

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

Note: A digital recording system has been used to record these proceedings 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., Tuesday
October 12, 2010

District Headquarters
Live Oak, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
Alphonas Alexander
Donald Ray Curtis, III
Dr. Linden Davidson
Heath Davis
Jay Fraleigh
Carl Meece
Guy N. Williams

Members of the Governing Board Absent:

David Flagg, Vice Chairman

Staff:

David Still	Bill Haley, Legal Counsel
Charlie Houder	Kirk Webster
Jon Dinges	Joe Flanagan
Steve Minnis	Rhonda Scott
Lisa Cheshire	Melanie Roberts
Megan Wetherington	

Participating Guests:

Barney and Renate Cannon, Chiefland, FL
Cleo Elder, Starke, FL
Dennis Price, White Springs, FL
Dwayne & Patty Elder, Lake City, FL
Gary Hardacre, City of Alachua, FL
Jody Dupree, Columbia County Board of County Commissioners, Lake City, FL
John Thomas, Orlando, FL
Merrilee Jipson, Our Santa Fe River, Ft. White, FL

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Sam Oosterhoudt, Lake City, FL
Thomas T. Moore, White Springs, 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.

Executive Office

Addition:

- Agreement for the Management and Operations of R. O. Ranch

Mr. Davis requested the order of Mission Support items be changed and the board consider Agenda Item 12 before consideration of Agenda Item 11.

Agenda Item No. 4 – Approval of Agenda.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE OCTOBER 12, 2010, AGENDA, AS AMENDED.

Agenda Item No. 5 – Consent Agenda.

- Page 5 - Approval of September 14, 2010 Meeting and 1st Public Hearing Minutes and September 28, 2010 Workshop Minutes and Final Public Hearing Minutes
- MS Page 1, Agenda Item 9 - Approval of August Financial Report
- MS Page 9, Agenda Item 10 – FY 2009/2010 Budget Amendment to Reconcile Account Codes
- LAM Page 17, Agenda Item 24 – Amendment to the Conservation Easement with Plum Creek Timberlands, L.P.
- LAM Page 25, Agenda Item 25 – Utility Easement to Fowler’s Bluff Water System Association, Inc.
- LAM Page 35, Agenda Item 26 – Utility Easement to Central Florida Electric Cooperative, Inc.

Agenda Item No. 6 – Approval of Recommended Consent Items.

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

Agenda Item No. 7 – Approval of Minutes. Approved on consent.

Agenda Item No. 8 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- A. Gary Hardacre, City Manager, thanked staff for the Water Supply Plan presentation given to their Lion's Club.
- B. Dennis Price gave a presentation regarding his concerns with denial of the Bayfield Mitigation project.
- C. Jody Dupree, Columbia County Board of County Commissioners, requested support of the Board in regards to the FEMA Floodplain mapping project and requested a letter of support for the map revisions be sent from the Governing Board.
MR. DAVIS MADE A MOTION FOR A LETTER OF SUPPORT TO BE DRAFTED, MR. CUTIS SECONDED, AND BY UNANIMOUS VOTE, THE BOARD APPROVED.
- D. Megan Wetherington gave a presentation of hydrologic conditions of the District.

DEPARTMENT OF MISSION SUPPORT

Agenda Item No. 9 – Approval of August Financial Report. Approved on consent.

Agenda Item No. 10 – FY 2009/2010 Budget Amendment to Reconcile Account Codes. Approved on consent.

Agenda items 11 & 12 were presented in reverse order.

Agenda Item No. 12 – Consideration of Agreement with Thomas W. Brown for Legal Services. Ms. Roberts presented the staff recommendation for Governing Board authorization for the Executive Director to enter into a contract with Thomas W. Brown of Brannon, Brown, Haley, & Bullock, P.A., for Fiscal Year 2011, as shown in the Board materials.

The Governing Board discussed current legal services and possible bidding out of these services. Mr. Davis suggested that staff present information on statute requirements and the current services and responsibilities of counsel at the November workshop in Cedar Key for review and discussion by the Board.

ON A MOTION BY MR. CURTIS, SECONDED BY DR. DAVIDSON, AND WITH MR. WILLIAMS VOTING AGAINST, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH THOMAS W. BROWN OF BRANNON, BROWN, HALEY, & BULLOCK, P.A., FOR FISCAL YEAR 2011.

Agenda Item No. 11 – Consideration of Agreement with James Moore & Co., P.L., for the Audit of Financial Statements. Ms. Roberts presented the staff recommendation for Governing Board authorization for the Executive Director to enter into an agreement with James Moore & Co., P.L., for preparation of the audit and financial statements portion of the Comprehensive Annual Financial Report for Fiscal Years 2011 through 2014 at a yearly not-to-exceed rate of \$34,000 for each fiscal year, as shown in the Board materials.

The Governing Board discussed current services performed by James Moore and Company and requested an itemized list of services and charges that will be performed by the auditors during FY 2011 be provided to the Board. The Board also discussed the need for an open line between the auditor and the chairman and a face-to-face discussion with the Board every year.

The Governing Board discussed the four year contract agreement for auditing services. Mr. Davis requested that the term of the staff recommendation for service be changed to one year at the fixed rate stated and that the right for either party to cancel the agreement be added to the one year agreement.

ON A MOTION BY MR. WILLIAMS, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH JAMES MOORE & CO., P.L., FOR PREPARATION OF THE AUDIT AND FINANCIAL STATEMENTS PORTION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2011 AT A NOT-TO-EXCEED RATE OF \$34,000.

Agenda Item No. 13 - Activity Report, Mission Support. The Activity Report for the Department of Mission Support was provided as an informational item in the Board materials.

DEPARTMENT OF WATER SUPPLY AND RESOURCE MANAGEMENT

Agenda Item No. 14 – Authorization to Amend the Interlocal Agreement with the Town of Greenville. Jon Dinges, Department Director, presented the staff recommendation for authorization for the Executive Director to amend the Interlocal Agreement with the Town of Greenville for stormwater system improvements to include \$46,760 from the Florida Department of Transportation, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO AMEND THE INTERLOCAL AGREEMENT WITH THE TOWN OF GREENVILLE FOR STORMWATER SYSTEM IMPROVEMENTS TO INCLUDE \$46,760 FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION.

Agenda Item No. 15 – Authorization to Enter into a Contract with INTERA, Inc., for Revision of the District’s North Florida Groundwater Flow Model. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to enter into a contract with INTERA, Inc., for an amount not to exceed \$160,000 to upgrade the District’s North Florida Groundwater Flow Model, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. MEECE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH INTERA, INC., FOR AN AMOUNT NOT TO EXCEED \$160,000 TO UPGRADE THE DISTRICT’S NORTH FLORIDA GROUNDWATER FLOW MODEL.

Agenda Item 16 – Authorization to Continue Suwannee River Partnership Cooperative Conservation Technician Services. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to continue co-funding, with the Florida Department of Agriculture and Consumer Services (FDACS), three Conservation Technicians positions associated with the Suwannee River Partnership (SRP) program, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO CONTINUE CO-FUNDING, WITH THE FDACS, THREE CONSERVATION TECHNICIANS POSITIONS ASSOCIATED WITH THE SRP PROGRAM.

Agenda Item 17 – Authorization to Publish Notices of Rule Development, Proposed Rule, and File Amendments to 40B-4.1020 and 40B-4.3030, F.A.C.. Mr. Dinges presented the staff recommendation for Governing Board authorization to publish Notices of Rule Development for sections 40B-4.1010 and 40B-4.3030, F.A.C.; publish Notices of Proposed Rule for sections 40B-4.1020 and 40B-4.3030, F.A.C.; and file 40B-4.1020 and 40B-4.3030, F.A.C., with the Department of State if no comments or objections are received, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO PUBLISH NOTICES OF RULE DEVELOPMENT FOR SECTIONS 40B-4.1010 AND 40B-4.3030, F.A.C.; PUBLISH NOTICES OF PROPOSED RULE FOR SECTIONS 40B-4.1020 AND 40B-4.3030, F.A.C.; AND FILE 40B-4.1020 AND 40B-4.3030, F.A.C. WITH THE DEPARTMENT OF STATE IF NO COMMENTS OR OBJECTIONS ARE RECEIVED.

Agenda Item No. 18 - 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. 19 – Environmental Resource Permits Issued by Staff. The Environmental Resource Permits issued by staff report was provided as an informational item in the Board materials.

Agenda Item No. 20 - As-Built Compliance and works of the District Projects Summaries. The As-Built Compliance and Works of the District Projects Summaries were provided as informational items in the Board materials.

DEPARTMENT OF LAND ACQUISITION AND MANAGEMENT

Agenda Item No. 21 – Resolution 2010-18, Authorizing Accepting the Donation of the Jana Despres property, 0.5 Acres +/-, Gilchrist County, and Requesting Funds from the Florida Forever Trust Fund. Joe Flanagan, Department Director, presented

the staff recommendation for Governing Board approval and execution of Resolution 2010-18 authorizing the Executive Director to accept the donation of the Jana Despres property 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.

ON A MOTION MADE BY MR. MEECE, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED AND EXECUTED RESOLUTION 2010-18 AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT THE DONATION OF THE JANA DESPRES PROPERTY AND REQUESTING APPROVAL FROM THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE USE OF FUNDS FROM THE FLORIDA FOREVER TRUST FUND.

Agenda Item No. 22 – Detailed Assessment of Nyman/Suwannee River Oaks Conservation Easement. Mr. Flanagan presented the staff recommendation for Governing Board authorization to conduct a detailed assessment and commence negotiations with George and Sharon Nyman for a perpetual conservation easement of the 311-acre ± Suwannee River Oaks Tract in Gilchrist County, as shown in the Board materials.

The Governing Board requested that staff include the procurement of limited public access to the conservation easement agreement negotiations.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. WILLIAMS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD GAVE AUTHORIZATION TO CONDUCT A DETAILED ASSESSMENT AND COMMENCE NEGOTIATIONS WITH GEORGE AND SHARON NYMAN FOR A PERPETUAL CONSERVATION EASEMENT, THAT INCLUDES PUBLIC ACCESS, OF THE 311-ACRE ± SUWANNEE RIVER OAKS TRACT IN GILCHRIST COUNTY.

Agenda Item No. 23 – Detailed Assessment of Andrews/Cedar Key Conservation Easement. Mr. Flanagan presented the staff recommendation for Governing Board authorization to commence detailed assessment and negotiations for a perpetual conservation easement of the 458-acre ± Andrews Family tract in Levy County, as shown in the Board materials

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED COMMENCEMENT

OF DETAILED ASSESSMENT AND NEGOTIATIONS FOR A PERPETUAL
CONSERVATION EASEMENT OF THE 458-ACRE ± ANDREWS FAMILY TRACT
IN LEVY COUNTY.

Agenda Item No. 24 – Amendment to the Conservation Easement with Plum Creek
Timberlands, L.P. Approved on consent.

Agenda Item No. 25 – Utility Easement to Fowler’s Bluff Water System Association,
Inc. Approved on consent.

Agenda Item No. 26 – Utility Easement to Central Florida Electric Cooperative, Inc.
Approved on consent.

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.

LEGAL COUNSEL REPORT

Agenda Item No. 30 - Enforcement Status and Litigation Report. The Enforcement
Status and Litigation Report was provided as an informational item in the Board
materials.

EXECUTIVE OFFICE

Supplemental Item - Added Agenda Item, Agreement for the Management and
Operations of R. O. Ranch. Charlie Houder, Assistant Executive Director, presented
the staff recommendation for Governing Board approval to terminate the agreement
for management and operations of the R. O. Ranch, as shown in the Board
materials.

ON A MOTION BY DR. DAVIDSON, SECONDED BY MR. ALEXANDER, AND
CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED

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TERMINATION OF THE AGREEMENT FOR MANAGEMENT AND OPERATIONS
OF THE R.O. RANCH.

Agenda Item No. 31 - Executive Director's Report.
None.

Agenda Item No. 32 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

The meeting adjourned at 12:06 p.m.

Chairman

ATTEST:

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD WORKSHOP

Note: Recordings have been used to record these proceedings 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.

1:04 p.m., Tuesday
October 12, 2010

District Headquarters
Live Oak, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
Alphonas Alexander
Donald Ray Curtis, III
Dr. Linden Davidson
Heath Davis
Jay Fraleigh
Carl Meece
Guy N. Williams

Members of the Governing Board Absent:

David Flagg, Vice Chairman

Staff:

David Still	Bill Haley, Legal Counsel
Charlie Houser	Joe Flanagan
Jon Dinges	Melanie Roberts
Steve Minnis	Megan Wetherington
Lisa Cheshire	Cindy Johnson
Tim Sagul	

Participating Guests:

Allen Biddlecomb, Gainesville, FL
Betty Johnson, Lee, FL
Barney and Renate Cannon, Chiefland, FL
Deb Odom, White Springs, FL
Dot Jean Green, Lake City, FL
Dr. Helen Miller, Mayor, White Springs, FL
Frank Sedmera, Lake City, FL
James Montgovery, Lake City, FL
Merrilee Malwitz-Jipson, High Springs, FL

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Robert Townsend, White Springs, FL
Robin Hullbourg, Alachua County EPD, Gainesville, FL
Stephanie Livingston, Suwannee Democrat, Live Oak, FL
Tom Burnett, Live Oak, FL
Walter McKenzie, City Council, White Springs, FL

Jon Dinges, Director of the Water Supply and Resource Management Department introduced Gregg Jones of Entrix who gave a presentation to the Governing Board and the public on the DRAFT Water Supply Plan.

Several public attendees provided comments and asked questions. Staff requested that public comments be provided in writing to the District for compilation and distribution to the District's contractor.

Workshop adjourned at 3:36 p.m.