

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
June 14, 2011

District Headquarters
Live Oak, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
Alphonas Alexander, Vice Chairman
Donald Ray Curtis, III, Secretary/Treasurer
Kevin W. Brown
George M. Cole, Ph.D.
Heath Davis
Jay Fraleigh
Carl Meece
Guy N. Williams

Members of the Governing Board Absent:

None

Governing Board General Counsel Present:

Tom Reeves, Davis, Schnitker, Reeves & Browning, P.A.

Staff:

David Still	Carlos Herd
Charlie Houder	Tim Sagul
Melanie Roberts	Cindy Johnson
Jon Dinges	Vanessa Fultz
Joe Flanagan	Glenn Horvath
Steve Minnis	Kevin Wright
Megan Wetherington	Pennie Flickinger
Bob Heeke	Darrell Smith
Terry Demott	Linda Welch

Participating Guests:

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Jeffrey Hill, El Rancho No Tengo, Lake City, FL
Craig Varn, Manson Law Group, Tampa, FL
Barney and Renate Cannon, Chiefland, FL
Michael Micheau, Atkins North America, Tampa, FL
Thomas A. Farkas, Atkins North America, Tampa, FL
Bob Moresi, Atkins North America, Tampa, FL
Brent Goodman, Jones Edmunds, Gainesville, FL
Ward Anthony Frisina, Flatwoods Forestry, Lake City, FL
Gary Hardacre, City of Alachua, Alachua, FL
Kent Koptiuch, Nestlé Waters North America, Madison, FL

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

Mr. Meece gave the invocation and led the Pledge of Allegiance to the flag.

Agenda Item No. 2 – Swearing in of New Board Members and Roll Call

Tom Reeves, Legal Counsel, administered the oath of office and thereby swore in the newly appointed Governing Board members Donald “Ray” Curtis, III, George M. Cole and Kevin W. Brown.

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. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE JUNE 14, 2011, AGENDA.

Agenda Item No. 5 – Consent Agenda.

- Page 5 - Approval of May 19, 2011 Meeting Minutes, May 20, 2011 Workshop Minutes, and May 31, 2011 Teleconference Minutes.
- Agenda Item 9 - Approval of April Financial Report

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

ON A MOTION BY MR. DAVIS, SECONDED BY MR. FRALEIGH, 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. Chairman Introductions
- B. Megan Wetherington gave a presentation of hydrologic conditions of the District.
- C. 10-Year Service Award Presentation to Linda Welch

DEPARTMENT OF MISSION SUPPORT

Agenda Item No. 9 – Approval of April 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 – Acceptance of Title to Real Property Previously Owned by El Rancho No Tengo, Inc. Jon Dinges, Department Director, presented the staff recommendation for Governing Board authorization to accept a Sheriff's Deed from the May 3, 2011, Columbia County Sheriff's Sale of lands previously owned by El Rancho No Tengo, Inc., in satisfaction of two circuit court judgments, as shown in the Board materials.

Mr. Quincey requested an amended motion authorizing inspection of the property previously owned by El Rancho No Tengo, Inc., and authorizing acceptance of a Sheriff's Deed from the May 3, 2011, Columbia County Sheriff's Sale of lands previously owned by El Rancho No Tengo, Inc., in satisfaction of two circuit court judgments, if there are no environmental issues with said real property.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND WITH MR. WILLIAMS VOTING AGAINST, THE GOVERNING BOARD AUTHORIZED INSPECTION OF THE PROPERTY PREVIOUSLY OWNED BY EL RANCHO NO TENGO, INC., AND AUTHORIZED ACCEPTANCE OF A SHERIFF'S DEED FROM

THE MAY 3, 2011, COLUMBIA COUNTY SHERIFF'S SALE OF LANDS PREVIOUSLY OWNED BY EL RANCHO NO TENGO, INC., IN SATISFACTION OF TWO CIRCUIT COURT JUDGMENTS, IF THERE ARE NO ENVIRONMENTAL ISSUES WITH SAID REAL PROPERTY.

Agenda Item 12 – Authorization to Initiate Enforcement Proceedings, Rodney O. Tompkins Trustee, Rodney Tompkins, CE11-0001, Gilchrist County. Mr. Dinges presented the staff recommendation for Governing Board authorization to initiate enforcement proceedings against Rodney O. Tompkins Trustee, Rodney Tompkins, in Gilchrist County for water use without a permit, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. CURTIS, AND WITH MR. WILLIAMS VOTING AGAINST, THE GOVERNING BOARD AUTHORIZED INITIATION OF ENFORCEMENT PROCEEDINGS AGAINST RODNEY O. TOMPKINS TRUSTEE, RODNEY TOMPKINS, IN GILCHRIST COUNTY FOR WATER USE WITHOUT A PERMIT.

Agenda Item No. 13 – Denial of Environmental Resource Permit Application Number 07-0288M, Josephine Recreational Project, Columbia County and Authorization to Initiate Legal Action to Reach Resolution Regarding Lake City Management, LLC, CE10-0026. Mr. Dinges presented the staff recommendation for Governing Board authorization to deny, without prejudice, General Environmental Resource Permit application number 07-0288M to Lake City Development, LLC, for Josephine Recreational Project, Columbia County, and authorization to initiate legal action to reach resolution, as shown in the Board materials.

THIS ITEM WAS DEFERRED UNTIL THE JULY 12, 2011, GOVERNING BOARD MEETING.

Agenda Item No. 14 – Approval of Water Use Permit Application Number 2-04-00034, Wayne Moseley Farm, Columbia County. Mr. Dinges presented the staff recommendation for Governing Board approval to issue Water Use Permit application number 2-04-00034, with seventeen standard conditions and seven special limiting conditions, to Wayne Moseley Farm in Columbia County, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED ISSUANCE OF WATER USE PERMIT APPLICATION NUMBER 2-04-00034, WITH SEVENTEEN

STANDARD CONDITIONS AND SEVEN SPECIAL LIMITING CONDITIONS, TO WAYNE MOSELEY FARM IN COLUMBIA COUNTY.

Agenda Item No. 15. – Approval of Ranking of Firms and Authorization to Enter into Contract Negotiations with Atkins Global, Inc., Request for Qualifications (RFQ) No. 10/11-022WR – Upper Floridan Aquifer Regional Recharge Concepts. Mr. Dinges presented the staff recommendation for Governing Board approval of the ranking of firms as stated and authorize the Executive Director to enter into contract negotiations with the top-ranked firm, as shown in the Board materials.

ON A MOTION BY MR. MEECE, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE RANKING OF FIRMS AS STATED AND AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT NEGOTIATIONS WITH THE TOP-RANKED FIRM.

Agenda Item No. 16 – Individual Environmental Resource Permits Issued by Staff. The Individual Environmental Resource Permits Issued by Staff report was provided as an informational item in the Board materials.

Agenda Item No. 17 - Activity Reports. The Water Supply, Water Resource Monitoring, Environmental Resource Permitting, Suwannee River Partnership, and Compliance and Enforcement Activity Reports were provided as informational items in the Board materials.

DEPARTMENT OF LAND ACQUISITION AND MANAGEMENT

Agenda Item No. 18 – Program Directive 2011-03 Surplus Lands. Joe Flanagan, Department Director, presented the staff recommendation for Governing Board approval to adopt Program Directive 2011-03 to clarify guidelines and procedures for identification and disposition of surplus real property, as shown in the Board materials

ON A MOTION MADE BY MR. MEECE, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD GAVE APPROVED ADOPTION OF PROGRAM DIRECTIVE 2011-03 TO CLARIFY GUIDELINES AND PROCEDURES FOR IDENTIFICATION AND DISPOSITION OF SURPLUS REAL PROPERTY.

Agenda Item No. 19 – Surplus Lands Recommendation. Mr. Flanagan presented the staff recommendation for Governing Board declaration of 22 acres \pm of the Cuba

Bay parcel as no longer needed for conservation purposes and authorization to conduct an appraisal on the property, contract with a qualified real estate broker for marketing the property, and contract with a qualified surveyor if the need arises to prepare a legal description, as shown in the Board materials.

ON A MOTION BY MR. MEECE, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD DECLARED 22 ACRES ± OF THE CUBA BAY PARCEL AS NO LONGER NEEDED FOR CONSERVATION PURPOSES. ON A MOTION BY MR. MEECE, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO CONDUCT AN APPRAISAL ON THE PROPERTY, CONTRACT WITH A QUALIFIED REAL ESTATE BROKER FOR MARKETING THE PROPERTY, AND CONTRACT WITH A QUALIFIED SURVEYOR IF THE NEED ARISES TO PREPARE A LEGAL DESCRIPTION.

Agenda Item No. 20 – Agreement with Bonnell and Sons Forestry Service, LLC, for FY 2012 Tree Planting Services. Mr. Flanagan presented the staff recommendation for Governing Board authorization for the Executive Director to enter into an agreement with Bonnell and Sons Forestry Services, LLC, for an amount not to exceed \$190,000 for FY 2012 tree planting services, 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 AN AGREEMENT WITH BONNELL AND SONS FORESTRY SERVICES, LLC, FOR AN AMOUNT NOT TO EXCEED \$190,000 FOR FY 2012 TREE PLANTING SERVICES.

Agenda Item No. 21 – Agreement with Flatwoods Forestry, Inc., for Forest Inventory Services. Mr. Flanagan presented the staff recommendation for the Governing Board approval of the rankings developed by the Selection Committee for Request for Proposals 10/11-025 and authorization to negotiate and execute a contract with Flatwoods Forestry, Inc., and if negotiations are unsuccessful with this firm, authorization to negotiate and execute a contract with the next ranked firm, for an amount not to exceed \$87,000 in FY 2011 for these services, as shown in the Board materials.

Mr. Alexander and Mr. Curtis stated a possible conflict of interest and abstained from voting on Agenda Item 21 – recommendation for approval of rankings developed by the Selection Committee for Request for Proposals 10/11-025 and

authorization to negotiate and execute a contract with Flatwoods Forestry, Inc., and if negotiations are unsuccessful with this firm, authorization to negotiate and execute a contract with the next ranked firm, for an amount not to exceed \$87,000 in FY 2011 for these services, and both signed a conflict of interest form. Those forms are hereby made a part of these minutes and filed in the permanent files of the District.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. FRALEIGH, AND WITH MR. ALEXANDER AND MR. CURTIS ABSTAINING, THE GOVERNING BOARD APPROVED THE RANKINGS DEVELOPED BY THE SELECTION COMMITTEE FOR REQUEST FOR PROPOSALS 10/11-025 AND AUTHORIZED NEGOTIATION AND EXECUTION OF A CONTRACT WITH FLATWOODS FORESTRY, INC., AND IF NEGOTIATIONS ARE UNSUCCESSFUL WITH THIS FIRM, GAVE AUTHORIZATION TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE NEXT RANKED FIRM, FOR AN AMOUNT NOT TO EXCEED \$87,000 IN FY 2011 FOR THESE SERVICES.

Agenda Item No. 22 – Agreement with LandMark Systems for Forestry Applications.

Mr. Flanagan presented the staff recommendation for Governing Board authorization for the Executive Director to execute a contract with Forestech Consulting, Inc., d/b/a LandMark Systems for a fee not to exceed \$38,000 for FY 2011, as shown in the Board materials.

Mr. Alexander and Mr. Curtis stated a possible conflict of interest and abstained from voting on Agenda Item 22 – recommendation for Governing Board authorization for the Executive Director to execute a contract with Forestech Consulting, Inc., d/b/a LandMark Systems for a fee not to exceed \$38,000 for FY 2011, and both signed a conflict of interest form. Those forms are hereby made a part of these minutes and filed in the permanent files of the District.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. FRALEIGH, AND WITH MR. ALEXANDER AND MR. CURTIS ABSTAINING, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH FORESTECH CONSULTING, INC., D/B/A LANDMARK SYSTEMS FOR A FEE NOT TO EXCEED \$38,000 FOR FY 2011.

Agenda Item No. 23 – Amendment to Agreement 08/09-033 with The Forestry Company for Timber Sale Monitoring. Mr. Flanagan presented the staff recommendation for Governing Board authorization for the Executive Director to enter into an agreement with The Forestry Company for an additional \$15,000 for timber sale monitoring in FY 2011, as shown in the Board materials.

Mr. Alexander and Mr. Curtis stated a possible conflict of interest and abstained from voting on Agenda Item 23 – recommendation for Governing Board authorization for the Executive Director to enter into an agreement with The Forestry Company for an additional \$15,000 for timber sale monitoring in FY2011, and both signed a conflict of interest form. Those forms are hereby made a part of these minutes and filed in the permanent files of the District.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. MEECE, AND WITH MR. ALEXANDER AND MR. CURTIS ABSTAINING, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE FORESTRY COMPANY FOR AN ADDITIONAL \$15,000 FOR TIMBER SALE MONITORING IN FY 2011.

Agenda Item No. 24 – Amendment to Agreement 08/09-045 with The Forestry Company for Prescribed Burning and Roller Drum Chopping at Mallory Swamp. Mr. Flanagan presented the staff recommendation for Governing Board authorization for the Executive Director to amend the agreement with The Forestry Company to allow use of accumulated timber sale revenues to fund services in Mallory Swamp during FY 2011, as shown in the Board materials.

Mr. Alexander and Mr. Curtis stated a possible conflict of interest and abstained from voting on Agenda Item 24 – recommendation for Governing Board authorization for the Executive Director to amend the agreement with The Forestry Company to allow use of accumulated timber sale revenues to fund services in Mallory Swamp during FY 2011, and both signed a conflict of interest form. Those forms are hereby made a part of these minutes and filed in the permanent files of the District.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. WILLIAMS, AND WITH MR. ALEXANDER AND MR. CURTIS ABSTAINING, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO AMEND THE AGREEMENT WITH THE FORESTRY COMPANY TO ALLOW USE OF ACCUMULATED TIMBER SALE REVENUES TO FUND SERVICES IN MALLORY SWAMP DURING FY 2011.

Agenda Item No. 25 – Otter Springs and Campground FY 2012 Budget. Mr. Flanagan presented the staff recommendation for Governing Board approval of the FY 2012 budget for Otter Springs and Campground for an amount not to exceed \$440,000, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE FY 2012 BUDGET FOR OTTER SPRINGS AND CAMPGROUND FOR AN AMOUNT NOT TO EXCEED \$440,000.

Agenda Item No. 26 – R. O. Ranch Equestrian Park FY 2011 and FY 2012 Budget. Mr. Flanagan presented the staff recommendation for Governing Board ratification of the R. O. Ranch Equestrian Park FY 2011 budget (April through September) and approval of the FY 2012 budget, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD RATIFIED THE R. O. RANCH EQUESTRIAN PARK FY 2011 BUDGET (APRIL THROUGH SEPTEMBER) AND APPROVED THE FY 2012 BUDGET.

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

Agenda Item No. 28 – Land Management Review Team Report. The Land Management Review Team Report was provided as an informational item in the Board materials.

Agenda Item No. 29 - Activity Reports. The Land Acquisition, Land Management, and R. O. Ranch Activity Reports were provided as informational items in the Board materials.

EXECUTIVE OFFICE

Agenda Item No. 30 – Staff Legal Counsel. Charlie Houder, Assistant Executive Director, presented the staff recommendation for Governing Board approval of the list of qualified firms, authorization for the Executive Director to execute an agreement with each of the listed firms, and authorization of expenditures for a total amount not-to-exceed \$150,000.00, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE LIST OF QUALIFIED FIRMS, AUTHORIZED THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH EACH OF THE LISTED FIRMS, AND AUTHORIZED EXPENDITURES FOR A TOTAL AMOUNT NOT-TO-EXCEED \$150,000.00.

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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.

Agenda Item No. 33 – Announcements.

The meeting adjourned at 11:47 a.m.

Chairman

ATTEST:

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD WORKSHOP

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12:26 p.m., Tuesday
June 14, 2011

District Headquarters
Live Oak, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
Alphonas Alexander, Vice Chairman
Donald Ray Curtis, III, Secretary/Treasurer
Kevin W. Brown
George M. Cole, Ph.D.
Heath Davis
Carl Meece
Guy N. Williams

Members of the Governing Board Absent:

Jay Fraleigh

Governing Board General Counsel Present:

Tom Reeves, Davis, Schnitker, Reeves & Browning, P.A.

Staff:

David Still	Carlos Herd
Charlie Houder	Cindy Johnson
Melanie Roberts	Vanessa Fultz
Jon Dinges	Glenn Horvath
Joe Flanagan	Vern Roberts
Steve Minnis	Dale Jenkins
Megan Wetherington	Linda Welch
Bob Heeke	

Participating Guests:

Craig Varn, Manson Law Group, Tampa, FL
Barney and Renate Cannon, Chiefland, FL

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Michael Micheau, Atkins North America, Tampa, FL
Thomas A. Farkas, Atkins North America, Tampa, FL
Bob Moresi, Atkins North America, Tampa, FL
Brent Goodman, Jones Edmunds, Gainesville, FL
Kent Koptiuch, Nestlé Waters North America, Madison, FL

Mr. Reeves, General Counsel to the Governing Board discussed the drafting of an agreement between St. Johns River Water Management District, Suwannee River Water Management District, and Florida Department of Environmental Protection.

Mr. Reeves gave a briefing on Florida Sunshine Laws (chapter 286, FS).

Charlie Houser gave a presentation regarding purchasing directives.

Megan Wetherington gave a presentation and demonstration regarding the Hydstra tool, used for monitoring and data collection, and the need to proceed with more automated and updated equipment.

Jon Dinges gave a presentation regarding water shortage issues and response.

Workshop adjourned at 2:11 p.m.