

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
July 12, 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.
Carl Meece
Guy N. Williams

Members of the Governing Board Absent:
Heath Davis
Jay Fraleigh

Governing Board General Counsel Present:
Tom Reeves, Davis, Schnitker, Reeves & Browning, P.A.

Staff:

David Still	Melanie Roberts
Charlie Houser	Joe Flanagan
Jon Dinges	Steve Minnis
Linda Welch	Bob Heeke
Megan Wetherington	Sean Conner
Glenn Horvath	Terry Demott
Vern Roberts	Vanessa Fultz
Kevin Wright	Tim Sagul
Megan Clarisse	

Participating Guests:

Bob Powell, James Moore & Co., P.L.
Jeffrey Hill, El Rancho No Tengo, Lake City, FL
Craig Varn, Manson Law Group, Tampa, FL
Barney and Renate Cannon, Chiefland, FL
Jeff Swan, FL Fish and Wildlife Conservation Commission, Live Oak, FL
Teresa Coates, Friends of the Wacissa, Monticello, FL
Pam Granger, Friends of the Wacissa, Wacissa, FL
Randy Ware, River Road Realty, Branford, FL
Karen Wrede, Branford, FL
Marjorie and Otto Hunerwadel, Dowling Park, FL
Stephen Hollowell, Big Bend Water Authority, Steinhatchee, FL
Mike Murphy, Hatch Mott MacDonald, Tallahassee, FL
Dan Buchanan, Florida Farm Bureau, Pinetta, FL

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

Mr. Quincey 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.

Water Supply and Resource Management

Addition:

- Compliance and Enforcement Activity Reports

Land Acquisition and Management

Addition:

- Consideration of Right of First Refusal to Purchase the Fee Interest in the Virginia McDaniel Conservation Easement Property

Agenda Item No. 4 – Approval of Agenda.

ON A MOTION BY MR. ALEXANDER, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE JULY 12, 2011, AGENDA.

Agenda Item No. 5 – Consent Agenda.

- Page 5 - Approval of June 14, 2011 Meeting and Workshop Minutes.
- Agenda Item 9 - Approval of May Financial Report
- WSRM Page 25 – Approval of Resolution No. 2011-15 for Fiscal Year 2011-2012, Legislative Appropriations for Environmental Resource Permitting and Wetland Protection Programs

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

ON A MOTION BY MR. CURTIS, SECONDED BY MR. MEECE, 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 – Approval and Execution of Resolution 2011-16, Appreciation and Commendation for the Services of Dr. C. Linden Davidson. Mr. Quincey presented the staff recommendation for Governing Board approval and execution of Resolution 2011-16, Appreciation and Commendation for the Services of Dr. C. Linden Davidson.

Agenda Item No. 9 – Approval and Execution of Resolution 2011-17, Appreciation and Commendation for the Services of N. David Flagg. Mr. Quincey presented the staff recommendation for Governing Board approval and execution of Resolution 2011-16, Appreciation and Commendation for the Services of N. David Flagg.

Agenda Item No. 10 – Approval and Execution of Resolution 2011-18, Appreciation and Commendation for the Services of Brannon, Brown, Haley & Bullock, P.A. Mr. Quincey presented the staff recommendation for Governing Board approval and execution of Resolution 2011-16, Appreciation and Commendation for the Services of Brannon, Brown, Haley & Bullock, P.A.

ON A MOTION BY MR. CURTIS, SECONDED BY DR. COLE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE EXECUTION OF RESOLUTIONS 2011-16, 2011-17, AND 2011-18, AGENDA ITEM NUMBERS 8 THROUGH 10 ABOVE, AS SHOWN IN THE BOARD MATERIALS.

Agenda Item No. 11 - 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.

Marjorie Hunerwadel gave a presentation regarding the Upper Suwannee River conditions.

DEPARTMENT OF MISSION SUPPORT

Agenda Item No. 12 – Approval of May Financial Report. Approved on consent.

Agenda Item No. 13 – Governing Board Consideration of Agreement with James Moore & Co., P.L., for External Auditing Services for Fiscal Year 2012. Melanie Roberts, Department Director, presented the staff recommendation for Governing Board authorization for the Executive Director to enter into an agreement with James Moore & Co., P.L., for external auditing services including the preparation of financial statements for an amount not to exceed \$29,000 for Fiscal Year 2012, as shown in the Board materials.

ON A MOTION BY MR. ALEXANDER, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH JAMES MOORE & CO., P.L., FOR EXTERNAL AUDITING SERVICES INCLUDING THE PREPARATION OF FINANCIAL STATEMENTS FOR AN AMOUNT NOT TO EXCEED \$29,000 FOR FISCAL YEAR 2012.

Agenda Item No. 14 – Approval of Tentative Fiscal Year 2012 Budget and Authorization to Notify Property Appraisers of Proposed Millage for Fiscal Year 2012 along with Dates and Times of Public Hearings. Ms. Roberts presented the staff recommendation for Governing Board approval of the tentative Fiscal Year (FY) 2012 budget of \$47,124,589 and authorization for staff to notify the property appraisers of the District's fifteen counties that: (1) the District proposes to levy a millage rate of 0.4250; (2) the District will hold one public hearing on September 13, 2011, at 5:30 p.m. to tentatively adopt the FY 2012 budget and establish the millage rate; and (3) the District will hold a second public hearing on September 27, 2011, at 5:30 p.m. to adopt the FY 2012 budget and establish the millage rate, as shown in the Board materials.

ON A MOTION BY MR. CURTIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE TENTATIVE FY 2012 BUDGET OF \$47,124,589 AND AUTHORIZED STAFF TO NOTIFY THE PROPERTY APPRAISERS OF THE DISTRICT'S FIFTEEN COUNTIES THAT: (1) THE DISTRICT PROPOSES TO LEVY A MILLAGE RATE OF 0.4250; (2) THE DISTRICT WILL HOLD ONE BUDGET HEARING ON SEPTEMBER 13, 2011, AT 5:30 P.M. TO TENTATIVELY ADOPT THE FY 2012 BUDGET AND ESTABLISH THE MILLAGE RATE; AND (3) THE DISTRICT WILL HOLD A SECOND PUBLIC HEARING ON SEPTEMBER 27, 2011, AT 5:30 P.M. TO ADOPT THE FY 2012 BUDGET AND ESTABLISH THE MILLAGE RATE.

Agenda Item No. 15 - 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. 16 – Approval of Water Use Permit Application Number 2-11-00016, Coggins Acres, LLC, Madison County. Jon Dinges, Department Director, presented the staff recommendation for Governing Board approval of Water Use Permit application number 2-11-00016, with seventeen standard conditions and six special limiting conditions for Coggins Acres, LLC, in Madison County, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE WATER USE PERMIT APPLICATION NUMBER 2-11-00016, WITH SEVENTEEN STANDARD CONDITIONS AND SEVEN SPECIAL LIMITING CONDITIONS FOR COGGINS ACRES, LLC, IN MADISON COUNTY. THE MOTION WAS DEFERRED UNTIL LATER IN THE MEETING SO THE PERMIT CONDITION REQUIRING MONITORING COULD BE DRAFTED AND INCLUDED. SAID PERMIT CONDITION READS: "THE PERMITTEE SHALL, AT THE PERMITTEE'S EXPENSE, PLACE A METER, APPROVED BY THE DISTRICT, ON EACH WITHDRAWAL POINT AND REPORT WATER USAGE AS SHOWN BY SUCH METERS NO LESS OFTEN THAN EVERY THREE MONTHS AS REQUIRED BY THE DISTRICT."

ON A MOTION REAFFIRMED BY MR. CURTIS, SECONDED BY DR. COLE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED WATER USE APPLICATION NUMBER 2-11-00016, WITH SEVENTEEN STANDARD

CONDITIONS AND SEVEN SPECIAL LIMITING CONDITIONS FOR COGGINS ACRES, LLC, IN MADISON COUNTY.

Agenda Item 17 – 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, Environmental Resource Permit application number 07-0288M to Lake City Development, LLC, for Josephine Recreational Project in Columbia County and authorization to initiate legal action to reach resolution, as shown in the Board materials.

THIS ITEM WAS DEFERRED UNTIL THE AUGUST 9, 2011, GOVERNING BOARD MEETING.

Agenda Item No. 18 – Denial of Environmental Resource Permit Application Number 10-0056, Font Commercial Site, Columbia County. Mr. Dinges presented the staff recommendation for Governing Board authorization to deny, without prejudice, Environmental Resource Permit application number 10-0056 for Font Commercial Site, Columbia County, as shown in the Board materials.

ON A MOTION BY MR. MEECE, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED DENIAL, WITHOUT PREJUDICE, OF ENVIRONMENTAL RESOURCE PERMIT APPLICATION NUMBER 10-0056 FOR FONT COMMERCIAL SITE, COLUMBIA COUNTY.

Agenda Item No. 19 – Approval of Resolution No. 2011-15 for Fiscal Year 2011-2012, Legislative Appropriations for Environmental Resource Permitting and Wetland Protection Programs. Approved on consent.

Agenda Item No. 20 – Interlocal Agreement with the Big Bend Water Authority, Steinhatchee and Jena, Florida. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to enter into an Interlocal Agreement with the Big Bend Water Authority for funding assistance for sewer connections for a cost not to exceed \$250,000, as shown in the Board materials.

ON A MOTION BY MR. CURTIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH

THE BIG BEND WATER AUTHORITY FOR FUNDING ASSISTANCE FOR SEWER CONNECTIONS FOR A COST NOT TO EXCEED \$250,000.

Agenda Item No. 21 - 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. 22 – Surplus Lands Recommendation – Perry Spray Field, Chitty Bend Ease, and Chitty Bend West. Joe Flanagan, Department Director, presented the staff recommendation for Governing Board declaration of three parcels of District property as no longer needed for conservation purposes and authorization to conduct appraisals on the properties, contract with qualified real estate brokers for marketing the properties, and contract with qualified surveyors if the need arises to prepare legal descriptions, as shown in the Board materials. At the request of Mr. Quincey, Mr. Flanagan presented an amended staff recommendation for Governing Board declaration of three parcels of District property as no longer needed for conservation purposes and declaration of surplus on the properties.

ON A MOTION MADE BY MR. MEECE, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD DECLARED THREE PARCELS OF DISTRICT PROPERTY AS NO LONGER NEEDED FOR CONSERVATION PURPOSES AND DECLARED THE THREE PROPERTIES AS SURPLUS.

Agenda Item No. 23 – Surplus Lands Recommendation – Poe Springs, Chiefland Well Head Protection, Cross City Well Field, Gainesville Recreation Site (Buck Bay), Alligator Lake, and Suwannee Spray Field. Mr. Flanagan presented the staff recommendation for Governing Board declaration as surplus six parcels of District property as no longer needed for conservation purposes and authorization to begin discussions with units of local government for conveyance of said properties, as shown in the Board materials.

ON A MOTION BY MR. MEECE, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD DECLARED SURPLUS SIX PARCELS OF DISTRICT PROPERTY AS NO LONGER NEEDED FOR CONSERVATION PURPOSES AND AUTHORIZED STAFF TO BEGIN

DISCUSSIONS WITH UNITS OF LOCAL GOVERNMENT FOR CONVEYANCE OF SAID PROPERTIES.

Agenda Item No. 24 – Qualified Real Estate Appraisers and Review Appraiser for FY 11/12. Mr. Flanagan presented the staff recommendation for Governing Board approval of the following firms for real estate appraisal services or appraisal review services: Carlton Appraisal Company; Clayton, Roper & Marshall; Hale & Brannon; Ketcham Appraisal Services, Inc.; Southeast Appraisal Group; The Forestry Company; Lee Pallardy, Inc.; Property Valuation & Consulting, Inc.; Saucer Valuation; Real Property Analysts; Tompkins Appraisal Group; Natural Resource Planning Service; Candler Appraisal Services, Inc.; Tompkins Appraisal Group; Rogers Appraisal Group, 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 approval of the following firms for real estate appraisal services or appraisal review services: Carlton Appraisal Company; Clayton, Roper & Marshall; Hale & Brannon; Ketcham Appraisal Services, Inc.; Southeast Appraisal Group; The Forestry Company; Lee Pallardy, Inc.; Property Valuation & Consulting, Inc.; Saucer Valuation; Real Property Analysts; Tompkins Appraisal Group; Natural Resource Planning Service; Candler Appraisal Services, Inc.; Tompkins Appraisal Group; Rogers Appraisal Group, 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. MEECE, SECONDED BY MR. BROWN, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE FOLLOWING FIRMS FOR REAL ESTATE APPRAISAL SERVICES OR APPRAISAL REVIEW SERVICES: CARLTON APPRAISAL COMPANY; CLAYTON, ROPER & MARSHALL; HALE & BRANNON; KETCHAM APPRAISAL SERVICES, INC.; SOUTHEAST APPRAISAL GROUP; THE FORESTRY COMPANY; LEE PALLARDY, INC.; PROPERTY VALUATION & CONSULTING, INC.; SAUCER VALUATION; REAL PROPERTY ANALYSTS; TOMPKINS APPRAISAL GROUP; NATURAL RESOURCE PLANNING SERVICE; CANDLER APPRAISAL SERVICES, INC.; TOMPKINS APPRAISAL GROUP; ROGERS APPRAISAL GROUP.

Agenda Item No. 25 – Prescribed Fire Management Services. Mr. Flanagan presented the staff recommendation for the Governing Board approval of the rankings developed by the Selection Committee and authorization to negotiate with Wildlands Fire Service, Inc.; B & B Dugger, Inc.; and The Forestry Company for

prescribed fire management services on District land for Fiscal Year 2012, as shown in the Board materials.

Mr. Alexander and Mr. Curtis stated a possible conflict of interest and abstained from voting on Agenda Item 25 – recommendation for approval of the following firms for rankings developed by the Selection Committee and authorization to negotiate with Wildlands Fire Service, Inc.; B & B Dugger, Inc.; and The Forestry Company for prescribed fire management services on District land for Fiscal Year 2012, 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. MEECE, SECONDED BY MR. BROWN, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE RANKINGS DEVELOPED BY THE SELECTION COMMITTEE AND AUTHORIZED NEGOTIATIONS WITH WILDLANDS FIRE SERVICE, INC.; B & B DUGGER, INC.; AND THE FORESTRY COMPANY FOR PRESCRIBED FIRE MANAGEMENT SERVICES ON DISTRICT LAND FOR FISCAL YEAR 2012.

Agenda Item No. 26 – Agreement with the U. S. Fish and Wildlife Service for natural Community Restoration at the Withlacoochee Quail Farm Tract. Mr. Flanagan presented the staff recommendation for Governing Board authorization for the Executive Director to enter into an agreement with the U. S. Fish and Wildlife Service (USFWS) and accept a \$75,000 cooperative agreement grant for natural community restoration at the Withlacoochee Quail Farm Tract, as shown in the Board materials.

ON A MOTION BY MR. ALEXANDER, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE USFWS AND ACCEPT A \$75,000 COOPERATIVE AGREEMENT GRANT FOR NATURAL COMMUNITY RESTORATION AT THE WITHLACOOCHEE QUAIL FARM TRACT.

Supplemental Agenda Item – Consideration of Right of First Refusal to Purchase the Fee Interest in the Virginia McDaniel Conservation Easement. Mr. Flanagan presented the staff recommendation for the Governing Board to decline the Right of First Refusal for purchase of 585 acres ± currently under a conservation easement with Virginia McDaniel, as shown in the Board materials.

ON A MOTION BY MR. CURTIS, SECONDED BY DR. COLE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOAR DECLINED THE RIGHT OF FIRST

REFUSAL FOR PURCHASE OF 585 ACRES ± CURRENTLY UNDER A
CONSERVATION EASEMENT WITH VIRGINIA MCDANIEL.

Agenda Item No. 27 - Activity Reports. The Land Acquisition and Land Management Activity Reports were provided as informational items in the Board materials.

GOVERNING BOARD COUNSEL

Agenda Item No. 28 – Governing Board Counsel Monthly Report.
Mr. Reeves gave a brief oral report.

EXECUTIVE OFFICE

Agenda Item No. 29 - Executive Director's Report.
None.

Agenda Item No. 30 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 31 – Announcements.

The meeting adjourned at 12:03 p.m.

Chairman

ATTEST:

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD WORKSHOP

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12:42 p.m., Tuesday
July 12, 2011

District Headquarters
Live Oak, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
Alphonas Alexander, Vice Chairman
Kevin W. Brown
George M. Cole, Ph.D.
Carl Meece
Guy N. Williams

Members of the Governing Board Absent:

Donald Ray Curtis, III, Secretary/Treasurer
Jay Fraleigh
Heath Davis

Governing Board General Counsel Present:

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

Staff:

David Still	Vanessa Fultz
Charlie Houser	Glenn Horvath
Melanie Roberts	Tim Sagul
Jon Dinges	Kevin Wright
Joe Flanagan	Terry Demott
Steve Minnis	Bob Heeke
Megan Wetherington	Linda Welch

Participating Guests:

Craig Varn, Manson Law Group, Tampa, FL
Barney and Renate Cannon, Chiefland, FL
Teresa Coates, Friends of the Wacissa, Monticello, FL

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Pam Granger, Friends of the Wacissa, Wacissa, FL
Randy Ware, River Road Realty, Branford, FL
Dan Buchanan, Florida Farm Bureau, Pinetta, FL

Mr. Quincey gave a brief update on the status of the acquisition of the Andrews property.

Mr. Reeves, General Counsel to the Governing Board discussed a draft resolution that would set forth and distinguish the responsibilities of the Governing Board attorney and the attorneys for the Executive Director. Mr. Reeves also reviewed the draft contract for the Governing Board counsel.

Steve Minnis gave an overview of the following 2012 legislative proposals:

1. Minimum Flows and Levels – possible changes to Part II, Chapter 373, Florida Statutes (F.S.);
2. Healthcare program may possibly merge all 5 water management districts – possible changes to 373.605, F.S.; and
3. Interagency agreements and authorizations – possible changes to 373.046, F.S.

Steve also discussed payment-in-lieu-of-taxes (PILT) check delivery schedules.

Bob Heeke gave an update regarding District fire situations.

Megan Wetherington provided some cost estimates for monitoring agricultural water use.

Jon Dinges gave a presentation regarding subdivision operation and maintenance and presented possible rule development options for solving compliance issues.

Workshop adjourned at 2:49 p.m.