

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD MEETING AND PUBLIC HEARING

Note: A digital recording system has been used to record these procedures 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
October 13, 2009

Bradford Board of County Commissioners Room
Bradford County Courthouse, North Wing
Starke, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman (Arrived at 10:04 a.m.)
David Flagg, Vice Chairman
Georgia Jones, Secretary/Treasurer
Dr. Linden Davidson
Heath Davis (Arrived at 10:04 a.m.)
Jay Fraleigh
O. J. Lake
Carl Meece

Members of the Governing Board Absent:

None

Staff:

David Still	Bill Haley, Legal Counsel
Charlie Houder	Kirk Webster
Jon Dinges	Joe Flanagan
Lisa Cheshire	Melanie Roberts
Steve Minnis	Rhonda Scott
Megan Wetherington	Jennifer Springfield

Participating Guests:

Staci Braswell, Florida Farm Bureau Federation, Gainesville, FL
Ross Chandler, Bradford County Commissioner, Starke, FL
David Childs, Hopping Green & Sams, Tallahassee, FL
Laura Donaldson, Manson Law Group, Tampa, FL
Sandra Harrell, Bradford County, Starke, FL
Brian Johns, Bradford County Emergency Mgt., Starke, FL
Marianne Marshall, Aid for Representative Janet Adkins, Tallahassee, FL

Gordon Smith, Bradford County Sheriff's Office, Starke, FL
Ken Vogel, Jones Edmunds & Associates, Gainesville, FL

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

David Flagg led the Pledge of Allegiance to the flag and a moment of silence observed.

The roll was called and a quorum noted.

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

Addition: Lake City Reclaimed Water Filter Interlocal Agreement

Deletion: Agenda Item 11 – Denial of Water Use Permit Application 95-0076M

Deletion: Agenda Item 12 - Denial of Environmental Resource Permit Application 06-0509 and Authorization to Initiate Legal Action

Addition: Amendment of Lease with Gilchrist County for Otter Springs Park and Campground

Addition: Chinquapin Farm LLC Conservation Easement

Addition: Rescission of September 22, 2009 Authorization to Procure Property and Casualty Insurance from Travelers Insurance Company

Agenda Item No. 4 - Approval of Agenda.

ON A MOTION BY DR. DAVIDSON, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE SEPTEMBER 8, 2009, AGENDA.

Agenda Item No. 5 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- A. Megan Wetherington gave a presentation on the hydrologic conditions of the District.

- B. Approval and Execution of Resolution 2009-21,
Appreciation and Commendation for the Service of J. P. Maultsby

ON A MOTION BY MR. LAKE, SECONDED BY MS. JONES, AND
CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE
EXECUTION OF RESOLUTION 2009-21, APPRECIATION AND
COMMENDATION FOR THE SERVICE OF J.P. MAULTSBY

- C. Approval and Execution of Resolution 2009-22,
Appreciation and Commendation for the Service of Louis Shiver

ON A MOTION BY DR. DAVIDSON, SECONDED BY MS. JONES, AND
CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE
EXECUTION OF RESOLUTION 2009-22, APPRECIATION AND
COMMENDATION FOR THE SERVICE LOUIS SHIVER

Agenda Item No. 6 – Consent Agenda

- Approval of September 8, 2009 Meeting and Workshop Minutes and 1st Public Hearing Minutes and September 22, 2009 Final Public Hearing Minutes
- Approval of August Financial Report
- ~~Denial of Water Use Permit Application 95-0076M - Deleted~~
- ~~Denial of Environmental Resource Permit Application 06-0509 and Authorization to Initiate Legal Action - Deleted~~
- Denial of Variance Request and Entry of Final Order for Environmental Resource Permit Application 07-0006M
- Authorization to Initiate Legal Action, Meng Dairy Farm
- Lease Amendment with Taylor Coastal Water & Sewer District
- Renewal of Contract 07/08-211 with Red River Specialties, Inc., for Chemical Site Preparation Services
- Renewal of Contract 08/09-006 with M. A. Rigoni, Inc.
- Renewal of Contract 08/09-064 with Superior Forestry Service, Inc. for FY 2010 Tree Planting Services
- Rescission of September 22, 2009 Authorization to Procure Property and Casualty Insurance from Travelers Insurance Company

ON A MOTION BY MR. LAKE, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE CONSENT AGENDA ITEMS.

DEPARTMENT OF ADMINISTRATION

Agenda Item No. 7 – Approval of August Financial Report. Approved on Consent Agenda.

Agenda Item No. 8 – FY 2008/2009 Amendment to Reconcile Account Codes. Mr. Flanagan presented the staff recommendation to authorize the amendment of the FY 2008/2009 budget to reconcile over-expenditures and under-expenditures within specific account codes, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO AMEND THE FY 2008/2009 BUDGET TO RECONCILE OVER-EXPENDITURES AND UNDER-EXPENDITURES WITHIN SPECIFIC ACCOUNT CODES.

Supplemental Agenda Item – Rescission of September 22, 2009 Authorization to Procure Property and Casualty Insurance from Travelers. Approved on Consent Agenda.

Agenda Item No. 9 - Activity Report, Administration. The Activity Report for the Department of Administration was provided as an informational item in the Board materials.

DEPARTMENT OF RESOURCE MANAGEMENT

Agenda Item No. 10 – Rulemaking Hearing and Authorization to Change to Chapter 40B-2, Florida Administrative Code. Acting Chairman Flagg announced an order of hearing and opened the public hearing.

Mr. Dinges, Department Director, presented the staff recommendation for approval to make changes to the Chapter 40B-2, Florida Administrative Code, proposed rule amendments previously noticed.

Jennifer Springfield entered Exhibits A-G and Exhibit I into record and announced that Exhibit H would be brought back before the Board for consideration at the November 12, 2009 Governing Board meeting.

Mr. Flagg requested public testimony regarding the proposed amendments to Chapter 40B-2, Florida Administrative Code.

No public testimony or comments were received.

Mr. Flagg closed the public hearing.

ON A MOTION BY MR. LAKE, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE RECOMMENDED CHANGES TO THE CHAPTER 40B-2, FLORIDA ADMINISTRATIVE CODE, PROPOSED RULE AMENDMENTS.

Agenda Item No. 11 – Denial of Water Use Permit Application 95-0076M.
Deleted

Agenda Item No. 12 – Denial of Environmental Resource Permit Application 06-0509 and Authorization to Initiate Legal Action. Deleted.

Agenda Item No. 13 – Denial of Variance Request and Entry of Final Order for Environmental Resource Permit Application 07-0006M. Approved on Consent Agenda.

Agenda Item No. 14 – Authorization to Initiate Legal Action, Meng Dairy Farm. Approved on Consent Agenda.

Agenda Item No. 15 – Authorization to Enter into Contract with AECOM USA, Inc. Mr. Dinges presented the staff recommendation for authorization to enter into contract with AECOM USA, Inc., for the FEMA RiskMAP Program, as shown in the Board materials.

Mr. Meece stated a stated a possible conflict of interest and abstained from voting. Mr. Meece signed a conflict of interest form and that form is hereby made a part of these minutes and filed in the permanent files of the District.

ON A MOTION BY MR. LAKE, SECONDED BY DR. DAVIDSON, WITH CARL MEECE ABSTAINING, THE GOVERNING BOARD AUTHORIZED STAFF TO ENTER INTO CONTRACT WITH AECOM USA, INC., FOR THE FEMA RISKMAP PROGRAM.

Agenda Item No. 16 – Authorization to Enter into Contract with AMEC Earth & Environmental, Inc. Mr. Dinges presented the staff recommendation for authorization to enter into contract with AMEC Earth & Environmental, Inc., for the FEMA RiskMAP Program, as shown in the Board materials.

ON A MOTION BY DR. DAVIDSON, SECONDED BY MR. MEECE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO ENTER INTO CONTRACT WITH AMEC EARTH & ENVIRONMENTAL, INC., FOR THE FEMA RISKMAP PROGRAM.

Agenda Item No. 17 – Authorization to Enter into Contract with Cardno TBE. Mr. Dinges presented the staff recommendation for authorization to enter into contract with Cardno TBE for the FEMA RiskMAP Program, as shown in the Board materials.

ON A MOTION BY DR. DAVIDSON, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO ENTER INTO CONTRACT WITH CARDNO TBE FOR THE FEMA RISKMAP PROGRAM.

Agenda Item No. 18 – Authorization to Enter into Contract with Jones Edmunds & Associates, Inc. Mr. Dinges presented the staff recommendation for authorization to enter into contract with Jones Edmunds & Associates, Inc., for the FEMA RiskMAP Program, as shown in the Board materials.

ON A MOTION BY DR. DAVIDSON, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO ENTER INTO CONTRACT WITH JONES EDMUNDS & ASSOCIATES, INC., FOR THE FEMA RISKMAP PROGRAM.

Agenda Item No. 19 – Authorization to Enter into Contract with PBSJ Corporation. Mr. Dinges presented the staff recommendation for authorization to

enter into contract with PBSJ Corporation for the FEMA RiskMAP Program, as shown in the Board materials.

ON A MOTION BY MS. JONES, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO ENTER INTO CONTRACT WITH PBSJ CORPORATION FOR THE FEMA RISKMAP PROGRAM.

Supplemental Agenda Item – Lake City Reclaimed Water Filter Interlocal Agreement. Mr. Dinges presented the staff recommendation for authorization for the Executive Director to enter into an Interlocal Agreement with the City of Lake City for the purchase and installation of a reclaimed water filter, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF LAKE CITY FOR THE PURCHASE AND INSTALLATION OF A RECLAIMED WATER FILTER.

Agenda Item No. 20 – Environmental Resource Permit Number 07-0431. Environmental Resource Permit Number 07-0431, Charles R. Thomas for Heritage Estates, Gilchrist County, was provided as an informational item in the Board materials.

Agenda Item No. 21 – Environmental Resource Permit Number 88-0002M4. Environmental Resource Permit Number 88-0002M4, Mayo Correctional Institute Annex Firing Range, Lafayette County, was provided as an informational item in the Board materials.

Agenda Item No. 22 – Environmental Resource Permit Number 07-0336. Environmental Resource Permit Number 07-0336, John Sherrill, Gulf Coast Supply Holding, LLC, for Palmetto Ridge, Dixie County, was provided as an informational item in the Board materials.

Agenda Item No. 23 - Activity Report, Quality Communities. The Quality Communities Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 24 - Activity Report, Resource Management Regulatory. The Resource Management Regulatory Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 25 - As-Built Compliance Summary. The As-Built Compliance Summary was provided as an informational item in the Board materials.

Heath Davis and Don Quincey arrive and Mr. Quincey resumes position as Chairman.

DEPARTMENT OF LAND ACQUISITION AND MANAGEMENT

Agenda Item No. 26 – Bryan Guerry Exchange. Charlie Houder, Deputy Executive Director, presented the staff recommendation for authorization to conduct a detailed assessment and commence negotiations with Bryan Guerry on an exchange of lands in Columbia County, as shown in the Board materials.

ON A MOTION MADE BY MR. DAVIS, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO CONDUCT A DETAILED ASSESSMENT AND COMMENCE NEGOTIATIONS WITH BRYAN GUERRY ON AN EXCHANGE OF LANDS IN COLUMBIA COUNTY.

Agenda Item No. 27 – Lease Amendment with Taylor Coastal Water & Sewer District. Approved on Consent Agenda.

Agenda Item No. 28 – Contract for Real Estate Broker Services. Mr. Houder presented the staff recommendation for authorization for the Executive Director to enter into contract with Poole Realty, Inc., for Real Estate Broker Services for listing and sale of ten acres and a house, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT WITH POOLE REALTY, INC., FOR REAL ESTATE BROKER SERVICES FOR LISTING AND SALE OF TEN ACRES AND A HOUSE.

Agenda Item No. 29 – Appointments to R. O. Ranch Board of Directors. Mr. Houser presented the staff recommendation to appoint Heath Davis to serve as its representative on the R. O. Ranch Board of Directors and appoint Louis Shiver to serve the remainder of the term held by Mr. Danny Liles, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPOINTED HEATH DAVIS TO SERVE AS REPRESENTATIVE ON THE R.O. RANCH BOARD OF DIRECTORS AND APPOINTED LOUIS SHIVER TO SERVE THE REMAINDER OF THE TERM HELD BY MR. DANNY LILES.

Agenda Item No. 30 – Approval for Purchase of Fencing, Recreation Area Equipment and Furniture from PRIDE Industries. Mr. Houser presented the staff recommendation for approval to purchase wood rail fencing, picnic tables, grills, garbage can receptacles and furniture for District projects from Pride Industries, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, WITH MR. FLAGG VOTING AGAINST, THE GOVERNING BOARD AUTHORIZED THE PURCHASE OF WOOD RAIL FENCING, PICNIC TABLES, GRILLS, GARBAGE CAN RECEPTACLES AND FURNITURE FOR DISTRICT PROJECTS FROM PRIDE INDUSTRIES.

Agenda Item No. 31 – Renewal of Contract 07/08-211 with Red River Specialties, Inc., for Chemical Site Preparation Services. Approved on Consent Agenda.

Agenda Item No. 32 – Renewal of Contract 08/09-006 with M. A. Rigoni, Inc.. Approved on Consent Agenda.

Agenda Item No. 33 – Renewal of Contract 08/09-064 with Superior Forestry Service, Inc., for FY 2010 Tree Planting Services. Approved on Consent Agenda.

Supplemental Agenda Item – Amendment of Lease with Gilchrist County for Otter Springs Park and Campground. Mr. Houser presented the staff recommendation for approval and execution of an amendment to the Lease with

Gilchrist County for Otter Springs Park and Campground to increase road expenses for FY 2010, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED EXECUTION OF AN AMENDMENT TO THE LEASE WITH GILCHRIST COUNTY FOR OTTER SPRINGS PARK AND CAMPGROUND TO INCREASE ROAD EXPENSES FOR FY 2010.

Supplemental Agenda Item – Chinquapin Farm, LLC, Conservation Easement. Mr. Houser presented the staff recommendation for authorization to conduct a detailed assessment and commence negotiations with the Baker family on a conservation easement of lands in Suwannee and Columbia Counties, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO CONDUCT A DETAILED ASSESSMENT AND COMMENCE NEGOTIATIONS WITH THE BAKER FAMILY ON A CONSERVATION EASEMENT OF LANDS IN SUWANEE AND COLUMBIA COUNTIES.

Agenda Item No. 34 - Land Acquisition Activity Report. The Land Acquisition Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 35 - Land Management Activity Report. The Land Management Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 36 – R. O. Ranch Activity Report. The R. O. Ranch Activity Report was provided as an informational item in the Board materials.

DEPARTMENT OF WATER RESOURCES

Agenda Item 37– Contract with the University of Florida’s Institute of Food and Agricultural Sciences to Provide Technical Services. Mr. Webster, Deputy Executive Director, presented the staff recommendation for authorization for the Executive Director to enter into a contract with the University of Florida’s Institute

of Food and Agricultural Sciences (IFAS) to provide technical services, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH THE UNIVERSITY OF FLORIDA'S INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES (IFAS) TO PROVIDE TECHNICAL SERVICES.

Agenda Item No. 38 - Activity Report, Department of Water Resources. The Department of Water Resources Activity Report was provided as an informational item in the Board materials.

LEGAL COUNSEL REPORT

Agenda Item No. 39 - Enforcement Status and Litigation Report. The Enforcement Status and Litigation Report was provided as an informational item in the Board materials.

EXECUTIVE OFFICE

Agenda Item No. 40 - Executive Director's Report.
David Still thanked Bradford County for the use of their facility.

Mr. Still discussed a Division of Forestry meeting that he and Chairman Quincey attended with Commissioner Charles Bronson regarding the possibility of a court ordered implementation of numeric nutrient standards for state waters by the Environmental Protection Agency. Mr. Still recommended that staff prepare a resolution and bring it to the Board at the November 12, 2009 Governing Board meeting for approval.

A MOTION WAS MADE BY MR. MEECE TO PROVIDE AN AMICUS BRIEF AGAINST THE IMPLEMENTATION OF NUMERIC NUTRIENT STANDARDS WITHOUT SOUND SCIENTIFIC DATA TO SUPPORT THOSE STANDARDS. MR. LAKE SECONDED THE MOTION, BY UNANIMOUS VOTE, THE MOTION CARRIED.

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Agenda Item No. 41 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

The meeting adjourned at 11:19 a.m.

Chairman

ATTEST:
