

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., Wednesday  
November 9, 2011

Cedar Key Library  
Cedar Key, 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  
Guy N. Williams

Members of the Governing Board Absent:

Carl Meece

Governing Board General Counsel Present:

George T. Reeves, Davis, Schnitker, Reeves & Browning, P.A.

Staff:

David Still	Melanie Roberts
Charlie Houder	Steve Minnis
Jon Dinges	Carlos Herd
Linda Welch	Hugh Thomas
Megan Wetherington	Tim Sagul

Participating Guests:

Renate and Barney Cannon, Chiefland  
Jeffrey Hill, El Rancho No Tengo, Lake City  
Craig Varn, Manson Law Group, Tampa  
Commissioner Gary Hardacre, Alachua City Commission, Alachua  
Staci Braswell, Florida Farm Bureau, Gainesville  
Mayor Cheryl Nekola, Fanning Springs

Jennifer Springfield, Springfield Law, P.A., Gainesville  
Commissioner Suzanne Colson, Cedar Key Commission, Cedar Key  
Greg Lang, Mittauer & Associates, Inc., Orange Park  
Dr. Earl Starnes, Cedar Key  
Georgia Ackerman, Friends of the Wacissa, Crawfordville  
Donald & Sara Rich, Quitman, Georgia

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

The roll was called and a quorum noted.

Agenda Item No. 3 - Additions, Deletions, or Changes to the Agenda.

- Updated Agenda Item 24 – R. O. Ranch Operations and Funding

Agenda Item No. 4 – Approval of Agenda.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE NOVEMBER 9, 2011, AGENDA.

Agenda Item No. 5 – Consent Agenda.

- Agenda Item 9 - Approval of the September Financial Report

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

ON A MOTION BY MR. DAVIS, SECONDED BY MR. CURTIS, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE CONSENT AGENDA ITEMS.

Agenda Item No. 7 – Approval of Minutes.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE OCTOBER 11, 2011 GOVERNING BOARD MEETING AND WORKSHOP MINUTES.

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

- A. Chairman Introductions
  - a. Mr. Quincey introduced Mr. Gary Hardacre, Alachua City Commission.
  - b. Mr. Quincey introduced Cedar Key City Commissioner Sue Colson. Commissioner Colson and Mr. Greg Lang welcomed the Governing Board and guests to Cedar Key.
  - c. Mr. Quincey introduced Fanning Springs Mayor Cheryl Nekola. Mayor Nekola thanked the Governing Board for their assistance with projects.
- B. Megan Wetherington gave a presentation of hydrologic conditions of the District.
- C. Cooperating Agencies and Organizations – None.
- D. Public Comment – None.

**DEPARTMENT OF MISSION SUPPORT**

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

Agenda Item No. 10 – Approval and Execution of Resolution 2011-26 to Provide Guidelines for Processing Public Records Requests. Melanie Roberts, Department Director, presented the staff recommendation for Governing Board approval and execution of Resolution 2011-26 that provides guidelines for processing a public records request, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. CURTIS, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED AND EXECUTED RESOLUTION 2011-26 THAT PROVIDES GUIDELINES FOR PROCESSING A PUBLIC RECORDS REQUEST.

Agenda Item No. 11 – Declaration of Surplus Lands – Black Parcel, 50 Acres +/- in Madison County. Ms. Roberts presented the staff recommendation for Governing Board declaration of 50 acres  $\pm$  of the Black parcel as surplus and no longer needed for conservation purposes and authorization to conduct an appraisal on the property, to contract with a qualified real estate broker for marketing the property, and to contract with a qualified surveyor if the need arises for either or both of their services, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD DECLARED 50 ACRES ± OF THE BLACK PARCEL AS SURPLUS AND NO LONGER NEEDED FOR CONSERVATION PURPOSES IN ADDITION, ON A MOTION BY MR. DAVIS, SECONDED BY DR. COLE, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO CONDUCT AN APPRAISAL ON THE PROPERTY, TO CONTRACT WITH A QUALIFIED REAL ESTATE BROKER FOR MARKETING THE PROPERTY, AND TO CONTRACT WITH A QUALIFIED SURVEYOR IF THE NEED ARISES FOR EITHER OR BOTH OF THEIR SERVICES.

Agenda Item No. 12 - Activity Report, Mission Support. The Activity Report for the Department of Mission Support was provided as an informational item in the Board materials.

Agenda Item No. 13 – Activity Report, Real Estate. The Activity Report for Real Estate was provided as an informational item in the Board materials.

## **DEPARTMENT OF WATER SUPPLY AND RESOURCE MANAGEMENT**

Agenda Item No. 14 – Environmental Resource Permit Application Number 07-0288M, Josephine Recreational Project, Columbia County, Regarding Lake City Management, LLC, CE10-0026. Jon Dinges, Department Director, presented the staff recommendation for Governing Board authorization for revocation of General Environmental Resource Permit (ERP) number 07-0288M issued to Lake City Development, LLC, for Josephine Recreational Project, Columbia County, and to refer the stop payment of the surety bond check to the State Attorney's Office, as shown in the Board materials.

THIS ITEM WAS DEFERRED UNTIL THE DECEMBER 13, 2011, GOVERNING BOARD MEETING.

Agenda Item No. 15 – Interagency Agreement with St. Johns River Water Management District (SJRWMD) regarding ERP11-0179, ABC Store 79B, Alachua County. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to execute an interagency agreement with SJRWMD for ERP application number 11-0179, for the delegation of regulatory

responsibilities to Suwannee River Water Management District (SRWMD), as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY DR. COLE, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO EXECUTE AN INTERAGENCY AGREEMENT WITH SJRWMD FOR ERP APPLICATION NUMBER 11-0179, FOR THE DELEGATION OF REGULATORY RESPONSIBILITIES TO SRWMD.

Agenda Item No. 16 – ERP Application Number 02-0548M, Regarding Silver Lake Dairy of Jefferson County, Inc., CE10-0016. Mr. Dinges presented the staff recommendation for Governing Board authorization of a time extension until December 31, 2011, to comply with the executed Compliance Agreement and authorize enforcement if Silver Lake Dairy of Jefferson County, Inc., fails to comply by the new compliance date, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED A TIME EXTENSION UNTIL DECEMBER 31, 2011, TO COMPLY WITH THE EXECUTED COMPLIANCE AGREEMENT AND AUTHORIZED ENFORCEMENT IF SILVER LAKE DAIRY OF JEFFERSON COUNTY, INC., FAILS TO COMPLY BY THE NEW COMPLIANCE DATE.

Agenda Item No. 17 – Authorization to Enter into an Interlocal Agreement with the City of Fanning Springs for a Cooperative Reclaimed Water Program. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to enter into an Interlocal Agreement with the City of Fanning Springs to provide cost share funding for a reclaimed water project for a total cost not to exceed \$400,000, as shown in the Board materials.

ON A MOTION BY MR. CURTIS, SECONDED BY MR. ALEXANDER, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF FANNING SPRINGS TO PROVIDE COST SHARE FUNDING FOR A RECLAIMED WATER PROJECT FOR A TOTAL COST NOT TO EXCEED \$400,000.

Agenda Item No. 18 – Authorization to Continue Suwannee River Partnership (SRP) Cooperative Conservation Technician Services. Mr. Dinges presented the staff recommendation for Governing Board authorization to continue co-funding three Conservation Technician positions associated with the SRP program with the Florida Department of Agriculture and Consumer Services (FDACS) for a contract period of six months, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED TO CONTINUE CO-FUNDING THREE CONSERVATION TECHNICIAN POSITIONS ASSOCIATED WITH THE SRP WITH THE FDACS FOR A CONTRACT PERIOD OF SIX MONTHS.

Agenda Item No. 19 – Procurement of Equipment for Water Resource Monitoring Network Modernization and Automation. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to purchase data collection and transmission equipment for an amount not to exceed \$214,300, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. CURTIS, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO PURCHASE DATA COLLECTION AND TRANSMISSION EQUIPMENT FOR AN AMOUNT NOT TO EXCEED \$214,300.

Agenda Item No. 20 – Authorization to Continue Master Contracts with Selected Minimum Flows and Levels Consultants. Mr. Dinges presented the staff recommendation for authorization for the Executive Director to continue eleven master contracts with selected minimum flows and levels (MFL) consultants, for a total amount, in aggregate, not to exceed \$1,200,000 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 WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO

CONTINUE ELEVEN MASTER CONTRACTS WITH SELECTED MFL CONSULTANTS, FOR A TOTAL AMOUNT, IN AGGREGATE, NOT TO EXCEED \$1,200,000 TO PROVIDE TECHNICAL ASSISTANCE IN THE DEVELOPMENT OF MFLS ON AN AS NEEDED, WHEN NEEDED BASIS.

Agenda Item No. 21 – Authorization to Amend Rule 40B-9.1381, Florida Administrative Code (F.A.C.). Mr. Dinges presented the staff recommendation for Governing Board authorization to submit Section 40B-9.1381, F.A.C., to the Governor's Office of Fiscal Accountability and Regulatory Reform for review; to publish notice of rule development for Section 40B-9.1381, F.A.C.; to publish notice of proposed rule for Section 40B-9.1381, F.A.C.; and to file 40B-9.1381, 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. CURTIS, SECONDED BY DR. COLE, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO SUBMIT SECTION 40B-9.1381, F.A.C., TO THE GOVERNOR'S OFFICE OF FISCAL ACCOUNTABILITY AND REGULATORY REFORM FOR REVIEW; TO PUBLISH NOTICE OF RULE DEVELOPMENT FOR SECTION 40B-9.1381, F.A.C.; TO PUBLISH NOTICE OF PROPOSED RULE FOR SECTION 40B-9.1381, F.A.C.; AND TO FILE 40B-9.1381, F.A.C., WITH THE DEPARTMENT OF STATE IF NO COMMENTS OR OBJECTIONS ARE RECEIVED.

Agenda Item No. 22 - Activity Reports. The Water Supply, Water Resource Monitoring, Environmental Resource Permitting, Suwannee River Partnership, Compliance Report, and Land Management Activity Reports were provided as informational items in the Board materials.

## **GOVERNING BOARD LEGAL COUNSEL**

Agenda Item No. 23 – Governing Board Counsel Monthly Report.  
None.

## **EXECUTIVE OFFICE**

Agenda Item No. 24 – R. O. Ranch Operations and Funding. Charlie Houser, Assistant Executive Director, presented three alternatives for the future operation and funding of the R. O. Ranch Equestrian Park, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. BROWN, AND WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. CURTIS, MR. DAVIS, AND MR. WILLIAMS VOTING IN FAVOR AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD VOTED TO ENACT THE MANAGEMENT AGREEMENT WITH CHANGES AS DISCUSSED.

Agenda Item No. 25 - Executive Director's Report.  
None.

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

Agenda Item No. 27 – Legal Services Report. The Legal Services Report was provided as an informational item in the Board materials.

The meeting adjourned at 1:37 p.m.

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Chairman

ATTEST:

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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.

1:37 p.m., Wednesday  
November 9, 2011

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Cedar Key, Florida

Members of the Governing Board Present:

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

Members of the Governing Board Absent:

Donald Ray Curtis, III, Secretary/Treasurer  
Carl Meece

Governing Board General Counsel Present:

George T. Reeves, Davis, Schnitker, Reeves & Browning, P.A.

Staff:

David Still	Melanie Roberts
Charlie Houser	Steve Minnis
Jon Dinges	Carlos Herd
Linda Welch	Hugh Thomas
Megan Wetherington	Tim Sagul

Participating Guests:

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

Charlie Houser addressed the Governing Board and requested specific issues that the Governing Board would like to discuss with staff. Mr. Davis requested that statutorily required reports be sent to the Governing Board via email and not in printed format. Mr. Quincey requested that staff other than senior management be available to present recommendations at the Governing Board meetings.

Carlos Herd gave a presentation regarding Hydrogeology and the Water Supply Work Plan.

Charlie Houser gave an update regarding Real Estate and its direction with regard to review and overview from the Florida Department of Environmental Protection.

Steve Minnis gave an update regarding Governmental Affairs and the current legislative session.

Melanie Roberts gave an update regarding Governing Board Directives and the intent for these to become available and readily accessible to the Governing Board.

Melanie Roberts informed the Governing Board about an upcoming project that staff is proposing to procure additional LiDAR (Light Detection and Ranging) data. The procurement of this data will be an effort consisting of the District, the United States Geological Survey, and the Federal Emergency Management Agency.

Melanie Roberts discussed amending the monthly Governing Board Financial Report, which is a requirement of 373, Florida Statutes.

The workshop adjourned on November 9, 2011, at 3:44 p.m.

The workshop resumed on November 10, 2011, at 8:00 a.m.

John Good gave a presentation regarding Groundwater Modeling and the status of Minimum Flows and Levels.

Melanie Roberts gave a presentation regarding the budget and the Governing Board's direction of funding. Melanie discussed the fact that staff is already beginning work on the fiscal year 2013 budget.

Charlie Houser addressed the Governing Board to get their direction again regarding District work and priorities.

Steve Minnis gave a presentation on the District's Strategic Plan.

The Governing Board discussed matters with Charlie Houser.

Workshop adjourned at 11:38 a.m.