Mission Support Activity Report was provided as an informational item in the Board materials.

**DEPARTMENT OF WATER SUPPLY AND RESOURCE MANAGEMENT**

Agenda Item No. 10 – Authorization for the Executive Director to Amend Interlocal Agreement Number 00/01-112 with the City of Lawtey. Jon Dinges, Department Director, presented the staff recommendation that the Governing Board authorize the Executive Director to extend the completion date for interlocal agreement number 00/01-112 for design and construction of a wastewater collection and transmission system in Lawtey to September 30, 2012, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO EXTEND THE COMPLETION DATE FOR INTERLOCAL AGREEMENT NUMBER 00/01-112 FOR DESIGN AND CONSTRUCTION OF A WASTEWATER COLLECTION AND TRANSMISSION SYSTEM IN LAWTEY TO SEPTEMBER 30, 2012.

Agenda Item No. 11 – Authorization to Amend Contract with the United States Geological Survey (USGS), Tallahassee District, for Streamgaging Services.  
DELETED.

Agenda Item No. 12 – Denial of Environmental Resource Permit Application ERP06-0509 and Initiation of Legal Action. Mr. Dinges discussed the Governing Board's decision to table the Agenda Item at the April 13, 2010 meeting until the May 13, 2010 meeting. He restated the April 13, 2010 staff recommendation that the Governing Board authorize denial, without prejudice, of Environmental Resource Permit application number 06-0509 to Doug McKoy for Cedar Key Heights Blocks 18, 119-131, Levy County, and initiation of legal action because the project had been constructed without a permit, as shown in the Board materials. Mr. Dinges reported that staff's recommendation had changed since the April meeting because Mr. McKoy and his engineer had been working diligently with staff to obtain the required Environmental Resource Permit and therefore would request that the Governing Board consider not approving the tabled recommendation to deny permit application number 06-0509 and initiation of legal action.

MR. FLAGG MADE A MOTION TO WITHDRAW THE TABLED APRIL 13, 2010 MOTION FOR APPROVAL AND MADE A NEW MOTION TO REJECT STAFF'S RECOMMENDATION FOR DENIAL OF ENVIRONMENTAL RESOURCE PERMIT APPLICATION NUMBER 06-0509, THE MOTION WAS SECONDED BY MR. DAVIS, AND BY UNANIMOUS VOTE, THE GOVERNING BOARD REJECTED THE STAFF RECOMMENDATION TO DENY ENVIRONMENTAL RESOURCE PERMIT APPLICATION ERP06-0509 AND INITIATION OF LEGAL ACTION.

Agenda Item No. 13 – Authorization to Publish Notices of Rule Development, Proposed Rule, and File Amendments to 40B-2.025, 40B-2.901, 40B-4.1070 and 40B-4.3030, F.A.C. Approved on Consent.

Agenda Item No. 14 – Suwannee River Partnership (SRP) FY 2010 Budget Amendment Request. Mr. Dinges presented the staff recommendation that the Governing Board amend the FY 2010 Suwannee River Partnership budget to add

\$210,000 for the Best Management Practices crop tool cost share program. If approved, the District will contract with the Suwannee County Conservation District and the Levy Soil and Water Conservation District to help administer the cost share funds to farmers, as shown in the Board materials. The program will provide 75% cost share to farmers for purchase of the tools up to a maximum of \$10,000 per farmer.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AMENDED THE FY 2010 SUWANNEE RIVER PARTNERSHIP BUDGET TO ADD \$210,000 FOR BEST MANAGEMENT PRACTICES CROP TOOL COST SHARE PROGRAM.

Agenda Item No. 15 - Activity Report, Water Supply and Resource Management. The Water Supply and Resource Management Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 16 - As-Built Compliance and Works of the District Permit Summaries. The As-Built Compliance and Works of the District Permit Summaries was provided as an informational item in the Board materials.

## **DEPARTMENT OF LAND ACQUISITION AND MANAGEMENT**

Agenda Item No. 17 – Acquisition of the Suwannee River Development LLC/Ace Ranch Conservation Easement. Joe Flanagan, Department Director, presented the staff recommendation for approval and execution of Resolution 2010-11 authorizing the Executive Director to exercise an Option to Purchase a conservation easement on the 678-acre +/- Suwannee River Development, LLC/Ace Ranch property and requesting approval from the Secretary of the Department of Environmental Protection for the use of funds from the Florida Forever Trust Fund, subject to public comment, as shown in the Board materials.

Chairman Quincey announced an order of hearing and opened the public hearing.

There was no public comment regarding this item.

Mr. Quincey closed the public hearing.

The Governing Board members continued with questions and discussion.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO EXERCISE AN OPTION TO PURCHASE A CONSERVATION EASEMENT ON THE 678-ACRE +/- SUWANNEE RIVER DEVELOPMENT LLC/ACE RANCH PROPERTY AND REQUEST OF APPROVAL FROM THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE USE OF FUNDS FROM THE FLORIDA FOREVER TRUST FUND.

Agenda Item No. 18 – License to Cut Timber with North Florida Timber Dealers for the SR-10-TRSF-Westwood #2 Timber Sale. Mr. Flanagan presented the staff recommendation that the Governing Board authorize the Executive Director to execute a license to cut timber with North Florida Timber Dealers, Inc., for the Westwoods #2 Timber Sale on Twin Rivers State Forest, as shown in the Board materials. North Florida Timber Dealers, Inc., bid \$309,850 for all planted sand pine on 198 acres.

ON A MOTION MADE BY MR. FLAGG, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO EXECUTE A LICENSE TO CUT TIMBER WITH THE NORTH FLORIDA TIMBER DEALERS, INC., FOR THE WESTWOODS #2 TIMBER SALE ON TWIN RIVERS STATE FOREST FOR A LUMP SUM BID OF \$309,850.

Agenda Item No. 19 – Surplus Land Process. Mr. Flanagan presented the staff recommendation for approval of the proposed process for conducting sale of surplus lands, as shown in the Board materials.

Guy Anglin, Dr. Starnes, and Renate Cannon spoke regarding this item.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE PROCESS FOR CONDUCTING SALE OF SURPLUS LANDS.

Agenda Item No. 20 – Contract for Real Estate Broker Services. Mr. Flanagan presented the staff recommendation for entering into contract with Poole Realty Inc. for Real Estate Broker Services for listing and sale of the Bay Creek South, Owens Spring, Westwood West and Blue Sink surplus tracts for a commission not to exceed six percent of the sales price, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. WILLIAMS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO ENTER

INTO CONTRACT WITH POOLE REALTY INC. FOR REAL ESTATE BROKER SERVICES FOR LISTING AND SALE OF THE BAY CREEK SOUTH, OWENS SPRING, WESTWOOD WEST AND BLUE SINK SURPLUS TRACTS FOR A COMMISSION NOT TO EXCEED SIX PERCENT OF THE SALES PRICE, AS SHOWN IN THE BOARD MATERIALS.

Agenda Item No. 21 – Declaration of Lands as Surplus. Mr. Flanagan presented the staff recommendation that the Governing Board declare surplus four properties no longer needed for conservation purposes, as shown in the Board materials.

Mr. Guy Anglin and Mr. Wilson Baker discussed this item with the Board.

A MOTION WAS MADE BY MR. FLAGG AND SECONDED BY MR. DAVIS TO ACCEPT THE RECOMMENDATION OF THE DISTRICT STAFF TO DECLARE THE FOLLOWING DISTRICT LANDS AS SURPLUS AND TO SELL THE SAME:

Tract Name	Acres +/-	County	Zoning	Type of Deed
Jennings Bluff	70	Hamilton	Conservation	Fee Simple
Adams South	60	Lafayette	A3 1 dwelling/5 acres	Fee Simple
Manatee South	330	Levy	Natural Reservation	Fee Simple and retain a Conservation Easement
47 Runs	15	Levy	Forestry/ Rural Residential	Fee Simple

A MOTION TO AMEND WAS MADE BY MR. DAVIS AND SECONDED BY MR. ALEXANDER TO REQUIRE THE DEED TO THE BUYERS AT CLOSING TO RESTRICT THE USE OF THE LANDS, WHERE APPLICABLE, SO THAT THE LAND USE DENSITY WILL NOT EXCEED THE DENSITY AS OF THE DATE OF THE TRANSFER TO THE BUYER.

THE MOTION, AS AMENDED, WAS ADOPTED UNANIMOUSLY.

Agenda Item No. 22 – Modification to Plum Creek Timberlands LP Conservation Easement. DELETED

Agenda Item No. 23 - Amendment to Contract 08/09-007 with Perpetual Contracting for Land Management Services. Mr. Flanagan presented the staff recommendation that the Governing Board authorize the Executive Director to execute an

amendment to the agreement with Perpetual Contracting, Inc. for Land Management Services for Fiscal Year 2010, as shown in the Board materials. This contract amendment would add \$50,000 for a new amount not to exceed \$206,000 in FY 2010.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH PERPETUAL CONTRACTING, INC. FOR LAND MANAGEMENT SERVICES FOR FISCAL YEAR 2010, FOR A NEW AMOUNT NOT TO EXCEED \$206,000 IN FY 2010.

Agenda Item No. 24 – Increase to Budget for Rock Aggregate. Mr. Flanagan presented the staff recommendation that the Governing Board authorize staff to purchase rock and fill aggregate on an as-needed basis from the least-cost Department of Transportation-certified mine near the project site for an amended total for FY 2010 not to exceed \$95,000, as shown in the Board materials.

ON A MOTION BY MR. ALEXANDER, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO PURCHASE ROCK AND FILL AGGREGATE ON AN AS-NEEDED BASIS FROM THE LEAST-COST DEPARTMENT OF TRANSPORTATION-CERTIFIED MINE NEAR THE PROJECT SITE FOR AN AMENDED TOTAL FOR FY 2010 NOT TO EXCEED \$95,000.

Agenda Item No. 25 – Preacquisition and Management Quarterly Cost Reimbursement Request. Approved on consent.

Supplemental Item – Sale of House and Ten Acres on the Lower Alapaha. Mr. Flanagan presented the staff recommendation that the Governing Board approve the sale of a house and ten acres previously declared surplus, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE SALE OF A HOUSE AND TEN ACRES PREVIOUSLY DECLARED SURPLUS.

Agenda Item No. 26 - Land Acquisition Activity Report. The Land Acquisition Activity Report was provided as an informational item in the Board materials.

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

Agenda Item No. 28 – R. O. Ranch Activity Report. The R. O. Ranch Activity Report was provided as an informational item in the Board materials.

### **LEGAL COUNSEL REPORT**

Agenda Item No. 29 –Enforcement Status and Litigation Report. The Enforcement Status and Litigation Report was provided as an informational item in the Board materials.

Legal Counsel discussed the Lisa Owen issue with the Governing Board. The Governing Board recommended a time-certain removal of the fence in question, and recommended that the notice of such should be hand-delivered from Levy County Commissioner Lilly Rooks.

### **EXECUTIVE OFFICE**

Agenda Item No. 30 - Executive Director's Report. Steve Minnis gave a legislative update.

Agenda Item No. 31 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 32 – Announcements, Lisa Cheshire, HR/Governing Board Coordinator. There were no announcements.

The meeting adjourned at 12:04 p.m.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_

SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
MINUTES OF  
GOVERNING BOARD WORKSHOP

Note: Tape recordings have been used to record these procedures and are 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.

This meeting was held offsite in order to provide an environment suitable for the critical evaluation of ongoing programs and the discussion of new initiatives. Meeting at a location other than the District Headquarters also gives citizens in the community where the meeting is held an opportunity to attend and participate.

1:30 p.m., Thursday  
May 13, 2010

Cedar Key Library  
Cedar Key, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman  
David Flagg, Vice Chairman  
Heath Davis  
Ray Curtis  
Guy Williams  
Alphonas Alexander

Members of the Governing Board Absent:

Carl Meece, Secretary/Treasurer  
Dr. Linden Davidson  
Jay Fraleigh

Staff:

David Still	Bill Haley, Legal Counsel
Charlie Houder	Kirk Webster
Jon Dinges	Joe Flanagan
Linda Welch	Melanie Roberts
Steve Minnis	Carlos Herd
Cindy Johnson	Dale Jenkins
Pennie Flickinger	Rhonda Scott
Brian Kauffman	

Participating Guests:

Renate and Barney Cannon, Chiefland, FL  
Ryan Tyson, Senator Dean's Office, Tallahassee, FL  
Gary Hardacre, City of Alachua, FL

Minutes of Governing Board Workshop  
May 13 & 14, 2010  
Page 2

Mike Wynn, Manson Law Group, Tampa, FL  
Staci Braswell, Florida Farm Bureau, Gainesville, FL  
Teresa Watson, Representative Leonard Bembry  
Brian Delburn, Senator Steve Oelrich  
Tom Mirti, SJRWMD, Palatka, FL  
Gregg Jones, Entrix, Tampa, FL  
Tommy Harper, Levy Soil and Water Conservation District, Chiefland, FL  
Annette Land, R. O. Ranch Board of Directors, Cooks Hammock, FL  
Frank Schulte, R. O. Ranch Board of Directors, Cooks Hammock, FL  
Colleen Agner, R. O. Ranch Board of Directors, Cooks Hammock, FL  
Louis Shiver, R. O. Ranch Board of Directors, Cooks Hammock, FL

Jon Dinges, Water Supply and Resource Management Director introduced Gregg Jones, District contractor for water supply and assessment made a presentation regarding the District's Water Supply Assessment & Planning.

Mr. Davis introduced the R. O. Ranch Board of Directors.  
Joe Flanagan, Land Acquisition and Management Director gave a presentation regarding R. O. Ranch and introduced Tommy Harper, District contractor. A presentation was made by Mr. Harper regarding a business plan for R. O. Ranch. Discussion ensued between the Governing Board and the R. O. Ranch Board of Directors.

The workshop adjourned at 5:53 p.m.

The workshop reconvened at 8:00 a.m. on Friday, May 14, 2010.

Members of the Governing Board Present:

Don Quincey, Jr., Chairman  
David Flagg, Vice Chairman  
Heath Davis  
Ray Curtis  
Guy Williams  
Alphonas Alexander

Members of the Governing Board Absent:

Carl Meece, Secretary/Treasurer  
Dr. Linden Davidson  
Jay Fraleigh

Minutes of Governing Board Workshop  
May 13 & 14, 2010  
Page 3

Staff:

David Still	Bill Haley, Legal Counsel
Charlie Houder	Kirk Webster
Jon Dinges	Joe Flanagan
Linda Welch	Melanie Roberts
Steve Minnis	Kevin Wright
Carlos Herd	

Participating Guests:

Renate and Barney Cannon, Chiefland, FL  
Gary Hardacre, City of Alachua, FL  
Mike New, City of Alachua, FL  
Mike Wynn, Manson Law Group, Tampa, FL  
Staci Braswell, Florida Farm Bureau, Gainesville, FL  
Leonard Fagan, Gainesville Renewable Energy Center (GREC), Boston, MA  
Josh Levine, GREC, Boston, MA  
Robert W. Klemans, Gainesville Regional Utilities (GRU), Gainesville, FL  
Rick Hutton, GRU, Gainesville, FL  
Ed Regan, GRU, Gainesville, FL  
Jack Doolittle, Environmental Consulting & Technology, Gainesville, FL  
David Dee, Young van Assenderp, Tallahassee, FL

Jon Dinges, Water Supply and Resource Management Director, introduced Kevin Wright, District staff, and began introductions regarding the site certification process for Gainesville Renewable Energy Center. Kevin Wright gave a presentation regarding the District's response to issuance of the site certification. A verbal presentation and question/answer session then ensued between the Governing Board and GREC and GRU.

Joe Flanagan, Land Acquisition and Management Director, discussed the following:

- Acquisition Criteria/Water Resource Values
- Acquisition Process
- Surplus Lands
- Conservation Easements

Melanie Roberts, Mission Support Director, discussed the 2010-2011 Budget process. Melanie reviewed the totals for revenue and expenditures.

The workshop adjourned at 12:30 p.m.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
MINUTES OF  
GOVERNING BOARD TELECONFERENCE MEETING

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.

1:00 p.m., Monday  
May 24, 2010

District Headquarters  
Live Oak, Florida

Members of the Governing Board Present:  
Don Quincey, Jr., Chairman

Members of the Governing Board Present by Telephone:  
Carl Meece, Secretary/Treasurer  
Heath Davis  
Jay Fraleigh  
Al Alexander  
Ray Curtis

Members of the Governing Board Absent:  
David Flagg, Vice Chairman  
Dr. Linden Davidson  
Guy Williams

Staff:

David Still  
Kirk Webster  
Joe Flanagan  
Lisa Cheshire

Tom Brown, Legal Counsel (by telephone)  
Steve Minnis  
Melanie Roberts

Participating Guests:  
None

The meeting was called to order at 1:08 p.m.

The roll was called and a quorum noted.

Agenda Item No. 2 - Additions, Deletions, or Changes to the Agenda.

None.

Agenda Item No. 3 - Approval of Agenda.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. MEECE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE AGENDA.

Agenda Item No. 4 – Proposed Property Offers Discussion

Joe Flanagan, Director of Land Acquisition and Management, presented the particulars of the Santa Fe River Hammock LLC Conservation Easement offer.

Governing board members discussed the price range they were comfortable with and instructed staff to continue negotiations with the property owners.

Agenda Item No. 5 – Public Comment

None.

The meeting adjourned at 1:52 p.m.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_