

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
January 8, 2013

PCS Phosphate Conference Center
White Springs, 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:

Kevin Wright, SRWMD
Sara Alford, SRWMD
Bill McKinstry, SRWMD
Megan Wetherington, SRWMD
Hugh Thomas, DACS
Rhonda Scott, SRWMD
Matt Yates, Resource Conservative Partners-MIL, Steinhatchee
D. Dale Bryant, Resource Conservative Partners-MIL, Steinhatchee
Paul Still, Bradford Soil & Water, Starke
Roland Garcia, Tallahassee
Craig Varn, Manson Law Group, Tallahassee
Annette Long, Save Our Suwannee, Inc., Chiefland
Steven Gladin, Trenton
Jeff Hill, Lake City
James Cornett, Cornett's Spirit of the Suwannee, Live Oak
Robin Young, Cornett's Spirit of the Suwannee, Live Oak
Stan Posey, PCS Phosphate, White Springs
Terry Baker, PCS Phosphate, White Springs

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

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

Addition:

Resource Management

- Authorization to Enter into a Memorandum of Understanding with the Florida Fish & Wildlife Commission (FWC) on the Bell Springs Restoration Project and Approval of Resolution 2012-74

Deletions:

- Land Resources - Authorization to Enter into a Lease with Florida Gateway College for Ecological Studies on the Lake City Wellfield Tract in Columbia County
- Resource Management -Agenda Item 15 - Denial Without Prejudice of Works of the District Permit Application Number12-0083M, Robert Adams District Floodway Project, Suwannee County

Changes:

- Resource Management -Agenda Item 16 – Page 12 and 13 updated.
- Executive – Agenda Item 22 – formatting changes

Agenda Item No. 5 – Approval of Agenda.

Agenda Item No. 6 – Consent Agenda.

- Agenda Item 7 – Approval of Minutes
- Agenda Item 9 - Approval of November Financial Report

- Agenda Item 10 – Declaration of Surplus Property and Disposition

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

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

Agenda Item No. 8– September 11, 2012 Governing Board Meeting, Workshop and 1st Public Hearing Minutes and September 25, 2012 Governing Board Meeting and Final Public Hearing Minutes. Approved on consent.

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

- A presentation of the Hydrologic Conditions was given by Megan Wetherington, Senior Professional Engineer.

Chairman Quincey requested that the order of the presentation for Agenda Items 16, 21, 22 and supplemental be moved to the beginning of the agenda.

Agenda Item No 21 -- Public Hearing on Update of the 2013 Florida Forever Work Plan. Jon Dinges, Assistant Executive Director, gave an overview and presented the staff recommendation for acceptance of the 2013 Florida Forever Work Plan as required by Section 373.199 (7) F.S.

Chairman Quincey opened the public hearing for comments. There were no public comments. The public hearing was closed.

MR. ALEXANDER MADE A MOTION TO ACCEPT THE 2013 FLORIDA FOREVER WORK PLAN AS REQUIRED BY SECTION 373.199 (7) F.S. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 22 -- Public Hearing on Fiscal Year 2014-2018 Strategic Plan. Steve Minnis, Governmental Affairs & Communications Director, gave an overview and presented the staff recommendation for acceptance of the draft five year Strategic Plan as required by Section 373.036 (2)(e)3, F.S.

Chairman Quincey opened the public hearing for comments.

Paul Still provided comments.

Annette Long provided comments.

The definition of non structural flood protection was discussed.

The public hearing was closed.

MRS. JOHNS MADE A MOTION TO ACCEPT THE DRAFT FIVE YEAR STRATEGIC PLAN AS REQUIRED BY SECTION 373.036 (2)(E)3, F.S. THE MOTION WAS SECONDED BY MR. MEECE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Supplemental Agenda Item – Public Hearing and Authorization to Enter into a Memorandum of Understanding with the Florida Fish & Wildlife Commission (FWC) on the Bell Springs Restoration Project and Approval of Resolution 2012-74 Declaring the Bell Springs Restoration Project in Columbia County as an Environmental Restoration and Enhancement Project. Tim Sagul, Division Director, presented the staff recommendation to authorize the Executive Director to enter into a Memorandum of Understanding with the FWC in order to outline the commitments of each agency on the Bell Springs restoration project and recommendation for approval, during public hearing, Resolution 2012-74 declaring the Bell Springs restoration project as an environmental restoration and enhancement project, as shown in the Board materials.

Chairman Quincey opened the public hearing for comments. There were no public comments.

The public hearing was closed.

DR. COLE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE FWC IN ORDER TO OUTLINE THE COMMITMENTS OF EACH AGENCY ON THE BELL SPRINGS RESTORATION PROJECT AND RECOMMENDATION FOR APPROVAL, DURING PUBLIC HEARING, RESOLUTION 2012-74 DECLARING THE BELL SPRINGS RESTORATION PROJECT AS AN ENVIRONMENTAL RESTORATION AND ENHANCEMENT PROJECT. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 16 -- Public Hearing and Authorization to Publish Notice of Change and File Amendments to 40B-2.301 and 40B-2.331, F.A.C. Mr. Sagul presented the staff recommendation for authorization to publish notices of change for sections 40B-2.301 and 40B-2.331, F.A.C and file amendments to 40B-2.301 and 40B-2.331, F.A.C, as shown in the Board materials.

Chairman Quincey opened the public hearing for comments.

Annette Long provided comments.

Hugh Thomas, DACS, discussed educational efforts that have been produced by DACS and the District.

The public hearing was closed.

DR. COLE MADE A MOTION FOR APPROVAL TO PUBLISH NOTICES OF CHANGE FOR SECTIONS 40B-2.301 AND 40B-2.331, F.A.C AND AUTHORIZATION TO FILE AMENDMENTS TO 40B-2.301 AND 40B-2.331. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Paul Still requested that he be able to address the Governing Board regarding Agenda Item 21- Update of the 2013 Florida Forever Work Plan since this agenda item had been moved to the beginning of the meeting and he was not in attendance at the time the item was discussed and voted upon. Mr. Still discussed concerns and presented three projects for inclusion to the Florida Forever Workplan.

DIVISION OF ADMINISTRATIVE SERVICES

Joe Flanagan, Division Director, introduced Sara Alford, Finance Officer, Suwannee River Water Management District.

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

DIVISION OF LAND RESOURCES

Agenda Item No. 11 – Authorization to Enter into a Lease with Florida Gateway College for Ecological Studies on the Lake City Wellfield Tract in Columbia County. Deleted.

Agenda Item No. 12 – License to Cut Timber with Harley Forest Productions, LLC for the Steinhatchee Rise #1 Timber Sale. Charles Houder, Division Director, presented the staff recommendation to authorize the Executive Director to execute a license to cut timber with Harley Forest Products, LLC, for the Steinhatchee Rise #1 Timber Sale, as shown in the Board materials.

MR. WILLIAMS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A LICENSE TO CUT TIMBER WITH HARLEY FOREST PRODUCTS, LLC, FOR THE STEINHATCHEE RISE #1 TIMBER SALE. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 13– Land Resources Activity Summary - The Land Resources Activity Summary was provided as an informational item in the Board materials.

DIVISION OF WATER SUPPLY

No Items.

DIVISION OF WATER RESOURCES

No Items.

DIVISION OF RESOURCE MANAGEMENT

Agenda Item No 14 -- Denial of Motion for Extension of Time to Request Chapter 120 Hearing and Notice of Intent to Pursue Resolution under Section 70.51, Florida Statutes in the Matter of *SRWMD v. Rodney O. Tompkins, Trustee, and Rodney Tompkins*, CE11-0001, Gilchrist County. Tim Sagul, Division Director, presented the staff recommendation for the denial of a motion for extension of time to request Chapter 120 Hearing and notice of intent to pursue resolution under Section 70.51, Florida Statutes in the Matter of *SRWMD v. Rodney O. Tompkins, Trustee, and Rodney Tompkins*, CE11-0001, Gilchrist County, as shown in the Board materials.

Mr. Reeves reviewed the history of the legal action already taken and discussed the recommendation.

Steven Braden requested clarification of the due dates and rules for the special masters proceeding.

MR. MEECE MADE A MOTION TO DENIAL OF A MOTION FOR EXTENSION OF TIME TO REQUEST CHAPTER 120 HEARING AND NOTICE OF INTENT TO PURSUE RESOLUTION UNDER SECTION 70.51, FLORIDA STATUTES IN THE MATTER OF *SRWMD V. RODNEY O. TOMPKINS, TRUSTEE, AND RODNEY TOMPKINS*, CE11-0001, GILCHRIST COUNTY. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 15 – Denial Without Prejudice of Works of the District Permit Application Number12-0083M, Robert Adams District Floodway Project, Suwannee County - Deleted

Agenda Item No 16 – Public Hearing and Authorization to Publish Notice of Change and File Amendments to 40B-2.301 and 40B-2.331, F.A.C. - Approved at the beginning of the meeting.

Agenda Item No 17-- Authorization to Contract for Mobile Irrigation Lab (MIL) Services. Kevin Wright, Agriculture Team Program Leader, presented the staff recommendation to authorize the Executive Director to enter into an agreement with the Florida Department of Agriculture and Consumer Services (FDACS) for Mobile Irrigation Lab Services for a cost not to exceed \$40,000, as shown in the Board materials.

MR. JONES MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (FDACS) FOR MOBILE IRRIGATION LAB SERVICES FOR A COST NOT TO EXCEED \$40,000. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 18- Authorization to Amend Suwannee River Partnership Cooperative Conservation Technician Services. Mr. Wright presented the staff recommendation for approval to amend the contract for Conservation Technician positions associated with the Suwannee River

Partnership (SRP) program with the Florida Department of Agriculture and Consumer Services (FDACS) for an additional Conservation Technician for a cost that will not exceed \$32,500, as shown in the Board materials.

MR. MEECE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT FOR CONSERVATION TECHNICIAN POSITIONS ASSOCIATED WITH THE SUWANNEE RIVER PARTNERSHIOP (SRP) PROGRAM WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (FDACS) FOR AN ADDITIONAL CONSERVATION TECHNICIAN FOR A COST THAT WILL NOT EXCEED \$32,500. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Supplemental Agenda Item – **Public Hearing** and Authorization to Enter into a Memorandum of Understanding with the Florida Fish & Wildlife Commission (FWC) on the Bell Springs Restoration Project and Approval of Resolution 2012-74 Declaring the Bell Springs Restoration Project in Columbia County as an Environmental Restoration and Enhancement Project. Approved at the beginning of the meeting.

Agenda Item No. 19 – Permitting Summary Report. The Permitting Summary Report was provided as an informational item in the Board materials.

GOVERNING BOARD LEGAL COUNSEL

Agenda Item No. 20 – Governing Board Counsel Monthly Report. The Governing Board Counsel Monthly Report was provided as an informational item in the Board materials. Mr. Reeves gave an update on projects and requested a meeting to discuss the reassignment of attorneys for resolution of past due cases.

EXECUTIVE OFFICE

Agenda Item No. 21 -- Public Hearing on Update of the 2013 Florida Forever Work Plan. Approved at the beginning of the meeting.

Agenda Item No. 22 -- Public Hearing on Fiscal Year 2014-2018 Strategic Plan. Approved at the beginning of the meeting.

Agenda Item No.23- District's Weekly Activity Reports. The District's Weekly Activity Reports were provided as an informational item in the Board materials. Dr. Shortelle reminded the Governing Board of the January 23, 2013 Teleconference meeting and Steve Minnis gave a brief legislative and budget process update.

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The meeting adjourned at 11:38 a.m.

Chairman

ATTEST:
