

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.

November 15, 2012
9:00 a.m.

Holiday Inn
Perry, Florida

Governing Board:

Seat	Name	Office	Present	Not Present
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe & Waccasassa Basins	Kevin W. Brown			X
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Virginia H. Johns		X	
At Large	Carl Meece		X	
At Large	Guy N. Williams		X	
At Large	Gary Jones		X	

Governing Board General Counsel

Name	Firm	Present	Not Present
George T. Reeves	Davis, Schnitker, Reeves & Browning, P.A.	X	

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis	X	
Administrative Services Division Director	Joe Flanagan		
Land Resources Division Director	Charles H. Houder. III	X	
Water Supply Division Director	Carlos Herd	X	
Water Resources Division Director	Erich Marzolf	X	
Resource Management Division Director	Tim Sagul	X	
GB & HR Coordinator	Lisa Cheshire	X	

Guests:

Kevin Wright, SRWMD
Rhonda Scott, SRWMD
Warren Zwanka, SJRWMD
Esther Avery, Perry
Mike Echos, Greenville
Merrilee Malwitz-Jipson, Our Santa Fe River, Fort White
Bob Brown, City of Perry
Annette Long, Chiefland
James Childre, Perry
Alton Collier, Perry
Rod Baumgardner, Baumgardner Well Drilling & Pump Service, Perry

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

Mr. Gary F. Jones, Old Town, Florida, was sworn in as a Board Member by George Reeves.

Agenda Item No. 4 - Additions, Deletions, or Changes to the Agenda.

- Correction made to the sequence of agenda item numbering
- Deletion of Agenda Item 17 - Authorization to Enter into a Contract for Minimum Flows and Levels Peer Review for the Lower Santa Fe and Ichetucknee Rivers and Springs

Agenda Item No. 5 – Approval of Agenda.

DR. COLE MADE A MOTION TO APPROVE THE AGENDA, MRS. JOHNS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 6 – Consent Agenda.

- Agenda Item 8 - Approval of Minutes
- Agenda Item 10 - Approval of September Financial Report
- Agenda Item 11 – Fiscal Year 2011-2012 Budget Amendment

Agenda Item No. 7 – Approval of Recommended Consent Items.

MR. ALEXANDER MADE A MOTION TO ACCEPT THE CONSENT AGENDA. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 8– October 9, 2012 Governing Board Meeting and Workshop Minutes. Approved on consent.

Agenda Item No. 9 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- Executive Director, Dr. Ann Shortelle, presented at 10-year service award to Tim Sagul , Resource Management Division Director.
- Chairman Quincey recognized the governmental constituents in attendance.
- A presentation of the Hydrologic Conditions was given by Megan Wetherington, Senior Professional Engineer.
- Public Comments:
 - Rod Baumgardner, Rod Baumgardner Well Drilling and Pump Service, spoke in support of the District's request for authorization to seek enforcement through the State Attorney's Office Regarding Allen Dean, CE12-0021, Taylor County. He presented his concerns regarding several activities performed by the unlicensed well driller. Also providing input and support of the enforcement recommendation : Alton Collier, James Childre and Esther Avery
 - Annette Long discussed her objections and requested clarification to the CUPCON Publication and Filing of Proposed Rule for 40B-1, 40B-4, and 40B-400, F.A.C.

DIVISION OF ADMINISTRATIVE SERVICES

Agenda Item No. 10 – Approval of September Financial Report. Approved on consent.

Agenda Item No. 11 – Fiscal Year 2011-2012 Budget Amendment. Approved on consent.

Agenda Item No. 12 – Surplus Vehicle Recommendation. Joe Flanagan, Division Director, presented the staff recommendation for authorization to surplus five (5) District vehicles from the fleet, as shown in the board materials.

DR. COLE MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION FOR AUTHORIZATION TO SURPLUS FIVE (5) DISTRICT VEHICLES FROM THE FLEET, MRS. JOHNS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 13 – Contract for Inspector General Services. Mr. Flanagan presented the staff recommendation for authorization to enter into contract with Law, Redd, Crona & Munroe, P.A. to provide Inspector General services at an annual fee not to exceed \$22,500, as shown in the board materials.

MR. CURTIS MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION FOR AUTHORIZATION TO ENTER INTO CONTRACT WITH LAW, REDD, CRONA & MUNROE, P.A. TO PROVIDE INSPECTOR GENERAL SERVICES AT AN ANNUAL FEE NOT TO EXCEED \$22,500, MRS. JOHNS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

DIVISION OF LAND RESOURCES

Agenda Item No. 14– Land Resources Activity Summary - The Land Resources Activity Summary was provided as an informational item in the Board materials.

DIVISION OF WATER SUPPLY

Agenda Item No. 15 – Second Amendment to Interagency Agreement between Suwannee River Water Management District, St. Johns River Water Management District, and Florida Department of Environmental Protection. Carlos Herd, Water Supply Division Director, presented the staff recommendation to authorize the Executive Director to amend contract number 11/12-122 with the USGS to authorize work in the current fiscal year for a cost to the District not to exceed \$55,759, as shown in the Board materials.

Mr. Curtis discussed additional amendments to the Draft October 12, 2012 Amendment agreement as follows:

Line 6 of underlined portion of the proposed addition of language by St. Johns Water Management District on page WS3 of the board materials be amended to read *“and agreed to by either SRWMD or SJRWMD, then upon completion”* instead of the current recommended language of *“and agreed to by SRWMD and SJRWMD, then upon completion”*.

Striking of last two sentences of the proposed addition of language by St. Johns Water Management District on page WS 4 – *“The PARTIES recognize that scientific knowledge is not static and that new information may become available subsequent to the WSTB findings and conclusions. Accordingly, the PARTIES also agree to consider new information when determining what is the best available information when a permitting or planning decision is being made.”*

MR. CURTIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND CONTRACT NUMBER 11/12-122 WITH THE USGS TO AUTHORIZE WORK IN THE CURRENT FISCAL YEAR FOR A COST TO THE DISTRICT NOT TO EXCEED \$55,759, WITH THE REPLACEMENT OF WORDING TO LINE 6 OF THE PROPOSED ADDITION OF LANGUAGE BY ST. JOHNS RIVER WATER MANAGEMENT ON PAGE WS 3 AND STRIKING OF LAST TWO SENTENCES OF THE LANGUAGE ON WS PAGE 4 , MR. COLE SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 16– Authorization to Amend Contract Number 11/12-122 with the United States Geological Survey (USGS), Tallahassee District, for Water Sampling and Chemistry Analysis Services at White Sulphur and Suwannee Springs. Mr. Herd presented the staff recommendation to authorize the Executive Director to amend contract number 11/12-122 with the USGS to authorize work in the current fiscal year for a cost to the District not to exceed \$55,759, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND CONTRACT NUMBER 11/12-122 WITH THE USGS TO AUTHORIZE WORK IN THE CURRENT

FISCAL YEAR FOR A COST TO THE DISTRICT NOT TO EXCEED \$55,759, MR. ALEXANDER SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 17 – Authorization to Enter into a Contract for Minimum Flows and Levels Peer Review for the Lower Santa Fe and Ichetucknee Rivers and Springs – Deleted.

DIVISION OF WATER RESOURCES

Agenda Item No. 18 – Authorization to Purchase Water Level Sensors and Cellular Modems from Federally Approved Vendors under the U.S. General Services Administration. Erich Marzolf, Ph.D., Water Resources Division Director, presented the staff recommendation to authorize the Executive Director to purchase water level sensors and cellular modems from federally approved vendors under the U.S. General Services Administration for an amount not to exceed \$143,230, as shown in the Board materials.

DR. COLE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO PURCHASE WATER LEVEL SENSORS AND CELLULAR MODEMS FROM FEDERALLY APPROVED VENDORS UNDER THE U.S. GENERAL SERVICES ADMINISTRATION FOR AN AMOUNT NOT TO EXCEED \$143,230, MR. ALEXANDER SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

DIVISION OF RESOURCE MANAGEMENT

Agenda Item No 19-- Approval of Water Use Permit Application Number 2-11-00044.003, Lee Cemetery, Dixie County. Kevin Wright, Agriculture Team Program Leader, presented the staff recommendation for approval of Water Use Permit number 2-11-00044.003, with eighteen standard conditions and five special limiting conditions to SanBrook, LLC, in Dixie County, as shown in the Board materials.

Dr. Cole discussed the striking of the last sentence in the special limiting conditions number 22 on RM Page 10 which reads *“This condition applies to the proposed well only.”*

DR. COLE MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-11-00044.003, WITH EIGHTEEN STANDARD CONDITIONS AND FIVE SPECIAL LIMITING CONDITIONS TO SANBROOK, LLC, IN DIXIE COUNTY, WITH THE STRIKING OF THE LAST SENTENCE IN THE SPECIAL LIMITING CONDITIONS NUMBER 22 ON RM PAGE NUMBER 10 WHICH READS *“THIS CONDITION APPLIES TO THE PROPOSED WELL ONLY.”*; MR. CURTIS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 20 – Approval of Water Use Permit Application Number 2-09-00030.002, John D. Milton, Jr., Suwannee County. Mr. Wright presented the staff recommendation for approval of

Water Use Permit number 2-09-00030.002, with eighteen standard conditions and five special limiting conditions to John D. Milton, Jr., in Suwannee County, as shown in the Board materials.

DR. COLE MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-09-00030.002, WITH EIGHTEEN STANDARD CONDITIONS AND FIVE SPECIAL LIMITING CONDITIONS TO JOHN D. MILTON, JR., IN SUWANNEE COUNTY, WITH THE STRIKING OF THE LAST SENTENCE IN THE SPECIAL LIMITING CONDITIONS NUMBER 22 ON RM PAGE NUMBER 22 WHICH READS *"THIS CONDITION APPLIES TO THE PROPOSED WELL ONLY:."*; MRS. JOHNS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 21– Approval to Amend Contract 09/10-048 with Atkins North America, Inc. Tim Sagul, Water Resources Division Director, presented the staff recommendation to authorize the Executive Director to amend contract 09/10-048 with Atkins North America, Inc., (Atkins) for independent Quality Assurance and Quality Control (QA/QC) of FY 2010 studies and for additional Program Management support of FY 2011 Risk MAP, not to exceed \$988,363, as shown in the Board materials.

MR. ALEXANDER MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND CONTRACT 09/10-048 WITH ATKINS NORTH AMERICA, INC., (ATKINS) FOR INDEPENDENT QUALITY ASSURANCE AND QUALITY CONTROL (QA/QC) OF FY 2010 STUDIES AND FOR ADDITIONAL PROGRAM MANAGEMENT SUPPORT OF FY 2011 RISK MAP, NOT TO EXCEED \$988,363, MRS. JOHNS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 22- Authorization to Seek Enforcement through State Attorney's Office Regarding Allen Dean, CE12-0021, Taylor County. Mr. Sagul presented the staff recommendation to authorize staff to seek enforcement through the Taylor County State Attorney's office regarding Allen Dean, CE12-0021, for practicing well construction without a contractor's license, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE STAFF TO SEEK ENFORCEMENT THROUGH THE TAYLOR COUNTY STATE ATTORNEY'S OFFICE REGARDING ALLEN DEAN, CE12-0021, FOR PRACTICING WELL CONSTRUCTION WITHOUT A CONTRACTOR'S LICENSE, MRS. JOHNS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 23 – Adoption of Proposed Rule for 40B-1, 40B-4, and 40B-400, Florida Administrative Code (F.A.C.) for Statewide Environmental Resource Permitting. Leroy Marshal, Professional Engineer, presented the staff recommendation for authorization for publication of a Notice of Proposed Rule for Chapters 40-B1, 40B-4, and 40B-400, F.A.C. and to file 40-B1, 40B-4, and 40B-400, F.A.C. with the Department of State if no objections or comments are received, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE PUBLICATION OF A NOTICE OF PROPOSED RULE FOR CHAPTERS 40-B1, 40B-4, AND 40B-400, F.A.C. AND TO FILE 40-B1, 40B-4, AND 40B-400, F.A.C. WITH THE DEPARTMENT OF STATE IF NO OBJECTIONS OR COMMENTS ARE RECEIVED, MR. ALEXANDER SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 24 – Permitting Summary Report. The Permitting Summary Report was provided as an informational item in the Board materials.

GOVERNING BOARD LEGAL COUNSEL

Agenda Item No. 25 – Governing Board Counsel Monthly Report. The Governing Board Counsel Monthly Report was provided as an informational item in the Board materials.

EXECUTIVE OFFICE

Agenda Item No. 26 -- Approval of Governing Board Directive Number 12-0006, Fraud Policy. Steve Minnis, Governmental Affairs and Communications Director, presented the staff recommendation for approval and implementation of Governing Board Directive 12-0006, revised Fraud Policy, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE AND AUTHORIZE IMPLEMENTATION OF GOVERNING BOARD DIRECTIVE 12-0006, REVISED FRAUD POLICY, MR. ALEXANDER SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No. 27 - Approval of Governing Board Directive Number 12-0007, Whistle-Blower's Act. Mr. Minnis presented the staff recommendation for approval of Governing board Directive 12-0007 to implement the Whistle-blower's Act, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE AND AUTHORIZE IMPLEMENTATION OF GOVERNING BOARD DIRECTIVE 12-0007, WHISTLE-BLOWER'S ACT, MR. ALEXANDER SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, COLE, CURTIS, JOHNS, MEECE, WILLIAMS, JONES AND QUINCEY.)

Agenda Item No.28- District's Weekly Activity Reports. The District's Weekly Activity Reports were provided as an informational item in the Board materials.

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The meeting adjourned at 11:39 a.m.

Chairman

ATTEST:

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD WORKSHOP

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8:30 a.m., Friday
November 16, 2012

Fiddler's Restaurant
Steinhatchee, Florida

Governing Board:

Seat	Name	Office	Present	Not Present
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe & Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Virginia H. Johns		X	
At Large	Carl Meece		X	
At Large	Guy N. Williams		X	
At Large	Gary Jones		X	

Governing Board General Counsel

Name	Firm	Present	Not Present
George T. Reeves	Davis, Schnitker, Reeves & Browning, P.A.	X	

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis	X	
Administrative Services Division Director	Joe Flanagan	X	
Land Resources Division Director	Charles H. Houder. III	X	
Water Supply Division Director	Carlos Herd	X	

Water Resources Division Director	Erich Marzolf	X
Resource Management Division Director	Tim Sagul	X
GB & HR Coordinator	Lisa Cheshire	X

Guests:

Dave Dickens, SRWMD
Annette Long, Save Our Suwannee, Inc., Chiefland

Dave Dickens, Facilities Manager, discussed the district's responsibilities in providing real time information of data and presented estimates in obtaining a back up generator that would provide the continuity of public service during an emergency.

Strategic Priority proposals for Fiscal Year 2013-14 were presented to the Governing Board as follows:

- Heartland Springs Initiative – Erich Marzolf, Water Resources Division Director, discussed how the goal of the Heartland Springs Initiative is to ensure that the springs maintain adequate flow, maintain good water quality, and sustain healthy biological communities. He discussed the mission to identify trends and hydrologic patterns to develop a plan to assess restoration efforts.
- MFL's and Sustainable Water Supply – Carlos Herd, Water Supply Division Director, discussed how the District's goal is to ensure District priority bodies are protected for current future generations; therefore the District's strategies include establishing and recognizing MFLs for priority water bodies. He discussed funding and coordination with the St. Johns River WMD in order to ensure a sustainable water supply for all reasonable and beneficial uses while protecting springs and other natural systems.
- Water Conservation – Steve Minnis, Governmental Affairs and Communications Director, discussed how the District's goal through water conservation is to maximize water conservation for all uses. He presented the District's outreach strategies which include the Suwannee River Partnership, Agricultural cost-share, Santa Fe River Irrigation Retrofit and Fertigation Program, and Ag teams.
- Water Management Lands – Charlie Houder, Land Resources Division Director, discussed how the District's goal is to manage land and conservation easements to provide non-structural flood control, protect surface and ground water quality, and enhance water resource related systems through acquiring lands of high water

resource value, restoring the natural hydrologic regime, restoring and maintaining natural communities, and using recreation design standards and BMPs to prevent degradation. He presented proposed funding for land acquisition, land management and invasive species control.

- Flood Protection Strategic Priority – Tim Sagul, Resource Management Division Director, presented the District's strategic priority for non-structural flood protection through retention ponds via permitting processes. He discussed the district's goal is to enhance flood risk information to protect life and property against flood hazards through public education, assistance to communities with available data, the providing of electronic data, partnership with FEMA to refine the floodplain data, continue implementation of ERP programming to ensure development does not increase flooding, and acquiring land within the 100-year riverine floodplain.

Ann Shortelle, Executive Director, gave a presentation on the proposed FY 13-14 Budget. She discussed how budget guidelines include maintaining millage rate of 0.4143 and the development of reserve funds use schedule. She discussed how the proposed FY 2013-14 budget of \$14.9 million would be a reduction from the current FY 2012-13 budget which is 16.1 million which reflects land acquisition dollars to reserves, reorganization and last year actuals, reductions in administrative dollars, reductions in regulatory dollars, and emphasis on new initiative/projects (water resource development, water supply development, & springs and springshed protection).

The workshop adjourned at 11:43 a.m.