

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT
GOVERNING BOARD MEETING MINUTES**

**District Headquarters
81 Water Management Drive
Havana, FL 32333**

**Thursday
February 14, 2013**

Governing Board Members Present

George Roberts, Chair
Jerry Pate, Vice Chair
Joyce Estes, Secretary/Treasurer
John Alter
Angus Andrews
Stephanie Bloyd
Jon Costello
Bo Spring

Governing Board Members Absent

Nick Patronis

1. Call to Order and Roll Call

Chair Roberts called the meeting to order at 1:01p.m., ET. Mr. Steverson called the roll and a quorum was declared present.

2. Invocation

Mr. Jerry Pate offered the invocation.

3. Pledge of Allegiance to the Flag

Chair Roberts led the meeting in the Pledge of Allegiance to the Flag.

4. Additions, Deletions or Changes to the Agenda

There were no additions, deletions or changes to the agenda.

5. Approval of Minutes for January 10, 2013

MOTIONED BY MR. PATE, SECONDED BY MR. ANDREWS, THAT THE GOVERNING BOARD APPROVE THE JANUARY 10, 2013, GOVERNING BOARD MEETING MINUTES. MOTION CARRIED.

6. Public Hearing on Consideration of Land Acquisition Matters

Chair Roberts called the public hearing to order at 1:16 p.m., ET.

6. A. Consideration of Florida Forever 2013 Five-Year Plan for Land Acquisition

Ms. Carol Bert reminded the board that in 2005, the Legislature passed House Bill 727 which requires each water management district to present a consolidated water management district annual report by March 1 of

each year. She explained that the Florida Forever Five-Year Work Plan is now part of the consolidated annual report; however, Section 373.139, Florida Statutes, also requires that the District adopt, in a public hearing, a Five-Year Work Plan for land acquisition.

Ms. Bert stated that in this work plan the District certifies to the Department of Environmental Protection that each property being purchased is consistent with the District's adopted Five-Year Work plan. She informed the board that this year's work plan differs from last year's plan due to the addition of a section on the proposed surplus of five tracts of District land which total 188.4 acres. Ms. Bert submitted the document for the official record and opened the floor for public comment. With no public comment, Ms. Bert voiced staff recommendation that the Governing Board approve the 2013 Florida Forever Five-Year Work Plan.

MOTIONED BY MR. PATE, SECONDED BY MR. SPRING, THAT THE GOVERNING BOARD APPROVE THE 2013 FLORIDA FOREVER FIVE-YEAR WORK PLAN. MOTION CARRIED.

7. A. Consent Business Agenda

Ms. Jean Whitten presented the Financial Report and Schedule of Disbursements for the month of December 2012.

MOTIONED BY MS. BLOYD, SECONDED BY MS. ESTES, THAT THE GOVERNING BOARD APPROVE THE FINANCIAL REPORT AND SCHEDULE OF DISBURSEMENTS FOR THE MONTH OF DECEMBER 2012. MOTION CARRIED.

7. B. Consideration of Resolution 771 to Amend the Fiscal Year 2012-2013 Budget-Amendment #2

Ms. Whitten stated that the Resource Management Division has identified additional operating budget needs for Fiscal Year 2012-2013 including the following:

- Meginnis Arm Stormwater Facility (\$5,000)
- Hydrologic Monitoring and Data Services for MFLs (\$263,537)
- Deepwater Horizon Moex Restoration (\$24,300)
- Ground Water Monitoring and Assessment and Cooperative Restoration Projects (\$168,950)
- DOT Mitigation (\$305,000)

Ms. Whitten stated that the net effect of the changes is an increase of \$766,787, \$401,863 to be funded from General Fund Reserves, \$329,300 from state revenues and \$35,624 from Federal grants. Ms. Whitten voiced staff recommendation that the Governing Board approve Resolution 771 amending the Fiscal Year 2012-2013 Budget.

MOTIONED BY MS. ESTES, SECONDED BY MR. ANDREWS, THAT THE GOVERNING BOARD APPROVE RESOLUTION 771 AMENDING THE ADOPTED FISCAL YEAR 2012-2013 BUDGET. MOTION CARRIED.

7. C. Consideration of Resolution 772 to Amend the Fiscal Year 2012-2013 Budget-Amendment #3

Ms. Whitten stated that the Resource Management Division has identified additional Interagency Expenditures budget needs for Fiscal Year 2012-2013 including the following:

- Apalachicola River Watershed Restoration (\$181,500)
- Blueprint 2000 Cascades Park Stormwater Enhancements (\$300,000)

Ms. Whitten stated that the net effect of the changes is an increase of \$481,500 to be funded from state revenues previously appropriated to the District. Ms. Whitten voiced staff recommendation that the Governing Board approve Resolution 772 amending the Fiscal Year 2012-2013 Budget.

MOTIONED BY MS. BLOYD, SECONDED BY MR. COSTELLO, THAT THE GOVERNING BOARD APPROVE RESOLUTION 772 AMENDING THE ADOPTED FISCAL YEAR 2012-2013 BUDGET. MOTION CARRIED.

7. D. Consideration of Renewal of Employee Health and Life Insurance

Ms. Whitten stated that the District's employee health coverage will expire on March 31, 2013. She informed the board that in order to maintain the same level of coverage for District employees the premiums will increase by 5.3% from the current rate. Ms. Whitten further stated that the employee life, dental and long-term disability insurance policies will also expire on March 31, 2013. She reminded the board as discussed at the October Governing Board meeting, changes required to align the District's employee benefits with those of state employees include reducing the amount of life insurance provided by the District to \$25,000 per employee and eliminating the contributions for dental and long-term disability insurance.

Ms. Whitten stated that the open-enrollment period is scheduled for early March to allow employees to discuss coverage details with the company representatives. Ms. Whitten voiced staff recommendation to approve the renewal of the Employee Health and Life insurance policies for the year beginning April 1, 2013, and ending March 31, 2014.

MOTIONED BY MS. ESTES, SECONDED BY MR. PATE, THAT THE GOVERNING BOARD APPROVE THE RENEWAL OF THE EMPLOYEE HEALTH AND LIFE INSURANCE POLICIES FOR THE YEAR BEGINNING APRIL 1, 2013, AND ENDING MARCH 31, 2014. MOTION CARRIED.

7. E. Consideration of Grant Agreement with the City of Apalachicola for the Battery Park Basin Stormwater Improvements Project

Mr. Paul Thorpe stated that the proposed agreement with the City of Apalachicola would provide District grant funding for development of a stormwater treatment facility and improvements to the conveyance system within the Battery Park Basin. He explained that by implementing this project, the city will retrofit the existing drainage system to improve stormwater quality prior to its discharge into Apalachicola Bay.

Mr. Thorpe stated that this project, as proposed by the City of Apalachicola, includes two primary components: a treatment train in the upper reaches of the basin and a wet detention facility at its terminus, prior to the discharge of stormwater into the bay. He further stated that the grant agreement, as proposed, will provide funding sufficient for the engineering, design, surveying, and permitting of the stormwater retrofit improvements. He further noted that, assuming satisfactory completion of project designs, it is anticipated that a contract amendment will be proposed in the future to provide the additional funding and time extension required for construction. He informed the board that the project will be funded by the Ecosystem Management and Restoration Trust Fund, pursuant to a Legislative Appropriation for the Apalachicola Bay SWIM Program.

Mr. Thorpe voiced staff recommendation that the Governing Board authorize the Executive Director to enter into agreement with the City of Apalachicola to provide up to \$71,500 in District grant funding for the Battery Park Basin Stormwater Improvements Project.

MOTIONED BY MS. ESTES, SECONDED BY MS. BLOYD, THAT THE GOVERNING BOARD AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AGREEMENT WITH THE CITY OF APALACHICOLA TO PROVIDE UP TO \$71,500 IN DISTRICT FUNDING FOR THE BATTERY PARK BASIN STORMWATER IMPROVEMENTS PROJECT. MOTION CARRIED.

7. F. Consideration of Memorandum of Agreement with the Deputy Secretary of the Air Force for Installations for Expanded Training Opportunities on District Lands

Mr. Bill Cleckley informed the board that the Gulf Regional Airspace Strategic Initiative is looking to expand regional military capability in northwest Florida and would like to enter into a Memorandum of Agreement (MOA) with the District to allow such operations on District lands. He reported that the Department of Agriculture and Consumer Services and the Department of Environmental Protection have entered into a similar MOA and Florida Fish and Wildlife Conservation Commission will soon consider a similar agreement.

Mr. Cleckley introduced Mr. Greg Kesler, Sr., Military Planner. Mr. Kesler gave a detailed presentation about the Gulf Regional Air Space Initiative and expressed his appreciation to the board for their consideration. Mr. Cleckley voiced staff recommendation that the Governing Board approve the Memorandum of Agreement between Office of the Assistant Secretary of the Air Force Installations, Pentagon, Washington D.C. and the Northwest Florida Water Management District for the Provision of Military Training on District Lands.

MOTIONED BY MS. ESTES, SECONDED BY MR. ALTER, THAT THE GOVERNING BOARD APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN OFFICE OF THE ASSISTANT SECRETARY OF THE AIR FORCE INSTALLATIONS, PENTAGON, WASHINGTON D.C. AND THE NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR THE PROVISION OF MILITARY TRAINING ON DISTRICT LANDS. MOTION CARRIED.

7. G Consideration of Resolution Nos. 766, 767, 768, 769 and 770 to Declare Five Tracts of District Land for Surplus; Escambia, Blackwater, Yellow and Choctawhatchee River WMA's

Ms. Carol Bert stated that during the Lands Committee meeting on January 10, 2013, staff provided the Committee with an overview of five parcels which have been proposed by staff for surplus. Ms. Bert voiced staff recommendation that the Governing Board approve Resolution No. 766 for the surplus of 110.5 acres in the Escambia River WMA, Resolution No. 767 for the surplus of 0.4 acres in the Blackwater River WMA, Resolution No. 768 for the surplus of 1.5 acres in the Yellow River WMA, Resolution No. 769 for the surplus of 38 acres (along Sandy Creek Landing Road) in the Choctawhatchee River WMA and Resolution No. 770 for the surplus of 38 acres near Sandy Creek in the Choctawhatchee River WMA. In addition, staff further recommended that the Governing Board make a determination that the parcels are no longer needed for conservation purposes and that the 0.4 acres recommended for surplus in Resolution No. 767 and the 1.5 acres recommended for surplus in the Resolution No. 768 were acquired for conservation purposes.

MOTIONED BY MR. ALTER, SECONDED BY MR. PATE, THAT THE GOVERNING BOARD APPROVE RESOLUTION NUMBER 766 FOR THE SURPLUS OF 110.5 ACRES IN THE ESCAMBIA RIVER WMA, RESOLUTION NUMBER 767 FOR THE SURPLUS OF 0.4 ACRES IN THE BLACKWATER CREEK WMA, RESOLUTION NUMBER 768 FOR THE SURPLUS OF 1.5 ACRES IN THE YELLOW RIVER WMA, RESOLUTION NUMBER 769 FOR THE SURPLUS OF 38 ACRES (ALONG SANDY CREEK LANDING ROAD) IN THE CHOCTAWHATCHEE RIVER WMA,

RESOLUTION NUMBER 770 FOR THE SURPLUS OF 38 ACRES NEAR SANDY CREEK IN THE CHOCTAWHATCHEE RIVER WMA AND DECLARE THAT THE PARCELS ARE NO LONGER NEEDED FOR CONSERVATION PURPOSES AND DECLARE THAT THE 0.4 ACRES IN RESOLUTION NUMBER 767 AND 1.5 ACRES IN RESOLUTION NUMBER 768 WERE ACQUIRED FOR CONSERVATION PURPOSES. MOTION CARRIED.

7. H. Consideration of ITB 13B-003 for Purchase of Longleaf Pine Tubelings

Mr. Tyler Macmillan stated that in fiscal year 2013-2014, staff anticipates restoring (reforesting) over 1,295 acres of cutover and/or distributed longleaf pine habitat within the Econfin Creek WMA. He reported that the District will need to purchase approximately 940,000 longleaf pine tubelings, to meet the planting needs for the 2013-2014 season. Mr. Macmillan indicated that the District has found a cost-effective method that locks in a lower price for procuring the trees that we need on an annual basis by requesting a price that would be honored by the nursery for three consecutive years. He explained that under the proposed multi-year agreement, the District will annually amend the agreement to place the order for the upcoming planting season.

Mr. Macmillan voiced staff recommendation to approve the bid submitted by Blanton's Longleaf Container Nursery for 940,000 longleaf pine tubelings in FY 2013-2014 at a total cost of \$141,000; and the price of \$150.00 per thousand for any additional tubelings ordered in FY 2013-2014, as well as for future longleaf pine tubelings orders in FY 2014-2015 and FY 2015-2016. In addition, staff further recommends that the Governing Board authorize the executive director to execute an agreement with Blanton's Longleaf Container Nursery for the purchase of 940,000 longleaf pine tubelings and the purchase (at the District's option and subject to Executive Director approval) of additional longleaf pine tubelings at the same price per thousand, subject to approval of funds for the longleaf tubelings in the District's FY 2013-2014 budget in September.

MOTIONED BY MR. PATE, SECONDED BY MR. SPRING, THAT THE GOVERNING BOARD APPROVE ITB 13B-003 SUBMITTED BY BLANTON'S LONGLEAF CONTAINER NURSERY FOR 940,000 LONGLEAF PINE TUBELINGS IN FY 2013-2014 AT A TOTAL COST OF \$141,000; AND THE PRICE OF \$150.00 PER THOUSAND FOR ANY ADDITIONAL TUBELINGS ORDERED IN FY 2013-2014, AS WELL AS FOR FUTURE LONGLEAF PINE TUBELING ORDERS IN FY 2014-2015 AND FY 2015-2016; AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH BLANTON'S LONGLEAF CONTAINER NURSERY FOR THE PURCHASE OF 940,000 LONGLEAF PINE TUBELINGS AND THE PURCHASE (AT THE DISTRICT'S OPTION AND SUBJECT TO EXECUTIVE DIRECTOR APPROVAL) OF ADDITIONAL LONGLEAF TUBELINGS AT THE SAME PRICE PER THOUSAND, SUBJECT TO APPROVAL OF FUNDS FOR THE LONGLEAF TUBELINGS IN THE DISTRICT'S FY 2013-2014 BUDGET IN SEPTEMBER. MOTION CARRIED.

7. I. Consideration of Consultant Selections to provide Continuing Services for Miscellaneous Economic Analysis

Ms. Angela Chelette notified the board that the District received five responses to the District's Request for Qualifications for Miscellaneous Economic Analysis. She stated that all five consultants were certified as qualified to provide the requested services by a District staff certification/selection committee. Ms. Chelette voiced staff recommendation that the Governing Board authorize the Executive Director to enter into an agreement with the highest ranked firm and sequentially ranked firms, as needed.

MOTIONED BY MR. PATE, SECONDED BY MR. ALTER THAT THE GOVERNING BOARD AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE HIGHEST RANKED FIRM AND SEQUENTIALLY RANKED FIRMS, AS NEEDED. MOTION CARRIED.

8. A. Information Item- Rulemaking Update for SWERP, MSSW and CUPCon

Mr. Michael Edgar and staff presented the Rulemaking Update for Statewide Environmental Resource Permitting, Management and Storage of Surface Waters and Consumptive Use Permitting Consistency. Mr. Edgar informed the board that the material was provided for informational purposes only.

8. B. Information Item- Regulatory Quarterly Report

Mr. Edgar presented the Regulatory Quarterly Report and informed the board that the material was provided for informational purposes only.

8. C. Information Item- Wounded Warrior Hunt

Mr. Macmillan gave a detailed overview of the 2013 Wounded Warrior Hunt, hosted by the District at the Econfina Creek WMA. He stated that the gratitude shown by the hunters was incredible and how honored he is to give back to a group of folks who have given so much for us. Mr. Macmillan expressed his appreciation to all who participated in making this special event a reality.

9. Legal Counsel Report

Mr. Kevin Crowley stated that Mrs. Crenshaw filed an amended petition for an administrative hearing challenging the issuance of a surface water management permit to Vista of Fort Walton Beach/James Busby for a construction project in Defuniak Springs. He reported that Administrative Law Judge D.R. Alexander has been assigned to the case and the final hearing took place on January 22, 2013. Mr. Crowley stated that the parties' proposed recommended orders are due on March 6, 2013.

Public Comment

Mr. Steverson introduced Mr. Rance Ellis, Florida Department of Agriculture and Consumer Services. Mr. Ellis gave a brief update on Florida Department of Agriculture and Consumer Services Best Management Cost-Share Programs.

Meeting was adjourned at 2:50 p.m., ET.

Chair

Date

Executive Director

Agency Clerk