

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.

10:00 a.m., Tuesday
November 9, 2010

Cedar Key Library
Cedar Key, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
David Flagg, Vice Chairman
Carl Meece, Secretary/Treasurer (Arrived at 10:48 a.m.)
Alphonas Alexander
Dr. Linden Davidson (Arrived at 10:44 a.m.)
Heath Davis
Jay Fraleigh
Guy N. Williams

Members of the Governing Board Absent:

Donald Ray Curtis, III

Staff:

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

Participating Guests:

Barney and Renate Cannon, Chiefland, FL
Louie Davis, North Central Florida Regional Planning Council, Gainesville, FL
Gary Hardacre, City of Alachua, FL
Merrilee Jipson, Our Santa Fe River, Ft. White, FL
Scott Koons, North Central Florida Regional Planning Council, Gainesville, FL
Greg Lang, City of Cedar Key, FL
Bob Moresi, Black & Veatch, Tampa, FL

The meeting was called to order at 10:00 a.m.

Bill Haley, Legal Counsel, 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.

Agenda Item No. 4 – Approval of Agenda.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE NOVEMBER 9, 2010, AGENDA, AS AMENDED.

Agenda Item No. 5 – Consent Agenda.

- Page 5 - Approval of October 12, 2010 Meeting and Workshop Minutes
- MS Page 1, Agenda Item 9 - Approval of September Financial Report

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

ON A MOTION BY MR. FLAGG, 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. Greg Lang of the City of Cedar Key gave a presentation on the status of water conservation projects in Cedar Key.
- B. Scott Koons, Executive Director, of the North Central Florida Regional Planning Council gave a presentation on interbasin transfer and conservation efforts.
- C. Megan Wetherington gave a presentation of hydrologic conditions of the District.

DEPARTMENT OF MISSION SUPPORT

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

Agenda Item No. 10 - 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. 11 – Suwannee River Partnership (SRP) FY 2011 Crop Tool Cost Share Funding Request. Jon Dinges, Department Director, presented the staff recommendation for authorization for the Executive Director to amend contracts with the Suwannee County Conservation District (SCCD) and the Levy Soil and Water Conservation District (LSWCD) for an additional \$500,000 to continue the SRP Best Management Practices (BMP) crop tools cost share program, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO AMEND CONTRACTS WITH THE SCCD AND THE LSWCD FOR AN ADDITIONAL \$500,000 TO CONTINUE THE SRP BMP CROP TOOLS COST SHARE PROGRAM.

Agenda Item No. 12 – Denial of Water Use Permit Application Number 2-09-00017. Mr. Dinges presented the staff recommendation for Governing Board denial, with prejudice, General Water Use Permit application number 2-09-00017 to Richard E. Corbin, individually and as Trustee of the Richard E. Corbin Trust, and John A. Barley for Lilly Springs Bottled Water in Gilchrist County, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD DENIED, WITH PREJUDICE, GENERAL WATER USE PERMIT APPLICATION NUMBER 2-09-00017 TO RICHARD E. CORBIN, INDIVIDUALLY AND AS TRUSTEE OF THE RICHARD E. CORBIN TRUST, AND JOHN A. BARLEY FOR LILLY SPRINGS BOTTLED WATER IN GILCHRIST COUNTY.

Agenda Item 13 – Authorization to Amend the District’s Statement of Agency Organization and Operation. Mr. Dinges presented the staff recommendation for Governing Board authorization to amend the District’s Statement of Agency Organization and Operating concerning regulatory delegations of authority to the Executive Director to issue water use permits, as shown in the Board materials.

MR. FLAGG MADE A MOTION FOR APPROVAL OF THE STAFF RECOMMENDATION FOR AUTHORIZATION TO AMEND THE DISTRICT’S STATEMENT OF AGENCY ORGANIZATION AND OPERATING CONCERNING REGULATORY DELEGATIONS OF AUTHORITY TO THE EXECUTIVE DIRECTOR TO ISSUE WATER USE PERMITS. THE MOTION WAS SECONDED BY MR. DAVIS.

After some discussion, Mr. Flagg amended his motion to include language to authorize the Executive Director to refer water use permit applications to the Governing Board for action because of heightened public concern. Mr. Davis agreed.

BY UNANIMOUS VOTE THE GOVERNING BOARD APPROVED THE AMENDMENT OF THE DISTRICT’S STATEMENT OF AGENCY ORGANIZATION AND OPERATION CONCERNING REGULATORY DELEGATIONS OF AUTHORITY TO THE EXECUTIVE DIRECTOR TO ISSUE WATER USE PERMITS, UNLESS THE CONDITIONS OF THE PERMIT WARRANTS GOVERNING BOARD CONSIDERATION AND ACTION.

Agenda Item 14 – Authorization to Initiate Litigation Regarding Justin Fitzhugh, CE05-0046. Mr. Dinges presented the staff recommendation for Governing Board authorization to initiate litigation regarding Justin Fitzhugh, Movie Gallery, Columbia County, as shown in the Board materials.

ON A MOTION BY MR. MEECE, SECONDED BY MR. ALEXANDER, WITH MR. DAVIS AND MR. WILLIAMS VOTING AGAINST, THE GOVERNING BOARD AUTHORIZED STAFF TO INITIATE LITIGATION REGARDING JUSTIN FITZHUGH, MOVIE GALLERY, COLUMBIA COUNTY.

Agenda Item No. 15 – Authorization to Publish Notice of Proposed Rule and File Amendments to 40B-4.1090, F.A.C.. Mr. Dinges presented the staff recommendation for Governing Board authorization to publish notice of proposed rule for section 40B-4.1090, F.A.C., and file 40B-4.1090, 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. FLAGG, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO PUBLISH NOTICE OF PROPOSED RULE FOR SECTION 40B-4.1090, F.A.C., AND FILE 40B-4.1090, F.A.C., WITH THE DEPARTMENT OF STATE IF NO COMMENTS OR OBJECTIONS ARE RECEIVED.

Agenda Item No. 16 – Contract with the U.S. Geological Survey (USGS) for LiDAR Data and Quality Control Services. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to enter into a contract for an amount not to exceed \$351,000 with the USGS to provide light detection and ranging (LiDAR) data in the middle Suwannee River area and other selected flood risk areas, as shown in the Board materials.

ON A MOTION BY MR. MEECE, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$351,000 WITH THE USGS FOR LIDAR DATA IN THE MIDDLE SUWANNEE RIVER AREA AND OTHER SELECTED FLOOD RISK AREAS.

Agenda Item No. 17 – Authorization to Enter into Master Contracts with Selected Minimum Flows and Levels Consultants. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to enter into master contracts with selected minimum flows and levels (MFLs) consultants, for a total amount, in aggregate, not to exceed \$705,000 to provide technical assistance in the development of MFLs on an as needed, when needed basis, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO MASTER CONTRACTS WITH SELECTED MFL CONSULTANTS, FOR A TOTAL AMOUNT, IN AGGREGATE, NOT TO EXCEED \$705,000 TO PROVIDE TECHNICAL ASSISTANCE IN THE DEVELOPMENT OF MFLS ON AN AS NEEDED, WHEN NEEDED BASIS.

Agenda Item No. 18 – Authorization to Enter into a Contract with Delta Land Surveyors, Inc. Mr. Dinges presented the staff recommendation for Governing

Board authorization for the Executive Director to enter into a contract with Delta Land Surveyors, Inc., for an amount not to exceed \$35,000, to provide technical support in the development of MFLs, 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 DELTA LAND SURVEYORS, INC., FOR AN AMOUNT NOT TO EXCEED \$35,000, TO PROVIDE TECHNICAL SUPPORT IN THE DEVELOPMENT OF MFLS.

Agenda Item No. 19 - 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. 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 – Detailed Assessment of Hartzog/Stuart’s Landing Conservation Easement in Suwannee County. Joe Flanagan, Department Director, presented the staff recommendation for Governing Board authorization to commence detailed assessment and negotiations for a conservation easement purchase of the 82-acre ± Hartzog/Stuart’s Landing parcel in Suwannee County, as shown in the Board materials.

ON A MOTION MADE BY MR. FLAGG, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED COMMENCEMENT OF DETAILED ASSESSMENT AND NEGOTIATIONS FOR A CONSERVATION EASEMENT PURCHASE OF THE 82-ACRE ± HARTZOG/STUART’S LANDING PARCEL IN SUWANNEE COUNTY.

Agenda Item No. 22 – Detailed Assessment of Rock Bluff Springs LLC/Rock Bluff Spring Parcel in Gilchrist County. Mr. Flanagan presented the staff recommendation for Governing Board authorization to commence detailed assessment and negotiations for the fee purchase of the 176-acre ± Rock Bluff Spring parcel in Gilchrist County, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED COMMENCEMENT OF DETAILED ASSESSMENT AND NEGOTIATIONS FOR THE FEE PURCHASE OF THE 176-ACRE ± ROCK BLUFF SPRING PARCEL IN GILCHRIST COUNTY.

Agenda Item No. 23 – Resolution 2010-21 for Payment in Lieu of Taxes for Properties Acquired in Columbia County. Mr. Flanagan presented the staff recommendation for Governing Board approval of Resolution 2010-21 for Payment in Lieu of Taxes in the amount of \$19,809.59 to Columbia County for lands acquired through 2009, as shown in the Board materials

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED RESOLUTION 2010-21 FOR PAYMENT IN LIEU OF TAXES IN THE AMOUNT OF \$19,809.59 TO COLUMBIA COUNTY FOR LANDS ACQUIRED THROUGH 2009.

Agenda Item No. 24 – Agreement with Chauncey Contracting, Inc., for Fiscal Year 2011 Tree Planting Services. Mr. Flanagan presented the staff recommendation for Governing Board authorization for the Executive Director to enter into an agreement with Chauncey Contracting, Inc., for Fiscal Year 2011 tree planting services for a total amount not to exceed \$130,000, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. FRALEIGH, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH CHAUNCEY CONTRACTING, INC., FOR FISCAL YEAR 2011 TREE PLANING SERVICES FOR A TOTAL AMOUNT NOT TO EXCEED \$130,000.

Agenda Item No. 25 – Continuation of Contract 08/09-008 with Keen Forest Management, Inc., for Woods Mowing and Fireline Establishment and Stand-by Services for Fiscal Year 2011. Mr. Flanagan presented the staff recommendation for Governing Board authorization for the Executive Director to continue the contract with Keen Forest Management, Inc., for woods mowing and fireline establishment and stand-by services with Keen Forest Management, Inc., for Fiscal Year 2011, for an amount not to exceed \$40,000, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE

EXECUTIVE DIRECTOR TO CONTINUE THE CONTRACT WITH KEEN FOREST MANAGEMENT, INC., FOR WOODS MOWING AND FIRELINE ESTABLISHMENT AND STAND-BY SERVICES FOR FISCAL YEAR 2011 FOR AN AMOUNT NOT TO EXCEED \$40,000.

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.

EXECUTIVE OFFICE

Agenda Item No. 30 - Executive Director's Report.
None.

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

The meeting adjourned at 12:31 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.

1:30 p.m., Tuesday
November 9, 2010

Cedar Key Library
Cedar Key, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
David Flagg, Vice Chairman
Carl Meece, Secretary/Treasurer
Alphonas Alexander
Heath Davis
Dr. Linden Davidson
Ray Curtis (Arrived at 2:30)
Jay Fraleigh
Guy Williams

Members of the Governing Board Absent:

None

Staff:

David Still	Bill Haley, Legal Counsel
Charlie Houder	Melanie Roberts
Jon Dinges	Joe Flanagan
Lisa Cheshire	Steve Minnis
Beau Wilsey	

Participating Guests:

Renate and Barney Cannon, Chiefland, FL
Sue Colson, Cedar Key, FL
Merrilee Jipson, Our Santa Fe River, Ft. White, FL

The Governing Board took a tour of the Andrews' property.
The workshop began at 3:20 p.m.

Sue Colson spoke to the board in regards to her support of the District's consideration of the Andrews property and how the acquisition of the property or a conservation easement on the property would benefit and preserve the pristine shellfish communities of Cedar Key. David Heil conference called in to the meeting and discussed the importance of maintaining the water quality in Cedar Key.

Joe Flanagan, Director of Land Acquisition and Management, introduced Beau Wilsey, Environmental Scientist, II, who gave a presentation on the Draft District's Land Management plan.

Steve Minnis, Governmental Affairs Director, gave a presentation on the Draft 2011-2020 Strategic Plan.

Jon Dinges, Water Supply and Resource Management Director, gave a presentation on regional recharge concepts and water supply alternatives.

Melanie Roberts, Mission Support Director, presented a budget outlook and discussed the allocation of funds for each department.

The workshop adjourned at 5:22 p.m.

The workshop reconvened at 8:00 a.m. on Wednesday, November 10, 2010.

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
David Flagg, Vice Chairman
Carl Meece, Secretary/Treasurer
Heath Davis
Ray Curtis
Jay Fraleigh
Guy Williams
Alphonas Alexander

Members of the Governing Board Absent:

Dr. Linden Davidson

Staff:

David Still
Charlie Houser
Jon Dinges

Bill Haley, Legal Counsel
Melanie Roberts
Joe Flanagan

Lisa Cheshire

Steve Minnis

Participating Guests:

Renate and Barney Cannon, Chiefland, FL

Ryan Tyson, Senator Dean's Office, Tallahassee, FL

Steve Minnis, Governmental Affairs Director, gave a presentation on the 2011 Legislative Priorities and Strategies

Jon Dinges, Water Supply and Resource Management Director, gave a presentation on:

- Mitigation Banks
- Minimum Flows and Levels

Jon presented the Draft Compliance and Enforcement Policy which generated discussion on changes to current enforcement procedures.

Charlie Houser, Assistant Executive Director, gave an update on the R.O. Ranch facilities construction project and discussed District assistance for hook-ups to facilitate the proposed upgrade of the Steinhatchee waste water system.

The workshop adjourned at 11:31 a.m.